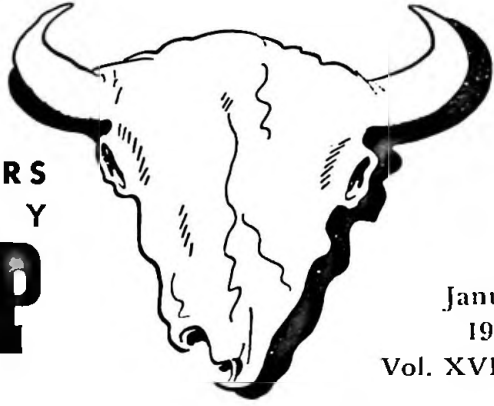


The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



January
1961
Vol. XVII, No. 1



Interior of the Peyote Teepee during Religious Services of the Native American Church.
(From Collection of Fred and Jo Mazzulla)

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



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No. I

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The Westerners
730 Equitable Bldg.
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FEBRUARY MEETING

**The Rocky Mountain Laboratory in Gothic City, Colorado
by Dr. John C. Johnson**

**Wednesday, February 22, 1961
6:30 P.M.**

**Denver Press Club, 1344 Glenarm
Denver, Colorado**

Dr. John C. Johnson, a retired biologist, has been an active teacher for at least 30 years. He is now the Director of that most interesting and unique Rocky Mountain Laboratory which he helped start in 1928 and which he now heads as its president and director. The general subject will be the history of that laboratory and of the town of Gothic and its surroundings. Here we have an old mining camp that serves a very special present need, and this recital should be of great interest.

FROM THE CORRAL RAIL

The regular fourth-Wednesday meeting of the Denver Posse was held at the usual time and place with 32 posse members, 11 corresponding members and 5 guests in attendance.

Ex-Sheriff **Fletcher Birney** presented the Gavel (made by **Dr. Mumey** from wood from Fort Union) and the Star (original one given to **Elmo Scott Watson**) to our Sheriff, **Charles Ryland**, who assumed his official duties and called for the usual round-the-table self-introductions. Among those specially noted as present were **Le Roy Hafen**, en route to Provo, Utah, and **Forbes Parkhill**, first "night out" since his serious visitation to the hospital.

Don Block called attention to the fact that "ten Ex-Sheriffs" of our Posse were in attendance and they were asked to stand.

Bob Perkin introduced our distinguished guest speaker, **Dr. Omer Stewart** of the University of Colorado, whose excellent paper is printed in this issue. He passed around several pictures of "peyote meetings" and a bag of peyote which he cautioned was illegal in the state of Colorado. Attorney **Erl Ellis**, however, has checked Colorado Statutes 48-5-2 and has rendered the opinion that only "selling or furnishing or keeping for sale" is against the law and that "mere possession is not a misdemeanor."

In Dr. Stewart's paper reference is made to some of the more recent legal decisions, one by the Tenth Circuit and to a pending case against Secretary Seaton. Attorney Ellis noted that he did not include a rather interesting case, **Seber vs. Thomas**, 108 F. 2d 856, in which the Tenth Circuit in 1940 had occasion to explain a "peyote meeting." The case was one to determine rights in an estate and the question arose as to whether two people were man and wife at a certain

time. Their attendance at the "peyote meeting" together and the significance thereof was one of the points showing that a marriage existed.

Many questions were asked the speaker who not only answered all queries very clearly but also sang several traditional songs of the Native American Church.

Westerners will be interested to know that the State Historical Society of Colorado is publishing most of the John Lawrence Diary, from which **Robert Cormack (PM)** prepared his interesting paper last October. The first entries of the diary appeared in the January, 1961, issue of the *Colorado Magazine*, and succeeding portions will appear in future issues of the magazine. **Mrs. Agnes Wright Spring**, editor of the magazine, has added several notes which increase the historical value and interest of the diary.

NEW CORRESPONDING MEMBERS

Although it has not been done in the past, we plan to publish the names of new corresponding members during 1961, and the following are welcomed as January subscribers:

Colorado State University,
Wanetta W. Draper,
G. M. Horstmann,
Roy O. Lavery,
Royce D. Sickler,
Blaine M. Simons.

Notice

Publications Committee of the Denver Westerners is interested in receiving any manuscripts prepared by either Posse or Corresponding Members, in the hope that such articles may be used in the 1960 Brand Book, or in future issues of the Roundup. Also

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any manuscripts in preparation will be discussed as to suitability and probable use. Please mail all such writings or outlines to Guy M. Herstrom, 2140 Hoyt Street, Lakewood 15, Colorado.

Press Association Awards:

Looking only at the awards given recently by the Colorado Press Association for General Excellence and for Typography and Presswork, we find that there were two awards in 4 classes for each two contests, or a total of 16 awards. Actually there were only eleven different winners, for some papers won in both contests.

Of the eleven winning publishers, it is to be noted that four are corresponding Members of The Westerners.

Glen Edmonds, publisher of the *Pagosa Springs Sun*, won first in each contest for weeklies under 1,100 circulation.

Glenn Prosser, publisher of the *Estes Park Trail*, won second place in the general excellence contest for weeklies over 1,100 circulation.

A. A. Paddock, publisher of the *Boulder Daily Camera*, won second place in both contests for dailies over 4,000 circulation.

Maurice Leckenby won first place in the typography and presswork contest for weeklies over 1,100 circulation. Congratulations.

Edmund B. Rogers (CM) has been awarded the Distinguished Service Citation of the Interior Department and the Cornelius Amory Pugsley Gold Medal Award from the American Scenic and Historical Preservation Society. Mr. Rogers retired last year from his job as Superintendent of Yellowstone National Park, a position he held for twenty years, and prior to which he was Superintendent of Rocky Mountain Park for seven years. Former Interior Secretary Fred A.

Seaton commended Mr. Rogers for his history of all federal and state legislation pertaining to National Parks and National Monuments, a monument of work in itself. Mr. Rogers is a son of the late Dr. Edmund J. A. Rogers, pioneer Colorado surgeon.

Congratulations for such a wonderful job well done.

Mr. Rogers authored an excellent article on *Yellowstone National Park* in Volume two of the *Denver Brand Book*, 1946.

Many, if not most, Active and Corresponding Members of the Denver Possee are ardent camera fans. **Ray Colwell**, has sent along the following information which he took from the Rocky Mountain Notes of the United State Forest Service of January 31, and hopes it may be of some value.

DETERIORATED CAMERA SLIDES—Quite a few people have had trouble with their Kodachrome slides taken during the time between June 1955 and approximately July 1956 developing a mold or fungi growth. If you have had this difficulty, don't throw the slides away, but take them to any photographic dealer and he will send them to Eastman Kodak Company for cleaning. Eastman will clean, remount and label them free of charge. It seems a different solution for processing was used during this period. (Courtesy of H. Dasch, R-6)

The October 1960 issue of The English Westerner's Brand Book, Vol. 3, No. 1, published in London, was a twelve page pamphlet with three articles: *Buffalo Steaks and Corn Bread* by **Kay Sharp**, a good summary of Indians of Western America; *More on Henry Newton Brown* by **Colin W. Rickards**, additional material found by the author to supplement his paper of April, 1960, and three pictures (one of the posse which captured Brown, one of the cells once
(Continued on Page 18)

THE NATIVE AMERICAN CHURCH (PEYOTE CULT) AND THE LAW

by OMER C. STEWART



The history of the Native American Church and the law would of course, technically, have to start with the first incorporation of the Native American Church. The certificate of that first incorporation was issued by the State of Oklahoma on October 10th, 1918. Since then the Native American Church has become incorporated in 12 other states and one province in Canada. In 1945 its name was changed from simply Native American Church to Native American Church of United States, and then in 1955 to Native American Church of North America. It is a matter of record, however, that the original incorporation of the Native American Church was suggested

Omer C. Stewart is professor of anthropology at the University of Colorado.

Before coming to the University of Colorado in November, 1945, Stewart traveled throughout Egypt and the Middle East for a business concern. From January of 1942 to June of 1943 he was stationed in Washington in the office of the Chief of Staff, U. S. Army.

He holds a B. A. degree from the University of Utah and a Ph. D. degree from the University of California at Berkeley, and has had wide experiences in the field of anthropology. For two summers, while he was undergraduate student at the University of Utah, he went on archaeological excavating and recognition trips under Dr. Julian H. Steward. In 1939 he did similar work in Arizona.

Stewart has taught at the University of California, University of Texas and the University of Minnesota. He is a member of Phi Beta Kappa, the American Anthropological Association, the Society for American Archaeology, Society for Applied Anthropology, Sigma Xi, science honorary, and Phi Sigma, biology honorary.

He has done much research on the American Indians and is the author of numerous publications, including seven articles about American Indians in the 1953 Encyclopedia Americana. Since 1950 he has served as an expert witness for tribes around the Great Lakes and in the Western states.

In 1929, Stewart received a grant from the U. S. Public Health Service for a five-year-research project for a tri-ethnic community.

His Ph. D. thesis and several publications are on the Peyote Religion. A grant from the University of Colorado Council on Research and Creative Work provided important help toward the research for this paper and for its preparation for publication.

by the anthropologist Dr. James Mooney of the Bureau of American Ethnology, Smithsonian Institution, so that the Indians might better protect their freedom to practice the Peyote religion. This move was largely a result of laws which had been passed by the State of Oklahoma and of interpretations of Federal laws by Federal officials which were intended to discourage the practice of the Peyote religion.

If one starts the history of the Native American Church and the Law with a review of the earliest legal activity directed against the Indians who used Peyote we do find that this started well before 1918. Almost 200 years before the incorporation of the Native American Church in Oklahoma there was a prohibition an-

nounced against the use of Peyote by the Inquisitor of New Spain in the City of Mexico. On the 29th of June, 1620, an edict was published which read in part as follows:

"We, the Inquisitors against heretical perversity or apostasy . . . by virtue of apostolic authority . . . [declare]:

"Inasmuch as the use of the herb or root called peyote has been introduced into these Provinces for the purpose of detecting thefts, of devining other happenings, and of foretelling future events, it is an act of superstition condemned as opposed to the purity and integrity of our Holy Catholic Faith. This is certain because neither the said herb or any other can possess the virtue or inherent quality of producing the effects claimed, nor can any cause the mental images, fantasies and hallucinations on which the above stated divinations are based. In these latter are plainly perceived the suggestion and intervention of the Devil, the real author of this vice, who first avails himself of the natural credulity of the Indians and their tendency to idolatry, and later strikes down many other persons too little disposed to fear God and very little faith. . . . As our duty imposes upon us the obligation to put a stop to this vice . . . [we] have decreed the issuing of the present edict . . . by which we admonish you and summon you to obedience . . . under penalty of anathema . . . and other pecuniary and corporal penalties within our discretion. We order that henceforth no person of whatever rank or social condition can or may make use of the said herb, Peyote, . . . nor shall he make the Indians or any other person take them. . . ."

The record does not name any Indians in Mexico who were punished under the Inquisitors' prohibition and

there is no evidence that Indians feared such punishment. In fact a number of tribes in Northern Mexico have continued the use of Peyote up to the present time.

About a century later in the Spanish Province of New Mexico there were several hearings at Taos and also at Sandia Pueblo dealing with accusations of the use of Peyote. In each case the individuals brought before the judges were accused of using the Peyote contrary to the laws of the Province. It was at a trial at Taos that an Indian stated he had received the Peyote from an Indian of the Hopi Village, called Moqui, which is the only reference we have of the prescience of Peyote among the Hopi, who have in general been considered completely free from its use. At Taos, itself, however, the record of legal difficulties concerning the use of the cactus has continued up to the present.

For the few of you who may not have heard about Peyote and the Native American Church, I should give a short explanation concerning this extremely interesting and frequently controversial religion and the plant upon which it is based. The famous Spanish botanist Francisco Hernandez wrote in 1577 that *peyotl* intoxicated like the "best wine." The name is Aztec and has the "surd-l" which is not found in English and we drop the l and replace it with the letter e, so that the *peyotl* known to the Aztec and reported by Bishop Sahagun as well as Hernandez was known in Mexico as a plant used in medicine and curing ceremonies. It was described as spineless castus and has frequently been called other names such as *mescal*. In spite of frequent mistakes of calling the peyote a bean or a bud it is now known that the entire plant of the cactus, *Lophophora Williamsii* (Coulter), contains the intoxicating ingredient now called mescaline.

This small, spineless cactus grows in Northern Mexico and Southern Texas on both sides of the Rio Grande in the vicinity of Lorado, Texas. Although known in Mexico by the early Spaniards, it was almost unknown in the United States until about 1890. In 1890 it was being used in religious and curing ceremonies by several tribes in Texas and in Oklahoma.

From the first references to Peyote among officials of the United States in 1888 the primary opposition to its use by the Indians in their ceremonies has come from missionaries of Christian religions and especially the medical missionaries who were assigned to church hospitals or frequently were employed as government officials. The first rules passed against the use of the cactus were regulations promulgated by reservation officials without any governmental authorizations. These occurred first in 1888 on the Kiowa, Commanche and Wichita Agency in Oklahoma. Even the Commissioner of Indian Affairs ordered the confiscation of Peyote as an intoxicant along with the legal suppression of alcoholic beverages, although the Federal law did not specifically prohibit the use of Peyote. Such illegal action by U.S. government officials was carried on from time to time from 1888 to 1924.

It was the State of Oklahoma in its Session Laws of 1899 which first outlawed Peyote. The 1899 Oklahoma law was stimulated by the Agent for the Cheyenne and Arapahoe Agency, and he claims credit for having the laws passed in his annual report to the Commissioner. The Oklahoma law read in part:

"... It shall be unlawful for any person to introduce on any Indian Reservation or Indian allotment situated within this Territory or to have in possession, barter, sell, give, or otherwise dispose of, any "mescal beans," or the product of any such drug, to any allotted Indian in this Territory. . . .

"Any person who shall violate the provisions of this act in this Territory, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in the sum not less than \$25.00, nor more than \$200.00, or be confined in the County Jail for not more than six months, or be assessed both such fines and imprisonment at the discretion of the Court."

Under the provisions of the 1899 law three Indians were tried and found guilty on March the 1st, 1907. They were fined \$25.00 each and costs and were sentenced to five days in the County Jail of Kingfisher County, Oklahoma. The defendants appealed to the District Court which did hear the case, but did not make a final disposition as far as the record is known. It was the arrest of Reuben Taylor, Howling Wolf, and Percy Kable which publicized the Oklahoma law and stimulated the Indians and others to testify against the law in the Oklahoma legislature. The famous Commanche Chief, Quannah Parker testified as follows: "I do not think this Oklahoma legislature should interfere with a man's religion; also these people should be allowed to retain this health restorer." The State repealed the anti-Peyote law of Oklahoma in 1908. Attempts at reenactment failed in 1909 and again in 1927. Nevertheless, since then pressure has been brought to have such prohibitive laws passed. The last one coming to my attention in August, 1954 when Reverend Ted Reynolds was reported by the *Daily Oklahoman* of Oklahoma City to be anxious to have laws enacted prohibiting the use of Peyote.

In order to keep the record straight I should say the first Peyote Church incorporated in Oklahoma went under the name of the First Born Church of Christ of Redrock, Oklahoma. Its Articles of Incorporation were filed December 8th, 1914. These Articles do not reveal that the use of

Peyote is essential. It quotes several chapters from the New Testament and declares the church's purpose to be to:

“. . . practice and teach by word, thought, deed, and example, the just, upright sinless, transmutation into holiness and the kingdom of righteousness, which is the kingdom of peace, the kingdom of Christ, and to this end the creeds of the "Dark Ages" the superstitions and practices of such creeds which misrepresent Divine Character and Plan, and which enslave God's people in ignorance, sin, and superstition are hereby renounced, and this Church joyfully recognizes all the professed faiths in Christ's redeeming love, nor concentrated to His life sacrifice, even unto death, with Him as our brother and in Him."

The incorporators of the two churches were different. Directors of the First Born Church of Christ are known as Peyotists and later as active members in the Native American Church. Some of them became famous leaders of the Native American Church and claim the honor of having had the first incorporated Peyote Church.

The Native American Church papers of incorporation declare in Article II that the purpose is religious as follows:

"The purpose for which this corporation is formed is to foster and promote the religious belief of the several tribes of Indians in the State of Oklahoma, in the Christian religion with the practice of the Peyote sacrament as commonly understood and used among the adherents of this religion in several tribes of Indians in the State of Oklahoma, and to teach the Christian religion with morality, sobriety, industry, kindly charity and right living, and cultivate the spirit of self respect, brotherly union among the members of the native race of Indians, including therein the vari-

ous tribes in the State of Oklahoma, with the rights to own and hold property for the purpose of conducting its business and services."

The charter of the Native American Church of Oklahoma was amended several times until it was the Native American Church of North America on April 7, 1950, and amended further on October 12th, 1955. Each time the amendments were to broaden the scope of the Church and to provide for the inclusion of the churches of other states into the parent organization. Parallel Peyotist organizations were incorporated in many states, but recognized their unity with the Native American Church of Oklahoma or of North America. The Peyote Church of Christ was organized in Nebraska in 1921 and its name changed to Native American Church in 1922. The North Dakota Native American Church was organized in 1923, the year following the Native American Church of South Dakota. The Colorado Native American Church was incorporated on April 2, 1946. The native American Church of Canada was incorporated in Saskatchewan, November 3, 1954 and is the most recent addition of which I have knowledge.

With the repeal in 1908 of the Oklahoma law prohibiting use of Peyote and the subsequent failure in 1909 to have another law enacted there were no clear legal restrictions against the Native American Church until 1917, when Colorado, Nevada and Utah passed laws prohibiting the use of Peyote. In the interim, however, there were the extra-legal administrative attempts to suppress the use of Peyote mentioned above. In 1912 Mr. W. E. Johnson, the special officer assigned to the suppression of the liquor traffic among the Indians, reported that the U.S. District Court of Nevada had made several convictions for the use of Peyote under the Act of 1897 prohibiting the use of intoxicants, and W. E. Johnson also reported the suc-

cess in stopping the distribution of Peyote under the same powers. For several years, from 1912 to 1921, the word Peyote was included in the appropriation bill for the suppression of the liquor traffic but the word Peyote did not appear in a number of other years, for example, 1913 to 1915, 1921 to 1923, and since 1939.

It was under the Act of 1897 that a Menomini Indian was arrested and brought for trial on April 2, 1914 because he had introduced Peyote to several Menomini Indians in Northern Wisconsin. His arraignment was confirmed by the Grand Jury on the 16th of April 1914, and he was put in jail to await trial by the District Court in May. On May 22nd, however, the jury for the District Court found the Menomini, Mitchell Neck, not guilty.

Of primary importance in the history of the Native American Church and the Law is the action taken by the United States Congress regarding Peyote. The administrative decisions by the Commissioner of Indian Affairs had, in fact, no legal basis, as was admitted in committee testimony by the Commissioner of Indian Affairs in 1924. In 1907 a group of Indian agents petitioned Congress for the passage of an anti-Peyote law but the bill was never sent to Congress. The Bureau of Indian Affairs, itself, drafted a bill in 1910, but again, for some reason, did not actually submit it to Congress. It was not until 1916 that there was a major effort made to have the use of Peyote prohibited by Federal statute. Senator W. H. Thompson of Kansas and Representative H. L. Gandy of South Dakota introduced to the 64th Congress, 1st session, a bill to prohibit the use of Peyote and its transportation in interstate commerce. The original Peyote prohibition law of 1916 was defeated and similar laws in 1917, 1918, 1919, 1921, 1922, 1924, 1926 and 1937 were also defeated. Representative Hayden of Arizona introduced

several and the 1937 bill was introduced by Senator Dennis Chavez of New Mexico.

It was probably the failure to obtain a national law against Peyote which led the opponents of the Native American Church to follow the much less direct route through state laws. The Colorado, Nevada and Utah laws passed in 1917 seem to have been directly responsive to the failure in the Federal Congress. Other states passing laws prohibiting Peyote were Kansas in 1920, Arizona, Montana, North Dakota and South Dakota in 1923, Iowa in 1924, Wyoming and New Mexico in 1929, Idaho in 1935, and Texas in 1937.

Although Peyote and the Peyote religion have been known to the students of the American Indian following the reports of Mooney of the Bureau of American Ethnology in 1892 and had been studied by scientists in order to learn its chemical and therapeutic properties for the same length of time, in 1917 when the law to prohibit use of Peyote in Colorado was passed the nature of the Peyote religion and its importance among the Indians was not generally recognized. One reason for the relative absence of public knowledge about Peyote was its scarcity even among Indian tribes. It was, of course, used by a number of tribes in Oklahoma and on some reservations, such as the Kiowa Agency, it was reported in 1919 that 75% of the Indians used Peyote. On the other hand, a long questionnaire sent in 1919 to all Agencies by the Bureau of Indian Affairs obtained the information that the following states had no Peyote users: Arizona, California, Colorado, Florida, Idaho, Michigan, Mississippi, Nevada, New York, North Carolina, Oregon, and Washington. For the other states the best official estimate was that only about 4% or about 14,000 of the total Indian population, were known to be Peyote users.

Inasmuch as the officials in charge

of Indians in Colorado reported that no Indians in the State used Peyote in 1919, it is somewhat surprising that the legislators in 1917 should have felt the necessity to pass a law prohibiting the use of this cactus in the state. *The Denver Post* of January 12, 1917 does suggest that this stimulation for the law against Peyote was not locally inspired and did not result from real knowledge of the Native American Church. The day following the introduction of House Bill 4 by Representative Clem Crowley of Denver on January 11, 1917, *The Denver Post* headline read "DENVER WOMEN FIGHTING TO STOP DOPE LEAF TRADE AMONG COLORADO INDIANS." The article goes on to say

"... Women of this city and all parts of the State have taken up the fight which is being made to stop the traffic among the Indians in 'peyote,' the dried leaf of a cactus, which is similar in its effect to opium or cocain. . . .

"According to Mrs. Brown, societies which have interested themselves in the welfare of the Indians have discovered that peyote is killing dozens of Indians yearly. The 'peyote' eater has dreams and visions as pleasing as those of a 'hop-head.' To get a better hold on the victims, the peyote peddlers have lent a religious tone to the ceremony of eating the drug, so that the peyote is worshipped in a semi-barbaric festival before the orgy is held.

"Owing to the fact that the Federal Drug Act does not cover the sale of it, peddlers have been spreading it all over the country. From the Indian reservations where its use is most prevalent, it has spread to a number of communities of Negroes and white men are now learning to use it, says Mrs. Brown."

The article also states that "the Ministerial Alliance of Denver, re-

presenting 126 churches" and the WCTU were listed as supporters of the "crusade to check the 'peyote' habit." Other sponsors of the Colorado legislation were listed as the PTA, the Woman's Club, and the Association of Collegiate Alumnae. The following law was passed without a dissenting vote on February 21, and signed by Governor Julius C. Gunter on February 28th, 1917:

"Anhalonium, or Peyote, declared dangerous. It is hereby declared in the police and sovereign power of the State of Colorado that the use of anhalonium, or peyote, within this state is dangerous to the life, liberty, property, health, education, morals, and safety of the citizens of this state, and is inconsistent with a good order, peace, and safety of the state.

"Sale, gift or barter unlawful. No person, association, or corporation shall, within this state, use or sell or keep for sale, or give away, dispose of, exchange, barter or otherwise furnish any anhalonium, or Peyote, . . . to any person whomsoever; . . .

"Penalty. Any person, agent, employee, (etc.) . . . who shall violate any of the provisions of the two preceding sections . . . shall . . . be punished by a fine of not less than one hundred (100) dollars nor more than three hundred (300) dollars, or by imprisonment in the county jail not less than thirty (30) days nor more than six (6) months . . . [For] every second and subsequent offense . . . the person . . . shall be imprisoned in the state penitentiary at hard labor not less than one year nor more than three years. . . ."

An almost identical law, passed in Utah within a few days of its passage in Colorado, was removed from the Utah laws simply by omission from the narcotic law of 1935. It may have been the knowledge that Judge Ray

E. Dillman of Uintah County had refused to prosecute the Peyote users of the Uintah-Ouray Reservation which led to its repeal from the Utah statutes. After Judge Dillman had made his ruling, about 1935, the members of the Native American Church put up their teepee and arranged their religious altar for visitors to see at the County Fair and also invited visitors to attend the Peyote services of the Native American Church. It was on the Uintah Reservation at White Rocks, Utah, in October 1937, that I was invited to attend a Peyote meeting. The Episcopalian Missionary with whom I was visiting told me the Peyotists had suggested to him that they hold their all-night ritual in his church, especially during the winter, so that they would be on hand for his services on Sunday morning.

In 1937, however, the old Peyote prohibition was still accepted as in force in Southern Utah because three Indians from Colorado had been arrested and put in jail in Montecello for peddling Peyote to the Ute Indians of the Allen Canyon region. They were released when I happened along and could tell the District Attorney that Judge Dillman had declared the law unconstitutional on the Uintah-Ouray Reservation where most of the Indians of Utah reside.

The Colorado law appears to be of little importance because it is not enforced in the State. It serves sometime to interfere with the shipment of Peyote through the mails. Judge James Nolan of Durango explained to me that at one time while he was District Attorney some Indians received a large shipment of Peyote which was discovered in the Express Office. The Indians were arrested. However when they claimed that they would fight the case and obtain help of the Indian Rights Association, Judge Nolan decided that his chances of winning the case would be very slight so he dismissed the charges and

merely confiscated the Peyote. Thus, there has been no case brought to trial under the Colorado law prohibiting possession of Peyote in the State. The Indians, of course, usually have their Peyote meetings on the reservation and it is now questionable whether the State law would apply to the meeting held on Indian land. I have attended Peyote meetings on the Ute Mountain Ute Reservation near Towaoc and on the Southern Ute Reservation near Ignacio, as well as with the Northern Paiute and Washo Indians in California and Nevada, in addition to the meetings I attended in Utah.

As the Indians have gained in sophistication and experience with the laws of the United States there have been a number of attempts to have the State laws repealed. The present President of the Native American Church, a Crow Indian, named Frank Takes Gun, has lead this movement and has been successful in having the laws against Peyote of Montana and New Mexico amended to allow the use of Peyote in religious services. In both states there were opponents to the amendments but the laws were amended so that the prohibition remained except for the use of Peyote in regularly organized religious services conducted by incorporated churches. It was to be prepared for such amendments that Mr. Take Gun had been actively encouraging the incorporation of the Native American Church in all states where members lived. The Church was first incorporated in Colorado in 1926 as the Native American Lodge, but this was changed in 1946 to the Native American Church. Under the 1946 incorporation, which was sponsored by Frank Takes Gun, then vice president of the Native American Church of the United States, and by Herbert Stacker and Walter Lopez, Southern Ute Indians, the incorporation papers specified that the object of the church was to

"foster and promote the religious belief in Almighty God and the custom of the several tribes of Indians in the State of Colorado and in the United States in the worship of a Heavenly Father and to promote morality, sobriety, industriality, charity and right living and to cultivate the spirit of self-respect and brotherly union among members of the several tribes of Indians in the State of Colorado with the right to use Peyote as a sacrament in their religious ceremonies, to own and hold property for the purpose of conducting such business or services and the term for which the said church shall exist shall be perpetual."

Although to some it seems inconsistent for the Secretary of State to authorize the use of Peyote in religious services at the same time that the State narcotics law prohibits its possession or use for any purpose, attorneys realize that such action by the Secretary of State did not repeal the earlier law and did not in any way authorize the breaking of the earlier law. This is, however, a wedge with which the members of the Native American Church can work toward the amendment of the prohibition, as was done in Montana and New Mexico. It would be appropriate for the State legislature of Colorado to make a similar amendment to the Colorado State law, but inasmuch as the law is already a dead letter the activity for such an amendment is not greatly encouraged. Other states have also repealed their anti-Peyote laws for various reasons, and at different times. Iowa removed the prohibition against Peyote in 1937 and Texas did likewise in 1954, just as Utah had previously in 1935.

The status of the Arizona law is now in an interesting legal limbo because of the action of Superior Court Judge Yale McFate on July 26, 1960. The hearing before Judge McFate was

brought about by the arrest of Mary Attakai, a Navajo member of the Native American Church, who was living in Williams, Arizona, off the reservation. When officers went to her home to arrest a drunken Indian, the Indian, in part to excuse himself, reported that Mrs. Attakai had Peyote in her possession and pointed out where it could be found. The arresting officers found the Peyote and took Mrs. Attakai before the Justice of the Peace where she pleaded not guilty. A trial before the Coconino County Superior Court was ordered. Judge Yale McFate went from Phoenix to hear the case because the local judge, H. L. Russell, had disqualified himself. The trial in Flagstaff on July 25th and 26th, was conducted for the defense by Phoenix attorney, Herbert L. Ely who was retained and sent to Flagstaff by the American Civil Liberties Union for the aid of the Indians. At the request of Mr. Frank Takes Gun, President of the Native American Church, and of Mr. Ely, I travelled to Flagstaff to serve as an expert witness for the case. Mr. Ely gave me a high compliment by stating that "the judge was obviously impressed and influenced with your knowledge and sincerity, and therein lay the reason for his decision. ... Thank you for your energies expended on behalf of this matter and for your ability to articulate logically but with passion your abundant knowledge." At my suggestion the attorney introduced as an exhibit the 180-page monograph by J. S. Slotkin, entitled *The Peyote Religion*, and also presented several photographs taken by the press photographer of the *Saskatoon* (Saskatchewan) *Star Phoenix* of a Peyote meeting in Canada. My own testimony was also supplemented by that of Dr. Bernard E. Gorton, a psychiatrist from Phoenix who had studied with Dr. P. H. Hoch, one of the primary psychological researchers on the effect of

Peyote. Dr. Gorton testified that the use of Peyote was neither harmful nor habit forming and thus supported the information in the book by Dr. Slotkin. My own role at the hearing was to describe the ritual of the Native American Church as I had observed it among the Ute Indians from whom the Navajo learned the ritual, and to confirm in a general way the description given by Mr. Takes Gun and Mary Attakai herself. Mrs. Attakai gave a beautiful description of her own reactions to the Peyote ritual. I was on the stand for about four hours and was able to describe the history of the Native American Church as well as its ritual. In dismissing the defendant, Mary Attakai, Judge McFate declared the Arizona law prohibiting the use of Peyote as unconstitutional. He said:

"Well, Gentlemen, I have finally formulated my opinion with respect to this matter.

"The defendant admits possession of peyote, as charged in the complaint, and she is therefore guilty of the crime of illegal possession of peyote unless the statute under which she is charged is unconstitutional. Counsel for defendant strongly urges that it is in violation of the Fourteenth Amendment of the United States Constitution and of Article II, Sections 4, 8, 12 and 13 of the Arizona Constitution.

"The Fourteenth Amendment of the United States Constitution prohibits any state from enacting any law which abridges the privileges and immunities of the citizens of the United States. Nor shall any state deprive any person of liberty without due process of law, or deny to any person the equal protection of the law. The Arizona Constitution, Article II, Sections 4, 8, 12 and 13 covers substantially the same subject matter as the Fourteenth Amendment of the United States

Constitution. Freedom of religious worship is guaranteed by these fundamental provisions.

"The State of Arizona, under the police power, may regulate or prohibit the use or possession of substances, even though used in religious rites, if reasonably necessary to protect the public health or safety. Liberty of conscience secured by the provisions of our Constitution may not be construed to excuse acts of licentiousness or to justify practices inconsistent with the peace and safety of the public.

"The precise question before this court, therefore, is this: Is this statute prohibiting possession of peyote reasonably necessary to protect the public health?

"The measure of reasonableness is: What, under all the circumstances, is fairly appropriate in order to accomplish the purpose of protecting the public health, and not necessarily what is best for that purpose.

"The evidence in this case establishes that peyote is a small cactus which grows along the banks of the Rio Grande. When taken internally it produces — especially when the eyes are closed — extraordinary physiological and psychological effects such as bright colors and so-called visions, as though one were witnessing an actual scene; yet, while these effects are being produced, the subject is completely aware of his actual environment and in possession of all his mental faculties. And there are no harmful after-effects from the use of peyote.

"Peyote is not a narcotic. It is not habit-forming. It is actually unpleasant to take, having a very bitter taste.

"There is no significant use of peyote by persons other than Indians who practice peyotism in connection with their religion.

There are about 225,000 members of the organized church, known as the Native American Church, which adheres to this practice. The peyote rite is one of prayer and quiet contemplation. The doctrine consists of belief in God, brotherly love, care of family and other worthy beliefs. The use and significance of peyote within the religious framework is complex. It is conceived of as a sacrament, a means of communion with the Spirit of the Almighty—and as an object of worship, itself, as having been provided for the Indian by the Almighty.

"The Indians use peyote primarily in connection with their religious ritual. When thus consumed, it causes the worshiper to experience a vivid revelation in which he sees or hears the spirit of a departed loved one, or experiences other religious phenomenon; or he may be shown the way to solve some daily problem, or reproofed for some evil thought or deed. Through the use of peyote, the Indian acquires increased powers of concentration and introspection, and experiences deep religious emotion. There is nothing debasing or morally reprehensible about the peyote ritual.

"The use of peyote is essential to the existence of the peyote religion. Without it, the practice of the religion would be effectively prevented.

"From the foregoing it follows:

"First, the only significant use made of peyote is in connection with Indian rites of a bona fide religious nature, or for medicinal purposes.

"Second, there are no harmful after-effects from the use of peyote.

"Third, it is not a narcotic, nor is it habit forming.

"Fourth, the practical effect of the statute outlawing its use is to

prevent worship by members of the Native American Church, who believe the peyote plant to be of divine origin and to bear a similar relation to the Indians—most of whom cannot read—as does the Holy Bible to the white man.

"The manner in which peyote is used by the Indian worshiper is not inconsistent with the public health, morals, or welfare. Its use, in the manner disclosed by the evidence in this case, is in fact entirely consistent with the good morals, health and spiritual elevation of the some 225,000 Indians.

"It is significant that many states which formerly outlawed the use of peyote have abolished or amended their laws to permit its use for religious purposes. It is also significant that the Federal Government has in nowise prevented the use of peyote by Indians or others.

"Under these circumstances, the court finds that the statute is unconstitutional as applied to the acts of this defendant in the conduct and practice of her religious beliefs.

"There will therefore be an order dismissing this complaint and . . . exonerating the bond and releasing the defendant."

There remains to be discussed one of the knottiest of the legal problems connected with the Native American Church. This has to do with the Tribal Ordinance prohibiting the use of Peyote on the Navajo reservation. It was not until about 1940 that it was widely known that Navajo Indians had started using Peyote. At that time the Navajo Tribal Council, under the leadership of Jake C. Morgan, an ordained minister of the Christian Reformed Church, passed a law prohibiting the use of Peyote on the reservation and providing for the punishment by a fine of \$100.00 and a jail sentence up to nine months. The research conducted by Dr. David F. Aberle of the University of Michigan

and by myself, results of which were published in a monograph in 1957 by the University of Colorado press, documents the process by which the Navajo learned of the use of Peyote from the Ute Indians beginning about 1935, and from then on how it spread throughout the Navajo reservation. It is now estimated that about a third of the Navajos have had some sympathetic experience with the Native American Church. Notwithstanding the fact that the Navajo Tribal Council has received expert testimony from medical doctors and anthropologists that the Peyote is not habit forming and is not dangerous, the Council has retained its ordinance and continued to try to stop the distribution of Peyote to the members of the Native American Church on the reservation. Some non-Navajo have been jailed but mostly the Navajo themselves have borne the brunt of this ordinance.

The Navajo members of the Native American Church have instituted two suits in Federal courts to try to have the Navajo ordinance declared unconstitutional on the grounds that it deprives the Navajo of their religious freedom. The first case was in an Arizona court and the judge dismissed the case because he said he did not have jurisdiction over the acts of the Navajo Council. The second suit initiated in the Federal court of New Mexico was carried from the District Court of New Mexico to the 10th Circuit Court of Appeals in Denver. Individual Navajo Indians and the Native American Church of North America sued the Navajo Tribal Council and Paul Jones as Chairman in an attempt to force them to repeal the law prohibiting the use of Peyote. Both the District Court and the 10th Circuit Court of Appeals declared that the Federal courts did not have jurisdiction over the ordinance of the Navajo Tribal Council. The decision of the 10th Circuit Court was written by Judge Walter A. Huxman during

the September term of 1959. The Indians had retained the Albuquerque law firm of *Grantham, Spann and Sanchez* which assigned Mr. Fred M. Standley, former attorney General for the State of New Mexico to handle the appeal.

The court made some historic and extremely important rulings in dismissing the appeal of the Native American Church in the following words:

"First, that the ordinance was a valid exercise of police powers and was, therefore, not repugnant to the Constitution; second, that the Navajo Tribal Council cannot be sued without the consent of the Congress of the United States, which consent had not been given; third, that since the seat of the Government of the Navajo Tribe is in Window Rock, Arizona, the court was without jurisdiction over matters concerning the validity of the Navajo Tribal Council; and, fourth, that the face of the complaint shows a misjoinder of parties defendant and causes of action. In our view, not all of these grounds need to be discussed or considered at a decision of the case.

"Much has been written with respect to the status of Indian tribes under our Government, and with respect to the jurisdiction of Federal or State courts over controversies between non-members and a tribe, or between members of a tribe, or controversies between Indian members of a tribe and the tribe as an entity. The early case of *Worcester v. Georgia*, 31 U.S. 350, is the leading case on the subject. The opinion of Chief Justice Marshall developed the subject at great length. The gist of the opinion is that Indian nations and tribes are distinct political entities, having territorial boundaries within which their authority is exclusive; that within their borders they have their

own Government, laws and courts, and are not subject to the laws of the State in which they are located or to the laws of the United States, except where Federal laws are made applicable to them by Congressional enactment, and that Federal courts are without jurisdiction unless jurisdiction is expressly conferred by Congressional enactment. In *United States v. Kagama*, 118 U.S. 375, the court sums up their status in the following language,

"They were and always have been regarded as having a semi-independent position when they preserved their tribal relations; not as States, not as nations, not as possessed of the full attributes of a sovereignty, but as a separate people, with the power of regulating their internal and social relations, and thus far not brought under the laws of the Union or of the State within whose limits they resided."

These declarations by the Supreme Court have been adhered to in a long line of cases.

"The status of Indian nations or tribes, preserving their political entity under the decisions of the Supreme Court, has been summed up in Felix S. Cohen's *Handbook of Federal Indian Law*, at page 122, as follows,

"The whole course of judicial decision on the nature of Indian tribal powers is marked by adherence to three fundamental principles: (1) An Indian tribe possesses, in the first instance, all the powers of any sovereign state. (2) Conquest renders the tribe subject to legislative power of the United States and, in substance, terminates the external powers of sovereignty of the tribe, e.g., its power to enter into treaties with foreign nations, but does not by itself affect the internal sovereignty of the tribe, i.e., its powers of local self-govern-

ment. (3) These powers are subject to qualification by treaties and by express legislation of Congress, but, save as thus expressly qualified, full powers of internal sovereignty are vested in the Indian tribes and in their duly constituted organs of government."

This subject was again before the Supreme Court in the late case of *Williams v. Lee*, 358 U.S. 217. This case involved a suit by a non-Indian against an Indian member of the Navajo tribe for goods sold to him. This action was brought in the State courts. The court reviewed the status of Indian tribes. It adhered to the principles of the *Worcester* case. Concerning that case, the court said, "Over the years, the court has modified these principles in cases where essential tribal relations were not involved and where the rights of Indians would not be jeopardized, but the basic policy of *Worcester* has remained." And speaking of the Navajo nation and the treaty with them, the court said, "Implicit in these treaty terms, as it was in the treaties with the Cherokees involved in *Worcester v. Georgia*, was the understanding that the internal affairs over the Indians remained exclusively within the jurisdiction of whatever tribal government existed." No law is cited and none has been found which undertakes to subject the Navajo tribe to the laws of the United States with respect to their internal affairs, such as powers and ordinances passed for the purposes of regulating the conduct of the members of the tribe on the reservation. It follows that the Federal courts are without jurisdiction over matters involving purely penal ordinances passed by the Navajo legislative body for the regulation of life on the reservation.

"But it is contended that the First Amendment to the United

States Constitution applies to Indian nations and tribes as it does to the United States and to the States. It is, accordingly argued that the ordinance in question violates the Indians' right of religious freedom and freedom of worship guaranteed by the First Amendment. No case is cited and none has been found where the impact of the First Amendment, with respect to religious freedom and freedom of worship by members of the Indian tribes, has been before the court. In *Talton v. Mayes*, 163 U.S. 376, the court held that the Fifth Amendment did not apply to local legislation by the Cherokee nation. In *Barta v. Oglala Sioux Tribe of Pine Ridge Reservation*, 259 F. 2d 553, the court held that neither the Fifth nor the Fourteenth Amendments had any application to action, legislative in character, of Indian tribes imposing a tax on the use of Indian trust land, and in *Toledo v. Pueblo de Jemez*, 119 F. Supp. 429, the court held that deprivation of liberties by tribal government could not be redressed by action under the Civil Rights Act. *Cohen's Handbook of Federal Indian Law*, 1942, at page 124, states that restraints upon Congress or upon the Federal courts or upon the States, by the Constitution, do not apply to Indian tribal laws and courts. And, at page 181, it is stated that, "The provisions of the Federal Constitution protecting personal liberty or property rights, do not apply to tribal action'."

The Rocky Mountain News reported on November 19, 1959 in announcing the decision of the 10th Circuit Court of Appeal that "The Court in Denver didn't rule as to the narcotics of peyote instead, it noted that Indian tribes in U.S. have 'a status higher than that of States'."

The Indians had to decide whether or not to appeal the decision of the

10th Circuit Court to the Supreme Court. Mr. Frank Takes Gun of the Native American Church, consulted with Mr. Melvin L. Wolf of New York City, representing the attorneys for the American Civil Liberties Union. After consultation and a careful study of the opinion of the 10th Circuit Court, the decision was made to start a new suit in the District Court of the District of Columbia rather than appeal from the 10th District. An American Civil Liberties Union attorney, David I. Shapiro, of Washington, D.C., is handling the case.

This decision is based upon the fact that all Tribal ordinances must have the approval of the Secretary of the Interior to be valid, and this was true in the case of the Navajo Tribal ordinance. On December 6, 1940 Commissioner Collier sent the Navajo Tribal ordinance to Secretary Ickes and requested his approval, although in the memorandum to Ickes Collier stated that "I am now recommending your approval of this Navajo anti-peyote ordinance, not because peyote is a deleterious, habit-forming drug—which according to the greatly prepondering evidence it is not—but because the authority of the Navajo Tribal Council to prevent the introduction of this substance on the reservation should be respected." The new suit filed in behalf of eight Navajo Indians from various places on the reservation against Fred A. Seaton, individually and as Secretary of the Interior, Washington, D. C. was filed with the U.S. District Court for the District of Columbia on July 12, 1960. The complaint declares in part as follows:

"the plaintiffs are now, and for some time prior to have been, members of the Native American Church of North America, Incorporated, which is, and has been, long recognized as a serious, valid, and bona fide religious organization with many members and adherents among Indians of the vari-

ous tribes in the United States and Canada. . . . [the] plaintiffs are Navajo Indians, native born citizens of the United States, and bring this action on their own right. . . .

"On June 16, 1960 plaintiffs duly demanded that defendants revoke the action previously taken by the then acting Secretary of Interior on December 18, 1940 on the ground that the outstanding approval of Resolution No. CJ-1-40 was preventing plaintiffs from exercising their rights of freedom of religious worship. . . . However, defendants have failed and refused and continue to fail and refuse to revoke, rescind, or otherwise withdraw the action of December 18, 1940. . . . By reason of the foregoing plaintiffs are threatened with continued and further enforcement of said ordinance, and with arrest, fine, and imprisonment, and are thereby prevented from exercising freedom of worship and from following the dictates of their own conscience with respect to matters of religious belief. . . . The action of defendants was arbitrary and discriminatory, in excess of the statutory authority conferred upon the Secretary of Interior by the Congress of the United States, and was further in violation of the first amendment of the Constitution of the United States."

The outcome of the suit against the Secretary of Interior by the Native American Church is of far reaching importance. Friends of the Indians, such as the Association of the American Indian and its president, Oliver LaFarge, the American Civil Liberties Union, National Congress of the American Indians, and others, are concerned about this decision because of its possible effect in placing tribal action in other matters under the Constitution of the United States. Some friends of the Indians feel that this suit is unfortunate because it might place the acts of Tribal Councils

under the ruling and protection of the U.S. Constitution. Others, and I am among them, feel that the individual Indians are entitled to the protection of the U.S. Constitution and that the Federal Constitution is an important safe guard for the individual freedoms of the American Indian as it is for other U.S. citizens.

This brief review indicates, I believe, that the Native American Church has an important role in American legal history and that some of the actions and decisions regarding the Native American Church may have importance far beyond that of the Native American Church itself.

FROM THE CORRAL RAIL

(Continued from Page 4)

used at the Medicine Lodge jail, and one of the hanging tree in Medicine Lodge Park); plus notes on a talk by **Dudley Chadwick Gordon** of the Los Angeles Corral. Mr. Gordon's address was a "full-length biography" of Charles F. Lummis, American Cultural pioneer, which was taken from a book soon to be published by the University of New Mexico Press. Our English Westerners are to be congratulated on their interest and fine research.

The New York Posse's Brand Book, Vol. 7, No. 4, pages 73 to 96, contains three articles of special interest for many Denver Westerners. The first, *The Mark H. Kellogg Story* by **J. W. Vaughn**, traces the elusive career of the only newspaper correspondent with Custer in the Battle of the Little Big Horn, one of the three civilians killed in that famous encounter. The second, *Gathering to Zion* by **Frank C. Robertson**, is a personal account of pioneering in Utah, and is very interestingly written. The third is a short

article on *Frontier Gambling Houses* by **Henry Chafetz**.

The Chicago Westerners Brand Book, pages 81-88, Vol. XVII, No. 11, January 1961, carries an interesting study by **Richard Dunlap** titled *An Evening On the Mexican Border* and includes "first and second hand accounts of events of the El Paso region from the Sante Fe expedition of 1841 to Villa's raid."

Senator **Clinton P. Anderson (CM)** spoke at the annual banquet of the Historical Society of New Mexico and explained the reasons for the Southern Confederacy in sending troops across New Mexico and Arizona during the Civil War. He also pointed out that the purpose of the Civil War Centennial will be to increase the understanding of how our country grew through closing ranks after the War and then marching forward. According to the November 1960 Newsletter of the Historical Society of New Mexico, Senator Anderson was "honored guest" at the banquet. **Lawrence Clark Powell**, dean of the School of Library Services of the University of California at Los Angeles, also spoke at the meeting, his subject being about books which deal with New Mexico. He praised the work of Paul Horgan, Erna Ferguson and Peter Hurd, but was critical of "the scum of history."

Posse member **Fred Mazzulla** and his wife Jo are supplying the pictures for the television show *Expedition Colorado*. This excellent historical series is being written by Pasquale Marranzino, *Rocky Mountain News* columnist, and is sponsored by the Public Service Company of Colorado and the Ralston Purina Company. Probably most Westerners have been watching the show over state KBTW, channel 9, every third Tuesday evening at six o'clock. If you haven't seen it, we recommend it highly. Thirteen

programs have been contracted for by above companies and The Otto Mears Story, The Mesa Verde Story, The Pony Express, The General W. J. Palmer Story, Religion in Colorado, The Cattle Story, Marble City and Its Part In The Lincoln Memorial, and "The Richest square Mile on Earth" have already been given. The ninth in the series, "There Is No Night in Creede," will be presented in March.

The material for these presentations has been authenticated by the State Historical Society of Colorado, Fred Arthur is the narrator, Tex Ritter sings the theme song, Gil Lee is the producer, Russ Kundert is director, John C. Mullen, executive director, and the photography is by Marshal Faber.

REMINISCENSES OF RAILROADING ON THE OLD SOUTH PARK LINE

By Delor J. Cyr, as told to W. Scott Broome, February 13, 1961

The following account is the result of a personal interview with Mr. Cyr at his home in Denver, and is couched in his own words and expressions as nearly as my notes and recollection will permit. Mr. Cyr retired in 1939.

I was born approximately forty miles west of Montreal, Canada, of French-Canadian parents, on April 25, 1873. When I was just a baby, my parents moved to Leadville, Colorado, our first home there being a small log cabin north of Brown's grocery store on Poplar Street. My father was a miner, and except for time in school, I also worked in the mines, until 1901. In January of that year, I hired out as a roustabout and mechanic's helper in the roundhouse of Como. About two years later I was transferred to

Pitkin, some thirteen miles west of the Alpine Tunnel, as engine watchman, taking care of from four to fifteen engines at one time, with the temperature below zero most of the winter. This was an awful deal, and I had to be extremely careful to keep the engines from running out of water. Made up my mind to go into train service. Until then I had been thinking of continuing in engine service, but a certain incident changed my mind.

I was firing for Ed Gross on Engine No. 37. We left Pitkin going east, met a crew at St. Elmo, and turned on the wye at Hancock. There had been a lot of trouble with engines between St. Elmo and the Mary Murphy Mine and the Romley Mill. We put a train together, consisting of six engines, a combination car, and caboose, and started back toward the Tunnel and Pitkin. Awful snow and wind, with drifts as high as a horse. We started bucking snow, taking one shot after another at the drifts. Finally an angle bar broke on the right-hand side, and old No. 37 began to tip. John Carlson, the Section Foreman, was on the engine, standing behind Ed Gross. I jumped out, hanging my foot on the end of a tie and hurting it, but I managed to grab the rail and stay on top. Gross and Carlson could not get out. The engine turned on its side and slid down the steep hill several hundred feet. They were scalded some by steam and hot water, but were not badly hurt. It was impossible to get Engine No. 37 back up the hill in the winter weather, and it stayed there until spring. Even then they had to build a track on a long incline before the engine could be rerailed. When I reached home at Pitkin, I had a story to tell my wife, and I said to her I had made my last trip firing.

After this trouble I was held at Pitkin for a awhile before I was able to persuade the superintendent to put me in train service as a brakeman

working out of Como. Business was slack, and as I was on the extra board, I was not making much money. To help out on expenses, I went to work part time for a contractor in the mines. This was not satisfactory to the superintendent, and he told me in plain talk that I must be available when called for a run, if I wanted to stay in railroading. So I quit the contractor, and from 1903 was a brakeman until 1909 or 1910, when I was promoted to conductor. Moved to Denver and had several runs, freight and passenger, between Denver and Leadville. I ran into some awful deals up there. On one run almost got caught in a big snowslide just west of Curtin at the foot of the big hill. The slide just missed the engine, and covered the track as high as a two-story house, with snow, trees, and rocks for a distance of a hundred feet or more. This slide continued clear across the track, the creek below, and onto the highway on the opposite side of the track. Had to get the rotary plow from Como to clear the slide. Then on a trip out of Leadville toward Como, a big slide happened at the same place. Again it missed our train, and as we were free, we were able to return to Leadville. I was glad we were on the west side of the slide, otherwise it would have been my job to take the plow out of Como, and how I hated that rotary! This was the roughest railroading I ever saw, and I certainly never begrudged anything anybody ever got out of a job there.

One trip I will never forget. We had three engines, one on the head end, one in the middle, and one pushing at the rear end, going toward Leadville, and we could not quite make the top of the hill at Climax. We still had a little water in the lead engine, and decided to buck snow with it to the water tank at French Gulch. The engineer asked me to go with him, and I was fool enough to go, although I

had no business there. Well, there was considerable ice on the rail and track, and the engine slid past the spout at the tank and couldn't back up. I started to walk along the track back to Climax to get help. Our engine was equipped with a flanger, which plowed a narrow trough in the snow next to the inside of the rail. I walked in this flangeway four and a half miles in bitterly cold weather to Climax, arriving there about midnight, where I called the dispatcher and told him the trouble. I also told him if anything more was wanted of me, to tell me right then, as I was all in and was going to bed, which I did in the section foreman's house. The dispatcher sent Engine No. 60 from Leadville to help the one at French Gulch. More snow had drifted onto the track by that time, making it impossible to back the engine into Climax, so they had to take it to Leadville and turn it around.

At Breckenridge one day, in trying to couple the engine onto the train, I was riding with one foot on the step of the tank and the other on the drawbar, giving signals to the engineer with my head. My foot slipped in between the coupling and was badly crushed. I was in the hospital in Denver about a year, with no pay.

Two or three years after I hurt my foot, I was braking for Soapy Smith on a passenger train consisting of a coach and baggage car pulled by two engines, No. 73 with No. 9 in the lead. At Three-Mile Tank we hit a snowslide, and both engines were derailed. They turned on their sides and slid down the hill. I was riding one of the engines, and old Jumbo Miller was on the firemen's side. I went down with the two engines and was twisted up worse than a pretzel. Old Jumbo heard me hollering, dug me out, and helped me back up the hill to the coach. I had a bad cut along side of my left eye—see the long scar. The blood was spurting out the way it does from

the head of a freshly derailed cow, and I nearly bled to death before we were able to stanch it with cold water. A drummer on the train—they were always true-blue fellows—insisted I take a swig from his bottle, and that helped to pull me through, as I was in a bad way. A new fireman, Stark, was on No. 73. We couldn't find him for some time, but finally dug him out and took care of him as best we could. Soapy Smith walked into Leadville, about three miles, and returned with Engine No. 60. The express messenger had a big roll of bedding. We wrapped Stark in several blankets and laid him on the deck of No. 60. I was in the cab too. We started down the hill and had not gone more than two or three turns of the drivers when one of the side rods broke. Stark and I simply had to lie in the cab until Soapy could walk to Leadville again. This time he returned with a horse hitched to an express wagon-bed on runners, sort of like a bobsled. They were able to get this sled fairly close to the wreck, and they hoisted Stark and me onto it. Then the passengers and train crew piled on the best they could, and we returned to Leadville, where Stark and I were put in the hospital.

I was an ambitious fellow, and I never sloughed off any of my work for the next man to do. I had to do my duty the best I knew how. I took care of my work and I did it until it was done. I never ran into a man, big or small, that I couldn't handle, and as I had a hot temper, I frequently got into trouble. On one trip I came into Como with the rotary ahead of a passenger train on which Mr. E. B. Mitchell, the Superintendent, had his private car. He was displeased about something I did, I don't remember just what it was, and jumped me on the platform at Como. I did not care who jumped me, I always jumped right back, and he fired me on the spot. I registered in, and rode the coach to Denver. Mr. Mitchell came

into the coach from his private car and sat and talked with me awhile. He did not put me back to work for quite some time. Mr. Mitchell was a very fine man and the best superintendent we ever had on the South Park. I never did anything in my life that hurt me as much as not having more sense than to do what I did to

him that time. He was a really good fellow, a hundred percenter.

Note by WSB: No executive, railroad or otherwise, could ask for a more sincere tribute, particularly from a man whom he had once discharged, than that paid to Superintendent Mitchell by Mr. Cyr, who is now approaching his eighty-ninth year.



Westerner's Bookshelf



GRAY GOLD. By Otis Archie King. (Denver: Big Mountain Press, 1959. 206 pp. \$4.00).

Gray Gold is an interesting narrative account of the author's most important part in the development of our nation's largest molybdenum deposit located on Bartlett Mountain at Climax, Colorado.

As has so often been the case, where great deposits of low grade but valuable minerals have been developed in the West, they were opened by men from a non-mineral area and by men who did not participate in the great wealth produced. Such was the experience of the author, Otis Archie King, an Iowa bank employee and real estate dealer.

Endowed with an adventurous and pioneer spirit, Mr. King, his wife, Marietta, and their young son, Gordon, arrived in 1912 at Kokomo, Colorado, a mining community located high in the Rockies, to manage a mining property of questionable value which was financed by Wilson Pingery, a banker of and former employer of King. Although the Kokomo venture was not profitable, Otis King met Charles T. Senter, a Civil War veteran and prospector who lived in a cabin on Fremont Pass, an acquaintance that influenced the mining activities of King for many years to come. Senter, while prospecting for gold on Ten Mile Creek in 1897, had located the Gold Reef mining claims on Bartlett Mountain and these claims, through the efforts of Otis King, eventually became a major part of the mammoth molybdenum property now being operated at Climax, Colorado.

Mr. King's narrative, throughout its entirety, related the trials, tribulations and failures encountered in developing a mineral property. His use of the then new flotation process at their custom milling operation at Leadville, on ore from Bartlett Mountain, transported by wagon and railroad, and his explanation of the success of this process, definitely links Leadville with a major part

in the development of Colorado's mineral wealth.

Legal entanglements as well as physical entanglements, common to early day mine operators, and conference dealings with men who were experts in the field of organization bargaining, are related by King who had part in all of these activities. His discussions of the final sale of the Bartlett Mountain property to the German-controlled American Metals Company (now the Climax Molybdenum Company, a division of American Metals Climax Company) makes this volume a very interesting and informative piece of Colorado history.

G. A. Franz, Jr., Denver
Commissioner, State Bureau of Mines

The above book review is reprinted from the Colorado Magazine of July 1960, by special permission of the Colorado State Historical Society.

THE DOWNS, THE ROCKIES—AND DESERT GOLD, by Helen Downer Croft; 8 vo., 248 pages, illus., bibliography. The Caxton Printers, Ltd., Caldwell, Idaho, 1961. \$5.00.

The sub-title of this interesting book might well be the "Sage of the Downer Family," with particular emphasis on the activities of the Downer brothers, assayers in Nevada during the mining boom days of the early 1900's.

The author, first married to Roger Downer and after his death, married to Willard C. Croft of Ouray, Colo., lives in Ouray, Colo., her birthplace. An attorney and county judge of Ouray county, she gives a graphic description of that area in the first part of the book.

The last two hundred pages relate to Goldfield and surrounding camps of the Nevada desert country, with which she displays an outstanding knowledge of the geology and mining methods, also giving statistics of pro-

duction of the leading mines.

The book is filled with good, solid facts, history and drama of the mining camps, and can be recommended to all who are interested in mining or the ghost towns of Nevada.

Carl F. Mathews, PM

NUBBIN RIDGE: My boyhood on a Texas farm, by Lewis Nordyke. Doubleday & Company, Inc., Garden City, New York, 1960. 264 pages. \$3.95.

Growing up in the second decade of this century was a pleasant and interesting period for Lewis Nordyke, author of four other books about the Southwest, contributor to national magazines and columnist for the *Dallas Times-Herald*. In a very simple and delightful style the author describes his mother and father and the family struggle to keep their 247-acre farm. With much understanding, the reminiscences of going to town, solving the everyday problems of farm-life, the wonders of ordering from a mail order catalogue, and many other experiences are all told in a way that makes the reading of this book an easy and pleasurable experience.

Don L. Griswold, PM

COLORADO MINING HISTORY

Attention is called to a most interesting article that appears in the June, 1960, journal of *The Mississippi Valley Historical Review*. It is entitled "Colorado as a Pioneer of Science in the Mining West," and is written by Rodman Wilson Paul, Professor of History at the California Institute of Technology.

There is a centennial review, in brief form, of the various broad phases of the development of mining in Colorado, with some comparisons with California and Nevada. Also the problems met in the Colorado mountains are compared with those found in the other two states just mentioned.

The central theme of this able article is that the difficulties in treating the complex Colorado ores created a need for scientific men to solve the extraction and treatment of problems, and those men were attracted to Colorado, and they found the solutions to the problems.

This paper is very much worthwhile your reading.

Erl H. Ellis, PM

ARIZONA AND THE WEST

For some time I have been planning some little article about the fine historical magazine launched in Arizona in the spring of 1959, a quarterly, of which six issues have appeared. But a "review" of such a publication in a few brief paragraphs is a pretty hopeless task. Suppose you think of how you would write a short article to give a concept

of year's publication of the *ROUNDUP*! It would reduce down to a list of the published papers in all probability.

But I have just received my March (1961) issue of the "Arizona Highways" and I find therein a real review of the first year of "Arizona and The West" with a lot of data about and praise for John A. Carroll, the Editor. May I recommend that you read this comprehensive story about this outstanding historical magazine; and then I think you will wish to become a subscriber.

Erl H. Ellis, PM

THE STORY OF SILVER PLUME. By M. Hazel Howe. The Dentan Printing Co., Inc., Colorado Springs, Colo., 1960. 38 pp. 22 photographs. \$1.50.

The author, a teacher at South Junior High School in Colorado Springs, purchased a vacation home in Silver Plume twenty years ago, and has since spent the summers there. She has formed many associations among her neighbors and the "old-timers" of the community, and has collected interesting stories about the people, buildings, and activities of the region. The brochure includes descriptions of churches, school teachers, mines, saloons, cemetery, sports, transportation, tragedies, etc. during the period from the founding of Silver Plume in 1870 down to the present. At the town's heyday, the population reached nearly two thousand, which has dwindled to 125 permanent residents, augmented by tourists in the vacation season. On the day of this writing, the morning News records the death of a long-time resident mentioned by Miss Howe, namely, Miss Ellenor Garrett, born in Silver Plume in 1874. Among the twenty-two excellent photographs are several taken by the author.

Word-of-mouth recollections are not always accurate sources of factual data, but they do reflect the atmosphere and spirit of a place and its people, and it was doubtless not intended that this pamphlet be used as source material for facts about "the Plume." It is often difficult to get exact data on fading localities. I mention some errors in connection with "the Loop," on which information is readily available. Statement is made that "it was designed to gain an altitude of nearly 1000 feet in a distance of a little more than a mile." This is rather startling, inasmuch as the difference in elevation between Silver Plume and Georgetown is only about 640 feet. Further, "the Loop" is described as "a series of switchbacks, . . ." There were no switchbacks; the alignment was extremely tortuous, wandering over 4.5 miles to traverse a direct distance of a little more than two miles. Engine No. 60 is described as "the first engine," although this particular one was

not built until 1886, approximately two years after the line was completed.

Hazel Howe's story is patently a real labor of love, a gesture of her own personal appreciation of and affection for a settlement which, as she points out, retains vitality and human interest in its superb mountain setting. It is, as such, a record of interest and value. The brochure is printed on good quality paper, in large type, with an attractive cover design by Kenneth Bolin, Art Instructor in Colorado Springs.

W. Scott Broome, PM

END OF TRACK, by James H. Kyner, as told to Hawthorne Daniel. With an Introduction by James C. Olson. A Bison Book. Lincoln: University of Nebraska Press, 1960. Paper covers, 280 pages. \$1.60.

James H. Kyner's *End of Track* is an enthralling account of railroad-building by a stout fella who did not let the loss of a leg in the Battle of Shiloh keep him from laying

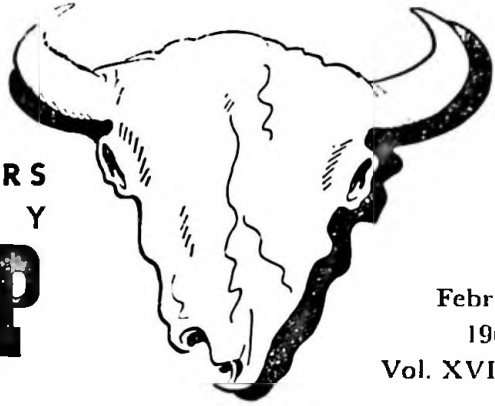
track for many a Western railway. Most interesting to Colorado readers are his tales of construction for the Denver & Rio Grande and the Colorado Midland.

Once when he was building a line for the D. & R. G. near Glenwood Springs, he found Doc Holliday in the bar of the Glenwood Hotel and hired the deadly dentist to run squatting saloon-keepers and gambling-tent operators off the right-of-way. Doc did the job in one day, took his \$250.00 and threw a party.

The first edition of this book was issued in a cloth binding by Caxton in 1937. The Caxton edition is now out of print. Railroad nuts who missed the first edition may wish to catch up by getting this thick paperback, made mostly from the plates of the first. This new edition lacks the 57 illustrations from photos which were in the first, but it has a new introduction by James C. Olson, and at the back has three pages of notes and corrections. It's a lot easier to pay for, too.

John J. Lipsey, PM

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



February
1961
Vol. XVII No. 2



Gothic City, Colorado, as it appeared at the height of its mining activity in the early 1880's.
(From the Collection of Fred and Jo Mazzulla)

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M O N T H L Y
ROUNDUP



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MARCH MEETING

"SIOUX INDIANS OF THE DAKOTAS"

By ROYAL T. HASSRICK

Wednesday, March 22, 1961

6:30 P.M.

Denver Press Club 1344 Glenarm
Denver, Colorado

Our speaker-guest, Mr. Hassrick, is the Curator of Western Art Museum at Chappell House and has studied the Sioux tribe of Indians and their art for many years.

FROM THE CORRAL RAIL

Sheriff Charles Ryland presided at the February 22, 1961, meeting with Posse Members, 14 Corresponding Members and 3 guests present. **Command Reeder** (PM) reported a communication from St. Louis in which a recent meeting in that city presented the possibility of the revival of the St. Louis Posse. Since Mr. Reeder was the last Sheriff of that group, prior to his move to Denver, it is most hopeful the St. Louis Posse Westerners will become active again.

In a brief meeting of Active and Reserve Posse Members, a vote of thanks to **Bob Perkin** (PM) was unanimously acclaimed for the excellent programs which he has provided; and immediately following the meeting, Mr. Perkin introduced Dr. John C. Johnson. The next twelve meetings will be under the direction of **Lawrence Sigstad** (PM), local representative of the publishers, Ginn and Company.

John C. Johnson, speaker for the February 22 meeting, was born on a homestead near Sterling, Colorado, and graduated from Colorado State College, Greeley, in 1911, as the first person to receive a teaching degree in biology from that institution. That same year he accepted the position of instructor in biology and agriculture at Colorado Western State College in Gunnison which opened its doors in September as the State's newest college of 1911, and John C. Johnson thereby became one of the first teachers in the college. Later he studied for and received his Master's and Doctor's degrees from the University of California, taught three years at Colorado State in Greeley, and then returned to Gunnison in 1919 as Dean of the College as well as professor in biology. In 1927 he was chosen Vice-President

of Western State College, but left the following year to head the science division of the Pennsylvania State Teachers College at West Chester. Ten years later he accepted a similar post at Penn State College in Edinboro, Pennsylvania, and spent the nineteen years prior to his retirement in this position. During these years he continued his own studies in zoology, paleontology and parasitology with post-doctoral work at Columbia University and Harvard.

Back in 1928 he helped found the Rocky Mountain Biological Laboratory in the Gunnison National Forest with headquarters in the ghost town of Gothic City. Thirty years later he was the laboratory's president and director and his remarks proved his evaluation of this unique educational center as one of the finest summer study locations in the world. Some of the most outstanding professors and scientists of the United States have taught and studied in those mountains around Gothic, and Dr. Johnson's explanations of numerous colored slides illustrated his pride in and devotion to the Rocky Mountain Biological Laboratory.

In his remarks Dr. Johnson briefly told of Gothic City's founding in 1879, its flourishing days through 1885, President Grant's visit, and of his own transactions with Gothic's *One Man Who Stayed*, G. H. Judd. Dr. Johnson also explained that he requested the county commissioners each year to do only enough repair work on the road to make entrance into the area possible, since they hope to keep the district primitive and want as visitors only those people who are sincerely interested in nature. The run-of-the mill tourist who destroys and litters the countryside is not welcome.

Dr. Johnson spoke from notes, and since his written history will appear

Continued on Page 18



Gothic Mountain and the remains of Gothic City, Colorado, as photographed on the 27th of June, 1948. The Gothic columns of the mountain suggested that name to the early settlers, who in turn named both the mountain and their "city" after this striking natural formation. The building in the lower left was the town's City Hall in the 1860's. By 1948 it had been propped-up by G. H. Judd, the one resident who stayed, and was used by him as a storage building. From the collection of Fred and Jo Mazzulla

LAST BUFFALO OF THE BLACK HILLS

By FRANK THOMSON

Frank Thomson, through the efforts of Don Elch (PM), has granted our organization the privilege of printing the following study with the understanding that the article will soon be copyrighted and no one has the privilege of quoting or using any part thereof without written permission from the author. He has worked many years in gathering all of this information and justly deserves the credit. Mr. Thomson describes himself as "an old broken down forester who drizzled out of wood long ago—no one knows when—wt of ages on his brow—pine tree seed in his hair—cuts with a spoon—remembers the great blizzard of 1888, Jan 12th—remembers when J. L. Sullivan fought Mitchell bare handed—remembers when his 2 yr. brother ate young potato bugs thinking they were red currants." Actually he is a 79 year-old successful farmer living near Spearfish, South Dakota, has not walked with his own legs for 24 years, but with his crutches does a full day's work, every day of the year. The April issue of True West will print his article "We Saw Them Die" as given to him by Bill Gay, and he is hard at work on a complete history of the Thoen Stone, a ten inch square slab of sandstone on which the following was written: "Came to these Hills in 1833, seven of us—DeLacompt, Ezra Kind, G. W. Wood, T. Brown, R. Kent, Wm. King, Indian Crow—all dead but me Ezra Kind—killed by Ind, beyond high hill—got our gold June, 1834." On the reverse side: "Got all the gold we could carry—our ponys all got by Indians. I have lost my gun and nothing to eat and Indians hunting me."

If plans can be worked out, our membership will have the privilege of hearing Mr. Thomson speak on his research about this famous stone, which is now an exhibit in the Adams Museum, Deadwood, South Dakota.

In order that you understand my overpowering interest in the Black Hills and its romantic history, I must relate that my father Lewis Thomson and his three brothers came to the Hills in 1876 with the great gold rush of that date. During the spring of 1879 father went home to farming in Iowa and at Pukwana, South Dakota. After nine years of drouth disaster he came again to Hill City in June together with about ten neighbors that had worn themselves out fighting stubborn nigger-wool and hot winds from the southwest. The wives and families of these men followed in September of 1890. A wagon train of two wagons arrived at Hill City September 30th about eleven o'clock, one wagon driven by Mrs. Olson and the other by my mother with her son Frank age 8

years and Sam Olson age 10 walking ahead with a lantern that she might see the road. We were part of the rush to the tin mines being explored about Hill City by a Syndicate of Tin Companies of England.

When the boom finally burst in 1893, my father again homesteaded on the high reaches of Newton's fork of Spring Creek seven miles northwest of Hill City. His three sons now as teen agers helped break the native sod and now this story begins.

At some time long before, the Central Hills had been grazed by thousands of buffalo and they had somehow left their skulls here and there, almost any place to prove it. We plowed out buffalo skulls on almost every acre of land we broke and we found them out in the parks or grass land of the Central Black Hills. They were widely scattered on Reynolds Prairie (Fred and Willis Reynolds) and on Slate Creek prairie (Wm Driver) and on many other places as recorded by the early pioneers among whom was Ray Smith of Tigerville district. Mrs. Helen Oitte of Spearfish related that when she was a girl and at picnic grounds on north Castle Creek she saw dozens of buffalo skulls in a cut bank where erosion had exposed them.

Countless thousands of buffalo had made the Central Black Hills their home for years without number. What made them disappear and leave their skulls behind them to puzzle this teen age boy and in his later years to become a challenge to him? They could not have perished at the hands of either white men or Indians and it was unlikely that disease could have destroyed this entire herd of noble

animals. If this disaster of years before had destroyed all buffalo in the Hills why did not buffalo from the plains come in to replace them. All the early pioneers or 'sooners', miners of 1875, claim that no buffalo were ever found to be in the Black Hills proper, but that they were numerous on the plains around the Hills. Ray Smith of near Old Tigerville, Joe Reynolds the father of Fred and Willis Reynolds and William Driver, are the men who have verified the absence of buffalo in the central Black Hills. George Coats of Hill City, Patrick McDermott of the northern Hills, William Wiebe of Custer and my father arrived a year or two later. None ever saw a buffalo within the Black Hills.

Not until sixty years had rolled slowly by did anything come to light to indicate what had caused the buffalo, to all at one time, leave their skulls in memory of some unknown event. Then came the story from Chris Colome, a Sioux Indian, educated at Carlyle, and employed by the United States Indian Bureau as a trusted interpreter, and who had the town Colome named after him. His story: told to his friend Mont Heumphaus of Four Mile in Pleasant Valley. "During the early 1850s there came a mighty hard winter to the Black Hills such as no Indian had ever seen before. Snow piled up to 30 feet deep and all the buffalo perished." So this mystery was now on its way to be solved. Even though this was a reasonable explanation, this writer could not rest on one Indian story, so he drove to the Pine Ridge Indian reservation and secured this story from Jake Herman, schooled at Rapid City, and now at Pine Ridge and member of the Indian Council. Jake Herman's story: "Father to Dewey Beard told me that once in the late fall he was with a band of Indians camped in the foot-hills of the Black Hills on

a gravel bottom when they became 'snowed in'. Snow became so deep that they could not move. The band began to starve—squaws and papooses crying all night—the band was desperate indeed. One day a scout came in and reported that he had found a small herd of buffalo at a frozen lake. All the able-bodied Indians made preparations to get the needed food. The Indians were able to kill the buffalo on this slick ice and they worked under such excitement that some were well bruised and one with broken arm. This meat saved the band of Indians from starvation." Herman did not know the place where the Indians were camped nor the exact time. The age of Dewey Beard's father would indicate that the time could have been in the early 1850s and the place in the area of the several lakes northwest of Spearfish a distance of eight to ten miles.

Mary Bryant, daughter of Frank Bryant Sr., one of the 1875 'sooners' says: "My father, Frank S. Bryant, came to the Black Hills, August 1875, and spent the rest of his life in the Black Hills, mostly in the mining industry. Some little time after his arrival here he was in the Belle Fourche area and saw stumps of trees cut off nine feet high. He often wondered how and why the Indians had cut down trees at such a great height." Quite likely this was the camping ground of that starving band of Indians described by Dewey Beard.

These stories, each supporting the main story of a great snow fall in these Hills still needed more support so this writer began a research on the weather and found the weather records at the archives at Ashville, North California, for Old Fort Laramie, the nearest point to the Black Hills being just over one hundred miles as a crow flies. We assume that the weather would have been quite similar.

National weather record center
 Ashville, N. Car. Leslie Smith, Supt.,
 Roy L. Fox, Director

Inches of precipitation		
1851.....	Nov.	5.20
1851.....	Dec.	8.84
1852.....	Jan.	1.25
1852.....	Feb.	11.05
1852.....	Mar.	15.50
1852.....	Apr.	1.24
1852.....	May	7.29
1852.....	June	4.08
		54.40

inches of water available
 for a flood

David L. Hieb, Superintendent of
 the Fort Laramie National Monument
 furnishes this data on the weather of
 Fort Laramie.

1850 . 8.90 below normal) All calendar years
1851 20.72 above normal	
1852 38.47 wettest of record	
1853 30.78 above normal	

The records from Mr. Hieb it seems
 came from a different source but gen-
 erally parallel each other.

1852.....	Nov.	6.42
	another surprising Nov. precipitation	

1853....	Mar.	1.78
1853....	Apr.	4.53
1953....	May	12.19
1953....	June	4.95

29.87 inches
 -6.42 in. in Nov. 1852

 23.45 in. of water in
 spring of 1853

While the rain-fall after June 1852
 would have had little or nothing to do
 with the great flood of the Spring of
 1852, it is given for general informa-
 tion.

Mr. Hieb, finds that in a winter
 count by "Battiste Good" for the win-
 ter 1852-53 as "Deep snow used up

horses winter." Indian winter count
 taken from records at Indian Mus-
 eum, Rapid City, "Winter 1853 so
 cold and snowy nearly all horses died.
 Hunter on foot." All this weather
 data and Indian legends support each
 other to the effect that this region had
 three years of unusual weather such
 as we have not had since.

In addition, Wm. Fire Thunder,
 an educated Sioux, says of Indian win-
 ter counts, "Three times deep snow,
 where the teepees were nearly cover-
 ed." The exact years that the deep
 snows came were not given by Wm.
 Fire Thunder, but since Indian win-
 ter counts show horses died we have
 a little general information from a
 different source.

Mr. Grant Morse, Supervisor of the
 Black Hills National Forest says "A
 pine tree cut in 1924, when it was
 300 years old shows by its rings a
 slight increase in size for the years
 1855-57."

From a reliable source we get the
 data that the Mississippi River was
 higher in 1851 than it had been since
 1785.

Near Newcastle, Wyoming, men in
 early day found an elk skull twenty-
 five feet from the ground in the forks
 of a tree and they were puzzled to
 know how that elk ever deposited his
 skull that high. Deep snow does many
 tricks.

While all the foregoing data amply
 supports that story told by the In-
 dian, Chris Colome, of a winter of
 deep snow causing the destruction of
 all buffalo herds within the Black
 Hills still this writer felt that more
 evidence was to be found. Floods
 would have resulted from 54 inches of
 frozen water on the high reaches of
 these mountains, waiting for the sum-
 mer sun.

Research in the Hot Springs area
 resulted in a story from Mr. Art Pet-
 ty, whose father owned the land upon
 which Hot Springs is built. Mr. Petty

relates: "After my father sold his land to the townsite and when the first buildings were being erected an old Indian chief came by and warned the Whites not to build a city there for a flood would some time destroy the city. He said that he had seen water slushing in and out of two caves in the sandstone cliff that were just back of the county court-house. These caves were about 30 feet long, 6 feet high and extended 10 to 20 feet back into the sandstone wall. They were 50 feet above the creek bed. The Indian story was seemingly so absurd that no one paid attention to it."

However, Mr. Petty says that he was a boy then and that he and his playmates often climbed the steep sandstone wall to play in the caves. They found drift-wood in the cave in such size as no animal could have carried it there and he often wondered what put the drift-wood in the caves.

Let us now hunt for tell-tale evidence in Rapid Creek at Rapid City. "All I remember in regards to the statement my grandfather made many years ago was 'There must have been an awful flood here at one time as when I first came here there was debris on the hills both to the north and to the south of where the city now stands'. Tom Ferguson was my grandfather and one of the first settlers in Rapid City." (signed) Mrs. Estella Keown.

Letter from Mrs. Ruth Brennan-Hill, February 24, 1958, regarding the B.C. (before Custer) flood: "I asked Mrs. Julia Poznansky what she had heard of this and she told me that some Indian had told her brother that there was such a flood and that they had or could swim a horse from north Rapid to South Street, but she, of course, didn't know of any date." (signed) Ruth Brennan-Hill.

McClintock, in his memories of early Deadwood Gulch, says: "Drift-

wood was found 15 feet up on the banks of Deadwood Gulch, and the miners sensed that a great flood had gone by in recent times." He further says: "That he helped dig and remove a whole tree lying on bed rock 17 feet below the surface."

Hub. Heavirland, uncle to Mrs. Matt Curnow, while placer mining on Spotted Gulch, a tributary of Sand Creek, dug up a worn shovel and the remains of some improvised sluice boxes made from a tree by an axe. These old placer mining tools were 17 feet under the surface, and Hub Heavirland thought all the while that he had been working on virgin placer ground. This was about the year 1877 or '78. Spotted Tail is one of the several very rich gulches in the Tinton Mining district.

Who ever heard of 5 inches of moisture falling in the Black Hills during the month of November? . . . or 8 inches during December . . . 11 inches during February . . . or 15 inches during March? . . . Unheard of weather! All in all 54 inches of water perched upon the high reaches of these mountains ready for its flight to the sea.

Did the resulting flood bring the great rocks from Boulder canyon and drop them on a 40 acre tract of land just west of Sturgis? Great boulders came down Little Elk creek near Piedmont, only many more, and here they covered 100 acres. They are distributed on land nearly one quarter mile long. At the mouth of Stage Barn canyon and at the mouth of Squaw creek the same condition prevails, and on nearly all the streams flowing from the east side of the Black Hills, boulders have been brought down and dropped wherever the water had a chance to spread and by spreading lose its carrying power. Judging from the great size of these rocks, some weighing ten ton or more, this flood must have had terrifying power. At the mouth of each of the canyons

mentioned these boulders rest on top of the land each similar to the others, and it appears that they came out at the same time.

Letter from Joe Koller, of Belle Fourche, February 10, 1961.

The great fall of snow, and the signs of floods that left evidence around the Hills of the deluge that resulted is little understood by present generations.

I came into the southern edge of the Hills, at Edgemont, in 1894. As a boy I well recall the highwater marks along the lower Red Canyon. After the water came out of Red Canyon it ran through red soil country that had been gutted by stream action. The high cut banks, well above the creek bed, had a white streak only a few feet below the prairie level, and several feet above flow banks under **normal flash floods**. This white alkali-like border was a water mark at some time. At least the Indians used to point to the high water markings on the banks and say, "where the water came once it will come again." There was also debris found in the upper forks of the trees. These big cottonwoods grew tall above the Red Canyon water level. To lodge debris 20 and 30 feet above the creek must have taken a big head of water.

(signed) Joe Koller, of Belle Fourche.

Beyond the observations of Mr. Joe Koller, I had examined the two so called 'narrows' in Red Canyon some 12 miles up stream to the north and found the 'narrows' had been some what widened since the Ashley exploring and fur trading party of 1823 led by Jed Smith and recorded by James Clyman, had found the gap in the 'narrows' not wide enough to allow the passage of their horse pack train. Some great flood had slightly widened these narrow passes since 1823.

The magnitude of power of this flood can scarcely be understood with-

out a knowledge of the Black Hills' weather. During the winter and spring months or early summer we have what we call a chinook wind that comes rolling out of the sky from the southwest and generally touches the ranges of the Black Hills first. This warm wind may be two days in coming to the foot-hills. These chinooks are warm and most delightful during the winter and spring time but will burn crops in the summer.

It is the opinion of this researcher that this blanket of snow, 30 feet deep as Chris Colome said, remained on the land until far up into June or even July and that the top of the Black Hills first felt the effects of this hot wind and that snow on the high ground melted first and the resulting water rushed down hill carrying with it brush and snow and ice and so making temporary lakes here and there only to have these break and form lakes farther down grade. There is a very narrow gorge near the mouth of Little Elk creek, an ideal place where a lake could have been formed for the time being, then a little later a break lose with a mighty roar and with the terrific power needed to carry the boulders to where they now rest.

From the facts presented, this theory seems reasonable, yet a deciding puzzle remained. How could this torrent of raging water, powerful as it was, push several large boulders up hill at the edge of the stream just as though they had been logs or blocks of ice and leave them there? One great rock east of the railroad near the mouth of Little Elk was pushed up hill 30 feet higher than the other rocks are in the valley floor. Another large rock that was dropped on the flank of the flood may be seen to the left of the road as you enter Little Elk canyon. This large rock came to rest high above the floor of the valley where the other rocks were dropped

by the water. Again this heavy rock behaved as though it had been a block of wood.

Again one-half mile out from the mouth of Boulder canyon, a mile west of Sturgis, there are two great boulders lying side by side and of such size that no amount of water could have rolled them there. Yet the rocks were water borne.

This researcher mulled with the idea that something must have made these rocks lighter. Maybe they had been covered with a thick coating of ice making them larger and lighter. Then it belatedly dawned upon his mind that the ground had been covered with sleet or ice perhaps a foot thick and that these rocks simply skated out of these canyons at the speed of a race horse and that some slid up hill where we find them today. The heavy rocks mentioned could have been pushed out much easier and farther under these conditions. The great amount of snow and water covering the Black Hills in the spring of 1852 justifies this conclusion.

A miniature but classic example of what must have happened, will be found in the mighty storm endured by Spearfish and the surrounding communities on May 11, 1922. That wild storm of rain and sleet dropped 10 inches of moisture in 36 hours at this writer's ranch two miles southwest of Spearfish. The morning after the storm he found 14 inches of ice and sleet in the cattle watering tank and 5 inches of ice on the ground. Great damage was done at Spearfish and the surrounding communities by this freak storm the record of which may be found in the *Queen City Mail* of May 17th issue following the storm or deluge as it should be called. Spearfish was saved much greater damage because the storm turned to sleet just south of the city limits and the sleet was several days in melting.

Similar conditions but of greater

power, must have prevailed over the Black Hills during the spring of 1852.

Truly both the buffalo and the flood left their trails for all to see and know.

In contrast to the wet years of 1851-52-53, let us take a look at weather capers of a few years later. Beginning with the period of 1857 to 1863 inclusive, we find an average of 7 inches of precipitation for the 7 years recorded at Old Fort Laramie. During this period, or within it, the year 1860 had but 3.48 inches of rainfall and the year 1863 had but 3.77 inches.

If we take the rainfall of April, May and June for the years 1857, 1858, 1859, 1860 and 1863, there will be a total of 9.17 inches or only slightly more than the precipitation of December 1851. Further study of the above quoted data reveals that in this 15 month period .61 inches of rainfall came on an average during those spring months, or an average of 1.83 inches for each 3 month period. The imprint of the wet years upon the land has been set forth. Let us look at the effects of dry years on this region.

General Connor was placed in command of an expedition against the Sioux Tribe who were then in Powder River area and he proceeded by three divisions or wings. He commanded the left wing that skirted the Big Horn mountains on the east having started from Laramie, Wyoming. The middle or center wing was in the command of Col. Walker and let us be concerned with him.

Col. Walker's report: "Left Fort Laramie August 15, 1865. In six days we reached the South Cheyenne, we found but little grass and poor water from Rawhide to the Cheyenne. The country is very barren and sandy; traveled 42 miles without water, and found the Cheyenne dry but by digging got plenty water . . . in twenty-

six miles reached Beaver Creek at base of the Black Hills. Found scarcely any grass. Had to cut cottonwood to feed on." (This was where Jenny Stockade was later built.) "Next day marched northwest along the base of the Hills . . . found some water in holes but not a bit of grass . . . started at 3 a.m. to find grass . . . entered the Black Hills at a pretty good road. Marched 27 miles before we could find particle of grass or water." He found conditions somewhat better along the North Cheyenne River, but the Little Missouri River and Powder River were terrible. Col. Walker lost a large number of his horses along the way and at one place he shot 100 head to keep them from dying. His men lived on horse and mule meat for some time during this march.

Let us take a look at the right wing of this army commanded by Col. Cole. "Following the general course of the Loup River and generally camping on its banks, my command arrived at its head on the 26th of July 1865. Water, wood and grass in abundance were found until a few days march to the head of the stream where it became scarce, and finally gave out" . . . "From the Niobrara to the White River there was wood and water but scarcely sufficient grass anywhere to subsist our animals." About August 10-15, 1865 "From here I moved around north of Bear Butte, hence westward to near Crow Peak of the Black Hills, camping on Whitewood Creek and on Redwater River, tributaries of the North Cheyenne River, with sufficient grass and excellent wood and water." "After spending a day in resting and feeding my animals, I moved westward August 26th to Box Elder Creek, thence up and to the head of one of its branches, finding little grass but sufficient water standing in holes. On the 28th, night and a storm were close at hand and I moved to my right in search of water,

and finding a small hole containing sufficient water for my men on the head of Fallen Creek, camping without water or grass for my animals." "On Sept. 2nd, I moved twenty-four miles and camped without grass, and upon examination found the country totally impassable but camped a few miles below. In the night a cold wind-storm came up and I decided to move back to grass which I did on the next day, marching 17 miles before I found sufficient grass for my command. This march and the storm cost my command two hundred and twenty-five animals."

On the 8th of September there was a battle with the Indians. Quoting Cole's report: "On the 9th moved into a heavy piece of timber hoping by surrounding them with fires, to save my stock, which in their famished condition suffered most severely. My stock at this time had been about 60 days without grain, and had nothing but grass and cottonwood to live on for that length of time. In the 36 hours the storm continued four hundred and fourteen animals died at the picket ropes or on the road between the camps."

Saddles from the dead horses were burned to keep them from the Sioux and after the forces of Walker and Cole joined, then the two wings of this force that were sent to subdue the Sioux Indians in that area, were forced to walk and join Gen. Connor's winter camp that was located on the lee of the Big Horn mountains, where they spent a miserable winter.

Surely the weather records quoted on paper files, had their proof in more substantial ways. When Grant was besieging Vicksburg the Mississippi River was most unusually low, so low that Grant could not float his gun boats by Vicksburg. This great river could become low only after several years of intense drouth over a wide area.

The early settlers in the Northern Hills found much dead oak, aspen, and birch. Deadwood was named from the dead pine in the gulch which was so thick and tangled that the "sooners" were compelled to cut their way through.

The great drouth of the 1930s killed not only oak, aspen and birch but acres of hardy pine as well. This disastrous drouth extended over seventeen states and its record is available but not so with a similar drouth during the late 1850s and early 1860s. Our method of comparison must be in reading the effects of the two drouth periods and no exact conclusions can be made. A repetition of these drouths can be expected. All hail to the science that can forecast them!

This land of disaster in Wyoming and Montana in the Powder River country has in recent years grazed thousands of cattle and sheep both through the summer and through the winter months. True, man has somewhat modified this land by holding its flood waters in dams but the weather has been unmolested.

During this severe drouth of the late 1850s and early 1860s the plains buffalo generally survived but the buffalo within the Black Hills had already perished during the mighty winter of 1851-52.

These wild buffalo left their trails in many places in and around the Black Hills and these are more enduring than their bony skulls. Wild buffalo were able surveyors, being heavy bodied and short legged they took to level ground, that being the easy way to carry themselves about. By these easy grade trails they led the early explorers to mountain passes and to the gravel crossings of rivers and smaller streams.

A fine display of buffalo trail may be seen on the road between Slate Creek prairie and Castle Creek. Here thousands of buffalo had grazed

around Signal Knob and then made the trails by going to water on Castle Creek. No one can know how long these trails were in the making nor how many buffalo were concerned.

Other well defined buffalo trails may be seen in the narrows of Buffalo Gap on the south side of the road leading to Hot Springs. No doubt an endless herd of buffalo used this pass twice a year by going in and out by spring and fall. Wm. Fire Thunder writes to this writer that years ago Indians camped at certain times of the year waiting for the buffalo. Buffalo have verified this statement by plainly marking the land for all to see.

Between Spearfish and Whitewood buffalo trails are very plain. They may be found where the animals walked from their feeding grounds on a plateau to water on lower levels. Here they descended on a gradual slope and they will be seen one above another as many as eight or ten trails side by side, paralleling each other very closely as though they had been in great masses side by side with their woolly bulks touching each other. Trails thus made may be seen at a pass the buffalo used in going from Pleasant Valley, west of Ouster, to the grass and foothills toward Dewey, on the Burlington Railway. They may be found in numerous places within the Black Hills and around the Hills.

Beyond the trails leading to and from water to grazing land, the buffalo, especially in the northern foothills made parallel or near level trails on hillsides making the hills look as though they had been treated by a 'Paul Bunyan' landscaper. Some speculative imagination must be used to account for these trails. In natural habitat the buffalo could, and no doubt increased until they severely overgrazed the land and were forced to graze the steeper hill sides where a red grass grew that cattle will eat

only just before they starve. The buffalo must have been close to starvation when they were reduced to such poor feed. Now, buffalo have a short neck and could not eat down hill on a steep hillside but only uphill hence the pattern of the parallel trails four to six feet apart.

The half tame buffalo in the State Park are so few and have habits so distorted by contact with whitemen civilization, so make no trails as they did when wild. Instead they follow a truck loaded with hay for they have learned the "whitemen will bring it to them." So they have been reduced to making trails like cattle . . . up and down hill behind a truck. Neither do they migrate in mass but peacefully stand for photos (but photographers don't get close).

A few skulls of the wild buffalo have been preserved by the pioneer families who are interested in saving and writing the history of the Black Hills. The Miller family, early settlers at Deerfield, have several skulls of wild buffalo found, years ago, in that central part of the Black Hills. The thousands of skulls that once were

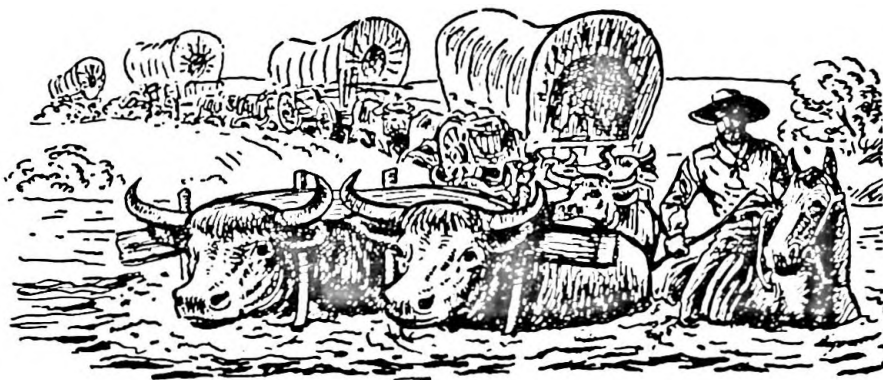
scattered over the top of the Hills have all but disappeared.

Vast herds of buffalo on the western plains that moved in masses covering a plot of land twenty-five miles by forty miles and stopping trains on the Pacific railway, and stopping steamboats on the rivers will not be seen again. The high lands of the Black Hills could not have supported such great herds but plains about these Hills may have done so.

The question as to why buffalo did not come into the Black Hills during the devastating winter of 1851-52 has not been answered. This writer after long research finds that all the plains buffalo round about at that time were all of the same species, and he thinks that the home instinct kept the plains buffalo on the plains and foot-hills.

The wild buffalo left their skulls and trails as our heritage. Our sons and daughters should see and know. The old scenes of by-gone days should sink into our minds . . . that we shall not forget.

If the flood came once can it not come again? Can the drouth of the early 1860s repeat itself? Can it be that wild buffalo will come again.



ESTABLISHMENT AND BUILDING OF FORT DODGE

LEO E. OLIVA



As recorded in *The Corral Rail* of the December issue of the Roundup, Mr. Leo E. Oliva was one of the Denver Westerners' award winners, and the above is the title of his prize-winning paper. Since the entire study, with complete documentation and bibliography, will be published the 1960 Brand Book, the Roundup plans to publish only two parts, the Establishment and Building of Fort Dodge which follows, and Fort Dodge and Indian Relations which will be published in a later issue.

Mr. Oliva was born in Woodston, Kansas, on November 3, 1937. Following high school, he received his A. B. degree in history from Fort Hays Kansas State College, Hays, Kansas, in 1959, and his M. A. degree in history from the University of Denver, in 1960. He is now working for his Ph. D. degree at Denver University in American Studies, and has a three-year Fellowship from the National Defense Act to complete his work. He is married and has a son.

Those increased Indian troubles of 1864 led Major Grenville M. Dodge of the United States Volunteers, Commander of the Department of the Missouri, to order the establishment of

Fort Dodge, Kansas late that year. It was to be located between Fort Larned, Kansas and Fort Lyon, Colorado Territory, about sixty miles to the southwest of Fort Larned, because a large number of the Indian depredations along the Santa Fe Trail occurred between those two posts, a distance of about 240 miles. The stretch of the trail between Forts Larned and Lyon had been known as the Long Route because of the great distance the wagon trains and stagecoaches had to travel without the benefit of a safe stopping place.

Fort Dodge was to provide the travelers and traders with a safe stopping place between the two forts and place troops nearer the scene of increased hostilities. Those troops could provide escorts to the wagon trains passing through the sections where the Indians most often attacked, and they could be more rapidly sent in pursuit of a band of Indians that had reportedly attacked a wagon train near the middle of the Long Route than could troops from either Fort Larned or Fort Lyon.

The site chosen for that new fort, named for General Dodge, was an old camping ground for wagon trains traveling over the Santa Fe Trail. Since Fort Dodge was founded to help combat Indian hostilities in the area, its location was important because it lay between the two principal Indian crossings of the Arkansas River—the Cimarron Crossing twenty-five miles west and the Mulberry Creek Crossing fifteen miles east.

Noble L. Prentiss claimed, in *A History of Kansas*, that the actual

selection of the site of Fort Dodge was made in the latter part of 1864 by Colonel James H. Ford, Second Colorado Cavalry. He did not document his statement and no other source has been located that mentioned the fact. The Medical History contained information stating that Fort Dodge was not occupied until about April 1, 1865 (possibly April 10) and that the first commander of the garrison was Captain H. Pierce, Eleventh Kansas Cavalry.

The following, somewhat critical description of the location of Fort Dodge, written in late 1869 or early 1870 by the post surgeons C. S. DeGraw and W. S. Tremaine, was furnished the Surgeon-General of the Army for his *Circular No. 4, 1870*:

Fort Dodge is located on the north bank of the Arkansas river, on the old Santa Fe Trail, latitude $37^{\circ} 51'$ north longitude 100° west. It is at the foot of a range of limestone bluffs, about 75 feet high, on a low piece of bottom land, consisting of blackish clay mixed with sand, and formed by washing from the bluffs. The width of the strip is about 800 feet.

The position is weak in a military point of view, being commanded by the bluffs, and liable to surprise on account of the numerous ravines in the rear. In a sanitary point of view the location is bad, the low land being difficult to drain and flanked by a creek and low marshy ground. . . . A much better location, but a few hundred yards distant, would be on an elevated plateau, with good natural drainage and commanding an extensive view of the surrounding country. The meadow lands on the right and left of the post and on the opposite site bank of the river, here about 500 yards wide, furnish excellent grazing. The upland of the

vicinity is covered with buffalo grass. No timber is found within fifteen miles.

Efforts were made almost immediately upon the occupation of Fort Dodge to get quarters for the troops. The Medical History maintained that those efforts were probably due more to the troubles experienced in the use of tents than to any idea of the permanency of the post. According to the post surgeons, the prevailing high winds of the region made the use of tents difficult and highly undesirable. For that reason, the troops were quartered in dug-outs along the bank of the Arkansas River until the first barracks were completed in 1867.

The dug-outs were constructed by digging a cellar near the edge of the river bank, about four or five feet deep, ten feet wide, and twelve feet long. The cellars were roofed over by placing a center pole, supported about two feet above the ground (probably with sod support), with other poles as rafters passing from that center beam to the banks of the cellar on either side. Brush was laid over the rafters and covered with dirt to thickness of four to six inches. A door was cut into the dug-out from the face of the river bank.

The ends of those one-room dug-outs, from the ground to the eaves, were filled in with sod. Holes were left in the ends for windows and ventilation. A fireplace was built in one corner with a sod chimney to carry off the smoke. The bunks consisted of a mound of earth, about three feet high, left in another corner of the room, though sometimes extending the whole length of the room. The bedrolls were placed upon those solid-dirt bunks. Until the summer of 1866, when lumber was received at the post, blankets and guny-sacks were used to cover the opening left for windows and the doorway. Each of those dug-

outs could accommodate three or four men and there were about seventy of them built along the river bank.

When lumber was delivered to the fort in 1866, the dug-outs were improved. Rooms were enlarged, roofs raised, larger windows put in, wooden doors made, the earthen bunks were shoveled out and replaced with wooden ones. Pieces of canvas from old tents were nailed to the ceilings and walls of many of the dug-outs, making them warm, dry, and neat in appearance.

The officers' quarters were built of sod in 1865. Each was about twenty by fourteen feet and consisted of one room. They were located to the rear of the dug-outs in about the center of that long line of quarters in the river bank. A sod mess house, sod store house for the quartermaster and commissary departments, and a sod hospital were also erected in 1865.

Dug-outs along the river bank, similar to those occupied by the troops only larger, served as stables for the cavalry horses during the winter of 1865-1866. The quartermaster's stables were not completed by that winter and the quartermaster's stock had to remain outdoors during that winter.

In April, 1866, the post commander, Brevet Lieutenant Colonel G. A. Gordon, called the attention of the department commander, Major General John Pope, to the lack of adequate quarters and urged the immediate building of suitable barracks. Permission was granted to proceed with buildings, and the instructions stated that they were to be built of materials afforded by the country (which eliminated lumber) and the work was to be performed by the troops. Attempts were made to build with sod, but those attempts were not successful.

A stone quarry was discovered about five miles from the post in June, 1866, so plans were made to use that material for construction at the fort. Permis-

sion was obtained from General Pope to hire men to build stone buildings and construction began as soon as men and stone were available.

In the latter part of November, 1866 the work of construction was stopped for the winter; a quartermaster's storehouse and a bakery had been completed and a hospital and barracks started. During the winter of 1866-1867 the laborers were employed in cutting stone to resume construction again the next spring.

During the working season of 1867 one company barracks was finished, a second was constructed but not finished inside, the hospital was completed except for some interior plastering, and a commissary storehouse and a grain house were completed.

By 1870 there were three barracks for enlisted men, two of native stone and one of adobe bricks. The dormitory in each contained twenty-two double two-tier bunks, providing sleeping space for eighty-eight men. Opposite doors and windows provided ventilation, and the quarters were heated in the winter by wood stoves. There was a water well behind each of the barracks. A wooden shed was attached to the kitchens and contained a trough where the men could wash. The latrines were about thirty yards from the quarters.

The quarters of the commanding officer consisted of a one-and-a-half-story stone building. Quarters for the other officers of the garrison were of an insufficient number in 1870 to accommodate all the officers. There were several quarters that were in the process of construction, however; and it was hoped that when they were completed the fort would have adequate housing for the officers.

There were two stone store houses, each 130 by 30 feet, located on the west side of the parade ground. One of those was used by the commissary department and the other by the

quartermaster's department. At the north end of each storehouse two rooms were partitioned off as offices. One of these served as the post headquarters. Between the two storehouses there was a wooden shed, 110 by 27 feet, that was used as a forage house.

The post hospital was located at the northwest corner of the parade ground. The ward contained twelve beds. Another building, of frame construction, was located about seventy-five feet west of the hospital. It served as a ward for colored troops, although a room was partitioned off from the ward that served as a storeroom. There were five beds in the colored troops' ward.

On the west side of the parade ground, between the storehouses and the hospital, was the guard house, described by the post surgeons as "a temporary wooden shed, 18 by 24 feet, in very bad condition and poorly adapted to the purposes for which it is used." A vivid description of that wretched guard house was contained in the January, 1875 record of the Medical History. It revealed that the average occupancy of the little building was twelve prisoners. Concerning the living conditions the report stated:

. . . It is badly adapted for the purposes and impossible to keep it in good condition: repeated representations have been made of the necessity for a new guard-house. Hitherto without effect. As there is no convenient latrine, during the night the prisoners are obliged to use a bucket for necessary purposes. At one time during the past year quite an epidemic of diarrhoea occurred amongst the prisoners and with the convenience (or rather want of it) above referred to, the conditions of these unfortunates was deplorable; certainly not conducive to health or morals.

The laundresses and married soldiers were housed in the dug-outs and sod buildings along the river bank in 1870 that had been used by the troops and officers from 1865 to 1867. The post bakery was built of stone and contained two large ovens, which afforded a capacity for baking 500 rations of bread each day.

The buildings and corrals for the animals at Fort Dodge consisted of the quartermaster's corral and the cavalry corral. The quartermaster's corral had a sod wall along the north side with a shed extending the entire length of that wall on the inner side. The other sides of the corral were post and rail fence. The cavalry corral was completely enclosed with a sod wall and had a shed roof on three of the four sides. It had a capacity for one troop of cavalry horses.

The construction of buildings at Fort Dodge continued after 1870, and five years later the new additions were described by the post surgeons for the Surgeon-General's *Circular No. 8, 1875* as follows:

Officers quarters are contained in six one-story buildings, located on the north and west sides of the parade. . . .

Three sets of double frame-buildings for lieutenants have been completed, and are on the west side of the parade. . . .

Verandas are on the front of each of these buildings. All officer's quarters have good-sized yards, inclosed by a board fence. There is also a small quadrangle inclosure in front of each set of officer's quarters, made with a lattice-work of lathe. Inside of those inclosures osage orange has been planted, which will in time make hedges.

The last mention of any additional construction at the post was contained in the December, 1875 report of the Medical History. It stated that a new

corn house, new shops for both the wheelwright and the blacksmith, and quarters for the mechanics were completed during that month. New houses that were to serve as laundresses' quarters were under construction at that time.

The furniture of both the enlisted mens' quarters and officers' quarters consisted principally of plain bedsteads and crude tables and chairs, constructed at the post. The cost of transportation from St. Louis, Missouri or Fort Leavenworth, Kansas made it difficult to obtain manufactured furniture except at great expense.

The drinking water for Fort Dodge was obtained from wells, while the water for washing and extinguishing fires came from the river. The wells furnished a plentiful supply, and it was reported by the post surgeons to have been of excellent quality. Ice was cut from the frozen river during the winter months and stored in ice houses.

That supply of ice would then supply the needs of the garrison during the entire summer.

Drainage of the post was accomplished by a trench from each of the quarters discharging into a larger

drain which emptied into the river. The garbage was carted into the river below the post and carried off by the current.

Because of the size or capacity of the post quarters, Fort Dodge was usually referred to as a three-company post. Since more than three companies were often stationed at the post, soldiers were often quartered in tents. General Nelson A. Miles told Robert Wright, after the Indian wars were over in the Fort Dodge area (probably in the early 1880's), that Fort Dodge should have been a large post, at least a ten- or twelve-company fort. He stated that had it been a large post, it could have controlled all the Indian tribes to the south that continually escaped from the agencies and headed north to visit and intrigue with the northern Indians, and the northern Indians from doing the same thing when they went south. The troops at Fort Dodge could have intercepted the Indians coming from either way, turned them around, and sent them right back to their reservation before they could have done any harm. That was good hindsight and very likely some of the Indian troubles could have been averted had that been foresight rather than hindsight.

FROM THE CORRAL RAIL—Continued from Page 3

in a future issue of *The Colorado Magazine*, quarterly publication of the *State Historical Society of Colorado*, it will not appear in the *Roundup*. In place of the February speaker's presentation, a study of the *Last Buffalo of the Black Hills* by **Frank Thompson** will be found, beginning on page five.

Arthur Carhart (PM) was guest columnist for Cal Queal in the February 12, 1961, Sunday *Denver Post*. With his clear and forceful prose, Mr. Carhart ably defended the goal of all

conservation minded individuals who believe in the multiple use of the water in our streams, and especially for those who believe fishing to be one of those multiple uses.

Expedition Colorado, the locally produced TV history series with pictures and drawings from the collection of **Fred and Jo Mazzulla** and written by **Pasquale Marrantino** of the *Rocky Mountain News*, has been awarded a Gold Medal by the *TV-Radio Mirror* magazine. This award was presented to *Expedition Colorado* because its "professional quality,

originality and historical accuracy" make it the most original TV program in the western states. According to Nielsen reports the show has the largest TV audience from 6 to 6:30 p.m. in the Denver area, and it has a high educational rating with the Denver Public Schools. Heartiest Congratulations to all who helped make the program a winner, especially to Posse Member **Mazzulla and his wife Jo** who have spent many hours of research and picture printing to make the show such a success.

NEW CORRESPONDING MEMBERS

The following Corresponding Members have joined the Denver Posse during February, 1961:

F. Martin Brown
Charles H. Haines, Jr.
Eugene T. Hogue
Ellsworth Mason
Thomas W. Phelan
Gary Leland Roberts
Ronald F. Ruhoff
David Streeter



Westerner's Bookshelf



Brown of Fountain Valley

Naturalists at times make definite contributions in the field of general history. Such a one is F. Martin Brown, head of the Science Department of the Fountain Valley School, near Colorado Springs, Colorado, who has a lively and active interest in the history of American entomologists, and especially of those scientists who pursued insects about Colorado in the early days. Brown has published considerable material in various scientific magazines.

One brief article of his appears in the *Entomological News* for February, 1957, and is entitled "Two Early Entomological Collectors in Colorado." He finds that William S. Wood, Jr., collected insects and birds in the Clear Creek area in 1859. Not much seems to be known about Wood. Then Brown reports that Winslow J. Howard was probably the earliest resident entomologist in Colorado. Howard was located in Denver in 1860-61 in the jewelry business, having had early association with Tiffany's in New York. He lived in Central City, in 1862 and established Howard and Colony, manufacturing jewelers, and this business continued to 1865. Howard was active in Colorado as a collector of botanical, mineral and entomological specimens.

Another Brown article appears in *The Lepidopterists' News*, Vol. 10, No. 6, in 1956, and this deals with the 1871 collecting trip of J. A. Allen. Allen went to South Park

via Turkey Creek, visited Fairplay, Montgomery, Hamilton, and then went via Florissant to Colorado Springs. He also collected between the Springs and Denver including some parts of the Rampart Range and Plum Creek. A timetable of the Allen trip accompanies this article.

In the same "News" for butterfly-ologists, Vol. 9, No. 4-5, Brown published a very helpful statement about what naturalists worked with the Wheeler Expeditions in the several seasons 1869-1879 with an indication of the section of the western country covered each year.

Again, in the next number of said *News*, there is a most interesting story from Brown tracing the itinerary of Theodore L. Mead in Colorado in 1871, as he chased the elusive butterfly as a quasi-member of the Wheeler Expedition. A map accompanies this article and shows a route around both South and Middle Parks. From South Park he crossed Mosquito Pass, a proper choice of route for an entomologist, and from Twin Lakes may have climbed both La Plata and Elbert. His trip to Middle Park took him over Argentine and Berthoud Passes.

Brown also contributed an article to the *New York Entomological Society's Journal*, Vol. LXV, in 1957. Here he traced, with maps, the itinerary of Ferdinand Bischoff, who was with the Wheeler party in 1871 in Nevada and California. In the same *Journal* appears Brown's Story of Lt. Charles A. H. McCauley's expedition into the San Juans in 1877. Here we find mentioned such places as Fort Garland, Tierra Amarillo, Pagosa, Weminuche Pass, and many of the water courses of the

southwestern side of the San Juan Range.

In Vols. LXVI-LXVIII of the same New York Journal, 1958-1960, appear the letters exchanged between William Henry Edwards and Spencer Fullerton, a result of a "find" in the Smithsonian Institute by Brown. These have no general interest to those not rhopalocristers; students of butterflies to you.

Erl H. Ellis (PM)

The Stockton Corral

Among the newer groups of The West-erners is the Stockton (California) Corral, established January 8, 1959. Meetings were held monthly and a quarterly publication was decided upon, to be called "The Far-West-erner." Four issues appeared in 1960, completing Volume 1, so some notice of these contributions seems in order.

To the January issue V. Colvert Martin, first Sheriff, contributes his paper, read at the first regular meeting, which was before the formal organization was perfected. His address was entitled "River Steamboats of Stockton." In this we learn that Stockton has a deep sea connection through the dredging of the San Joaquin River. Many pictures of the steamers are included, showing the earlier side-wheelers and the later steam-wheelers. The names and construction dates of forty important boats are given. Some reminiscences of the activities on and about the steamers constitutes the bulk of the paper.

The April issue is given over to a general article, by Ross W. Carle, on "Firearms and Early California." He seems entirely at home in his discussions of the harquebus, flintlock

and musket. The part that firearms played in three hundred years of California history is suggested in outline and the development of the firearm is made clear to those non-experts reading this article.

The July issue contains the absorbing story of "The Hanging in Juanita." Here we have a picture of early Downieville and a vivid report of the happening that led to the first and only hanging of a woman in California. Nathan Longfellow White, the author, inspires the reader with the belief that Mr. White thoroughly knows his subject and is most sympathetic toward Juanita, a truly remarkable martyr to a drunken mob.

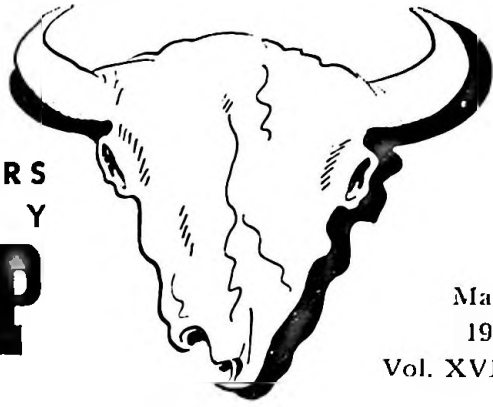
Allen R. Outley has written the article that appears in the October issue. This treats of "Early Sonora" and shows the beginnings of a gold rush town in California. The trials and tribulations of the early press in Sonora occupy a fair part of the story.

In addition to the main paper, The Far-Westerner has some book reviews and then a couple of features not common to publications of other Westerners. There appears a quotation from some early well-known writer about the West; James Bryce, Alexis de Toqueville, and Hector St. Jean de Crevecoeur, being so utilized in the first three issues. Then each issue has some selected quotations from the San Joaquin Republican, which give the flavor of Stockton a hundred years ago.

Merrell Kitchen is Rustler Chairman and will be glad to have your \$3.00 if you would like to become a Rustler of this Stockton Corral. His address is 1935 Douglas Road, Stockton 7, California.

Erl H. Ellis (PM)

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



March
1961
Vol. XVII No. 3



AMERICAN HORSE — OGALLALA
—Courtesy of Library, State Historical Society of Colorado

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



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APRIL MEETING

WEDNESDAY, APRIL 26, 1961 6:30 P.M.
Denver Press Club — 1344 Glenarm
Denver, Colorado

"THE BACKGROUND OF THE MOUNTAIN MEADOWS MASSACRE"
by Stanley W. Zamonski and Teddy Keller.

These gentlemen have joined forces with Mr. Zamonski doing most of the research and Mr. Keller concentrating on the writing and composition. The former has contributed two articles for *Brand Books*, "Colorado Gold and the Confederacy" in the 1956 Volume and "Rougher Than Hell" in the 1957 Volume. Mr. Keller has written many articles for various magazines, and besides his professional writing, he is an actor, director of dramas, and plays the flute in the Denver Symphony Orchestra. A new book, *The 59'ers—A Denver Dairy*, by the Zamonski-Keller writing team, is to be published by Alan Swallow (PM) in the near future.

SAVE THESE DATES

Wednesday, May 24, Surprise Paper by Dr. Mumey.
Saturday, August 19, Annual Rendezvous at Colorow Cave

FROM THE CORRAL RAIL

Sheriff Ryland called the March 22nd, 1961, meeting to order and fifty-three introductions were made (36 Posse, 12 Corresponding and 5 Guests). For once the advance reservations (50) were almost equal to the number present (53). In a short meeting prior to the talk of the evening, **George R. Eichler**, Public Relations Counsel, and **Jack W. Guinn**, City Editor of the *Denver Post*, were duly elected to active membership of the Denver Posse.

Maurice Frink (PM) introduced the speaker, **Royal T. Hassrick**, who spoke extemporaneously about the "Sioux Indians of the Dakotas." Following his talk a large number of questions were answered by the speaker who displayed a comprehensive knowledge of his subject. Mr. Hassrick's talk is summarized in this issue; a complete paper with photographs will be included in the 1961 *Brand Book*.

If you missed the March 19, 1961, issue of the Sunday *Empire Magazine* of the *Denver Post*, we suggest you secure a copy. *Cattlemen's Convention—1903 Style* is an excellent article by **Maurice Frink** (PM), and on page 2, **Henry Hough** (CM) and his *Poetry Forum* are praised by the editor of the magazine, **H. Roy Baker**. Along with his *Poetry Forum*, **Henry Hough** is editor of the *Rocky Mountain Oil Reporter*, was a correspondent for *Time*, *Life* and *Fortune* magazines for twelve years, and has been an associate editor of *Scientific American*. To this should be added his two superior contributions to the 1948 and 1954 *Brand Books*, "Trails of Ulibarri and Villasur." and "Richard Throssel, Photographer of the Crows," respectively. The *Post* can be justly proud of Henry Hough, who incident-

ally guessed the winner of this year's National Book Award in the field of poetry.

Corresponding Member **Jack Riddle's** *Western Gazette*, now in its second year and always filled with interesting historical items, also appeared in the March 19 issue of the *Empire Magazine* and carried a notable biographical sketch of Mrs. Elizabeth Shaw Hiff Warren.

Mrs. Elwyn (Louisa Ward) Arps sent along this item which she found in James F. Moline's *Two Thousand Miles on Horseback—Santa Fe and Back*, published in 1867 by Hurd & Houghton of New York: "You can find your way from the Missouri River to Denver, via the Platte Road, by the empty cans that line it."

Don Bloch (PM) found the following report in the February 16, 1961, issue of the authentic *New York Times*:

JESSE JAMES 'RETURNS'

Kin Says Ford Shot Was Not Fatal, Outlaw Lived to 90

FORT CARSON, Colo. (AP)—A Fort Carson soldier who claims to be a descendant of Jesse James insists that the famous outlaw was not murdered by one of his gang.

Francis James, 18-year-old recruit of Houston, Tex., said his father, Stanley M. James, "claims that although Bob Ford shot Jesse in the back, he did not die but was hidden out by other members of the James clan until he recovered from his wound.

"This information has been passed down to us by family members who knew, saw and talked to Jesse after his so-called death."

The soldier added that the Missouri bandit died in bed and lived until he was in his nineties. History books say Ford killed Jesse James on Apr. 3, 1882.

(Continued on Page 4)

COLORADO LANDMARK



The above picture was taken August 28, 1960, and shows Ray Colwell (PM) on the left with Marshall Sprague (CM and author of *Money Mountain*). These two men, members of the Historical Society of the Pikes Peak Region, were the committee charged with having the marker made and installed by the society just outside Victor, Colorado, at the eastern edge of the Cripple Creek-Victor District. This picture was taken after the dedication ceremony, which was attended by about one hundred members of the society from Colorado Springs, local dignitaries and townspeople.

The inscription on the other side reads:

The nearest mine is the Strattan's Independence, located July 4, 1891 and sold in 1899 for \$11,000,000. Above it are the two shafts of the Portland, a \$60,000,000 producer which descends 3300 feet or almost to the level of Colorado Springs. Many other mines dot the golden slopes. This marker erected by the Cripple Creek-Victor Sylvanite Club and the Historical Society of the Pikes Peak Region.

Cover Picture of *AMERICAN HORSE* was discovered by Laura Allyn Ekstrom among the W. H. Jackson pictures in the Colorado State Historical Society collection. There is some question as to which Ogallala Sioux chief the one shown here really is, since the first American Horse, who was killed at Slim Buttes, South Dakota, on September 29, 1875, had either a son or a nephew who was also known as American Horse and was one of the tribe's leaders.

Larry Thompson, columnist for the *Miami Herald*, had this explanation in his March 13, 1961, column:

I was way out in left field when I guessed about a "hind hound."

It turns out that a hind hound isn't even a dog.

Enlightenment on this was provided by W. J. Adkins, 270 W. 53rd Ter., Hialeah, and J. J. Lipsey, 2320 SW 79th Ct.

Here is the explanation provided by Mr. Lipsey:

"To a builder of buggies and wagons, 'hound' meant a horizontal brace or re-inforcement in the running gear of a vehicle. Such hounds were in approximately the same position as, and performed functions similar to, the torsion bars on some automobiles.

"One pair (the fore hounds) formed a triangle with the front axle of the wagon. The other pair (the hind hounds) did the same with the rear axle. If there had been no hounds, a severe twist or jolt of the wagon, as on uneven roads, might have broken the coupling pole which connected front and rear axles."

You could read Dr. Crane or Amy Vanderbilt or Ann Landers 100 years without coming across information like that. I doubt if even Jim Bishop or Walter Winchell ever mentioned hind hounds.

Hope the Lipseys enjoyed their winter vacation in Florida.

Alan Swallow (PM) published two of the thirteen poetry books entered in this year's National Book Awards contest. The books were *Collected Poems* by Yvor Winters and *The Exclusions of A Rhyme* by J. V. Cunningham. Sorry that neither was a winner, but we are proud of the fact that Publisher Swallow had two books among the thirteen up for the poetry award.

(Continued on Page 16)

THE SIOUX INDIANS

By ROYAL B. HASSRICK

Curator, American Art, The Denver Art Museum



Royal B. Hassrick

Royal B. Hassrick, Curator of American and American Indian Art at the Denver Art Museum, is thoroughly qualified for his position and for his paper which follows. Prior to coming to Denver, he was Tribal Relations Officer of the United States Department of the Interior in Anadarko, Oklahoma, Curator of the Southern Plains Indian Museum, Anadarko, Oklahoma, Executive Director for the Association of Indian Affairs, New York City, and Assistant General Manager of the United States Indian Arts and Crafts Board in Washington, D. C. At Dartmouth College, he majored in sociology, and then turned to anthropology for his graduate work at Harvard and at the University of Pennsylvania. Mr. Hassrick's writings include the following published material: *Sioux Kinship System*, *Warriors Without Weapons—A Study of the Sioux* (co-authored with Gordon Macgregor), *Western Heritage*, *Plains Indian Art*, *Building the West*, *Indian Art of the Americas*, and the manuscript, *The Vision Seekers—A Study of the Sioux*, which the University of Oklahoma will publish in the near future.

It is a pleasure to talk to a group that is entirely knowledgeable about aspects of the West. I am sure that you realize that the Sioux are recognized as the fabulous predators of the Plains a century ago and at the same time, a group of people whose way of life was most dramatic. Some of you may know that there are approximately 30,000 or more descendants of

the Sioux Indians living primarily in North and South Dakota within a number of reservations. Those of you who have visited their part of the country realize what a number of people outside of that area generally suspect: that the Sioux too often are poor, that they are too often ill-kept, and that they are ill-clothed and ill-fed. Psychologically, they appear to be a defeated people. In a sense, their present environment represents a rural slum in these United States. Today, their life involves a good deal of misfortune, it involves what many people consider a kind of national wrong. The Sioux were the "bad guys" of a century ago and they are the "bad guys" of the modern television shows.

Today the Sioux are important, a large and in many ways a tragic group. Most of us know very little of what Sioux life was like a century ago. Was it better for the Sioux than it is today or was it worse? We tend to think of them only as our forefathers thought of them, and quite understandably, as savage, relentless enemies.

Therefore, what I would like to do this evening is to tell you something of what the Sioux way of life was really like and what it meant for them.

In picturing the Sioux a century ago in the heyday of their society, the prime of the culture, these were people who anthropologists reckon as a kind of stone-age man. We learn about this from text-books on archaeology, but here was a people in our very midst. As a matter of fact, it must have been a very colorful, a very dramatic, a very dynamic way of life. Actually, it may have been more exciting to have been a Sioux in 1850

than to be one of us today in 1961.

In the first place these people were predators. They were a hunting people and hunting was the man's job. He was primarily a hunter and he was a nomadic one, concerned with supplying his family and friends with buffalo meat. It is true that many of the other animals were killed. Deer, for example, was a delicacy. In fact, scarcely an animal was overlooked. While it is true, one didn't eat goose eggs for this led to carbuncles, by and large there were no resources left untapped. Hunting for the Sioux people was an occupation while for us it is sport. For them it meant the difference between a successful economic way of life or poverty to the point of starvation. Some men were extremely skillful hunters. Not only could they ride a horse against the buffalo and with one arrow make their kill, but in the course of the chase get two, three, or four animals. A good hunter was careful to find the fattest two year old cow and to select from a running herd such a beast was no simple task. There were other men who were not successful. Rather, they were failures and became known as the tail-tiers. But the good hunter was the failure's salvation. A skillful man, able to kill two or three buffalo, knew his kill by the mark of his arrow. After the chase was over, such a hunter might very often return to find one or two men standing beside his animal, having tied a knot in the tail. The apparent misfortune of finding someone standing beside his kill who thereby became entitled to a goodly share of the meat, was the means by which a successful hunter acquired marked social advantage. By his generosity in sharing, he became recognized as an able hunter on the one hand and a generous member of his society on the other. Rather than having the feeling of chagrin and resentment that he must give some-

thing of his hard-earned meat, this was a chance for him to gain prestige by sharing.

By 1850 the Sioux were most fortunate in finding themselves in the heart of the buffalo range. Such a location not only implied security through hunting, but in a real sense a wealthy economy. The Sioux had on many occasions more buffalo than they needed and the result was that their way of life prospered. The origins of this prosperity, however, were occasioned as if by fluke. Originally the Sioux came from the Mille Lac area west of the Great Lakes. From there they were driven west by the Cree who had received firearms from the French. This was naturally most embarrassing to the Sioux for they consistently lost in their battles with the Cree. Forced to search out new territory away from the inroads of the powerful Cree, they eventually entered the area of the Great Bend of the Missouri River. Here they found themselves confronted by the amazingly well established Arikara. These village-dwelling farming peoples, whose populations amounted to several thousand, were scattered in neighboring villages along the great river. It was at this time fortune blessed the Sioux. Three miraculous occurrences began to take place, almost simultaneously.

As horses were introduced from the West and firearms began to filter through from the East, smallpox struck the great and powerful Arikara villages. From that time on, Sioux economy blossomed. On horseback and equipped with guns, they could now hunt the buffalo and fend for themselves with great success. By the time of the Lewis and Clark visit in 1805, they were reckoned as one of the most feared of groups, not only by Lewis and Clark themselves, but by such powerful neighbors as the sedentary Hidatsa and Mandan, the

Arikara and Pawnee. It was during this period that the Sioux became prosperous.

The wealthiest men were those who lived in the largest tipis, the men who owned the most horses and who had the most wives. The Sioux were aware of their wealth and power. They knew they were successful and they were arrogant. And as if to sustain their wealth, they were opportunistic. They left little to chance in gaining and maintaining control of their territory. From the choice and valuable hunting area known as the Black Hills, they belligerently drove the Kiowa and Cheyenne as early as the late 18th century. A few years later when Clark met the Sioux along the Missouri River, he was much undone at their opportunistic approach. The things that the Sioux said and did to Mr. Clark were to him unheard of. They pushed him about, they demanded all sorts of gifts from him, many more than Mr. Clark and Mr. Lewis felt proper. Not only did they feign drunkenness to gain a point, they insulted Mr. Clark with literal indecencies to the extent that Mr. Clark was forced to draw his sword. In playing the game of international politics, no holds were barred. The Sioux expected no quarter from an enemy and they offered none. If the Sioux were opportunistic as diplomats, they were also opportunistic as nomads. They moved their villages to where the buffalo were. They were willing to do this. And as nomads, they were exquisitely efficient. A village of perhaps one hundred tipis could be picked up, packed, moved away and gone within a period of fifteen to twenty minutes. Only the camp fires were left. Those of us today who have arranged a ten day vacation with our families know what getting two or three suitcases involves in the way of time and invariably there is something forgotten. Not so

with the Sioux, their entire house and village were moved with expedition in order to maintain a way of life.

Not only were the Sioux efficient with regard to nomadism, motivated by a willingness to go where the game was, but they were opportunistic with respect to war. There was a definite goal of conquest so far as these people were concerned and eventually they were able to control much of North Dakota, nearly all the western half of South Dakota, much of Nebraska to the Platte and parts of Wyoming. This was an amazingly large territory for people who probably numbered less than 20,000 people. Not only were they delighted to conquer, they were also readily willing to defend their territory. When in 1873 the Pawnee encroached on what the Sioux conceived as their southern territory, the Sioux with several thousand warriors took definite steps to drive the Pawnee off. Killing not only men, but women and children, the Sioux attack drove the Pawnee home where they belonged, for this was Sioux country. The Sioux had been aggressive in the task of expanding their territory whenever possible and they remained equally defensive in protecting it.

Sioux economy depended as much upon their belligerency as it did upon their mobility. The horse was the answer to the latter. The horse not only became an efficient means of transportation and an effective means of hunting, but a most valuable piece of property in connection with war. While the Sioux were not particularly interested in breeding horses or improving their stock, they did know something about it. However, it was more effective to capture horses from an enemy tribe. The Sioux made a point, as a matter of fact, to watch in battle which of those horses belonging to the enemy were most fleet and long winded. Then, when planning a

horse-stealing expedition, the object was to capture a particular horse. The techniques they used in this type of pillaging warfare were rather amazing. In order to capture a special animal, ingenious daring and enduring hardship were involved. For the Sioux the danger was worthwhile for in addition to being valuable as an effective means of transportation, of improving the efficiency of hunting, the horse was a kind of property, a standard of wealth. The man with the most horses was in a position to gain prestige and accomplish many important things within the society. Consequently, capturing horses not only meant that one obtained a useful possession imbued with a kind of monetary value, but moreover, one acquired fame and honor. There was then, a double incentive for capturing horses.

While a certain aspect of communalism is suggested in the Sioux way of life, as for example the custom which permitted the claiming a part of another's kill by merely tying the tail, actually these people were surprisingly individualistic. Wealth reckoned in horses was a direct result of the individual's very real effort and ability at capturing horses. And it was important to be wealthy. A man could not gain prestige, nor recognition within his group without possessing horses. But interestingly, wealth was not an end in itself. The prestige and recognition gained was on the basis of how many horses the individual could give away. And the more one was able to give away, the greater one's prestige. The individual's wealth of possessions did not count. On the contrary; what built one's reputation was the willingness to give to others. There were hosts of opportunities to give one's property away. For example, when a daughter reached puberty it was expected that one would give a ceremony for

her introducing her to society. To do this it was important that horses be given away in her honor. The more horses one could give the more honor one bestowed upon a loved one. A son might also be introduced by making him a symbolic friend of another individual. By means of the so-called *Hunka* ceremony, the son often gained a close and real companion throughout life. Where such an adoption took place, many horses were given away. Such gifts brought prestige to both father and son.

The epitome of this give-away pattern was the ceremonial "Owning a Ghost." Here, at the death of a loved one, particularly a child, a lock of its hair, symbolizing the ghost, was preserved for a period of one year. During this period vast quantities of property were accumulated. This might involve not only many horses but also packing cases, costumes, moccasins—the host of things that people used. Then, at the end of the year, the ghost was released in a specially designed ceremony. After the release, the "owners" gave away everything that they had accumulated. And after all these things had been distributed, then the owner's tipi and all its contents were given. Finally, the "owners" removed their clothes and gave them away. Standing naked before their guests and assembled friends, the "owners" explained that in giving away everything they possessed, they had merely brought honor to this child whose spirit had now been released. To have "Owned a Ghost" was a token of great prestige.

So established was the give-away pattern that in order to become a head man, it was necessary to perform a series of such ceremonies. Conceivably one could not expect to become a head man if one stinted. And each of these ceremonies involved this great formalized generosity.

Marriage, too, was in most instanc-

es, a matter of individual choice. While a bride-price was involved, the contract was settled only after the couple had agreed. Only the well-to-do could afford two or more wives. This was the prerogative of the wealthy individual. Frequently it was considered advisable to marry a younger sister for it was believed that sisters were more compatible. Polygamy, however, was not generally practiced. Many men could not afford it. Actually monogamy was considered the ideal. As one old Sioux man explained it, "Having only one wife is far less bother."

Divorce was extremely simple. If a man should tire of a woman, all that was necessary for him to do was to enter the camp circle, appear at the council lodge, beat on the drum and announce, "You can have her, I don't want her." Such quick and easy divorce would seem to have placed the woman in a peculiarly subservient position. On the contrary, this was not necessarily so. Although forthright was the man's approach, he must remember that the tipi belonged to the woman, all the contents in the tipi belonged to the woman and the children generally belonged to the woman. Divorce for the man meant that he went home to mother. The woman's role was extremely important. She was placed, in a sense, upon a pedestal. Ideally, she was industrious, she was generous, she was a good mother and a conscientious and faithful wife. In general, one's wife was held in great respect. However, one's sister was held in even greater esteem. A very close, though formal relationship, existed between brothers and sisters. A sister literally took precedence over one's wife. When scalps were brought back, they were given to the sister. When cradles were given, they were given by the sister to her brother in behalf of his child. By the same token, great respect was

shown between a man and his mother-in-law. In fact, so formal was the relationship that it was improper to speak to one's mother-in-law, much less look at her. By this simple technique, the Sioux resolved the mother-in-law problem, for it is difficult to get into much trouble with someone you can't look at and with whom you may not speak. On the contrary, this emphasis upon respect was sometimes released. An irate husband might vent his spite upon an unfaithful wife not only by divorcing her, but also by cutting off her nose. Such action rather dramatically spoiled any chance she might have for allure. And to add insult to injury, the husband often divorced his wife at the same time. This practice, however, was far from common. A man had to reckon with his wife's brothers, who were just as interested in her as he was in his sister. Unless the man was in a position to attack his wife's family, especially her brothers, and win in a battle—not only of wits but often physical violence—it was wise not to begin such an affair.

Among the Sioux there was a definite drive for prestige. War and shamanism were the two principle avenues. A man gained his reputation as an important individual primarily through his war record. And he gained credits for striking the enemy called counting "coup." The first man to strike an enemy was entitled to four points, the second man three points, the third man two points and the fourth man, one point. A fifth man might kill the enemy, yet get no actual points. While he was accorded recognition for having killed the enemy, his credit was of a different sort. In gaining one of the four points for striking an enemy, a man was entitled to wear certain badges, for this was most definitely a military society. The man with the greatest number of "coup" was considered to

be outstanding. Red Cloud, for example, one of the famed Sioux warriors, was reckoned as having accumulated possibly more "coup" than any other Sioux.

Since war also involved stealing and capturing enemy horses, not only did a warrior gain property, but such a horse counted as a "coup" on the man's war record. These war records were recorded within the linings of the tipis. As such, they were a kind of advertising so that all might see how brave so-and-so was.

The other route to prestige was through shamanism. To become a shaman, young men sought a vision. By standing alone on a hill and fasting and oftentimes enduring actual physical torture, a vision might appear. Such a vision gave one power, a sort of magical power to accomplish brave acts in warfare. In addition, a man might seek power for the benefit of others. Such power was most often directed toward curing the sick. As doctors they were to receive no recompense for themselves, but rather token gifts could be given to their families.

To become a shaman of the highest degree, a kind of priest, one must undergo the fourth form of the Sun Dance. This form involved, among other things, being suspended from a tall pole by a rope with skewers pierced through the pectoral muscles. By hanging there and eventually struggling loose, a candidate hoped to obtain a vision. This was the epitome in the sacrifice of one's self for the benefit of the group. Men who achieved this degree of shamanism gained much in prestige. Such men were entitled to paint their hands red, to touch sacred objects, to perform religious ceremonies and to give succor to their people. These were the men who were reckoned as most knowledgeable in the ways of the Sioux.

In a sense the Sioux were almost

Dionesian. Their approach to life was an amazingly intense one. Life was a matter of excitement and to be well lived, must be lived fully and to the extreme. In order to gain power, in order to become successful, men permitted themselves to be suspended and to have the chest muscles torn out. The ideal of the warrior was summarized in the saying, "It is better to die on the battlefield than to live to be an old man." In a real sense, the Sioux lived from crises to crises. They lived dangerously and thrived upon the danger.

The Sioux were a people with a national vision. They believed in this fully. If one could ask them what was the best way of life, of course, it was their way. They called themselves *Lakota*, The Men. There may have been other people around that appeared to be human beings, but they were not men. The Sioux were the men. And yet, their vision ended rather dramatically with Custer's rather ambitious mistake. While the Sioux won the battle, they lost the victory. They were overpowered by a much more dominant culture, as a cat would be destroyed by a wolf. They were killed by the military might of the United States. They were over-powered by an industrial nation which supplied quantities of ammunition the like of which the Sioux had never dreamed. And they were overwhelmed by the mere deluge of people. Because of these things, their whole way of life immediately collapsed.

When the Sioux vision vanished, their whole world fell apart and, as a matter of fact, the Sioux have never revived. Today they are still a demoralized, tragic, beaten people. It is true that the two ways were scarcely compatible, but there is a lesson here! There is the proof of the importance of maintaining a vision.

ELITCH'S GARDENS

By SARA E. ROBBINS

Mrs. Robbins (CM), who always has found Colorado history a fascinating subject for research, has authored many historical articles and biographies for national as well as regional newspapers and magazines. In the article below she has recorded her findings about one of Denver's historic landmarks.

Not to see Elitch's is not to see Denver!

How true—how true! For our Queen City of the Plains, with the grand old Rocky mountains towering in the background is now one of the most active and flourishing cities in the United States.

'Way, 'way back in the days when the little embryo Denver was still in its swaddling clothes and considered a trackless waste (with the exception of the majestic cottonwoods along the Platte River) it got its first shot in the arm when a double dream became a reality. Fate steered Mr. & Mrs. John Elitch into Denver in 1882. They loved all growing things—trees, shrubs, flowers, animals, and last but not least CHILDREN.

With these things uppermost in their minds, they laid the foundation of what is the pride of Denver today. They weren't at all interested in digging for gold. They knew soil and top-soil. They sifted a few handfuls of our rich black dirt between their fingers and were convinced—This was IT.

Regardless of the head-shaking of their friends and neighbors, they saw the end-results, and it made the proposition all the more challenging, though they had been searching "Den-

ver's" vast acreage for five years. Those were unhappy years that they were trying to run a restaurant downtown.

The Elitch's bought a sixteen acre farm adjoining some experimental truck-farmers, who were given a special deal by the secretary of agriculture to try to make something grow in this region.

The Elitch farm was in a suburb then called the Highlands which was practically a wilderness with no regular streets, but it had a farm house which they remodeled and prettied up. They originally bought the farm to provide fruits and vegetables for their restaurant, then converted it into an informal park for picnics and family outings.

In 1889, when John Elitch returned from Australia and San Francisco he was loaded with ideas and commenced perfecting his garden park, started a menagerie, all at a cost of \$30,000.00. Their first big job was to plant a garden, fruit trees and flowerbeds around the house.

Then to the drawingboard. They outlined walks to be encircled by more flowerbeds. That finished, they went full steam ahead already calling it "Elitch's Gardens." Denver wasn't quite ready for what John and Mary had in mind, but with their ambition and the love they put into their efforts, Denver became keyed-up with anxiety. That was all that was needed and Elitch's was made a thing that was loved, talked about, and treasured to this day and still is one of the show places of Denver.

Next, they dug and completed the bear-pit and built numerous other

appropriate houses for the various animals, birds and even snakes that they had already started to collect. To all this were added more connecting walks. Then came the big restaurant, several scattered eating concessions, rides, games and other attractions.

When they were satisfied with their completed tasks, time had passed so quickly for them that it was May 1, 1890, when the public was invited to see the beautiful Fairyland with the best band obtainable for the initial welcome.

The elegance of the gardens spread like wildfire. The newspapers advertised it for many days in advance with hundreds of on-the-spot pictures. Denver was more than ready for the opening. Crowds came in every kind of conveyance imaginable, from donkey to carriage, wheelbarrow to baby buggies, bicycles and on foot. One would think that not only all of Denver, but every suburb, mining camp, and some of the few remaining Indians for miles, moved in on the gardens.

Some interested actors were already there, and many others, also prominent citizens from eastern cities, came into town for this special occasion. There were two great surprises in store for the crowds. A free, well-prepared picnic lunch and the initial beginning of what is still the pride and joy of Elitchs and Denver, the theatre. That building was in the process of being built with only the floor, seats and stage completed.

After the lunch the people were escorted to the theatre by the then mayor Mr. Wolfe Londoner, for a free open air performance. The orchestra and band concerts were continued free all through the summer. In 1891, a permanent roof was built over the theatre and the sides were enclosed, making it quite serviceable as a summer playhouse. The biggest

major remodeling job on it wasn't done until 1899.

The gray frame wooden structure (theatre) gave little indication of permanency, but basically it is still the same original structure in which plays are performed at the present time. For a while it was called "Pavilion Theatre" and was almost circular. Later it was called the "Theatorium" and consisted of twelve sides, with two left open as an entrance and exit.

The first drop-roll curtain used the first four seasons on which was painted Berkley Lake is no longer in existence. The theatre is located near the center of the park about 200 feet from the main entrance. On the left side is the dance pavilion (the Trocadero) which is always supervised and chaperoned for its dancing. On the right side of the path is a series of concessions. The outer lobby or vestibule is 12 x 16 and is the approach to the auditorium. The entire stage area is 95 feet wide and about 44 ft. 4 in. high.

The first curtain was replaced in 1894. It is 36 ft. wide and 30 ft. high. It is painted in oils on Irish linen and depicts Ann Hathaway's Cottage, and is still in use. The fireproof asbestos curtain is required to be raised and lowered once for every performance. In 1898, the Gardens had accumulated ten complete sets of scenery, and by 1902, an average of \$1,000.00 was spent every week for scenery.

The theatre building having been completed was so popular and successful during the first summer's run it became a permanent fixture. First it was vaudeville, then a minstrel show which took to the road, and that had a very sad ending. Mr. Elitch was one of the members of the company and he became ill on the tour and passed away March 10, 1891.

Before the second season, a group of responsible businessmen undertook

the management of the park to continue its operation with financial support as a profit-making organization.

In 1893, when the Gardens went into receivership and the long period of commercial and industrial expansion ended abruptly in July, and was caused by the repeal of the Sherman Purchasing Act. This coincided with that year's sixth week of the opening engagement of Elitch's and the attendance dropped very low. In March 1894, (at public auction) Mrs. Elitch bought the gardens under a deed of trust for \$150,000.00 as sole owner, but it was 1897 before she undertook the entire management herself.

In 1893, an enterprising company had started to run a steam train from Denver which conveniently passed the gardens. With a few newly arranged walks, the rustic gate entrance to the park was changed to a designated train stop.

That gave the Gardens an idea, and in the same year the smallest locomotive and cars to match it ever built, were running inside the Gardens pulling open cars for passengers. In 1918, there was a disastrous train wreck on this little train when seventeen people were hurt and several lawsuits resulted. One for the amount of \$53,000.00.

In May, 1904, the famous Figure Eight was installed, and the daring midair race of expert bicycle riders who had a space of only forty feet.

In June 1904, the Old Mill was installed and it was a thrilling "First" for Denver. The paintings to be seen all through the Old Mill trip (in a boat on real water) were two and one-fourth miles long; ranging in height from two feet to twelve feet wide, winding in and out in a maze of colors including scenes from Japan and under sea, and had more than 9,000 electric lights. A terrible tragedy happened in this beautiful mill

on July 16, 1944, when it burned down. A suit was brought by the seven year old son of one of the victims for \$5,000.00. He was awarded \$2,500.00.

In 1905, the Roller Coaster was installed.

In 1913, when the improvements on the theatre were finished, the Actor's Equity Assn. was formed, and for six years after its founding, professional actors attempted to gain improvement in unfair working conditions which had been imposed by the powerful theatre syndicate. They sought a fair minimum wage, a maximum of eight performances a week, limit of free rehearsal time, no Sunday performances. Not until 1919, when Equity called a successful strike did the theatre managers accede to the demands.

On June 20, 1916, John Mulvihill purchased the Gardens for \$35,000.00 with a down payment of \$1,000.00. That year the theatre was closed for the first time in 26 years, but all rides and concessions were operating. The theatre was closed again in 1918 for the next two summers. It opened again for the 1921 season through 1924.

In January 1930, the Gurtler family (son-in-law to Mr. Mulvihill) took over, and imagine them turning away actors like Marlon Brando, Clark Gable and Charlton Heston, but a great many new features were added to the park. The local dramatic critics were the outstanding F. W. W. (Frank W. White) and Burns Mantle.

There was a lake on the original gardens in the southwest corner and it was called Berkley Lake. The necessary equipment was added to the lake to make it an enjoyable swimming feature of the gardens. This spot was later made into a baseball field. By this time more land was added to the Gardens that made it 26 acres, and many unusual specimens of animals

and birds were imported and added to the zoo which grew to great proportions. Likewise there was an increase of all the other attractions.

Another *first* for the Rocky Mountain Region was Elitch's inauguration of the weekly Children's Day, with an illustrated booklet for each child. All Sunday Schools in the city were represented. Children's Day is still a special feature of the gardens.

One study feature was the study of animals from nature in their own zoo. Particularly interesting was the first seal born in captivity at Elitch's, that the children named Cellina for its mother whose name was Celia. It had to be fed with the bottle but passed away. Its mother couldn't take it, and was found in the bottom of the tank, a suicide.

Also Indian Life was taught by live Indians. Botany in its many stages was another subject; folk dancing which is still a free weekly feature. The Children's Choir did much for many later day celebrities. Kiddieland was then in its infancy but increased gradually.

The Albino buffalo was quite an attraction until he fell into a well and then the excitement reached its peak with the many children crying, until he was rescued. A little platform had to be built and lowered into the well for the rescue.

An additional thrill for the children was when one elephant was used as a dray-horse, helping pull heavy loads, even tree stumps. That animal's inducement was a bag of peanuts that Mrs. Elitch carried openly

and leading and coaxing it. Then there were the lions one of which posed for marbled ones. The ostrich brought quite a little publicity when it was trained to wear a harness and pull a conveyance in which Mrs. Elitch often rode.

In 1934, Miss Helen Bonfils applied for her first job in the theatre and in 1935 she was made a regular.

Only soft drinks were allowed to be brought in or sold in the gardens which holds true until this day. Anyone showing signs of having inbibed in hard liquor before entering the park is quickly removed and warned never to enter again.

A former owner of the Elitch tract of land built an elegant home on a corner of the part that is now 38th Ave. & Winona Court. It was later occupied as a Sanatorium until the Elitch's acquired it, then it became the home of the summer stock actors until the later one was built.

On Sept. 5, 1937, there was a tremendous festival at the gardens to usher in the peach season. Railroad cars of peaches were brought to the gardens, a great many of which were given away.

That same year Elitch's settled their pending service tax disagreement for 2% of the gate receipts.

In 1958, the fifty-year-old landmark gateway was replaced by a Grecian Gate, to make room to widen West 38th Ave.

The well known slogan "Not to see Elitch's is not to see Denver" is still as popular as it was the day it was coined.

Chicago Westerners Choose Best Western Books of 1960

Although several of our membership subscribe to the outstanding magazine published by our Chicago Westerners, the following will be of interest to all Denver Westerners:

In accordance with a custom of many years standing, The Westerners attempt to choose the outstanding Western books published during the preceding calendar year. That custom has been stimulated for many years by the generous standing offer of Corresponding Member James H. Gipson, Sr., president of Caxton Printers, Ltd., Caldwell, Idaho of any book on the list of that publishing house to the Westerner whose selections come closest to the final choice. The rules have always stated that judges are the editors of The Brand Book. Because the editor of The Brand Book was author of a book that was mentioned in all lists submitted the choice this year was done strictly on a percentage basis of rating books in the order named by those submitting lists. The result:

Don Russell, *The Lives and Legends of Buffalo Bill*, University of Oklahoma Press, Norman.

Floyd C. Bard, as told to Agnes Wright Spring, *Horse Wrangler: Sixty Years in the Saddle in Wyoming and Montana*, University of Oklahoma Press, Norman.

C. L. Sonnichsen, *Tularosa, Last of the Frontier West*, Devin-Adair Company, New York.

Ramon F. Adams, *A Fitting Death for Billy the Kid*, University of Oklahoma Press, Norman.

Potomac Corral of *The Westerners*, Great Western Indian Fights, Doubleday & Co., Garden City, N. Y.

Harry Sinclair Drago, *Wild, Woolly and Wicked*, Clarkson N. Potter, Inc., New York.

Harold Preece, *Lone Starman*, Hastings House, New York.

LeRoy R. Hafen and Ann W. Hafen, *Handcarts to Zion*, Arthur H. Clark Co., Glendale, Calif.

Frank Waters, *The Earp Brothers of Tombstone*, Clarkson N. Potter, Inc., New York.

Oliver Knight, *Following the Indian Wars*, University of Oklahoma Press, Norman.

Comments

Westerner Robert L. Perkin of the *Rocky Mountain News*, Denver, whose selections for nine years have been of considerable help to the judges, gave up the attempt to publish a checklist of Western books when it reached 301, as compared with 195 in 1959. He picked as top Western book "Horse Wrangler" (second on our list) and stopped. Western Writers of America gave their nonfiction Spur award to "South Pass, 1868" edited by Lola M. Homsher, a book that might well have deserved a place on our list, especially in recognition of an excellent but short list of outstanding Western Americana published by University of Nebraska Press.

With a smaller number of entries than last year, 34 books were nominated for 1960 as compared with 40 in 1959. Of these none beyond the ten named got more than two votes, most of them only one. With only 34 out of 301 getting a mention the impression is left that the year was more distinguished for quantity than for quality.

It is the hope of ALL Westerners that the *Rocky Mountain News* and Posseman **Bob Perkin** will be able to resume their checklist which was so helpful to all of us.

FROM THE CORRAL RAIL

(Continued from Page 5)

In the March 19, 1961, issue of the *Rocky Mountain News*, Possemember **Al Bromfield's** life was expertly reviewed, and his many interests and activities prove him to be a real Westerner. It is not surprising that he is president of *Western Federal Savings*, and that his company sponsors an historical contest each year.

Robert L. Perkin (PM), **Alan Swallow** (PM) and **Irving Stone**, California novelist and biographer, were the members of a committee which chose the best non-fiction Western book for the Western Writers of America. Although the winning book was *South Pass, 1868* by **Lola M. Homsher**, Reviewer Perkin wrote in his March 19, 1961, column, *One Man's Pegasus*, that he had voted for *Horse Wrangler* by **Floyd C. Bard** and **Agnes Wright Spring** (CM) as his first choice and the Western Book-of-the-Year, and *South Pass* as his second choice. After explaining his vote and giving the other awards of the Western Writers of America, Perkin ably reviewed the winning book, *South Pass*. He reviewed *Horse Wrangler* earlier this year.

Congratulations to **Jack Ronzio**, son of Possemember **Richard** and **Mrs. Ronzio**, for winning one of the coveted \$10,000 Climax Molybdenum Company scholarships. Jack, one of twenty-seven candidates, was selected because of his scholarship, community and service records, aptitude and motivation, and was judged worthy of the honor by the scholarship committee consisting of **Hon. Jean S. Breitenstein**, judge of the 10th Circuit Court of Appeals, **Stephen H. Hart** of the law firm Holland and Hart and **Henry Kugeler**, treasurer of the Colorado Builders Supply Co.

Possemember **Robert L. Perkin** reviewed **Speaker Hassrick's** discussion in the March 27th issue of the *Rocky Mountain News* under the headline, *Curator Describes Sad Plight of Sioux*. Several days later, the following *crème de la crème* was received from **Don Bloch** (PM):

A saucy young Sioux, named Sioux,
Was made by a warrior named Hioux:

He caught her near waughter,
Begaught her with daughter,
Now where there was one Sioux are
tioux!

* * *

See what a headline can dioux for
yioux.

Dr. Nolie Mumey's reproduction of **A. E. Mathew's** 1866 *Pencil Sketches of Colorado* has just come from the press. This edition is limited to three hundred and fifty copies, and dealers will soon have them on their shelves for about sixty dollars each.

Are you interested in making a pair of Indian Leggings? If you are, the January, 1961, issue of *The English Westerners'* magazine has an excellent and comprehensive discussion of *Plains Indians' Leggings* by **Colin Taylor**, together with pictures, sketches and bibliography. The magazine also printed *The Myth of the Quick Draw* by **Brian Jones**, who has done a fine piece of research.

Francis Rizzari (PM) reported his trip to Washington, D. C., New York City, and St. Louis as having been very successful as far as his work for the government was concerned, but he found only a few Western books and stereopticon pictures of interest during his visits to the book stores. He was gone from the 31st of January until the 22nd of February and reached New York City on the day of that city's 17-inch snow.

Swedish Posse

By SCOTT BROOME

The June, 1960 issue of our Round-up contained a mention of the Swedish Posse of The Westerners, my first knowledge of such an organization. I forwarded an application for membership, and the Editor of their periodical, Mr. Gösta Gillberg, whose address is Pontus Wiknersgatan 1A, Göteborg C, Sweden, forwarded to me several back issues, along with a cordial and informative letter welcoming me into their group. Thus began a correspondence which has proved valuable and enlightening to me.

In my first letter I expressed interest in Gustaf Nordenskiöld, the Swedish archeologist who explored and excavated the Mesa Verde cliff dwelling ruins in southwestern Colorado in the summer and fall of 1891. Mr. Gillberg was familiar with the distinguished Nordenskiöld family of Sweden, but had never heard of Gustaf, who apparently died young. He forthwith developed a personal interest in the subject, and obtained a copy of the original (1893) Swedish edition of Nordenskiöld's "The Cliff Dwellings of the Mesa Verde." He secured a copy of this fine book for me, which, although sixty-seven years old, is in exceptionally good, in fact, almost mint condition. He stated that the English translation (also 1893) is practically impossible to get there, and even the Swedish edition is very scarce.

Mr. Gillberg also sent to me a copy of "På Jakt efter Vilda Väster" ("In Search of the Wild West"), by Harry Kullman, one of their members, who writes juvenile westerns in his spare time. This book is not fiction, but impressions from a trip to Colorado, Wyoming, and Montana. The author

gives grateful acknowledgment to our own Agnes Wright Spring, Alys Freeze, Lola M. Homsher, Russell Thorp, and others for assistance in accumulating material for his book.

The Swedish Brand Book, issued monthly, is reproduced by a mimeograph process. Swedish concern with our western Americana seems to me somewhat flattering, perhaps what my wife's Swedish mother once called "a curiosity honor." They lift (with permission) almost all their material from diverse Brand Books in the United States and England and from such western books as are available to them. Mr. Gillberg admits that their big concern with the American West is based largely on such western films as are shown in his country. While they realize that such films often depart far from reality and authenticity, these do excite and expand their interest and curiosity, and lead to a desire to learn the truth behind them. They are, of course, interested in the actual history and traditions of the West. In addition to translations from other Brand Books, their issues contain notes on biography and pertinent events, and film and book reviews. Mr. Gillberg himself said he hopes to prepare an article on a Swedish preacher who had a part in the founding of the city of Gothenburg, Nebraska.

Recently, one of the Swedish Posse members, Björn Spång, with his good wife Ulla were in Denver and contacted the Broomes. This young couple (who, by the way, have a remarkable grasp of idiomatic English) were on a six-week flying vacation around the United States, with special emphasis on "western" meccas, such as

the Grand Canyon, Tombstone, etc. The Broomes enjoyed the opportunity to entertain them, and Erl and Scotty Ellis extended their special brand of warm hospitality both at Idaho Springs and on a long drive via Virginia Canyon to Central City, thence to Georgetown, and back to Idaho Springs. The scenery and hospitality were appreciated—most enthusiastically—by the Spångs (and also by the Broomes). Björn Spång, who expressed particular regret that their trip did not coincide with a monthly meeting of the Denver Posse, is now a corresponding member thereof, and it is hoped he will carry back to Gösta Gillberg and the Swedish group a favorable report on this region and their reception here. (Another Swedish corresponding member is Anders Erik Schlyter, of Danderyd,

who says his main interest is railways and pioneer life.)

Perhaps I can pay a small tribute to our Swedish friends by translating, though loosely, the last paragraph of Mr. Kullman's book:

"Possibly there is a real wild west, one that goes on even to this day, awaiting whoever will pause long enough to listen carefully and understand rightly. It is not a gunsmoke-filled, violent wild west, not a true-or-false wild west—but rather a tuneful, poetic west; a way of life that can be experienced, with painful suddenness, at a sunny crossroad in a small and peaceful Wyoming town, where prairie and path seem to merge; experience and relive in a liberating recollection of freedom and space and a trustful closeness to the overwhelming heaven above and earth around."

New Corresponding Members for March

Bruce Anderson
Mrs. Consuelo M. Hauser
Jamieson D. Kennedy
Anders Erik Schlyter
Jay Tallant
Willis M. Webber Jr.

The Denver Posse welcomes all of the new above Corresponding Members and feels it is of special interest that one of them, Mr. Schlyter, is of Danderyd, Sweden.

LAST 2 BRAND BOOKS

The 1958 and 1959 Brand Books are still available from the Roundup Foreman at \$10 each. If any of you have thoughts about acquiring a copy at the publication price, this is the time to send in your order as the supply will be exhausted in the not too distant future.

Eri H. Ellis
Roundup Foreman
730 Equitable Building
Denver 2, Colorado



Western's Bookshelf



THE MARCH OF THE MONTANA COLUMN, by Lt. James H. Bradley. Edited by Edgar I. Stewart. 182 pp., University of Oklahoma Press. \$4.00.

"About ten o'clock A.M. the battalion formed in the parade ground and breaking in columns of fours from the right to march to the left, moved out of the post and took the Helena road . . ." So begins, in precise military terms, the journal of young Lt. James H. Bradley of the Seventh Infantry. Five companies of the regiment, under command of Col. John Gibbon, had left Fort Shaw to take part in the Sioux campaign of 1876.

This unit, called the Montana Column, was the northern prong of the pincer movement planned to crush the Sioux and Northern Cheyennes. The Dakota Column, under command of Gen. Terry, (Custer commanded only the Seventh Cavalry) was ordered to march west from Fort Abraham Lincoln. Gen. Crook would march north from Fort Fetterman. The three prongs of the pincers would converge on the Indians believed encamped near the confluence of the Big Horn and Little Horn Rivers.

Bradley's journal, composed later from his carefully detailed daily diary, describes graphically the life of soldiers on the march in Indian country. A man of infinite curiosity, he interspersed his record of the march with interesting information on the country traveled through and with historical sketches, such as the Crow account of the Yellowstone fur trade. A gifted writer, his description of the Crow scouts, grief-stricken at the news of the Custer Massacre, is a masterpiece in the literature of the West.

Anyone interested in the Indian wars, particularly in the Custer legend, will find this book a rare treat. It ends fittingly with Lt. Bradley's letter to the Helena Herald, July 25, 1876, in which he gives a dramatic eye-witness account of the Custer battlefield the day after the tragedy. His account refutes much of what has been published on this subject. The introduction and footnotes by Edgar I. Stewart add to this fine Western book.

Dabney Otis Collins, PM

INDIANS, INFANTS AND INFANTRY, "Andrew and Elizabeth Burt on the Frontier," by Merrill J. Mattes. The Old West Publishing Company, 406 15th Street, Denver, Colorado, 1960. Illus. with photographs, map and sheets, index, sources. 304 pages, price \$5.95.

Few one volume works touch so many high spots in plains country history as does *Indians, Infants and Infantry*. The setting is mostly Dakota Territory (Wyoming) and time wise it begins prior to the Civil War and extends way beyond Mr. Custer's big day. The Burts, Elizabeth and Andrew, rotated on his Infantry Officer assignments into practically all the outposts in the Territory, including those frightening places along the Bozeman Trail. The basic account is told through the tender loving eyes of Mr. Burts devoted wife. She and her babies rode trains, Army ambulances, buggies, studebaker wagons, boats and walked, following the Command wherever it went, regardless of weather or dangerous miles.

I couldn't help perceive that riding through hostile Indian Country "bothered" Elizabeth . . . and when the Warriors came "shooting" she commenced to worry about her Major. Yet a mountainous sky was always beautiful and she loved to pick flowers and look at life's brighter side.

This book, nicely embellished by Mr. Mattes and published by Mr. Rosenstock has something for almost every reader—drama, affection and history. It would be difficult for me to single out any chapter to rate higher than another, but certainly the intimate glimpses into life at little known Fort C. F. Smith during an exciting 1866-68 period are worth re-reading. Mrs. Burt didn't miss many parties in the line of duty—tea or scalping. She casually drops some powerfully familiar frontier names in her chatty writings. She thought and wrote as a woman should—with intuition.

Merrill Mattes is a professional historian and his book has all the earmarks of ability. *Indians, Infants and Infantry* is complete in bibliographical niceties and was brought into print in a near-luxury manner by Old West Publishing Company.

Dean Krakel, PM

THE POSSE, by George C. Appell. New York: The Macmillan Company, 1961. 160 Pages, \$2.95.

The story of this book is set in an Arizona town in the 1800's. A dead and dying town, dying in the dregs of the past glory of the Territory.

The language of the book flows with descriptive details reminiscent of the writings of the early 1800's, and is splashed with touches of excellence.

The miraculous excitement in the black night of a dead town, a bank robbery, desperados sweeping into the town, killing and robbing, sustain the book into its final pages.

The reader follows the characters and events as they are unfolded. He sees the Hero of the past, now the hesitating County Peace Officer of the small town who took orders in the "War" and now needs direction. The town cynic, perennial drunk and owner of the local newspaper, takes a minor part. Who will take charge? The ne'er-do-well son of the banker, the honorable hard working miner, or the potential artist, son of the would-be villain? The outcome will haunt the reader until near the end of the book.

The reader goes on the long, hard, dry, dusty chase with the posse. He sees the futile killing of Eads, and the eventual proving of a youth into manhood. He rides with the posse, almost too tired, thirst-ridden himself, through the long dark night.

At last, in a melodramatic ending, the posse catches up with its quarry. Here the men rise to new heights, and we see how men of inborn decency, honed to a fine edge, by fatigue, hunger and thirst, rise above their human frailties to become men of action and justice.

Those who are dedicated students of the early West will find enjoyment in this book.

William D. Powell, CM

STATUE OF DOCTOR FLORENCE RENA SABIN, Senate Doc. No. 132, 85th Congress, 2nd Session, U.S. Printing Office, 1959. 53 pp., il., 5000 copies printed for distribution to members of Congress.

Statuary Hall in the United States Capitol was created in 1864, each state being allowed representation of two persons judged worthy of national commemoration. In 1933, the number of statues to be placed in the Hall itself was limited to forty-eight, others to stand elsewhere in the building.

This small volume contains material relating to the first selection by the State of Colorado, that of Dr. Florence Rena Sabin, born in Central City, Colorado, on November

9, 1871. An excellent, brief biography of Dr. Sabin gives highlights of her life, stressing her education, her many important medical and public health activities, and the numerous honors bestowed upon her during her more than busy, useful career. Like her famous medical compatriot, Sir William Osler, her Master Word was WORK, winning for her such characterizations as "an atom bomb, a human dynamo." Her contributions to medical research and knowledge were legion, and at the time of her death in 1953 in her 82nd year, she was still working on public health measures for her native state. Her creed, like da Vinci's, was: "Thou, O God, dost sell unto us all good things, and labor is the price."

The sculptress of the memorial bronze statue of Dr. Sabin was Mrs. Joy Buba of New York, who was selected from applicants in a nation wide competition. Mrs. Buba, a recognized artist in her field, studied here and abroad. The statue itself is a vigorous, vital, inspiring representation of Colorado's outstanding and distinguished citizen.

The document describes in detail the ceremonies incident to the dedication and unveiling of the statue on February 26, 1959 in the rotunda of the National Capitol. For its biographical material, personal tributes, illustrations, and in a sense as "a Colorado first," it deserves a place in the library of every Coloradan proud of his state, its people, and their achievements.

W. Scott Broome, PM

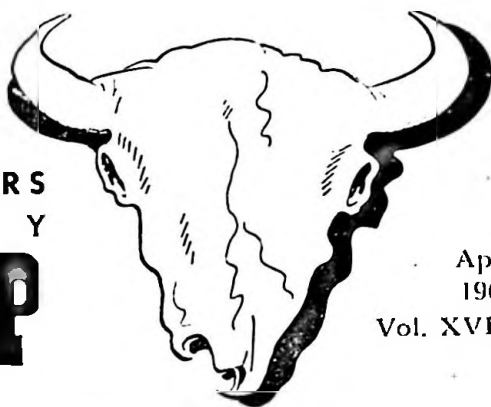
THE LIFE OF JOHN WESLEY HARDIN, Autobiography, New Edition, University of Oklahoma Press. 149 pp., \$2.00.

The era in which this book was originally written, in 1896, is one of gun play and murder that has been covered by too many authors but seldom by an autobiography. The life of Wes Hardin spans from May 1853 to August 1895, but during that time many many murders were committed under the guise of the law. Hardin tries in each case of murder to justify his acts such as "Putting down Negro rule in Gonzales," and "I had made many friends and sympathizers and had made it a thing of the past for a Negro to hold an office in that county."

Hardin's greatest fear was, a mob with a rope and a tree. He was killed by a policeman named Selman who shot him in the back of the head in the Acme Saloon, at El Paso, Texas. Most of the book attempts to justify the ruthless murders that the son of a Methodist minister committed.

Fred M. Mazzulla, PM

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



April
1961
Vol. XVII, No. 4



Mountain Meadows Massacre—Line drawing in "Echoes From the Rocky Mountains," by John W. Clappitt. Chicago, Belford, Clarke & Co., 1889.
Courtesy of the Library of the State Historical Society of Colorado.

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MAY MEETING

**A "HOGMASTER" POET OF THE ROCKIES, NEWSPAPER EDITOR AND
NOVELIST, WHO IMMORTALIZED AN ERA IN RAILROADING
THROUGH VERSE AND PROSE.**

By NOLIE MUMERY

AN EXHIBIT, WITH AN IMPORTANT KEEPSAKE.

Wednesday, May 24, 1961, 6:30 P.M., Denver Press Club, 1344 Glenarm, Denver, Colorado

JUNE MEETING

Speaker: HARRY E. CHRISMAN of The Southwest Daily Times, Liberal, Kansas.
Subject: I. P. (Print) Olive — The Colorado Thesis.
June 28, 1961, Denver Press Club, 1344 Glenarm, Denver, Colorado.

AUGUST MEETING

Speaker: FREDERICK MANFRED, author of twelve novels
Subject: Backgrounds for Western Writing
August 19, 1961, COLOROW CAVE.

FROM THE CORRAL RAIL

Deputy Sheriff **Bob Perkin** presided over the April 26, 1961, meeting of the Denver Westerners and called for the usual introductions, 32 Posse members, 12 Corresponding members and 8 guests. Posse member **Alan Swallow** introduced **Stanley Zamonsky** and **Teddy Keller**, both of whom read accounts of and answered questions about the famous historical incident, *The Mountain Meadows Massacre*.

Fred Hanchett, member of the Chicago Posse, explained how he happened to take moving pictures of the Sun Dance at Pine Ridge, South Dakota, on July 4, 1929, and promised the Denver Posse the opportunity of seeing this film as soon as it has been reconditioned and copied.

The Chicago Corral of Westerners started their eighteenth year of monthly meetings by listening to charter member and former sheriff **Leigh Jerrard** present his paper on "Old Portage Routes in the Upper Mississippi Valley." The text of his talk with a map of the routes together with book reviews and notes comprise the April 1961 issue of the Chicago Corral magazine.

Carl W. Breihan (CM) has signed a contract with The Naylor Company, San Antonio, Texas, for the publication of his latest account of frontier badmen, the **Younger Brothers**. Through personal interviews with relatives and extensive research the author has gathered much information which should make for an excellent report on these post-Civil War outlaws. We hope to review the book soon after it is published. **Armand Reeder** (PM) knew the Breihan family when he was stationed in St. Louis, and feels because of Author Breihan's interest in his subject that the book will be well worth reading.

The April issue of *The Colorado Magazine* is its usual high quality publication of authentic and valuable historical material. The first article "The Rocky Mountain Biological Laboratory" is very similar to the presentation made by its author, **John C. Johnson**, at the February meeting of our Posse; the John Lawrence diary (expertly detailed at the October, 1960, meeting by **Posseman Robert A. Cormack**), is continued; and the other articles of the April issue are a brief history of the "Bloom Mansion in Trinidad" by **Dolores Pleded**, "Reminiscences of William Carroll Riggs," "Early Lutheranism in Colorado" by **Pastor William Luessenhop**, "Pioneer Life at Saint's Rest" by **Emma Putnam Reed**, and "Homesteading on the Plains" by **Mrs. Clara Watson**. Among the book reviews, State Historian **Agnes Wright Spring** (CM) deftly gives the essence of the *1959 Brand Book of the Denver Westerners* with well-deserved praise for its editor **Ray G. Colwell** (PM), and briefly comments on all fourteen articles with special mention of the **John J. Vandemoer** reports as being worth the price of the book alone. We quote with pride Mrs. Spring's final paragraph about the *1959 Brand Book*: "Praise should be given to all who have given their thought, time, and energy to this 'labor of love.' It is a worthy contribution to our ever-growing shelf of Coloradoana."

The New York Posse of Westerners starts its volume eight of their quarterly publication with two knowledgeable articles and the usual departments. "Red River Station" by **Harry Sinclair Drago** is a detailed history of the famous cattle crossing on the Red River, and "The Payless Year" by **S. E. Whitman** is a record of 1877 in which year the congress of the United States took a long time before it authorized payment for its soldiers.

(Continued on page 24)



Capture of John D. Lee

From Collection of Fred and Jo Mazzulla



Execution of John D. Lee

From Collection of Fred and Jo Mazzulla

Drawings taken from "Western Wilds and the Men Who Reclaimed Them," published in 1877.

BATTLE AXES OF THE LORD

by
STANLEY W. ZAMONSKI and TEDDY KELLER



Stanley W. Zamonski

Stanley W. Zamonski is a Westerner by adoption and by dedication. Regarded as an indefatigable researcher, his investigations have immersed him in much of the history of the West, culminating in the publication of scores of fact articles—including two Grand Book Articles—and the recently published *The Fifty-Niners*, A Denver Diary.

Born and raised in Shenandoah, Pennsylvania, Stan has been an artist, soldier, pilot, engineer, cartographer, historian, and is now regarded as one of the top freelance photographers in the Rocky Mountain region. His distinguished war record includes two years as a combat bomber pilot in the Pacific.

Stan's historical research has ranged from the West to the Pennsylvania coal fields to 16th Century Poland. For the Denver book he spent four years probing into thousands of sources. Typically, his research on the Mountain Meadows Massacre has turned up previously untapped material which illumines a frontier tragedy in a new light.



Teddy Keller

Born in Medicine Lodge and raised in several Kansas towns of historic prominence, Teddy Keller is a Westerner by birth. His love for the West combined with his literary efforts to first strike pay dirt in off-beat and comic Western short stories. Since then his writing has ranged from juvenile stories to a musical comedy to nightclub material to collaborating on *The Fifty-Niners*.

Teddy is a busy practitioner of several arts, with professional status as choral conductor, flutist, composer, actor, director and entertainer. He has been a newspaper reporter, a teacher of creative writing, and music and drama critic for *The Lively Arts*. During World War II he found time—by request—to spend a year and a half in combat with the Eighth Infantry Division.

Currently, Teddy has several more book projects in the works, both collaborations and solo works, all dealing with the West.

Parlet Parker Pratt was a highly respected churchman and leader of the Latter Day Saints. Unfortunately, he was also an incurable woman

chaser. Had he been able to leave other men's wives alone, he might have lived out a normal life—or as normal as possible with five wives.

But his philandering charms for an attractive young wife and mother led to the massacre of 115 men, women and children in one of history's most infamous chapters.

The tragic sequence of events began in the summer of 1854 in San Francisco. Hector H. McLean, a Unitarian minister, had moved to the Coast from his native Fort Smith, Arkansas. With him were his two children and his wife, Eleanor, an attractive, intelligent brunette in her early thirties.

Much to McLean's chagrin, Eleanor somehow managed to wander into a Mormon revival meeting. She was converted by Parley Pratt, the roaming apostle who was currently heading a missionary group bound for Hawaii with a stopover in San Francisco. Mrs. McLean became Pratt's most devout convert. And Pratt found himself attracted to the witty Scotch-Irish woman. It wasn't long before the apostle obtained a release from his Hawaiian duties and eloped back to Salt Lake City with his sixth and newest bride.

Whatever McLean may have felt inwardly, his outward reaction was one of "... good riddance." He devoted himself to the care of his children, and within a year he was relieved of his churchly duties to return to Fort Smith.

Eleanor McLean had not taken unto herself an ordinary saint for a husband. Educated and well traveled, Pratt was of sound voice and handsome carriage. He had been a young Christian preacher until converted in 1827 by his brother Orson, the man who helped develop the Mormon alphabet. Almost immediately Pratt became a militant Mormon.

Proceeding to Ohio, he won Sidney Rigdon and an entire congregation in an historic conversion which laid a foundation for the church to build upon. In 1831 he was instrumental with Joseph Smith and other leaders

in organizing headquarters at Kirtland, Ohio. From there he moved with other missionaries into Missouri and Illinois where he experienced the troublesome years with the Gentiles.

Pratt was soon recognized as the Isaiah of Mormonism. In church publications he enjoyed the highest literary esteem. J. H. Beadle, a contemporary newspaperman and later clerk for the Utah Supreme Court, writing of the Mormons, said, "Joseph Smith supplied the prophecy and fervor; Parley P. Pratt the fanciful and poetic elements; Orson Pratt the mysticism."

From 1832 to 1850, Parley Pratt made two evangelistic trips to Europe, helped organize a world-missionary board, became one of Brigham Young's Twelve Apostles, and acquired several wives.

The Mormon colonization of southern Utah began in 1850 when Pratt was commissioned to head a company which would determine suitability for settlement. He formed up a wagon train of 120 men, thirty women and eighteen children which left Fort Utah, now Provo, on December 16, 1850, slogging through deep snows. The expedition included such militant Mormons as John D. Lee, historian of the caravan; William H. Dame, camp planner who laid out the town of Parowan; George A. Smith, president of the colony; and Isaac C. Haight, Jacob Hamblin and John M. Higbee.

The expedition followed the Old Spanish Trail southward, and within three years had established Beaver, Cedar City, Harmony, Hamblin, and other lesser hamlets in the vicinity of Mountain Meadows. With his other duties, Pratt was also in charge of all the early Indian missions founded throughout southern Utah. The Apostle had fulfilled his mission with zealous devotion and would always be gratefully remembered by the flock he had led to a Promised Land.

Pratt's next assignment was the ill-destined mission to Hawaii by way of San Francisco in 1854. But back in Salt Lake, his new bride found disenchantment in her role of sixth wife. Eleanor had delightful moments with her husband, but those times became increasingly rare as missionary work compelled Pratt to absent himself for months at a time from her loving arms. Frustrated ardor and guilt-ridden mother love began to nullify the woman's religious interests. At every opportunity she begged her husband to send to Arkansas for her children.

Finally the Fates turned another wheel and the pre-destined cogs began to mesh. Pratt was appointed to head a mission in the South. A convenient detour took him with Eleanor to Fort Smith. She learned that McLean was momentarily out of town, and she simply took her children from their home.

When McLean returned, he didn't have time to get home before neighbors and friends were telling him what had happened. Three years had been enough for McLean to adjust to his wife's desertion and to start a new life. But the aggravation of this new trespass, the kidnapping of his children, was more than he could bear. His churchman's conscience barely leashed the in-bred and flaunted Southern pride. He wasn't ready yet to take matters into his own hands. He trusted the courts of law to see that justice was done.

Apostle Pratt was easily tracked down and arrested. Brought to trial in Fort Smith on charges of abduction, he was acquitted when Eleanor assumed all responsibility, declaring that Pratt had had nothing personal to do with the seizure of the McLean children.

The decision of the court was the straw which broke McLean's pacifism. Friends expected him to seek vengeance. Indeed they urged him to cleanse his good name. McLean

publicly vowed that the prophet would meet his Maker.

McLean learned that Eleanor and the children were waiting for Pratt in a nearby town. Pratt learned through friends of McLean's vow for vengeance. But the Apostle refused to heed the warnings, assuring his advisors that he was under Divine protection.

On the morning of May 13, 1857, Pratt set out alone on the road to Van Buren. It wasn't long before he was overtaken by McLean. There was a short, bitter argument. Then McLean knifed Pratt, flung him from his saddle, and shot him to death as he lay on the ground.

McLean returned to Fort Smith and received a hero's ovation. He had, after all, merely done away with the philanderer who had sullied his home, and in the same stroke, had killed the kidnapper of his beloved children.

No attempt was ever made to arrest McLean. A week later he left for New Orleans where he booked passage on a ship bound for California. He was not to be heard of again. But before his quiet departure he had touched fire to a long and slow-burning fuse, on whose sputtering glow hung the lives of 115 innocent people.

That year, 1857, was a period of acute friction between Mormons and Gentiles. The Saints of the Earth resented the invasion of their hallowed lands by Federal troops. Despite mounting antagonism, west bound caravans criss-crossed the Utah territory. All through the summer emigrant wagon trains rendezvoused in Salt Lake City to rest, to replenish supplies, to prepare for the desperate final leg of the journey to the Coast. Most parties proceeded by the more direct northern route. But late arrivals, fearing the Sierra snows, chose the longer southerly route along the Old Spanish Trail.

It was a bright afternoon in late

July when an Arkansas train led by Charles Fancher encamped at Emigration Square in Salt Lake. Fancher, bound for Los Angeles and running late in the season, easily decided on the Old Spanish Trail. After leaving the last of the Utah settlements to the south, they would travel to the Virgin River, then the Muddy, then across the dreaded Mojave Desert. The route dipped far to the south to avoid Death Valley, leading to springs and water holes.

Compared to most wagon trains, the Fancher party was wealthy in stock and money. Most of the people were from northeastern Arkansas, the Fort Smith area. A score of the men were well-to-do cattlemen and farmers. They were to be an orderly and sober group, skilled, intelligent and courageous. Among the families were several attractive and eligible young ladies.

There were 132 people in the party. Eli B. Kelsey, who traveled with the train from Fort Bridger to Salt Lake, wrote that the caravan was made up of two distinct types of people. One group was a rough and ready set of men, true frontier pioneers. The rest were a ready-made community, all connected by family ties. Besides the Arkansans, there were a few folks from Missouri, four from eastern states, a German doctor, and young Bill Aiden from Kentucky.

Forty wagons and some elegant carriages comprised the rolling stock, all laden with clothing, valuable household goods and jewelry. There were several hundred horses, including a number of splendid riding mounts. And, in addition to many oxen, the cattle herd numbered a thousand.

During a week of encampment, the Fancher party became aware of unrest and veiled hostility all around. There were reports of approaching U.S. forces and of mobilizing Mormons. War talk mingled with anti-

Gentile threats. Fancher, uncomfortably aware that the next 300 miles lay through Mormon territory, cautioned his people against any word or action which might offend the edgy Saints.

Curiously, there was no local record of the arrival or departure of the Fancher train. The *Deseret News*, the only newspaper between the Missouri River and California, failed to mention the caravan, although the arrival of any emigrant train, especially one as large as Fancher's, was always considered newsworthy. Often the names of emigrants were published, so that travelers would buy copies to mail to friends back home.

The people of the Arkansas train were innocently unaware of the machinations around them, but already their doom was closing in. J. H. Beadle wrote, "Meanwhile, some secret work, not yet fully explained, had been going on in Salt Lake City. There is some evidence that a plan was once agreed upon to have the emigrants killed as they crossed the Provo 'berch' only forty miles from Salt Lake; but it was finally thought best to let them get beyond the settlements."

George A. Smith, a relative and Brigham Young's First Councilor, was dispatched to the south. His directives expressly forbid the people to sell food or grain to the Fancher party. His orders to local military commanders reminded them that "... the opportunities that occur of obtaining arms and ammunition from the passing emigrants should not escape your careful attention."

The caravan headed south out of Salt Lake and ran into trouble almost immediately. Mormons along the way refused to sell supplies. The troubled travelers went through Buttermilk Fork, now Holden, through Fillmore, the territorial capital, and at Corn Creek met Jacob Hamblin.

This highly respected Mormon was a pioneer, scout, missionary and ad-

venturer who spoke the Indian dialects and was held in high esteem by his red brothers. When Major John W. Powell, the one-armed Civil War veteran and Grand Canyon explorer, needed an able guide who knew the wilds of Arizona, he sought out the bronzed and slender Mr. Hamblin.

Fancher inquired about the trail ahead and about a place where the train could lay over to rest people and stock before venturing onto the Mojave. Hamblin recommended Mountain Meadows, not far from his own ranch.

Almost simultaneously, the Indian chiefs of the southern Utah tribes were at Salt Lake in conference with Brigham Young. According to Brigham's notes, he warned the Indians that they "... must learn to help the Mormons or the U.S. army would kill [us] both."

At Beaver, a Missourian just released from Mormon custody reported to Fancher the likelihood of an Indian attack. At Harmony, near the caravan's route, Benjamin Platte, a convert working for John D. Lee, overheard Indians asking Lee to lead them in an attack against the wagon train. Lee refused.

At Parowan, a walled town with gates on the east and west, the caravan was refused permission to pass through. The wagons had to break a trail around the town. Unknown to the doomed travelers, they were now in the heart of Utah's Divie, an area explored and colonized seven years earlier by Apostle Parley Pratt.

While the wagons were bypassing Parowan, young Bill Aiden recognized William Laney, a Mormon rescued by Aiden and his father from an anti-Mormon mob in Tennessee several years before. Laney was happy to see his benefactor. He invited Aiden to his home and sent potatoes and onions back to the caravan.

That evening Colonel William H. Dame heard of Laney's fraternization.

He commanded Laney's brother-in-law, Barney Carter, to administer a severe punishment. Laney suffered a fractured skull, and for a time it was feared that he would die.

When word of the reprisal reached the caravan, the travelers redoubled their efforts to get away from the settlement and out of Mormon territory.

Two days after the train had passed Cedar City, the regular Sunday services were held on September 6. After the service, Isaac C. Haight, president of the Stake High Council, called an indignation meeting. Haight, lieutenant colonel of the militia, was supported by Philip Klingensmith, a Bishop of Cedar City, and by the fanatical John M. Higbee, counselor to the president and a major of the Iron County Militia. Colonel Dame was not present, but his communique touched off a heated discourse.

Haight stated that he had received orders "to follow and attack the accursed Gentiles, and let the arrows of the Almighty drink their blood." He pointed out that the travelers were from Arkansas and therefore must have sanctioned the murder of Parley Pratt. "I have been driven from my home for the last time. I am prepared to feed to the Gentiles the same bread they fed to us. God being my helper, I will give the last ounce of strength and, if need be, my last drop of blood in defense of Zion."

A resolution was passed which said, "We will deal with this situation now." Some men asked for a specific interpretation, knowing that arrest and punishment would accomplish little and would cost too dearly to guard and feed prisoners. It would be far better, the men reasoned, to do away with the infidels.

A few men objected to such brutality. They were overruled and were given to understand that it was safer to voice no objections to the leaders. Men were in charge here who had been appointed by Apostle Pratt. And

many people lived here who had suffered in Missouri and Illinois, and who remembered the Hawn's Mill massacre and the murder of prophets Joseph and Hyrum Smith.

No decision was made for total extermination, but it was agreed that the Indians be stirred up to attack the train. They would be reminded of the war between their benificent Mormon brothers and the Federal government. They would be told inflammatory tales of the travelers poisoning wells and meat, of Indians and cattle dying. And they would be promised cattle and fine wagons as a reward. No Mormon hands would draw blood. The battle-axes of the Lord would complete the unsavory operation.

A runner was dispatched to summon John D. Lee from Harmony. Haight knew that few men were closer than Lee and Brigham Young, and Haight was able to convince Lee that Brigham had ordered the attack. After all, if the caravan reached California, Fancher and his men would return with an avenging army. Besides, Lee was official farmer to the Piedes, and they would serve him gladly.

Lee agreed. On Monday, returning to Harmony, he met a large band of armed and painted warriors under chiefs Moquetes and Big Bill. They told Lee of their council with Haight, Higbee and Klingensmith and of their orders to capture the train. They asked Lee to lead them, but he declined because of other orders. He said, "You and your braves march up near the train, but wait out of sight until we join you. Then I'll lead you."

The emigrants, meanwhile, had finally reached Mountain Meadows, a small valley three miles long and a quarter of a mile wide. There was luxuriant grass and a bubbling spring. The travelers couldn't have asked for a more restful spot to prepare for the desert crossing. Fancher avoided the

upper valley where sage, scrub oak and twisted junipers grew heavily enough to provide cover for marauding Indians. The prospect of attack seemed remote, however, and, because of the swampy ground and because of the added privacy in a loose camp, the wagons didn't circle up.

By Tuesday morning, September 8, nearly two hundred impatient Indians lurked on the ridge of the first hills to the east of the meadow. From the bustling activity of the emigrants, it must have appeared to the Indians that the caravan would move out that morning. Lee had not joined them, but the Indians were restless.

The attack began as a blunder. Somewhere among the warriors a rifle was discharged accidentally. The Indians had lost the opportunity for a swift attack without warning. Now they could only plunge into view and sweep down upon the wagons.

"Indian attack!" Fancher shouted. "Everybody to his post!"

The emigrants scrambled for weapons, then sprawled on their bellies with rifles, shotguns and pistols ready. When the shooting, yelling savages rode within range, the wagons erupted with a withering broadside.

The rolling wave of Indians faltered. Another round of fire slammed at the attackers. The Indians turned and fled.

Twice more the Indians charged to the very edge of camp before wilting under the deadly barrage. The emigrants held fast without panic. At Fancher's instructions there were few shots wasted. Finally the Indians pulled back out of range to sit silently, waiting for a white to stray from camp.

Seven emigrants had been killed and three wounded in the early assaults. At least twenty dead or dying Indians lay in the grass.

Some of the men of the train wanted to charge the attackers, but Fancher vetoed the suggestion. "We're too

few in number already. Anyhow, they'll break up and skeedaddle during the night."

But the attackers didn't break up. Instead Fancher saw individual warriors dart away and he guessed them to be runners sent for aid.

At once Fancher issued orders that the wagons be circled and that everyone be set to digging, deep and narrow trenches. Water barrels were removed from the wagons and put where they wouldn't be punctured. Finally the wheels of the wagons were sunk into the narrow trenches so that the wagons formed an almost impregnable fortress. The emigrants had dug in for their last siege.

That night the Mormons sent a messenger to John Lee. Riding hard, Lee reached Mountain Meadows Wednesday afternoon. He found the Indians torn between warpaths. They had been assured that they could capture the wagon train with little danger to themselves, that the unarmed emigrants would scatter like rabbits. But the Piedes had lost a score of warriors dead and an equal number wounded. Now they threatened to turn on the Mormons unless Lee led them.

Lee managed to calm the Indians with promises of assistance. That evening the attackers were reinforced by fourteen Mormons heading a band of Paiutes. The Saints held a troubled council of war.

The plan to dump the dirty work onto the battle-axes of the Lord had proved a miserable failure. The Paiutes, not instinctive fighters, would bolster the attack only slightly. Lee and the other leaders dispatched a messenger to Haight to apprise him of the situation. Then the white men painted themselves as Indians and led another attack against the wagons. Again the raiders were turned back with too many casualties.

The continuing attacks had, however, brought the emigrants to a mo-

ment of grave decision. The Indians had driven off most of the cattle herd. Scanty food supplies had dwindled still further. Another day or two of siege and even the powder supply would be exhausted. The people of the train were doomed unless help came.

Fancher and his lieutenants discussed the matter at great length. Despite their troubles with the Mormons, they reasoned that it was the Christian duty of whites to help one another in the face of Indian attack. Finally they asked for three volunteers to go in search of help. In case any one of them got through, each volunteer was provided with a report addressed to "all good people."

The report begged for assistance. It listed the condition of the emigrants, their names, ages, occupations and places of nativity. It also itemized personal properties, wagons, horses and cattle.

The three volunteers were all young and fleet of foot. One of them was Bill Aiden, who, because of past association with the Mormons, felt certain that he could secure aid. Carrying the reports and the blessings of the encampment, the three slipped away into the night. Unwittingly, they headed directly for Cedar City, the heart of Parley Pratt's colonies and the seat of the Apostle's avenging disciples.

The three messengers had traveled about fifteen miles when they spied a campfire at Leachy Springs. They identified the thirty-five men as whites. They didn't know that the encampment was of Mormon militiamen commanded by Major John M. Higbee and by Philip Klingensmith.

With hopes brutally high, the volunteers raced into the camp. They had barely begun their breathless report on the besieged train when the Mormons attacked them. One messenger was killed and another wounded. Young Bill Aiden managed to

escape with his wounded comrade. He reversed his route, apparently with the desperate hope that they could get through to California.

The Mormons, of course, couldn't let these survivors remain free. Obviously the two young men knew that Mormons had instigated the attack against the wagons. Two Indian scouts were sent out to track down the messengers.

The two young emigrants drove themselves until they fell, exhausted, in the Virgin Hills. A roving band of Indians under Chief Jackson found the men asleep. Later the chief boasted of having killed one of the men. But once again Bill Aiden escaped.

Aiden had covered considerable ground when he met a small group of friendly Indians. They helped him to reach Cottonwood Springs where he met Henry and John Young. The Young brothers provided Aiden with clothing and a horse. They advised him against trying for California and persuaded him to accompany them toward Salt Lake City.

Near the banks of the Muddy River, the threesome blundered into a band of Indians commanded by Ira Hatch, a Mormon missionary who had learned of Aiden's escape. Hatch recognized Aiden and, taking no chances on another escape, had him shot. The aiding and abetting Young brothers "... had all they could do to preserve their own lives."

Aiden's copy of the report eventually came into Jacob Hamblin's hands. The respected scout kept the document for months. One day he happened to show it to Isaac Haight. Haight delivered a stinging reprimand and destroyed the report.

By Thursday the militia under Higbee and Klingensmith reached the rendezvous, camping apart from the Indians and out of sight of the wagon train. The militia included Mormon notables Nephi Johnson, a twenty-four year old interpreter for the south-

ern tribes, and William Bateman.

From Johnson the leaders learned that the Paiutes could not be inspired or intimidated into another attack. Indeed, some had already gone home, licking their wounds, done with trying to dislodge the entrenched emigrants.

Throughout the day messengers shuttled from the military outpost to Isaac Haight at Cedar City to his superior, William Dame, at Parowan. That evening Major Higbee rode to Cedar City, then, with Haight, hurried on to Parowan for a council with Colonel Dame and other church leaders.

This time the orders were put in writing, the specific terms dictated by Dame, signed by Haight and directed to Higbee. The Iron County Militia was advised that the death of the emigrants was "... the will of God, and to kill all old enough to tell tales."

As the meeting broke up, Charles Adams, a boy destined to become bishop of Parowan, was readying horses for the return rides of the leaders. He heard Dame say to Haight and Higbee, "My orders are that the emigrants must be done away with."

Higbee hastened back to his command post at Mountain Meadows. By now some sixty militiamen had gathered to bolster the disheartened Indians. With Lee and the other leaders, Higbee discussed the decision brought from Parowan. The men debated for hours on possible plans for extermination. At length they evolved a masterpiece of deceit and treachery.

The people of the wagon train, by late Friday afternoon, must have given up all hope for the three young volunteers. They were preparing for another sleepless night of siege when a lookout spied men approaching under a white flag. Excited disbelief swept the camp. People afraid to hope crowded to vantage points to gape at unexpected saviours.

Recognizing the truce-bearers as

whites, Fancher stationed a little girl dressed in white in the camp entrance. Then, with two emigrant men, he went out to meet the riders, now clearly the advance party of a military column which waited back out of range.

William Bateman carried the white flag and John Lee was in command. Fancher and Lee parlayed for about ten minutes before they walked back to the circle-up.

Lee recorded the event in his diary. "Men, women and children crowded around me. Some felt that the time of their deliverance had come. Others . . . looked upon me with doubt, distrust and terror."

The misgivings of the emigrants mounted as they counseled with Lee. He promised to escort the people to Cedar City, pending a settlement with the Indians. The Paiutes, he said, had been persuaded to halt their attacks, but were still in a warring mood. They would let the emigrants go free only upon surrender of all arms, ammunition, household goods, wagons, horses and cattle.

Fancher and his people were shocked by such outrageous terms. But, after a four day siege and no other hope in sight, they had no choice. Still they hesitated. The plan just didn't sound right. Finally a Mormon, posing as a messenger, galloped into camp to say that the restless Indians were ready to attack again. The emigrants capitulated to the treacherous terms.

Immediately two wagons were readied to move out. The first, driven by Sam McMurdy, took on a cargo of the youngest of the train's children along with some clothing and bedding. Sam Knight drove the second wagon, carrying the wounded men and a few women to look after them.

As the wagons pulled out, the women and older children straggled alongside and behind. When this ragged column had gone about a quarter of

a mile, Lee ordered the men into a single file, spaced six to eight feet apart.

Klingensmith and the militia waited until the wagons and women had passed, then fell in with the line of marching men. Each militiaman took a position just behind and to the right of an unarmed emigrant. The wagons began to pull slightly ahead. The women and children approached a slight decline where the trail was flanked by a heavy growth of scrub oak. The emigrants walked slowly, hopeful but fearful, eyes fixed on the mounted Major Higbee, commander of the entire column.

Then suddenly Higbee halted his horse and stared along the line of march. He raised his hand. "Halt!" he commanded. "Do your duty!" The hand swept down like a headsman's axe.

The crash of militia guns echoed from nearby hills and signaled the Indians to attack. Most of the emigrant men lay sprawled in the grass. Those who had been missed or only wounded made a faltering rush toward their wives and children. The charging Indians swiftly knifed or shot down the survivors.

Around the wagons, the women and children shrieked in terror. Panicked, they ran blindly in all directions. The Paiutes, leaping from ambush, pounced upon their helpless victims, shooting, stabbing, braining the innocents. In the second wagon, Lee and the drivers shot the wounded and their women.

Two girls somehow managed to slip away. They ran for a hill with two Paiutes at their heels. The girls found temporary refuge in some bushes not far from where two young Indian shepherds had witnessed the mass killing.

Albert, about fourteen, lived with the Hamblins. His companion was Sam Knight's Indian boy, John. Albert gave a reliable account when

questioned by authorities two years later.

He told of the girls' flight up the hill, how the Indians found them, how the girls pleaded for their lives and clung to Albert for protection. They all waited until Lee came galloping up the hill. The girls fell on their knees, crying, begging to be spared, promising to serve Lee all their lives.

"Kill them," Lee snapped at the Paiutes. "They're old enough to remember what's happened here today."

The two Paiutes seized the girls by the hair, dragged them away and shot them. Jacob Hamblin later testified that Albert had showed him the bodies. He also swore that an Indian chief had told him of the murder, saying that Lee had ordered it because the girls were about ten years of age and too old to spare.

In minutes the Mountain Meadows massacre was complete. Indians and Mormons roamed among the scattered bodies, finishing off any emigrant still showing signs of life. Then the Indians began looting the wagons and biting and tearing jewelry from the ears and fingers of the women. In a few more minutes the bodies had all been stripped.

Mormon leaders finally put an end to the destructive looting. Nephi Johnson and others were assigned to guard the wagons. The Indians were permitted to keep what they had collected, then were detailed to round up and guard the cattle and horses.

Only the small children in the first wagon had been spared in the holocaust. Now, as night closed over the scene of carnage and while the grim faced Mormons awaited instructions, Klingensmith assumed responsibility of the children and transported them to Hamblin's ranch. He later testified that there were "... seventeen of them, from two to seven or eight years of age. Two were wounded." They were considered "... too young to

remember, too young to tell tales." Soon they would be distributed among Mormon families.

Reports differ on the number of emigrants killed. Dr. Jacob Forney, a government agent who investigated the scene two years later, wrote, "I walked over the grounds ... There are there buried, as near as I can ascertain, 106 persons, men, women and children; and from one to two miles farther down the valley, two or three who, in attempting to escape, were killed partly up the hill, north side of the valley, and there buried; and three who got away entirely, but [were] overtaken and killed at or near the Vegas or Muddy. In all 115. I made strict and diligent inquiry of the number supposed to have been killed, and 115 is probably about the correct number."

Late that black Friday night, the crying, orphaned children at Hamblin's plunged Dame and Haight to the depths of guilt. The men quarreled, each refusing to accept any responsibility for the killings. It's doubtful that the conscience-ridden men slept much that night. If they did, they certainly hastened to the Meadows the next morning, perhaps hoping to find that the hideous nightmare had been only a dream.

"We all rode up to that part of the field where the women were lying dead," Lee wrote. "The bodies of men, women and children had been stripped entirely naked, making the scene one of the most loathsome and ghastly that can be imagined."

The fanatic and avaricious Haight exacted a vow of secrecy from each participant. Then the loot was divided between Indians and Mormons. The Mormons hauled their share to Cedar City where much of it was sold at public auction.

Inevitably, Brigham Young learned of the tragedy. On September 29, Lee journeyed to Salt Lake to give an accounting. With the deed done,

Brigham had no choice but to try to absolve his misguided flock. Officially, the Mormons let it be known that the Fancher party had threatened the provisional capital of Fillmore and that they had poisoned the springs at Corn Creek, resulting in the death of ten Indians and the sickness of Indian cattle. On November 20, Brigham signed Lee's vouchers for \$2200 worth of teams, wagons and supplies given to the Indians from the looted wagon train. The U.S. Government got the bill for these bequests to the redskinned brethren. That same week Brigham dismissed the entire incident in a report to James W. Denver, Commissioner of Indian Affairs, declaring the massacre to be Indian revenge as a result of outrageous acts by the emigrants.

Despite the oath of secrecy and the rerouting of wagon trains around Mountain Meadows, bits and fragments of information leaked out of Utah. Rumors found publication in newspapers on the west coast and in the East. The *Deseret News* flatly denied everything, then admitted that Indians had massacred some whites.

The Mormons conducted an investigation of the incident the following spring. Since punitive measures against any of the guilty parties would have rocked the church's foundations, a report was written and the affair closed with no one punished or reprimanded.

In April, Dr. Jacob Forney, the new Superintendent of Indian Affairs, initiated a probe which located the seventeen children, but learned nothing.

Later the same month, Judge John Cradlebough came into southern Utah with a military escort commanded by Major J. H. Carleton. The soldiers finally buried the massacre victims in their own defense pit and erected a twelve foot cairn with this inscription: "Here 120 men, women and children were massacred in cold blood early in September 1857. They were

from Arkansas."

Judge Cradlebough finally ferreted out people who would talk. He made out writs for thirty-six men, but could locate none of them. When Governor Cummings denied assistance, Cradlebough abandoned the investigation and the territory in disgust.

Then an uneasy peace settled over southern Utah while a nation plunged into Civil War. It was ten years before the dead began to stir in their graves again. Across the country newspapers began to publish rumors which had the strength of authentic evidence.

The massacre principals slipped quietly out of Utah. Higbee and Haight fled to Arizona. Lee moved continually among his eighteen wives and families. Still, the instigators enjoyed high ecclesiastical esteem and were regarded as zealous church leaders.

By 1870 non-Mormon newspapers had stirred up such strong feeling that the church had to take a stand. Brigham Young officially admitted the participation in the massacre of "certain lawless residents of southern Utah," and excommunicated Lee, Haight, Higbee and Klingensmith.

Fearing that the church was selling him out, Klingensmith hastened to Pioche, Nevada. There, on April 10, 1871, he signed an affidavit, naming names and swearing that the men involved had "... had orders from headquarters to kill all of said company of emigrants except the little children."

The following year Haight was readmitted to the church and took refuge at a Mormon mission in the Hopi reservation. When Lee protested this apparent favoritism, he was advised, "... make yourself scarce and keep out of the way."

Again Lee went into hiding, this time spending enough time on the Colorado River in Arizona to establish Lee's Ferry. For a time he still managed to commute among his

wives, but the passage of the Poland Bill, arming Federal troops in Utah, put a price on his head.

At length church officials decided that a sacrifice had to be made to the troubled public conscience. Since Lee had never denied participation in the massacre, he was singled as the lamb to perish on the altar. A writ was issued and the search begun.

It took Marshal William Stokes and his deputies until November 7, 1874, to track down their quarry. Lee was arrested at Panguitch while visiting with four of his wives. Trial was scheduled almost immediately in Beaver. But many difficulties, especially the securing of witnesses, prevented the case from coming into court until mid-summer of 1875.

At once the Mormon attitude toward Lee underwent a drastic change. Where he had been excommunicated and branded as a villain, he was now congratulated on the statement that would "exonerate the church." The government was denounced for "implicating this innocent and noble man."

Court convened on Friday, July 23, under the gavel of Judge Jacob S. Boreman. Defense attorneys Bishop, Spicer, Sutherland and Bates faced a jury loaded with Mormons who disclaimed any knowledge or opinions of the massacre. The favored prosecutors were William C. Carey and R. N. Baskin.

Testimony cleared the Fancher party of the charges rigged against them. Other witnesses, Klingensmith included, damned Higbee as field commander of the slaughter, established Haight as the divider of the spoils, and absolved Lee of blame in the planning. The trial dragged on for days before resulting in a hung jury, with eight Mormons voting for acquittal, four Gentiles for conviction.

During the next six weeks, prosecutor Baskin, among others, leveled charges of collusion between the Mor-

mons and the district attorney. While all accusations were denied, officials managed an all-Mormon jury for the new trial which began on September 14.

This time there was no lack of witnesses. Mormons marched to the stand with memories suddenly and wonderfully refreshed. Depositions from Brigham Young and other leaders were admitted as evidence, and only the name of John Doyle Lee appeared in the testimony. On September 20 the case went to the jury and Lee went back to his cell, cursing the Mormons for a well planned double-cross.

Conviction of first degree murder came as a surprise to no one. Judge Boreman sentenced Lee to die on March 23, 1877, and, in accordance with Utah law, gave the prisoner his choice of execution. Lee said simply, "I prefer to be shot."

Lee busied himself during those final months by writing two confessions. A short version was published immediately. A longer account went to attorney William W. Bishop to be made public after Lee's death, the proceeds to pay the lawyer's fees.

U.S. Marshal William Nelson suggested Mountain Meadows as the execution site. Judge Boreman disapproved on the grounds that such a plan smacked of revenge, but he designated a spot only a hundred yards removed.

On March 23, a singularly cheerful John Lee was escorted to the scene of the massacre. While soldiers unloaded a coffin of rough planks, Lee strolled around the area with Marshal Nelson. Then he confessed to the Reverend Stokes, a Methodist minister, that he had personally killed five of the doomed emigrants. Still later he requested that his photograph be taken as he sat on one end of his coffin. Copies were to be sent to the three wives who had remained faithful to the end.

Lee refused to have his arms and legs bound, though he did tie a handkerchief over his eyes. As the firing squad took position, the condemned man voiced his last request. "Aim for my heart. Don't mutilate my body or my face."

Marshal Nelson gave the command, the rifles roared, and five balls shattered Lee's chest.

Of some sixty persons responsible for the Mountain Meadows massacre, John Lee was the only one punished. William Dame lived until 1884, spending his last eighteen years as agent

for a Mormon bishop. Isaac Haight went into hiding behind his mother's maiden name of Horton, lived for a time in Manassa, Colorado, and died in Thatcher, Arizona, at the age of seventy-four. John Higbee returned to Utah after Lee's execution and was restored to full fellowship in the church. Only Philip Klingensmith died violently. In August of 1881, so reported a newspaper in Pioche, Nevada, Klingensmith was found dead at gold diggings in the state of Sonora, Mexico, apparently murdered as a traitor by avenging Mormons.



This is the fourth section of Mr. Oliva's study which will be published in two parts in the Roundup. The complete manuscript which covers the Establishment and Building of Fort Dodge (printed in February's Roundup), Fort Dodge Military Reservation, Garrison Life at Fort Dodge, Fort Dodge and Indian Relations (printed below), Abandonment and Disposal of Fort Dodge, together with a preface, bibliography, notes and pictures will be included in the 1960 Brand Book. As noted in February's Roundup, Leo E. Oliva was one of the winners in the Denver Westerners' Third Annual Memorial Scholarship Award contest, is a graduate student at the University of Denver working for his doctor's degree in American Studies, and his study is an excellent manuscript of historical research. Plan now to buy a copy of the 1960 Brand Book.

FORT DODGE AND INDIAN RELATIONS

by
LEO OLIVA

The reason for establishing Fort Dodge was to deal with the Indian problems. The major activities of the troops at the post were concerned with Indian relations—escorting travelers and traders through hostile regions, helping enforce some of the Indian treaties through issuing rations or trying to keep the Indians on their reservations, sending out scouting parties to watch for signs of Indians and to keep familiar with the locations of their camps, investigating when attacks were reported upon travelers and settlers, delivering white people that had been captured and held by the Indians to safety, and actually fighting the Indians, either in minor engagements or in all-out wars against certain tribes. The story of the relations between the soldiers and Indians was the real story of Fort Dodge.

Being located in the heart of the Indian country meant being in the heart of the Indian hostilities. During the first summer after the establish-

ment of Fort Dodge, the summer of 1865, the hostile Indian acts were comparable in quantity and in destruction to those that occurred in 1864 with many men murdered, hundreds of horses and mules stolen, and large amounts of property destroyed. The task of the soldiers during that first summer at Fort Dodge was to try and keep all the Indians south of the Arkansas River in order to protect the wagon trains from attack. The major overland routes were located north of that river. The troops were under orders not to cross the river and pursue the Indians south of it during the summer of 1865.

The government followed a practice of furnishing food rations and other supplies to the Indians, hoping that they would cease their depredations. The Indians used that practice to their advantage because they would make a treaty in the fall when the grass and good hunting were becoming poor in order to draw the rations during the winter and then in the spring, as soon as the grass was green, they would break the treaty and start their depredations again. Fort Dodge served as a distribution point for rations and other supplies to the Comanches, Cheyennes, and Kiowas from 1865 to 1869.

The delivering of the Box family from the Indians was one of the interesting events that occurred in connection with Fort Dodge. Corporal Leander Herron, Company A, Third United States Infantry, who was with the detail that returned part of the Box family to safety, related the story for Robert Wright's *Dodge City*.

A small band of Kiowa Indians came into Fort Dodge about the first of October and told the Indian interpreter there, Fred Jones, that they had two white squaws whom they wanted to trade for guns, ammunition, coffee, sugar and flour. The Indians were allowed to enter the post and talk to the commanding officer,

Brevet Major Andrew Sheridan. A trade was finally agreed upon by promising the Indians what they had requested. The Indians insisted that the goods be delivered to their camp in Indian Territory.

Two wagons were loaded with the trade goods and an ambulance was readied for the trip the following morning. The party of soldiers was made up of Lieutenant G. A. Heselberger, Corporal Herron, and seven privates, with Fred Jones as interpreter. They traveled south for several days and finally arrived at the Kiowa camp.

The day after their arrival at the Kiowa camp the trade was made and the two girls were turned over to the soldiers. They had been badly treated, passed from one chief to another, and subjected to cruel and degrading treatment. One was seventeen and the other fourteen. The older gave birth to a half-breed a short time after their rescue.

The mother of the two girls and another daughter were held by the Apaches. It was hoped that when the Apaches got word of the good deal the Kiowas had made in trade they would come in and want to trade the mother and other child for supplies. General William T. Sherman arrived at Fort Dodge immediately after the return of the two girls, and he instructed Brevet Major Sheridan not to send any more details on so hazardous a mission and not to trade any more goods for prisoners because it would just encourage the Indians to capture more whites.

As expected, a few days after the return of the two girls, there appeared at Fort Dodge a small party of Apaches who wanted to trade Mrs. Martha Box and the other child for supplies. Major Sheridan informed the Apaches that he was not allowed by his chief to send any more supplies to the Indians' camps, but that if they would bring in the woman and child

a council would be held to determine what could be done.

A few days later a very large number of Apaches came to Fort Dodge and went into camp about a mile down river. They had brought Mrs. Box and her daughter and expected to make a big trade. Major Sheridan did not plan to give the Indians anything for the woman and child, but he planned to get the chiefs to come into the fort and hold them as hostages until they consented to surrender the woman and child. That was a dangerous experiment. The chiefs came in to make the bargain and Major Sheridan informed them that they were prisoners. They were allowed to inform the rest of the Indians of their predicament and in less than one hour Mrs. Box and child were turned over to the soldiers. Major Sheridan had the interpreter inform the Indians that they were then free to go but not to steal any more women and children. According to Corporal Herron:

. . . The warning was of no avail, for the next two years the frontier was terribly annoyed by Indian raids and depredations . . . This piece of diplomacy on the part of the commanding officer of Fort Dodge cost scores of lives afterwards, for those Apaches went on the war-path and murdered every person they came across, until the Seventh United States cavalry caught up with and annihilated many of them in the Wichita mountains, in November, 1868.

A lot of trouble with the Indians could not be settled because of the contrasting actions of the Indian agents and the military authorities. One of the biggest problems was the sale of arms and ammunition to the Indians by the agents and traders, which equipped them to defy the military. The Indians also began, in 1866, to take a more belligerent attitude

towards the whites and many were demanding that the whites withdraw from the area of Fort Dodge.

The department commander, Major General W. S. Hancock, issued a General Order on January 26, 1867, which stated that no arms or ammunition would be sold or bartered to the Indians by any person within the limits of the District of the Upper Arkansas, except at the military posts of Fort Dodge and Fort Larned. At those two posts ammunition could be sold by authorized traders in such quantities as the post commanders considered absolutely necessary for hunting purposes.

Another problem in handling the Indians was the sale of whiskey to them by certain traders. When under the influence of alcohol the Indians were often uncontrollable in their actions. An act of Congress, published in a General Order in February, 1867, forbade any person to sell, exchange, trade, or give spiritous liquor or wine to any Indian. The penalty for anyone convicted of violating that act was set at two years imprisonment, three hundred dollars fine, or both. It was impossible to enforce that law, however, and the sale of "firewater" continued.

The Indian problem became increasingly worse during the spring and summer of 1867. Efforts were made in the fall of that year to conclude a peace treaty with the Indians by the Congressional Peace Commission. That commission was authorized by Congress, in 1867, to end the Indian wars and to introduce a new Indian policy based on the belief that was inevitable as long as Indians occupied lands wanted by whites. The commissioners assumed that peace could be maintained only by settling the Indians on reservations where they could learn to live an agricultural life. In September, 1867 the Cheyenne, Comanche, Apache, Kiowa, and Arap-

ahoe tribes agreed to meet with the peace commissioners at Medicine Lodge Creek, Kansas. The meeting took place in October.

The treaties signed at Medicine Lodge Creek, on October 21 and 28, 1867 with the five tribes, provided that all war would immediately cease, offenders against Indians or whites would in the future be punished, and reservations would be set up and their boundaries determined. The Indians agreed to stay on the reservations and to give up all claims to lands north of the Arkansas River. The United States government promised to provide educational facilities and teachers, hospital and doctors, and blacksmiths and agricultural implements. The Indians agreed to withdraw all opposition to the railroads, emigrants, travelers, wagon trains, military posts, and promised that they would not hunt north of the Arkansas River.

Those treaties affected all the Indians in the Fort Dodge region and the troops at the fort were to help carry out the provisions, particularly keeping the Indians on the reservations. The settlers in the area were skeptical that the Indians would keep their word. The following article, illustrative of the skepticism, appeared in the *Rocky Mountain Daily News* soon after the treaties had been signed at Medicine Lodge Creek:

Lieutenant General [William T.] Sherman has promulgated the official order which announces peace with the Kiowas, Comanches, Apaches, Cheyennes, and Arapahoes. He directs that their rights be respected. Confidence in indian [*sic*] treaties has long since ceased to be a virtue of our people. . . . We advise a careful and strict fulfillment of this treaty, but since no provision has been made to maintain and respect *our* rights, we also advise *our* people to be prepared at all times to enforce it. . . . The present so-called peace is

nothing more than a truce in which the United States Government, through its commissioners, has agreed to furnish a sufficient amount of subsistence to savages, to enable them to live during the winter, and to renew their hostilities next spring. Let the treaties be preserved, but we warn *every man* to relax no vigilance.

The Rocky Mountain Daily News proved to be right. As in the past, with the coming of spring and green grass in 1868, the Indians broke the treaty agreements and crossed the Arkansas River. The Indian hostilities during the summer and fall of 1868 were increased over what they had been in 1867 before the treaties were signed at Medicine Lodge Creek.

A report made in April, 1868, stated that there were about 8,600 Indians in the region of western Kansas and eastern Colorado. The Indian agent for the area, Major E. W. Wynkoop, reported that the Indians were in much need of assistance, and in his opinion the liberal supply of food would render them satisfied and prevent any disposition toward hostilities on their part during the summer months. He maintained at that time that the Indians had faithfully fulfilled the conditions of the treaties made the previous fall and that they had no desire to commit deprecations.

Agent Wynkoop was planning to provide the Indians with adequate food supplies and he had chosen Fort Dodge as his point of distribution because it was the military post nearest the Indians' camps and it had sufficient storage space for the supplies furnished. He issued a requisition upon the government contractor of supplies for 4,700 rations each day, to be delivered at Fort Dodge.

The following, somewhat idealistic, report of frontier attitude toward the treatment of the Indians was made by A. R. Banks, an assistant to the Indian agent, in April, 1868:

. . . The General belief on the frontier and among those who are well acquainted with the habits of the Indians of the plains is, that the subsistence of these Indians by the government will avert hostilities and prevent depredations by these tribes during the summer. I fully concur in this belief, and feel well satisfied that in no other manner can the government so rapidly and easily acquire complete control over these wild tribes as by a continuance of the present humane and successful policy.

At the same time the military commanders had formed the opinion that the only way to handle the Indian problem was to beat the unruly tribes into submission. Quite likely the settlers in the Indian infested areas felt the same way about them, that "the only good Indian was a dead Indian."

Late in July, 1868 the Indian encampments around Fort Dodge began to break up and the different bands started moving to new locations north instead of south of the Arkansas River where their reservations were located. A party of Cheyennes attacked the Kaw Indians, a friendly tribe that was settled near Council Grove, Kansas, and the ensuing fight marked the beginning of the Indian War of 1868.

As hostilities increased the military authorities decided to wage all-out war against the Indians. On August 24, 1868 Major General Phillip H. Sheridan issued a General Order declaring war upon the Indians as follows:

In consequence of the recent open acts of hostility on the part of the Cheyenne and Arapahoe [*sic*] Indians, embracing the murder of twenty unarmed citizens of the State of Kansas, the wounding of many more, and acts of outrage on women and children, too atrocious to mention in detail; the Major

General Commanding under the authority of the Lieutenant General [W. T. Sherman] Commanding the Military Division, directs the forcible removal of these Indians to their Reservations South of the State of Kansas, and that they be compelled to deliver up the perpetrators of the guilty acts.

All persons whomsoever are hereby forbidden to hold intercourse, or give aid or assistance to these Indians, until there is due notice given hereafter that the requirements of this order have been carried out.

On September 1, 1868, Brevet Brigadier General Alfred Sully arrived at Fort Dodge for the purpose of organizing and taking command of an expedition against the Indians south of the Arkansas River. The different troops making up that expedition were to meet at that point.

On September 2, 1868, a wagon guarded by four men from Fort Dodge was attacked by about fifty Indians near Little Coon Creek. The incident proved to be one of the most dramatic that occurred in connection with Fort Dodge, a song being written about it. Corporal Paddy Doyle and Corporal Leander Herron left Fort Dodge and headed for the mail relay station on Big Coon Creek (which was located about half-way between Forts Dodge and Larned) in the evening of September 2 and came upon that battle. The story of that battle was related by Corporal Herron for Robert Wright's *Dodge City*.

A general Order stated that the four men who had been guarding the wagon and had been attacked before the two corporals arrived were Corporal James Goodwin, and Privates John O'Donnell, Charles Hartman, and C. Tolan. Three of those four men were severely wounded in the battle.

As Corporals Boyle and Herron approached Little Coon Creek, about

thirteen miles east of Fort Dodge, they heard firing and yelling in front of them. They went down into a ravine leading in the direction of the firing, and slowly and cautiously approached the area of disturbance. At first they thought it was a wagon train in trouble. Consequently, in order to get to the wagons, they decided to take advantage of the darkness and rush forward, yelling like Indians and shooting very rapidly. That they did, but instead of a wagon train they found four of their comrades and a wood wagon.

The Indians made a charge on them soon after the corporals reached the wagon, but they were thrown back. After looking the situation over, Corporal Boyle said he would attempt to get back to the fort and get help. He rode away and the five remaining did not know whether he made it or not. They were almost sure that he did not.

The Indians repeatedly charged the little group of soldiers unsuccessfully. The ammunition of the five men began to run low and they were afraid they could not hold out much longer. Goodman had been wounded seven times by arrows and bullets. Tolan was wounded with both arrows and bullets, and O'Donnell had been struck with a tomahawk and had received other wounds. Hartman was the only one not seriously injured.

Finally, in the darkness they saw the Indians apparently getting ready for another rush. At about the same time they noticed another body of horsemen coming out of a ravine from another direction. They supposed the Indians were planning to attack from two directions at once. As the men in the second group came up out of the ravine they appeared to be dressed in white. After that group of horsemen, dressed in white, had advanced within four hundred feet of the besieged, the latter discovered that they looked and acted more like

white men than Indians. It was hard for them to realize that assistance would reach them because they were almost certain that Corporal Boyle had not made it through. Finally, Corporal Herron called to the horsemen and asked for one of them to advance. At once one man came riding up with his carbine held over his head, a friendly sign. As he got closer they saw Corporal Boyle. The rest of the soldiers then advanced and the Indians left.

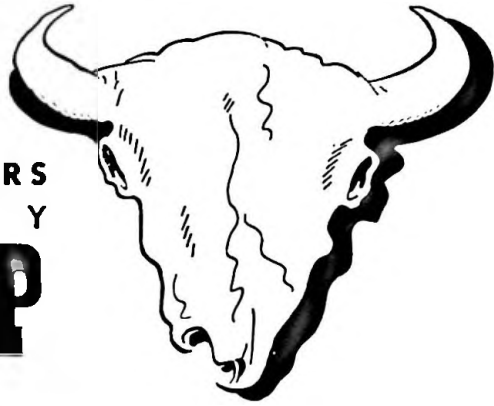
Lieutenant D. W. Wallingford had led the rescuers. They had appeared to be dressed in white because they had been in bed when Corporal Boyle arrived at the post, and they were in such a hurry to get on their horses and rush to the aid of their comrades that they had ridden out in their long underwear. They took the men to the fort, arriving back there at about four o'clock in the morning. The three wounded men were placed in the post hospital. General Sully, who had arrived at Fort Dodge on September 1, as mentioned above, issued an order the following day complimenting the men for their bravery.

Fred Haxby, or Lord Haxby as he was called, a visitor at the post from England, composed a song about the Little Coon Creek fight. It was sung to the tune of "When Sherman Marched Down to the Sea." The words were as follows:

SONG

Calm and bright shone the sun on
the morning,
That four men from Fort Dodge
marched away,
With food and supplies for their
comrades—
They were to reach Big Coon
that day;
'Tis a day we shall all remember,
That gallant and brave little
fight,
How they struggled and won it so
bravely—
Though wounded, still fought

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



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*From Rocky Mountain News
April 23, 1961*

One Man's Pegasus

A Unique Group

by Robert L. Perkin

The boys in the upstairs room at the Press Club on Wednesday night will be, again, the Westerners, a unique group of individual and unique Coloradans whose avocation is the life and times of the American West.

It's a very special sort of group. The Westerners are no regional chauvinists; they take the West they love seriously, but not grimly, and they maintain a nicely balanced sense of good humor about Buffalo Bill, H. A. W. Tabor's nightgown, the last surviving relic of the first settler north of 16th st. and other esoteric matters. So they can get away—Rotarians never could—with calling their outfit a posse and their president a sheriff.

The group includes lawyers, a federal judge, physicians, scholars and professors, authors, 17th st. real estate brokers, corporation executives, ranchers, scientists, bookmen, engineers, bankers, poets, a dealer in modern Taos lightnin', CPAs and, ah! a hairy newspaperman or two. They are members of a loosely affiliated organization which now extends half-way around the world and which prides itself on having no formalized rules and regulations, no national—or international, for that matter—officers, no bureaucracy, no assessments for the good of any cause whatsoever.

In addition to Denver (one of the first hotbeds of the movement), there are now Westerners groups in New York, Chicago, Kansas City, St. Louis, Spokane, Seattle, Portland, the Black Hills, Tucson, Los Angeles, England, Paris, Sweden, West Germany, and I've probably forgotten some. Perhaps someday there'll be a Moscow branch, though it's a bit difficult to imagine drawling "Tovarich" and those damn pragmatic Rooshians probably would

go and mess things all up, violate every decency and kiss the girl instead of the horse.

'Brand Book' Upholds

Fine Tradition

The annual BRAND BOOK OF THE DENVER WESTERNERS: Vol. 15, edited by **Raymond G. Colwell**, retired Colorado Springs Forest Service official (\$10 in a 560-copy limited edition), maintains the fine traditions of its 14 predecessors and is, of course, strictly for aficionados and connoisseurs—no other need apply.

Editor Colwell, writer and authority on the Pikes Peak region who himself lived a Cripple Creek boyhood, dedicates his BRAND BOOK to Pike's unscalable "Shining Mountain," and pitches the volume's theme to the centennial of the Colorado gold rush. The book contains 14 original essays in Western history and folklore, each of them a solid and scholarly accretion to the field of its specialty.

And the range, as always, is wide—from buried treasure and gilsonite to railroads, staging across the Divide, mining, resort hotels, cattlemen, the Colorado Capitol, Army frontier policy and—I think I mentioned a sense of humor—"Who Dropped the Lemon Extract," a lively, arched-eyebrow examination by Denver Attorney **Fred Mazzulla** of the musty files of the claim agent for the now-gone Rio Grande Southern Railway.

One of the highpoints of BRAND BOOK 15, for my money, is a family reminiscence by **Dr. Arthur L. Campa**, chairman of modern languages at Denver U., about the legendary "Jesuit Treasure of Bamoa" in Mexico, a fascinating story of golden treasure supposedly buried when the Jesuits

were expelled in 1767-8. The account has all the elements: Six mule loads of minted silver "reales," a buried skeleton in clerical garb, a cryptic parchment signed with rubrics, and a little almost forgotten mission church where, at the rear, there is a spot in which nothing grows.

Guy M. Herstrom's account of the Luis Maria Baca Grant No. 4, "A Pygmy Among the Giants," is the most detailed and painstaking study ever published on the 100,000-acre land grant in the north of the San Luis Valley. Another feature of the book is a careful analysis of Army transportation policy in the West, 1824-1851, by **Duane Allan Smith**, young cum laude history scholar at CU who received the Westerners' annual scholarship grant to help him advance his graduate studies.

An Impressive, Interesting List

A hurried rundown on other contents of BRAND BOOK 15 gives an indication of its scope: "The Uintah

Railway: The Gilsonite Road" by **Richard A. Ronzio**, "When Colorado Springs and Chase Mellen Were Young" by **John J. Lipsey**, "Independence Pass and the Twin Lakes Toll Road" by **Don and Jean Griswold**, "Marvelle Mills Craig in Territorial Colorado" by **John R. Marshall**, "Word from the West: John J. Vandemoer, Reporting from his Diaries and Daybooks, as Collected by His Son, Herbert Robinson Vandemoer" by **Don Bloch**, "The Montezuma Hot Springs Hotel" by **Milton J. Callen**, "Building Colorado's Capitol" by **Paul D. Harrison**, "On the Divide" by **Carl F. Mathews**, "Conrad Kohrs, Cattleman" by **Herbert P. White** and "It Can't Happen Here" by **Francis B. Rizzari**, who deals with, of all things, Colorado earthquakes. Yes, we've had them.

The BRAND BOOK is generously illustrated with photos, maps and reproductions, and some amiably tone-setting line drawings by **Jeannie Pear**.

Contents of THE DENVER BRAND BOOK, Volume XIV: 1958, edited by **Nolie Mumey**: "Old Caribou and Central City" by **Agnes Wright Spring**, "Early Transportation in Colorado" by **Henry Swan**, "He Drove the Wild West Wild" by **Forbes Parkhill**, "A Brief History of Saddles" by **Lee M. Hartwell**, "Statehood Aspirations and Constitution of Early Colorado" by **Donald W. Hensel**, "The Story of the San Miguel Development Company and the San Miguel Mercantile Company" by **William W. Wardell**, "Orth H. Stein, Crusader

and Story-Teller for *The Leadville Chronicle*" by **Don and Jean Griswold**, "A Journey to Old St. Elmo" by **Everett Bair**, "The Air Force Academy Site and Its History" by **Lt. Colonel George V. Fagan**, "History of the Famous Mosquito Pass" by **Norma L. Flynn**, "A History of the Denver Mint" by **Alma K. Schneider**, "Colorado's First and Last Bullfight—1895" by **Frances Melrose**, "El Pueblo and Its River of Destiny" by **Ralph C. Taylor**, "Sacajawea, The Great American Indian Heroine" by **Nolie Mumey**.

through the night.

Chorus:

So let's give three cheers for our
comrades, ...

That gallant and brave little
band,

Who, against odds, would never
surrender,

But bravely by their arms did
they stand.

Fifty Indians surprised them while
marching,

Their scalps tried to get, but in
vain;

The boys repulsed them at every
endeavor,

They were men who were up to
their game.

"Though the red-skins are ten times
our number,

We coolly on each other rely."

Said the Corporal in charge of the
party,

"We'll conquer the foe or we'll
die!"

Still they fought with a wit and
precision;

Assistance at last came to hand,

Two scouts on the action appear-
ing,

To strengthen the weak little
band,

Then one charged right clear
through the Indians,

To Fort Dodge for help he did
go,

While the balance still kept up the
fighting,

And gallantly beat off the foe.

A squadron of cavalry soon mount-
ed,

Their comrades to rescue and
save.

General Sully, he issued an order,

Applauding their conduct so
brave.

And when from their wounds they
recover,

Many years may they live to re-
late,

The fight that occurred in Septem-
ber,

In the year eighteen sixty-eight.

On September 3 a party of Co-
manches and Kiowa made an attack
upon Fort Dodge, but they were
driven off after a severe battle. Four
soldiers were killed and seventeen
were wounded. The Indians' losses
were unknown. On the same day a
Mexican wagon train was attacked on
the Santa Fe Trail near Fort Dodge
by Cheyennes and Arapahoes. Sixteen
Mexicans were reported killed and
scalped.

By September 7, 1868 every pre-
paration had been made for the ex-
pedition south of the Arkansas River.
The troops and supplies were at the
post and ready to move out into the
field. There were between 500 and
600 soldiers in the expedition. On the
evening of September 7 they crossed
the river about a mile west of the fort
and headed for the villages of Indians
that had been reported to be located
on the Cimarron River, about forty
miles away.

Because of an inadequate supply
system, the expedition was called off
in the middle of September. It was
decided to wait and make a winter
campaign against the Indians after
they were forced back onto the reser-
vations because of cold weather and
lack of food.

The winter campaign and final activities at Fort Dodge will be published
in the May issue of *The Roundup*.

FROM THE CORRAL RAIL

MORE AWARDS

Expedition Colorado has received four awards for its excellence as a TV program: TV Radio Mirror Award, ABC-TV's "Expedition" Award, and BMI History Award, all first-place awards and an Honorable Mention by the Ohio State University. The program was entered for a Peabody Award in the "public service" division, but since it did not meet the specific requirements of this category it did not place.

The BMI History Award also included a thousand dollar contribution, five hundred dollars of which went to the local TV station, Channel 9, and five hundred dollars to the State Historical Society of Colorado for the research assistance by the staff of the Society and use of its library facilities in the preparation of the *Expedition Colorado* series. At the presentation luncheon on May 3, 1961, PM **Maurice Frink**, Executive Director of the State Historical Society of Colorado, commended and congratulated all who were concerned with the preparation and production of *Expedition Colorado*, and happily accepted the check on behalf of the State Historical Society. Mr. Frink praised all those connected with the program for their acceptance of "historical responsibility" and sincere efforts "to attain historical accuracy."

"The General Palmer Story," one of the earlier presentations of the series, will be shown on the nationwide ABC-TV network on August 29, 1961.

"The John Evans Story" shown locally on Channel 9, May 2, 1961, was of equal quality with the Palmer showing and may bring the series more recognition. There are two more programs in the series, "The Cripple Creek Story" to be shown on

the 23rd of May, and "The Story of Power" to be shown on the 13th of June.

The Roundup again salutes **Pasquale Marranzino**, writer, **Fred and Jo Mazzula**, contributors of the pictures, **Fred Arthur**, narrator, **Marsh Faber**, cameraman, **Russ Kundert**, director, **Gil Lee**, producer, **John C. Mullen**, executive producer, and the sponsors of the program, the **Public Service Company of Colorado** and the **Ralston Purina Company**.

POSSEMAN COLLINS HONORED

In recognition of his service to the American fur industry, PM **Dabney Otis Collins**, on April 20, in Milwaukee, was awarded a plaque by the nation's three mink marketing associations—the Mutation Mink Breeders Assn., the United Mink Producers, and the Great Lakes Mink Assn. The occasion was the announcement of his retirement as editor of the National Fur News, a position he held for over 20 years. Dabney received a standing ovation from the audience of some 500 mink ranchers. The National Fur News, America's largest fur breeder magazine, is owned and published by Galen E. Broyles Co., Inc., Denver advertising agency. Five years ago, Dabney retired from the agency, as vice president, giving full time to the National Fur News.

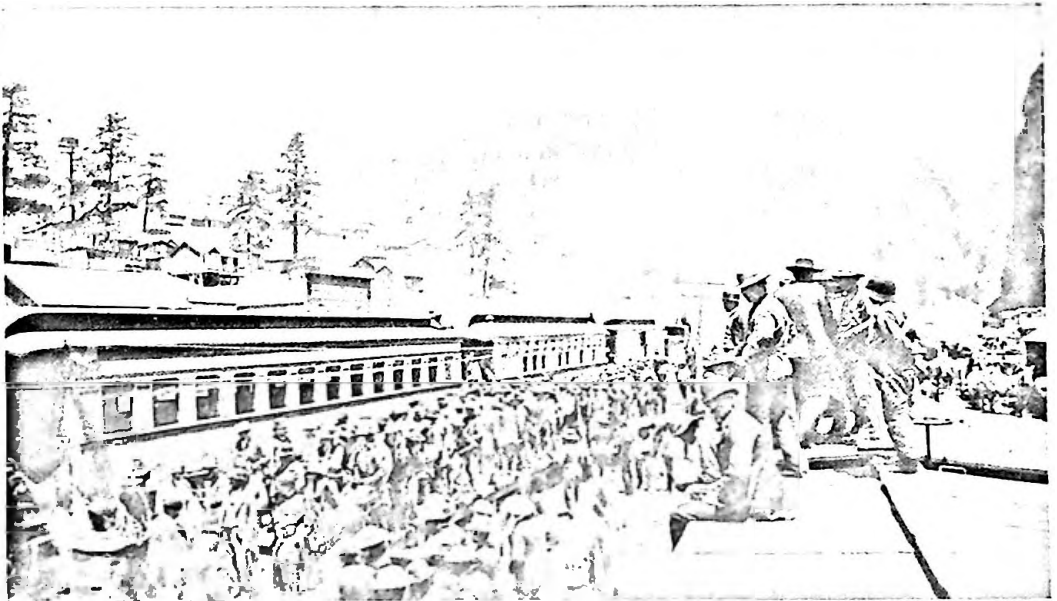
NEW CORRESPONDING MEMBERS

Dow Helmers.
O. L. Hough.
Edith Stuart Jackson,
Robert G. Palmer,
George M. Petersen,
William D. Powell.

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



May
1961
Vol. XVII, No. 5



CREEDE, COLORADO, at the time Cy Warman was editor of "The Creede Chronicle."
From the collection of Nolie Mumey

FROM THE CORRAL RAIL

With 35 Posse Members, 15 Corresponding Members and 8 guests present for the May 24, 1961, meeting of the Denver Posse (only 43 advance reservations were made), **Sheriff Ryland** called the gathering to order. Among the visitors were **Ralph Faxon**, perennial head of Walsenburg's Chamber of Commerce, 91 years old and the recipient of honors from the Colorado State Advertising Club; **Colonel Vaughn Goodwin** of the Air Force; **Jack Thode** of the D. & R. G. Railroad.

Re-run of the Smokey Hill Trail as part of the Kansas Centennial celebration was announced, plus the annual Ranch Tour from Laramie to various historic spots in Wyoming.

John Lipsey deplored the discontinuance by the *Rocky Mountain News* of Bob Perkin's annual List of Western Books. Several suggestions were made as to how the *News* might be induced to resume this most valuable public service, including that of advertising by book dealers and that of other interested parties taking time to write **Jack Foster (PM)** and stress the value of and interest in this list of books.

Following an enlightening biographical sketch of the evening's speaker by **Fred Rosenstock, Dr. Nolie Mumey** presented a paper on Cy Warman, the poet of the railroads. During his talk, Dr. Mumey used recordings of a train "taking off," the sounds of a railroad engine familiar to Cy Warman, and "Sweet Marie," a song composed by Warman for his wife. Following his talk, Dr. Mumey and his wife explained an exhibit of railroad items and pictures associated with Cy Warman, and gave to each person present a copy of *The Frog*, Vol. I, No. 20, dated July 1, 1889, a railroad magazine edited by Warman, and a

copy of a complimentary pass once used on the North and Middle Park Toll Road. All who were present agreed the program was a very entertaining and authentic presentation, one posseman commenting, "Ever astounding are the continued evidences of the interest and generosity of the Doctor."

The following letter from **Joe Koller**, secretary of the Black Hills Westerners, and addressed to **Erl Ellis**, is reprinted in part for the purposes of correcting certain statements made in the March issue of our magazine. Our thanks to Mr. Koller for taking time to write us, and perhaps some of our members will be able to answer some of his questions.

"I want to report an error in regard to the cover page picture of AMERICAN HORSE, of the last Round Up issue: The page 4 explanation states "The first American Horse was killed at Slim Buttes, South Dakota, on September 25, 1875.

"The battle of Slim Buttes took place after the Custer battle which was June 25, 1876, and the Slim Buttes fight took place September 7th 1876.

"Unless this picture was copied from a painting there is some doubt as to the period when such a photograph was taken, and therefore who the Indian might be.

"There were a number of American Horse characters amongst the Sioux tribes, just as there were a number of Indian with the name of Crazy Horse. Being an old time studio photographer of 50 years ago I am familiar with the type of materials that were used in taking such pictures back in the 60s and 70s. It was the wet plate, and the albumen printing out papers that had

(Continued on Page 4)

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



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JUNE MEETING

"I. P. (Print) Olive—The Colorado Thesis"

Harry E. Chrisman

of

The Southwest Daily Times, Liberal, Kansas

Wednesday, June 28, 1961

Denver Press Club — 1344 Glenarm

Denver, Colorado

NO REGULAR July meeting at Denver Press Club.

August Meeting: Colorow Cave—Saturday the 19th of August. "Backgrounds for Western Writing" by Frederick Manfred. Again, reservations should be returned promptly.

FROM THE CORRAL RAIL

(Continued from Page 3)

to be sun printed and toned. Any of the old photographers could judge picture age from its make up, unless the picture was a later day copy of an old time photograph.

"I heard for years that no picture was even taken of Crazy Horse, the war chief, and in a long range search I located seven or eight pictures claimed to be Crazy Horse, and no two pictures are alike. Some of these pictures come from the Hyde Foundation, and the Smithsonian Institute, and other reliable sources. When they were asked for proof the picture was of Crazy Horse; they had no proof. Some one had written the name "Crazy Horse" on the picture and it finally was sent to the museums. To verify a picture's authenticity there should be a history of who took the picture, when, where, and the name of the subject. I think our paintings by early period artists are a better record. There were war correspondents in the Indian country, you would think they would have sketched pictures of persons that were camera shy. Our state history think they have a picture of Crazy Horse, identified by a relative that saw him 75 years ago. Memory is too faulty. That is not good enough proof on which to base a claim challenged by time and the whole Sioux Nation. So much time has elapsed since Crazy Horse's day that no one is left alive to verify such a picture.

"The Sioux know less about great leaders than you think. Each tribe had its top men and they knew little about the big chiefs in other tribes.

"I wonder if anyone has ever seen a photograph of Falling Leaf, Spotted Tail's daughter, that was burned at Fort Laramie in the mid 1860's?

There is none at the Ft. Laramie museum.

Also one of our members has asked: "Does anyone know what finally become of "Etta Place" the girl friend that the Sundance Kid brought back from South America for medical treatment, before he returned to S.A. and his death with Butch Cassidy?"

"Our westerners group is largely made up of elderly people, men and women, who enjoy a western talk. It is more like a knife and fork club. We don't publish anything and we don't get written copies of our programs all the time. It is a shame for we have a lot of stuff up here that should be preserved and filed.

"I like most of your publications fine. The one that told about Wild Bill and Calamity Jane being married was the bunk—that woman used the unsupported claim of an old Lady who attracted attention to herself by claiming she was the daughter of Bill and Jane. She come to Deadwood once and for Days of 76 rodeo publicity they gave her some big ballihoo which she has used elsewhere to make herself famous.

Joe Koller, CM
Belle Fourche, So. Dak.
Secretary Black Hills Westerns"

Don and Marie Bloch opened their two Central City stores (Collectors' Center No. 3—Rare and Recent Books; and "The House of Paper"—rare Ephemera) on May 27, for the ninth season. "The House of Paper" is now in its new location on Eureka street, adjoining the bookstore.

Posseman **Armand W. Reeder** sends the following report of the St. Louis Westerns':

"Since my previous report on the reorganization of the St. Louis West-

(Continued on Page 12)

THE "HOGMASTER" POET OF THE ROCKIES: A NEWSPAPER MAN AND NOVELIST, WHO IMMORTALIZED AN ERA OF RAILROADING THROUGH VERSE AND PROSE

By NOLIE MUMEY



NOLIE MUMEY

Dr. Nolie Mumey—member of our Posse since 1946, editor of the 1951 and 1958 BRAND BOOKS, contributor of several articles to other BRAND BOOKS and various issues of the ROUNDUP—is a world-known physician as well as an outstanding author of Western history. His hobby of searching for primary source material and using same in his many books has given him national prominence and the following is an excellent example of his careful research and writing.

This interesting man had a varied career as a poet and novelist which began during the time he was a "Hogshead." He was born in a small town, near Greenup, Cumberland County, Illinois, on June 25, 1855. His first employment was that of a water boy on a railroad construction project when he was five years of age. This position gave him the idea that he would like to make a career of railroading. His early boy-

hood days were spent on a farm, where he received a common school education. His varied business ventures were all failures; among them was that of being a wheat buyer, at which time he lost his entire capital of one thousand dollars. Discouraged, he decided to try his skill in a different field and in a new country.

In 1880, at the age of twenty-five, he left for St. Louis, and from there went to Canon City, Colorado, where he helped a man by the name of Henry Harrison plant an orchard. Later, he was employed at the smelter and reduction plant in that town. He worked the night shift at a salary of \$2.50 for twelve hours of long, tedious work, in addition to smelling fumes from the chemicals used in the plant.

Thousands of miles of railroad tracks were being built in the West and men were needed in the various tasks of railroad work. This young farm hand went to Salida, Colorado, and applied for employment with the Denver and Rio Grande Railroad, at a time when the company had completed a line from Salida to the "Sky City" of Leadville, Colorado. He was idle for a month before he was called to work.

The night foreman of the roundhouse put him to work as "DISH-WASHER" (engine wiper) and general laborer. On the second day of his new position, he was assigned to clean the ash pan of 4-40, a twenty-ton locomotive with 45-inch drive

wheels. This engine had pulled the general manager of the railroad.

The task of cleaning the pan required that he crawl under the hot engine and drag out the ashes with a hoe. The heat from the firebox was stifling, and the smoke and steam from the airpump were suffocating and blinding. The new recruit completed his task to the satisfaction of the foreman and the general manager who stood by watching the entire operation.

The foreman recommended him for a promotion after a few months in the roundhouse. He became a "TALLOWPOT" (fireman), riding the left side of the cab of an engine. This gave him an opportunity to study and write during the lull intervals of his run. After three years as a "SODA JERKER," he became a "HOGSHEAD" (engineer), with a run from Salida to Leadville, Colorado. He also made runs over Marshall Pass to Gunnison. Over the latter run he was in many snow battles—one lasted eight days, where he bucked snowdrifts and spent forty consecutive hours in the cab without any rest. The track over Marshall Pass went up to an altitude of 10,000 feet, with 4% grades and 24 degree curves. It was a tough run.

The "THROTTLE JERKER" made one run over what he later described as a "Perpendicular Railroad." It was the Calumet branch of track which left the main line to Leadville at Hecla Junction, nine miles north of Salida. The distance of this run was a fraction over seven miles and ran to an iron mine operated by the Colorado Iron and Fuel Company. The engine pushed up six empty cars over the steep 7% grades; it brought down four loaded cars—the air brakes would not hold more than that. Many cars got loose on the downward run and caused very bad wrecks.

This one run discouraged the

"HOGGER" (engineer) and he refused to take an engine over it the second time.

As a "POSITIVE BLOCK," he had time to write and scribble verse. He acquired an easy, flowing style of writing which was suggestive of the clicking of locomotive wheels, and he derived a great deal of inspiration from the cab of his locomotive. The hissing noise of escaping steam and other sounds connected with his work were skillfully painted into word pictures. He would scribble verses on bits of paper when his engine was in the "HOLE" (on a siding), and he would read them to his fellow employees.

The retentive mind of this "HOGGINEER" (engineer) was a great asset in helping him record the romance, humor, and interesting incidents in railroading. The Drama, hardship, and tragedy of the task of running an engine did not escape his observation, which was an asset in his writing.

His life was filled with crushing disappointments. He lost his wife and two children prior to coming to Colorado, and his only brother died in Canon City, Colorado. Despite many hard blows, broken health, and financial reverses, this "EAGLE EYE" (engineer) was a man of sterling qualities. He was lighthearted and full of energy. The misfortunes he suffered, along with the reverses of fate, only served to bring out the best in him.

Running an engine over a new road, high in the mountains, told on his physical strength, for he was not strong. He gave up railroading as a career and entered the field of journalism. Despite his meagre education, he had the faculty of putting ideas into words. He was always dreaming and thinking of railroads in all his writing. This

of literature and his stature grew as a writer. He displayed originality in his many verses, describing early mining camps and scenic wonders of the Rocky Mountains.

CRIPPLE CREEK

Where Yesterday
We picked our way
'Mong trees where tangled timber
lay
The happy hamlet stands today,
From every hill
Resounds the drill,
And where the frost has rushed the
rill
We hear the music of the mill.
Where fierce and bold
The red man strolled
With painted face in days of old
The hills he touched have turned to
gold.

Through all his work he gained a reputation as being a railroad writer, and traveled over the entire country doing publicity for railroads. He was commissioned by a New York magazine to visit Europe, Asia, and Egypt and to write about their railroad systems. He carried passes over the French lines which read from locomotive to tail light. His convictions were that whenever the government had anything to do with railroads, they were in disaster and were demoralized.

In 1897, there appeared a story in *McClure's Magazine*, "A LOCOMOTIVE AS A WAR CHARIOT." It told of how a work train defeated a band of Indians across the plains of Kansas. The red men were intent on wrecking the railroad, and tried to keep it from being built. They piled ties across the track to stop the train and waited near-by. The engineer pushed the cars into the ties with a deliberated purpose, hitting them hard. The ties flew in all directions, throwing the chief

into one of the cars; he was taken prisoner. This ended the efforts of the Indians, many of whom were hit and severely wounded.

Railroading was an important project in the West, connecting the frontier with the east. By 1898, Colorado had five thousand miles of railroads over nine major trunk lines:

1. Atchison, Topeka, and Santa Fe
2. Burlington and Missouri
3. Chicago, Rock Island and Pacific
4. Colorado Midland
5. Rio Grande
6. Union Pacific
7. Denver and Gulf
8. Denver and Pacific
9. Kansas and Pacific

The Denver and Pacific and the Kansas Pacific both reached Denver in 1870.

Many of his writings were filled with humor, scenic attractions, and places favored by nature. Each he vividly described as a charming place for tourists to visit. He knew the appeal to sportsmen and painted many word descriptions for them. A poem which won him first prize for the best scenic attraction of Colorado, a beautiful lyric which first appeared in the *Great Divide* under the title "PAINT ME A PICTURE," was later changed to:

THE CANON OF THE GRAND

I'm going to paint a picture with a
pencil of my own;
I shall have no hand to help me,
I shall paint it all alone.
Oft I fancy it before me and my
hopeful heart grows faint.
As I contemplate the grandeur of
the picture I would paint.
When I rhyme about the river, the
laughing limpid stream,
Whose ripples seem to shiver as
they glide and glow and gleam;

Of the waves that beat the boulders
that are strewn upon the sand,
You will recognize the river in the
Canon of the Grand.

When I write about the mountains,
with their heads so high and hoar,
Of the cliffs and craggy canons,
where the waters rush and soar.

When I speak about the walls that
rise so high on either hand,
You will recognize the rock-work in
the Canon of the Grand.

God was good to make the moun-
tains, the valleys and the hills,
Put the rose upon the cactus and
the ripple on the rills;

But if I had the words of all the
world at my command,
I could not paint a picture of the
Canon of the Grand.

This writer of verse grew in stature and wrote from experience. In 1893, he became a "BOILER HEADER" (man riding in an engine cab) and rode from New York to Chicago in the cab of the EXPOSITION FLYER, which was pulled by a hundred-ton locomotive. He was allowed to take the throttle on part of the run. He was accompanied by an artist who made sketches throughout the trip. The article appeared in *McClure's Magazine*, with twenty original illustrations, under the following title: "THOUSAND MILE RIDE ON THE ENGINE OF THE SWIFTEST TRAIN IN THE WORLD. This was reprinted in his book, *TALES OF AN ENGINEER*, published by Scribner in 1895.

In 1899, he wrote a story for *Harpers Magazine*, "BLACK FLIERS," which was the result of a ride from Chicago to Council Bluffs, Iowa. This was on the maiden run and the engine hit a mark of ninety miles an hour.

He caught the spirit of nineteenth century railroading. In 1905, he wrote a 35-page pamphlet called

THE WHITE ELEPHANT. It was published by the Canadian Publishing Company of Montreal, Canada. This deals with the government-operated railroads of Canada. He thought that such operation would be disastrous to this country; private railroads are more successful and government railroads were a failure. His conclusions were that: "Private railroads kill a few people, government railroads kill a nation."

With an air of nostalgia, he saw the passing of the steam locomotive when he wrote the following:

THE PASSING OF A LOCOMOTIVE—A REVERIE

"Ah, well," said the Iron Horse,
 heaving a sigh
That was followed anon by a tear;
"They have made me do everything
 else but fly;
Since Stephenson sent me here.

"From killing an hour for every
 twelve miles,
To a hundred and twelve an hour;
The Yankee redoubles his toil and
 smiles
As he doubles my pace and power.

"When tempests have howled I have
 gone to the front
The force of the blizzard to check;
Of countless collisions I've taken the
 brunt
And have laid in ruins a wreck.

"Now, like the 'old woman'; they
 say I must go,
And so make a place for the 'new';
A mile and a half a minute's too
 slow
For the Yankee. I know what I'll
 do:

"I'll go back to England, far over
 the sea,
My pace will be swift there, I'm
 told;

Tho' the old things of England are
 new to me,
The new things of England are
 old.

"There, a thousand long years are
 the same as a day,
And a day has a thousand years.
There, when an old thing has
 wasted away,
Another old thing appears.

"Adieu to the land of the setting
 sun,
Impetuous Yankee, good-bye.
I'll just jog along to the end of my
 run,
You put on your pinions and fly."

This man with the heart and soul of a poet, made great contributions to American literature. The shining rails of the narrow gauge railroads, as well as the fast standard track with the heavy engines, seemed to inspire him. Every phase of railroading held his fancy. He also was fond of the red man. One of his great books was *WEIGA OF TEMAGAMI*, a collection of Algonquin Indian tales and legends. This volume appeared in 1908. It is beautifully illustrated. The stories are full of action, humor, and bravery, and are interspersed with a few short poems.

The mountains offered him opportunity for description of their wonders which he put into rhythmic words. His mind always drifted back to the West as can be seen by the following poem:

THE WEST

Come, take my hand and walk with
 me
To where the lifting prairies lie,
Close up against the western sky,
The land of opportunity.
The Earth is yours! And it is mine

To beckon you back to the land,
To help you find a stand,
To plant a fig tree and a vine.

In God's good world. He made the
 West!
Amid the hills set sunny vales.
And for the Iron Horse broke
 trails,
Wrote "Finis," and sat down to rest.

In 1905, he wrote the "FLIGHT OF SITTING BULL, ACROSS THE CANADIAN BORDER AFTER THE CUSTER MASSACRE." The facts were taken from the official archives. Sitting Bull and a few of his Indians fled to Canada after the massacre. Many efforts were made to bring them back to the United States, but they failed. The Canadian government gave them sanctuary and they remained there for four years.

After the turn of the century, this great man moved to London, Ontario. While residing there he witnessed an empire in railroad building. He wrote several books: *PATHFINDING IN THE NORTHWEST*, *BELLE OF ATHABASKA*, and *CURE'S CHRISTMAS GIFT*.

His health became impaired and he moved to Chicago where he was taken ill suddenly and became paralyzed. He realized the end of his life was coming when he wrote:

"Swift toward life's terminal I
 trend,
The run seems short tonight.
God only knows what's at the
 end—
I hope the lights are white."

His mind remained active throughout his illness and he dreamed of his activities in the cab of an engine. He seemed to have lived his life over, for he wrote:

WILL THE LIGHTS BE WHITE?

Of, when I feel my engine swerve,
As o'er strange rails we fare,
I strain my eye around the curve
For what awaits us there.
When swift and free she carries me
Through yards unknown at night,
I look along the line to see
That all the lamps are white.

The blue marks the crippled car,
The green light signals slow;
The red light is a danger light,
The white light, "Let her go."
Again the open fields we roam.
And when the night is fair,
I look up in the starry dome
And wonder what's up there.

The passing of this great man
brought regrets to many Coloradans,
for he had made friends who
were attached to him. He was a

good storyteller, who found romance
in railroads and immortalized Western
life. His poetry has not grown
old; he loved the flowers, the birds,
and the rugged mountains, and all
were extolled in verse.

The Will of this man was filed in
London, Ontario; his entire estate
consisted of less than five hundred
dollars, which was left to his former
wife and a daughter, Mrs. McVaugh
of Alabama.

CY WARMAN wrote his own
obituary before he pulled his last
throatle:

"But there is consolation in the
thought we're dead,
If we have written something good,
our efforts will be read,
And friends will plant forget-me-
nots and come and sit and sigh,
And irrigate our grave with tears
when we go off and die."

FROM THE CORRAL RAIL

(Continued from Page 4)

erners, this group has held three
meetings, with an attendance be-
tween 15 and 20. They have 24
names on the list as prospective
members.

"Dr. John Francis McDermott of
Washington University was elected
President and Bill Everhart of the
National Park Service in St. Louis,
Vice President. The group voted
against the titles of Sheriff, Deputy
Sheriff, etc. They also do not want
to be known as a Posse or have any
identity with a ny other Western
group. Why, I do not know.

"They have no fixed date for meet-
ings which are held in the Old
Court House. This is an out-of-the
way place for many who live in out-
lying districts and is one of the

main reasons why the old organi-
zation folded.

"What the future of this organiza-
tion will be I do not know, but if
they generate a little more Western
spirit than they had in the past I
believe they can really get going
for they have the nucleus of a fine
organization and I know we all wish
them well in making it such."

From the files of our skilled
Posseman, **Otto Roach**, we have
printed on pages 14 and 15, clear
easily recognized pictures of *Hahn's
Peak* (top) and *Old Fort Garland*
(bottom, page 14) plus *Pike's Stock-
ade*, reconstructed (top of page 15),
and Silvertown's famous *Imperial
Hotel* (bottom, page 15). Mr. Roach
has furnished us with several such
fine landmark photographs which we
plan to print in later *Roundups*. We
suggest these reproductions be filed

by our subscribers for future reference and identification.

Congratulations to one of our distinguished Corresponding Members, **A. A. (Gov.) Paddock**. On the 10th of June, 1961, the Associated Alumni of the University of Colorado presented the Norlin Award to Mr. Paddock for his "distinguished achievements" as editor and publisher of the *Bouler Daily Camera*. Paddock received his Bachelor's degree in 1910 and prior to the Norlin Award received the 1939 Alumni Recognition award and the Alumni "C" Fob in 1915. His many services to the community and the University justly entitle him to all these honors.

In a letter to our *Roundup Foreman*, **Erl Ellis**, the Rustler Chairman of the new Stockton Corral of Westerners, **Merrell A. Kitchen**, issued a cordial invitation to all Denver Possemen to attend any of the meetings of the Stockton Corral should they be in Stockton, California at the right time. Mr. Kitchen's Stockton address is 1935 Douglas Road.

A real Westerner and one who has been most helpful to the Denver Posse was written up in the May 14, 1961, issue of the *Rocky Mountain News* in that paper's "Portrait Series." The retelling of the subject's many accomplishments proved beyond a shadow of a doubt that Colorado's State Historian, **Mrs. Agnes Wright Spring**, is tops, and when the history of that office is written, she will be one of the most outstanding historians Colorado has ever had.

The May issue of the Chicago Westerners' monthly publication prints, in part, a talk on *The Potawatomi Land Claims* by the tribe's

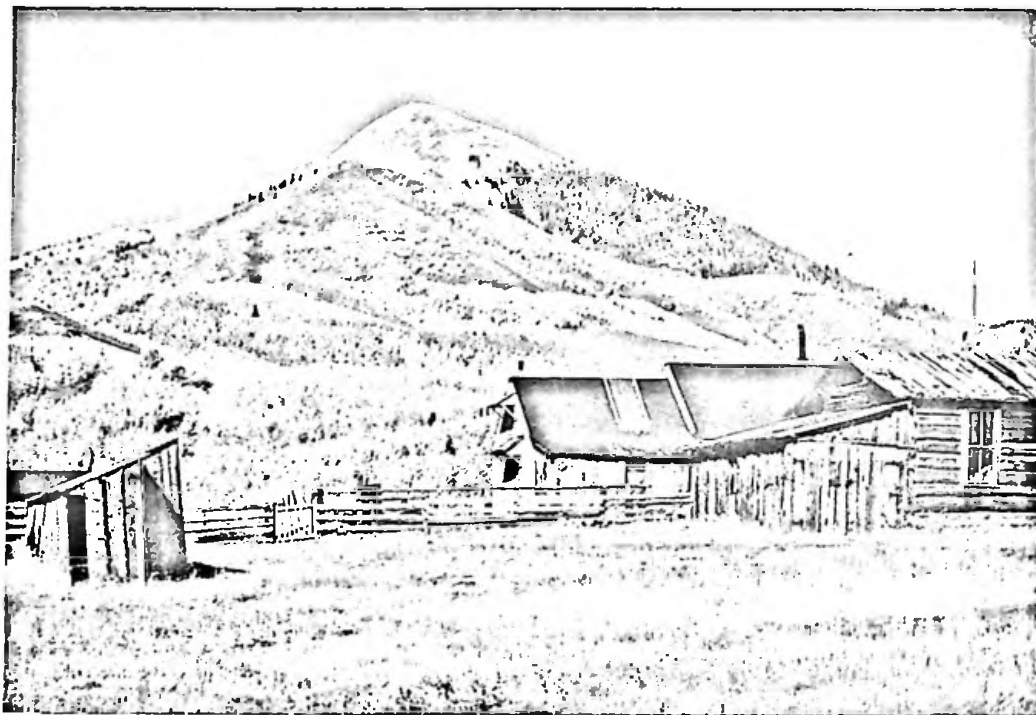
attorney **Howard D. Moses**. The usual Book Reviews and Chapter Notes complete the magazine.

If you like your western history popularized, we suggest you subscribe to *Montana*, the magazine of western history published by the Historical Society of Montana. The spring issue of 1961 contains such articles as "Custer Throws a Boomerang," the story of the infighting between the Army and the Indian Department, and "When the Russian Bear Embraced America," the amazing story of Russia's fur trading toehold in California. One of the best features of the magazine for possemen is the *Reader's Remuda*, the book-review section which is being edited by **Carl Ubbelohde** during the absence of Robert Athearn. Not only are the leading western books expertly reviewed by authorities in each field, but many western books not covered in other magazines are given at least a once over. Congratulations and thanks to **Prof. Ubbelohde** for this outstanding service.

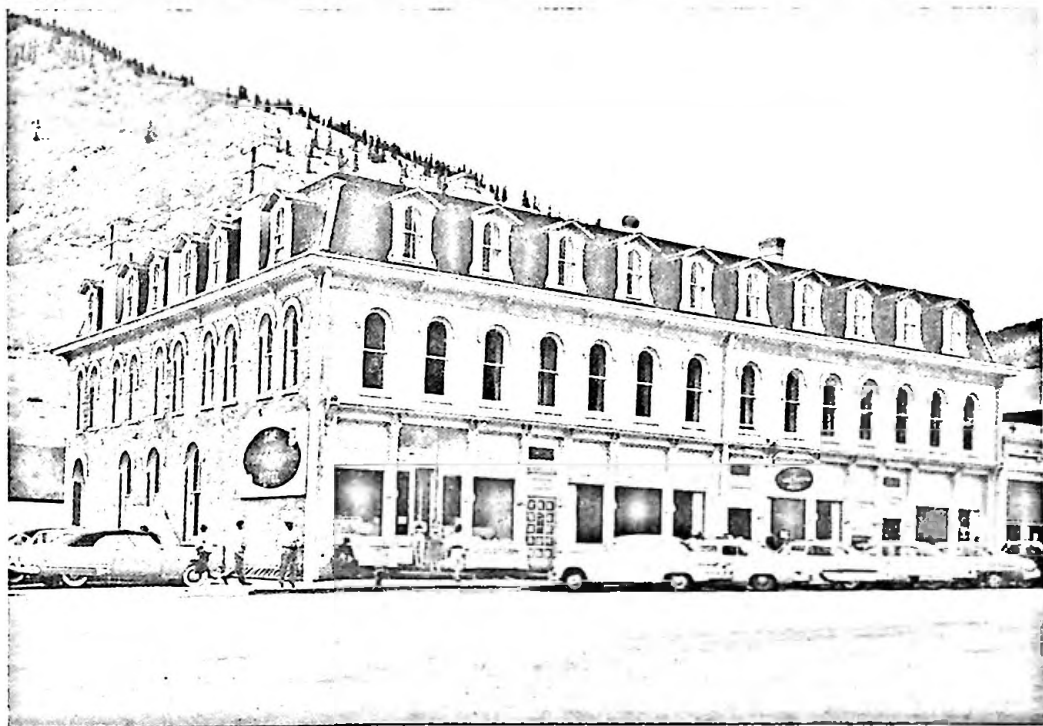
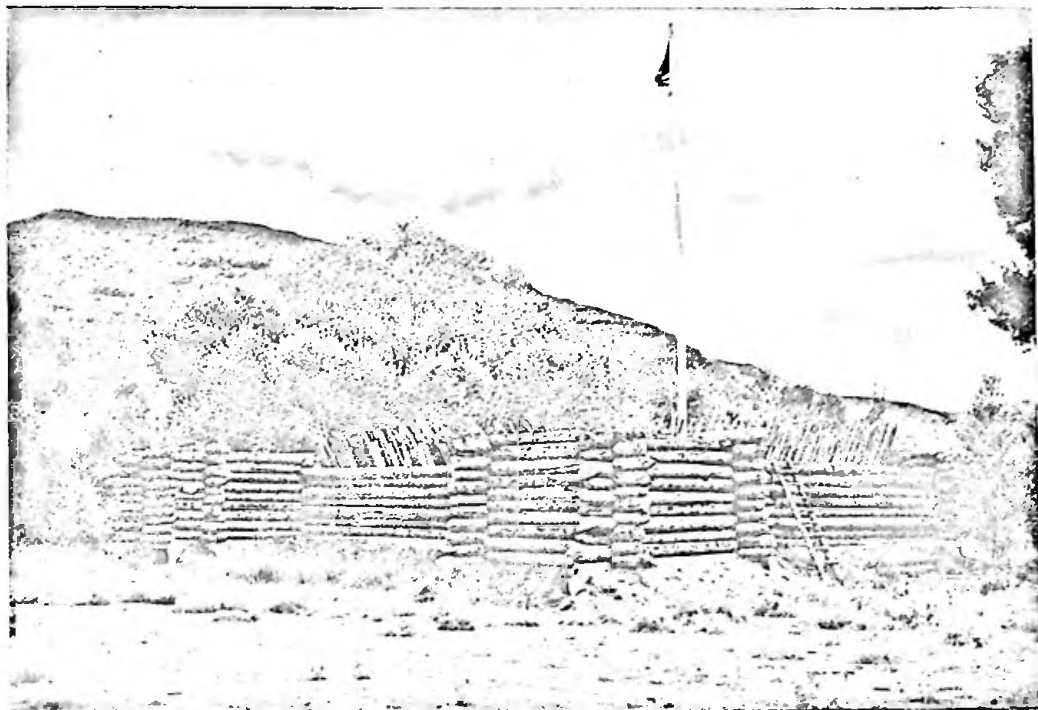
The April Issue of *American Heritage* has two articles which will be of interest to Westerners, "The Red Ghost" by Robert Froman and "The Johnson County War" by Helena Huntington Smith. A charcoal drawing of Abraham Lincoln on the cover of the publication, as a part of the Civil War Centennial commemoration, will be prized by all Americans.

The Far-Westerner, quarterly publication of the Stockton Corral of Westerners, and described by **Erl Ellis** (PM) in the February issue of *The Roundup*, has started its second year with an outstanding paper by Don Segerstrom entitled "Mining Days and Ways in Columbia." The Columbia district was one of the richest gold mining sections in California and the methods used included such techniques as "dry placering," "panning," and "sluicing."

DO YOU RECOGNIZE THESE



FAMOUS COLORADO LANDMARKS?



THE NESMITH MURDER MYSTERY

By PHILIP J. RASCH

Philip J. Rasch of San Pedro, California, is a member of the Los Angeles Posse of the Westerners and has researched many happenings in Western history. His contributions to the Denver Posse publications are gratefully appreciated, and the following study shows his painstaking thoroughness.

On September 6, 1882 Tom O'Connor and Sam Barlin were riding across the unfrequented country about 18 miles north of San Augustin, New Mexico. Near San Nicolas Spring they observed an abandoned wagon lined with buzzards and with a wolf or two hovering nearby. On approaching more closely, they found that blood had covered the axles and wheels and collected in pools on the ground. A horrible odor filled the air, and still forms could be seen in the body of the wagon. Hurrying on to Shedd's ranch, they spread the news of their ghastly find. The following morning a party rode out from the ranch and found the wagon contained the bodies of a man, a woman, and a child, all of whom had been shot. It was estimated that they had been dead probably two weeks. The motive did not appear to be robbery, as the wagon's contents seemed unmolested.

The bodies were so decomposed as to be unrecognizable, and were hastily buried without being identified. Some of the party thought they were those of George W. Nesmith,* his wife, and their four year old adopted daughter, who had left Tularosa on August 16 en route to Las Cruces and had not been seen since.

Others insisted that the man's body was too short and that of the child too big for this to be true, and suggested that the man's corpse was that of John P. Gray, of Tularosa.¹ Speculation on this point was ended when Gray, Wesley Fields, H. C. Brown, and another man from Tularosa took the bodies up for burial besides that of another Nesmith child in the cemetery near Blazer's Mill. Certain features of the teeth and skeleton made it possible for them to positively identify the body as that of Nesmith.²

Such well-known citizens of Lincoln County as John H. Riley, James J. Dolan, David M. Easton, Joseph H. Blazer, Samuel Corbett, Pat F. Garrett, John W. Poe, and J. C. Lea promptly made up a reward of over \$500 for the arrest and conviction of the murderers. Another \$500 was posted by the Territory, with Pat Coghlan loudly proclaiming "that he will give as much and is just as anxious for the apprehension of the murderer, as anyone of his neighbors."³ There were, it appears, those who believe that Coghlan did protest too much.

Nesmith was born in Ohio c. 1843. In 1861 he enlisted in Alleghany, California, as a Sergeant in Company A, Fifth Regiment of Infantry, a company which included George W. Peppin, Lyon Philliporski, Ben-

*The name appears indifferently as Nesmith, Nesbith, Nesbetto, Nesbet, and Nesbith in the contemporary papers. In some instances it is spelled differently in a single article.

jamin Tevalt, and others who were destined to go to New Mexico with the California Column and to spend the rest of their lives in Lincoln. The company was discharged at Mesilla, N. M., on November 30, 1864. Four years later Nesmith married Lucy Newcomb, of El Paso.⁴ That same year Nesmith, George H. Abbot, and Joseph H. Blazer pooled their resources and purchased a sawmill known as La Maquina at Tularosa.⁵ In 1876 Blazer bought his friends out and the Nesmiths moved to Three Rivers, where he did ranch work on Pat Coghlan's ranch and his wife did the cooking.

Cowboy detective Charles Siringo⁶ tells his readers that in February, 1881 he visited Lincoln County in search of LX cattle stolen by Billy the Kid, and found Peppin had been butchering them at Coghlan's slaughter house at Fort Stanton. The Nesmiths told him they had been present when Coghlan had made a deal with the Kid to buy all the Texas cattle he could steal and deliver to Three Rivers. Coghlan promised Siringo that he would not butcher any more of these animals, but the following night two men attempted to assassinate the detective, at, he believed, the instigation of Coghlan. Fortunately, he escaped unharmed and made his way to White Oaks.

On March 10 he received a letter from Nesmith reporting that Coghlan had broken his promise and was attempting to butcher all the LX cattle in his possession, hoping to get them out of the way by the first of April. Siringo and "Big Foot" Wallace (Frank Clifford) immediately rode to Fort Stanton, where they found five freshly butchered LX hides in the Coghlan slaughter house. With the aid of others of his party, Siringo rounded up some 2500 head of cattle and drove them back to the LX range in Texas.

Upon his arrival he was informed that John Poe had been sent to New Mexico to represent the Canadian Cattlemen's Association in the prosecution of Coghlan. Poe succeeded in arresting the cattle baron and sent for Siringo to appear as a surprise witness against him when the case came to trial in Lincoln in November. The defendant, however, obtained a change of venue to Dona Ana County,⁷ and was not tried until April of the following year. At that time he was found guilty of purchasing cattle without receiving a bill of sale and fined \$150 in one case, the others being dismissed. The judge remarked that that was the first time such a case had been brought into court and that nearly all, if not all, of the cattlemen in the district were guilty of the same offense, as it was but little known that there was a statute forbidding the practice.⁸

According to Siringo, the Nesmiths appeared as witnesses against Coghlan and were murdered while returning to the homestead they had taken up above Tularosa; according to Mrs. Poe⁹ they were killed on their way to court. Both of these accounts are obviously in error.

In spite of the proffered rewards and the constant demands of the *Las Cruces Rio Grande Republican* that the officers do something to bring the murderers to justice, the case remained unsolved. Months and years went by. The rewards were finally withdrawn and to all appearances the murder was well on its way to being written off as an unsolved mystery. But if the killers permitted this to lull them into a sense of security, they reckoned without the implacable nature of one of Nesmiths' friends, James Lloyd.

On Sunday, March 15, 1885 a rumor swept through the little town

of Las Cruces to the effect that one of the "Nesmith murderers" was in jail. It developed that Lloyd had learned that a black overcoat which he knew to be Nesmith's was in the possession of Felipe Telles, of Santa Barbara. He determined that Telles had bought the coat from a Pueblo Indian named Lara, also of Santa Barbara, and that it had been given to Lara by his son, Ruperto, who now lived in Mexico, across the river from El Paso. Lloyd lured Ruperto across the river on the pretext that he wanted his help in a cattle stealing operation. Once on United States soil the suspect was promptly arrested. With him was seized a man named Maximo Apodaca, known to have been with Lara at the time of the murders.

Brought before the Grand Jury on the following Tuesday, Lara refused to make any statement, but Apodaca promptly obliged with a full confession.¹⁰ With a promptness which our courts today might well envy, the case was called for trial on March 28. Apodaca testified that the two men had been in the vicinity of Tularosa stealing cattle, Lara riding a horse and himself on foot. At White Water they met the Nesmiths, who gave them something to eat and invited Apodaca to ride in the wagon with them. Half way to San Augustin, Lara, by prearrangement, suddenly shot the two adults and the defendant killed the child. The murderers drove the wagon a mile or so off the main road, took Nesmith's black overcoat, Mrs. Nesmith's black shawl, some other articles of clothing, and a few blankets, mounted the horses and set out for their homes at Santa Barbara, where Lara gave the overcoat to his father.

A Mrs. Tucker identified the coat as one she had made for Nesmith, and Apodaca, Telles, and Lloyd confirmed the identification. Mrs. Lloyd

testified that the shawl was one she had loaned to Mrs. Nesmith when the family was about to start on their last trip. Other witnesses definitely placed the pair as being in the area of the murder at the time it was committed. Lara pled not guilty, but his lawyer refused to put him on the stand. It took the jury less than five minutes to find the pair guilty of first degree murder, and Judge Wilson as promptly ordered them hung. In view of Apodaca having turned state's evidence, Colonel Albert J. Fountain, on behalf of the prosecution, requested that the sentence be changed to life imprisonment in his case, and the judge agreed to request Governor L. A. Sheldon to commute the death sentence accordingly.¹¹

Apodaca's confession contained one curious statement: he testified that Lara had proposed at Three Rivers that they kill the Nesmiths and that at the time he did not know who Nesmith was. This point appears to have gone unmarked at the time, but it assumed great importance a few weeks later, when Lara suddenly informed Sheriff Eugene Van Patten that he desired to make a full confession. The sheriff, Colonel Fountain, George Butschofsky, the court interpreter, and a reporter for the *Las Cruces Rio Grande Republican* hastened to the jail. Lara stated that Coghlan in the presence of another man (generally believed to have been Perry Kearney) had offered him \$1,000, a wagon, and a pair of horses if he would kill Nesmith, alleging that the latter was trying to jump one of his (Coghlan's) ranches at Three Rivers. After the murder Lara had returned to Tularosa to collect his pay, but Coghlan had refused to keep his end of the bargain until Apodaca was also present. Since Apodaca flatly refused to go back to Tularosa, Lara had been un-

able to collect the blood money.

Coghlan and Kearney promptly drove the 85 miles to Las Cruces, and Lara was asked to pick them out of a group of twenty-five men. He unhesitatingly identified Dave Woods, one of the town's marshals, as Kearney, and selected 5 ft. 8 in. Henry J. Cuniffe as the 6 ft. 2 in. Coghlan. Informed of the confession, Apodaca steadfastly denied that anyone had offered them money to do the deed. In the opinion of the *Rio Grande Republican*, Lara's statement implicating Coghlan was "a pure fabrication"¹² and "all suspicion of his having instigated the horrible deed" was wiped away.⁹ It suggested that Lara was attempting to revenge himself against Coghlan because the rancher had given Lloyd \$500 to aid with his expenses during his investigation.

The following Wednesday, April 29, Lara was given the traditional final meal of his own choice—frijoles con chile—and taken to the gallows. Asked whether he had anything to say, he repeated his accusations against Coghlan. Shortly afterwards the 1200 people who had assembled for the purpose saw him drop through the trap into eternity.

Meanwhile the governor had commuted Apodaca's sentence to life imprisonment,¹³ and this criminal was shortly in residence as No. 39 at the state penitentiary in Santa Fe. Almost immediately he began to talk to himself and to show other signs of an unsound mind. On one occasion he attacked a guard with a heavy stone. On the morning of November 4, 1885 he suddenly leaped from the corridor leading to the fourth tier of cells. Plunging a distance of about 60 feet and striking stone flagging, his body was fearfully crushed. After the inquest it was interred in the pauper's field.¹⁴ The *Las Cruces Rio Grande Republican* wrote "Finis" to the

case with a brief sentence: "The murder of Nesmith is now avenged."¹⁵

Author's Note

The details of the charges against Coghlan are not properly part of the Nesmith story. Those desiring to learn Poe's side of the story will find it set forth in the *Santa Fe Daily New Mexican*, April 22, 1882. In spite of the benedictions of the editor of the *Las Cruces Rio Grande Republican*, Coghlan's neighbors considered him a very hard case indeed. Not many years ago an "old timer" of Lincoln County told the writer that after Coghlan's ranch was sold the purchaser found several bodies buried under the floor of the ranchhouse, including one of a woman. Apparently these were never identified and Coghlan may have had nothing to do with them—if, indeed, they existed in fact—but there were those who assumed he did. Justly or unjustly, the suspicion that he was in some way involved in the Nesmith murder never quite died down among many of his contemporaries.

Acknowledgements

The writer is indebted to Miss Ruth E. Rambo, Librarian, Library of the Museum of New Mexico; Captain Walter Kelly, Office of the Adjutant General of the State of California, and Mr. Eugene R. O'Connell for their assistance with the preparation of this paper. The files of the *Las Cruces Rio Grande Republican* were made available through the courtesy of Dr. C. L. Sonnichsen.

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FORT DODGE AND INDIAN RELATIONS

(Concluded from April Issue)

By LEO OLIVA

Fort Dodge played an important role in the winter campaign as a depot for supplies that were destined for the expedition in Indian Territory. Great quantities of rations and supplies were required to carry out the campaign as the following evidence will bear out: On December 14, 1868 Brevet Major Henry Inman arrived at Fort Dodge from Camp Supply, Indian Territory with 180 wagons for supplies. He had with him fifty-three Indian captives taken in battles in Indian Territory and fifteen sick and wounded soldiers. On December 18 Brevet Major Inman and his escort left Fort Dodge with about 250 wagons loaded with supplies for Camp Supply. On December 28 Brevet Major Inman arrived at Fort Dodge again with 270 empty wagons for more supplies. The supply train was escorted by almost 400 men. And so it went throughout the winter of 1868-1869.

If the record of Indian hostilities that occurred during the years follow-

ing the winter campaign, up to 1874, can be taken as an indication of the effectiveness of that campaign, it can be said to have been successful. Indian hostilities during the five years following the winter campaign were carried out on a small scale, there being no all-out effort on the part of the Indian tribes that were defeated during the winter campaign to drive the white men from the Fort Dodge area.

Besides protecting the settlers from Indians, the troops at Fort Dodge also engaged in protecting them from horse thieves. The following two incidents are submitted as evidence of that fact: On August 8, 1872 a detail of two officers and ten privates was sent in pursuit of a gang of horse thieves, who had stolen a number of animals from the railroad and from soldiers. The detail followed the trail of the horse thieves for over three hundred miles, surprised them in the night, and captured both the thieves and the stolen stock. One officer and

ten privates were sent from Fort Dodge, on November 4, 1874, to pursue horse thieves. They followed the thieves' trail until November 10 when they finally caught up with them. The thieves gave battle and the troops opened fire upon them, wounding two. One of the soldiers, Alfred Skilton, was also wounded. The detail returned to Fort Dodge with the captives and the captured property on November 11.

There was an Indian raid into Kansas during the summer of 1874, but it did not concern Fort Dodge to any great extent, at least the records of the post do not mention it. General Nelson A. Miles led the attack against those Indians and drove them back into Indian Territory, where most of the fighting took place.

The last Indian raid into Kansas occurred in the fall of 1878. A band of the Northern Cheyennes, who had been removed to Indian Territory, decided to return to their former home. Taking their women and children, they started northward in September, 1878. The band was led by Chief Dull Knife, and the incident was commonly called the Dull Knife Raid.

There were only seventy-five warriors and their women and children in the raiding party. They obtained horses, arms, ammunition, and provisions as they moved north. By the time they were forty miles south of Fort Dodge, they were well supplied with horses and fairly well supplied with their other needs. On the march, the Indians scattered over a large area because the warriors raided and foraged some fifteen to twenty miles on either side of the women and children who followed a fairly straight line in the direction they were headed. The fact that they covered so much territory in their raids gave rise to the erroneous impression on the part of soldiers and citizens that the band was much larger than it really was.

The troops at Fort Dodge were alerted about the Indian raid and attempted to stop the Indians' march north. On September 24 Lieutenant W. H. Lewis, commander of Fort Dodge, took command of three companies of troops and went to the Cimarron River where three more companies joined the command. They followed the Cheyennes and finally caught them on September 27, at Punished Woman's Fork, and gave battle. The Indians managed to escape. Two soldiers and Lieutenant Lewis were wounded during the battle, and Lewis died during the night.

That was the last the troops from Fort Dodge saw of Dull Knife's band. The Cheyennes were caught several days later in Nebraska. Dull Knife and some of the warriors were placed in jail for a short period of time and the rest of the band was moved back to Indian Territory.

After that last Indian raid into Kansas, Fort Dodge was no longer needed to provide protection from Indians. The post was not abandoned, however, until 1882, but from 1878 until that time the garrison was small and life at the post was quite routine. As early as January, 1878, General Sheridan had decided that Fort Dodge was no longer needed. The fort had been important up to that time as a base of operations against the Indians and as protection for the settlers in the region. Although the number of troops at Fort Dodge was not sufficient to prevent the Indian outbreaks in the area, they had managed to stop or help check every serious outbreak that occurred during the period that the post was occupied. With the passing of the Indian frontier and the location of the tribes upon the reservations, Fort Dodge, like most of the frontier military posts, had served its purpose. It passed into disuse and was finally abandoned.



Westerner's Bookshelf



SPOTTED TAIL'S FOLK, A History of the Brule Sioux, George E. Hyde, University of Oklahoma Press, 329 pp., illustrated, index, bibliography, \$5.00.

This is the 57th volume of a series, *The Civilization of the American Indian*, inaugurated in 1932 by the University of Oklahoma Press. If someone is interested in that segment of the Sioux nation, named Brule, after they were ousted from the lake country to the east by the Chippawas, here it is. The work is scholarly, meticulous as to detail, well presented.

In some spots the author detours to dispute with others who have written the story of this Sioux leader; in other spots the exactness and detail begin to slow the reader until interest lags. But this surely is forgivable in a book that, by all signs, sets out to be exact and thus record every step of what happened in a critical period to a fine people and a genuine leader.

Perhaps it is not called for to remark that, having felt the throb of drums in the Sun Lodge, known a little of the stark, brave drama of these riders of the great grasslands, I missed the projection of some of the drama and color through these pages. There is pagentry, though it is of a folk beset by a tide of changing times, in the Sioux story, any part of it; there is high drama. These I should like to have found where they could have rightly occurred.

Nevertheless—a fine book of a series that is noteworthy.

Art Carhart, PM

THE ASSINIBOINES, by James Larpenteur Long ("First Boy"), edited by Michael Stephen Kennedy, and illustrated by William Standing, full-blooded Assiniboine. 8vo, 67 plus 209 pages, bibliography and index. University of Okla., 1961. \$5.00.

One of the few books written from the Indian standpoint, this is a revised and enlarged edition of a Federal Writers' Program of the WPA, published in a limited edition in 1942, and now ably presented in the 58th volume of the "Civilization of The American Indian."

The author, part Assiniboine, and a descendent of Charles Larpenteur, early-day fur trader, was employed at an early age by an Indian trading company; through his knowledge of the old language he was

able to gain much information from the "Old Ones" of the tribe, some twenty-five, many of whom are now deceased. This he has incorporated in seven sections of the book: "Tribal Legends; Tribal Life; Lodges, Food and Games; Hunting; Ceremonies and Societies; Medicine Men and Spirits; and Coming of the White Man."

At one time the Assiniboines occupied much of central Canada; roving hunters of buffalo, the tribe is known from the middle 1600's, when it numbered some 12,000, which doubled by the early 1800's but has now been reduced to some 4,000, who occupy two reservations in Montana, the Fort Belknap and Fort Peck Indian Reservations.

This is a worth-while contribution to the history of Indian tribes and should interest all students of such.

Carl F. Mathews, PM

FREE GRASS TO FENCES: THE MONTANA CATTLE RANGE STORY, by Robert H. Fletcher. Illustrations by Charles M. Russell (University Publishers, Inc., New York, 236 pp. \$12.)

This book is like Montana—big, handsome, colorful. Its format is as fitting as shotgun chaps on a Charlie Russell cowboy. The type is large, the lines are long, like the sweep of a Tongue river landscape. The writing has a vigor that belongs.

Sponsored by the Montana Stockgrowers Association and published for the Historical Society of Montana, the book was written by an old hand. Robert H. Fletcher is the son of a pioneer Yellowstone rancher. He is the author of the original version of "Don't Fence Me In," and of those imaginatively and humorously written chips of history that make Montana's highway markers the best.

In *Free Grass to Fences*, Fletcher paints on a bigger canvas. His task—and he does it authoritatively and well—is to tell the history of cattle in Montana, from the early 1830s, when fur traders brought in the first foot-sore cows, to the present day when the business of raising beef is predominant.

The Fletcher touch is felt when you read that Nelson Story's hands bulled their way through Red Cloud's Sioux with the first drive of Texas cattle into Montana in 1866 armed with new breechloading rifles "that could reach out and detain an Indian a long

way off." When a man was gunned down in the street in front of Con Kohr's butcher shop in Bannack, Con "dragged him inside to die among the T-bones." And as for the modern dudes, in their fancy boots and tight saddle pants, "you can't tell the girls from the boys unless they're going away from you."

As would be expected, that part of the book dealing with the open range days has a tang that is less evident in those parts which of necessity deal with such important but to the lay reader less exciting matters as rangeland economics. Here inevitably the action slows down a bit.

The book concedes that there was some truth in the charges of over-use of the free range, that many of the early big ranch spreads were mismanaged, and that speculation and misrepresentation were, along with hard winters, contributing causes to the collapse and subsequent reform and improvement of cattle-raising methods. But the better side is emphasized, and the manner in which the industry learned from its own excesses, failures and mistakes is clearly and affirmatively told—along with a little nose-thumbing at the "stupid" and "maudlin" "idealists" who pointed out some of these things in criticism such as any big business must expect.

Free Grass to Fences will be read and used far beyond its region. It authentically fills a gap in the livestock history of the western states. The many Charlie Russell cowboys and horses who race through its pages and the photographic illustrations which include many rare old pictures, do much to atone for the lack of bibliography and index.

Maurice Frink, PM

FROM ST. LOUIS TO SUTTER'S FORT, by Heinrich Lienhard. Translated and Edited by Erwin G. & Elizabeth K. Gudde, (University of Oklahoma Press, 201 pp., \$3.95)

The year 1846 was a momentous one for the great western migration, during which the western frontier expanded farther than it had ever expanded before. One of the determined men of spirit and courage who traveled west that year was Heinrich Lienhard. He kept a diary of his journey which is an important addition to the literature of the westward movement. Fully as interesting as other classic accounts of the trek to California and Oregon, it surpasses many of them in literary value.

Lienhard traveled west with a party known as "The Five German Boys," leaving St. Louis on April 21, 1846, by steamboat for Independence, Mo. There they hitched oxen to a wagon and started for California. They were anything but seasoned frontiersmen and

they had many trials and tribulations along the way. Lienhard kept a diary in German in which he recorded all of their adventures and in later years he worked it into one of the most extensive and detailed accounts by any traveler who crossed the plains before the Gold Rush.

The manuscript was in the hands of one of Lienhard's descendants, Mrs. E. J. Magnuson of Minneapolis until it was acquired by the Bancroft Library in 1949. The account, together with Edwin Bryant's "What I Saw in California" and J. Q. Thornton's "Oregon and California in 1848," is one of the three classical reports of the great western migration of 1846. The editors and translators have prepared an accurate, skillful, and eminently readable translation of Lienhard's original journal and the value of the book is enhanced by maps adapted from the contemporary Jefferson map and illustrations by William Henry Jackson and other contemporary artists.

Armand W. Reeder, PM

BOOTS AND SADDLES, by Elizabeth Custer, With an Introduction by Jane R. Stewart, (University of Oklahoma Press, 280 pp., \$2.)

The battle of the Little Big Horn was over and Custer had ridden to defeat and death amid political controversy. Libbie, "the girl he left behind him," now realized she was no longer in the army and that she must give up her home. She left Fort Abraham Lincoln and returned to her old home in Monroe, Michigan.

After a while she decided to write a book about her Dakota days, army life at Fort Abraham Lincoln and that last tragic summer. "Boots and Saddles" was published in 1885 and sold very well, beyond her fondest dreams. But the greatest compensation she received from the book was the realization that it kept alive the public's interest in her husband, an interest which she hoped would surely lead to his complete vindication.

The book itself begins with the honeymoon of George and Elizabeth Custer which was interrupted in 1864 by his call to duty with the Army of the Potomac. She begged to be allowed to go along and this set the pattern of her future life. From that time on she accompanied General Custer on all his major assignments—"the only woman," she said, "who always rode with the regiment."

The story she tells is a warmly human one of a woman's life and love for her soldier husband on the western frontier. Many frontier women have recorded their stories, usually for the enjoyment of their immediate families, less frequently for that of the

public at large, but Elizabeth Custer wrote, it seems in good part, to keep the Custer controversy alive, to help vindicate him and to project the Custer image that she wanted the American people to accept. The book ends, appropriately enough, with the day she received the news of the disaster of the Little Big Horn.

The editor, Jane R. Stewart, has provided a sympathetic and penetrating introduction to Elizabeth Custer's story. This new edition of "Boots and Saddles" becomes volume seventeen in the University of Oklahoma Press Western Frontier Library.

Armand W. Reeder, PM

LOST OASES, by E. I. Edwards. The West-ernlore Press, Los Angeles, 1961. 126 pp., 8 photographs, endsheet maps. \$12.50.

Carrizo Corridor, a California defile approximately fifteen miles long extending from Carrizo Creek to Vallecito, is an important pathway of western history. Routes of many early travelers converged here because of the water in Carrizo Creek at its easterly end and at Vallecito, its westerly end; in fact, the Creek was the first dependable water supply of any size on the southern route in nearly one hundred miles of deadly desert after leaving the Colorado River near Yuma. Through it poured hordes of early travelers, Spanish explorers, American soldiers, Gold Rushers, emigrant expeditions, Butterfield Overland Mail stagecoaches, and others.

While the book considers the whole southern trail in the Colorado Desert region, the author dwells mainly on two vanished palm oases in the Corridor. His research has been voluminous and painstaking; he has apparently sought to trace every scrap of available information to form the first fifty-two pages of the book, his enthusiastic language exceeds his information.

A descriptive Bibliography of California's Colorado Desert occupies sixty-six pages of the volume. This is the most valuable part of the book, and is intended to encourage the reading of California's desert literature. In all, 178 titles are listed, with remarks relative to each, some consisting of a single sentence, others running to more than a page. Following the Bibliography are three appendices: A—Table of Average Distances and Time; B—Chronological Classification of Items Listed in Bibliography; C—The Oasis Today.

The volume is beautifully printed in special Intertype Garamond on Hamilton Victorian Laid paper, in an edition limited to 500 copies.

W. Scott Broome, PM

THE BITTER NIGHT, by Wayne D. Overhaiser. The McMillan Co., New York, 1961. \$2.95.

This title is somewhat of an understatement of the events of those few hours.

The story revolves around the action of a small group marooned in a house on the wrong side of a river. Late in the afternoon a heavy rain and flood washed away the only bridge for several miles in either direction.

The stagecoach brought in a few passengers bound for the city several miles distant on the other side of the impassable stream. Among them were a minister, a widow with a hard to manage son, and a business man. This boy became a troublemaker when he found the stagecoach carried \$50,000 in the strongbox. Late in the evening two rather suspicious looking men rode up through the rain, demanded and were given sleeping quarters.

As it turned out these two heavily armed men were bandits, convicts who had broken jail only a day or so before and had been tipped off about this money shipment.

All retired except the driver and the armed messenger who took turns in guarding the strongbox with the money. Everyone was excited and instead of going to sleep, all worked up imaginary plans for getting possession of this treasure so near without getting caught.

The bandits were outwardly grim but inwardly more than happy to find such "easy pickings" and gloated over the crude efforts of the others to balk them. Even the minister dreamed of what he could do with the money if he could get away with it.

This "money-itch" soon changed into fist fights, treachery and shootings. The bandits got away with the strongbox, but upon breaking it open found only rocks. The money had been hidden elsewhere. Planning dire vengeance they returned to the house, made a hostage of the boy, and real trouble began. The final outcome is tense and unforseen.

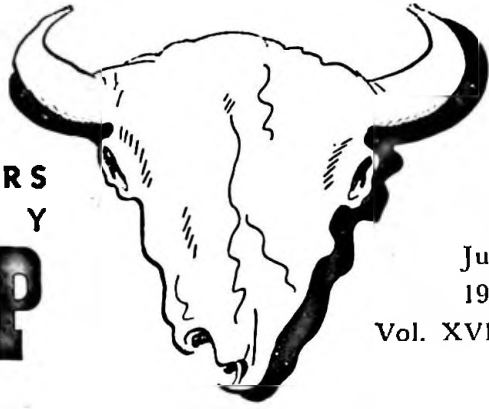
E. W. Milligan, CM

NEW CORRESPONDING MEMBERS

Charles A. Hopkins, Littleton, Colorado. Registered Engineer supervising the land and building developments for Key Inc. Especially interested in Lake County and Central Colorado history, narrow gauge railroads, mine and mining history.

Richard M. Pearl, Professor of geology at Colorado College, Colorado Springs, Colorado. Especially interested in mining history.

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



June
1961
Vol. XVII No. 6



I. P. Olive and Nigger Jim Kelly. Photograph of an oil painting, titled "Trouble Ahead On The Trail." The painting was done by George Phippen, celebrated Colorado western action artist of Grand Junction, Colorado. The original is owned by Harry E. Chrisman.

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



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AUGUST MEETING

Backgrounds for Western Writing

by

FREDERICK MANFRED

Saturday, August 19, 1961

at

COLOROW CAVE

Send your reservations early.

FROM THE CORRAL RAIL

For the first time in many months, forty-one reservations were made for the forty-one men (24 Posse, 15 Corresponding and 2 guests) who attended the regular fourth-Wednesday June meeting.

Posseman **Art Carhart** stated that he would send a copy of his *Planning for America's Wild Lands*, his newest publication, to each Posse member who desired to have a copy.

Our long-time member **E. W. Milligan** announced his plans for moving to the East and mentioned he was willing to sell his set of *Brand Books*. Needless to say, Mr. Milligan sold the set immediately.

Harry E. Chrisman, speaker of the evening, was introduced by Posseman **Herb White**. As will be seen from reading Mr. Chrisman's paper, printed in this issue of the *Roundup*, much painstaking research was done by him. Many questions were asked following his talk.

Lost Trails of the Cimarron, a new book authored by Mr. Chrisman has been published by **Alan Swallow** (PM), and can be purchased in most book stores or from Sage Books, 2679 South York St., Denver 10, Colorado.

Richard H. Dillon, author and librarian of the Sutro Library in San Francisco, drew a large crowd to the May meeting of the Chicago Westerners. In his talk, which was published in the June issue of the Chicago Corral's monthly magazine, Dr. Dillon explained his reasons for writing "popular history" and told how he tried to make "History Come Alive" with illustrations from several of his books such as *Embarcadero*.

The *New York Times* of May 19, 1961, printed a news story concerning the dedication of a headstone for the grave of **George Catlin**, "America's

first great painter of American Indians." The marker was a gift of the New York Corral of Westerners and the ceremonies, held on Wednesday, May 17, were supervised by the Sheriff of the New York Posse, **Clarkson N. Potter**. More about the dedication will probably be included in their next publication.

NEW CORRESPONDING MEMBERS

L. Coulson Hageman, 2235 Linda Vista Drive, Lakewood, Colorado. Mr. Hageman is manager of advertising and sales promotion for Coors Porcelain Company and is interested in the early history of Indian tribes and the ghost towns of Colorado. He is also interested in photography and has some excellent slides which he uses when speaking about the Adolph Coors Company and its history.

Floyd E. Risvold, 9321 Bloomington Freeway, Minneapolis 20, Minnesota. Mr. Risvold is president of O. E. Risvold & Sons, wholesaling company of infants wear and infants accessories, and is interested in letters, manuscripts and postmarks of the Trans-Mississippi West to the Pacific, the Overland mail routes, forts, fur trade and steamboats.

Clarence Robert Worthington, 3912 West Kentucky, Denver 19, Colorado. Mr. Worthington is an employee of Safeway Stores, a member of the Mile High Jeep Club and is a collector of anything printed on Colorado, especially ghost towns, mining camps and railroads.

Posseman **John J. Lipsey** received a newspaper clipping and a letter from **Han J. Hubl**, member of a group of German Westerners who live in or near Hamburg, Germany. In the pic-

(Continued on Page 15)



OLIVE CREEK, WRAY, COLO.

Two miles east of Wray, Colorado the little spring-fed stream called Olive Creek flows down to the Republican Fork through a draw old-timers still call "H-4 Draw." The draw was named for the Olive Brothers trail brand of 1876, showing the durability of the old cattle brands. The stream was named for I. P. (Print) Olive, trail boss that year. Leon, the Mexican's, grave is near here.



ISAAC PRENTICE (PRINT) OLIVE
B. Feb. 7, 1840—D. Aug. 16, 1886

The above photograph was taken of Print Olive shortly after his return from the Civil War where he had served with the 2nd Texas Infantry Regiment, C.S.A. He was about 25-26 years old at the time, wore his hair and beard long as was the custom among the cow hunting ex-Confederate soldiers. This is the only existing picture known to be that of I. P. Olive. —Photo courtesy of Al Olive, son of Isaac Prentice Olive.

I. P. (Print) OLIVE, COWMAN

The Colorado Phases
of His Life

By
Harry E. Chrisman

Mr. Chrisman is a Corresponding Member of Chicago Corral of Westerners, member of the Kansas Author's Club, on the Staff of the Southwest Daily Times, Liberal, Kansas, a collector of Western Americana, and author of the new book *Lost Trails of the Cimarron*.

Most *Westerners* know something of the life of I. P. (Print) Olive, who was killed at Trail City, Colorado, on Monday, August 16, 1886.¹ It has been impossible to alter the date, though many writers have otherwise changed the details of his murder, and not a few have taken the liberty to completely falsify the character of the events leading up to and surrounding Olive's death. As a result of such work in the literary field, millions of copies of national and regional magazines, newspaper articles, books and papers that deal with this Texas cattleman's murder have achieved an unbelievably low score for accurate reporting of the matter.²

What is most surprising about these tales is that the facts have always been readily available should anyone have cared to inquire into the event. Yet few writers have cared to delve into the primary research materials for the truth about Olive's death—or his life, for that matter. So the early *misinformation* that was published about Olive and his affairs has been enlarged upon until an ordinary tough, courageous, independent old Texas cowman has become the whipping boy for many western writers searching for a villain to give color, if not credence, to their stories.³

In a sense, these writers may be excused. For we western writers are

pretty much alike, our problems quite similar. We have jobs to hold down; our research work is usually carried out whenever and wherever we can spare an hour or so for it. If we uncover an old chip of information, especially one published contemporaneously with the event we are studying, we grab for it. Oftimes we accept it as gospel truth without applying elemental reason to studying its facts. It helps us, temporarily. But it frequently does great damage to others—sometimes to the family of the subject studied. For error, however early it may have been published, is still error. Actually many photos, news items, court records and manuscripts have been so tampered with and altered in the years since the old events occurred that all should be suspect to the alert researcher.⁴ For even then, error finds many ways of creeping into our work.

There are, of course, some writers who twist and bend every fact within their reach to make everything conform to their pre-judgment of the historical event. But we need not be concerned with them at this time, for "by their works you shall know them."

My point is that had the past research of the life of I. P. Olive and his family been conducted with the honesty and historical perspicacity with which most historical research has been carried on, then he would have emerged as a far different character than this—and I quote, "Tyrant of the Plains," or "Manburner," or "One Man Mafia of the Plains." For just elemental honesty, and a frank

look at the trial records of his murderer, would have prevented anyone with a claim of any sort as an "historian" from telling that wild and crooked yarn about an upright and honest young cowboy "outdrawing" Olive in true TV and motion picture style while the elderly gunman fell on his own weapon! But so much for the lies or honest mistakes—if such they were—of the past. Let us hope that even in this brief paper we have apprehended some of them.

What is less-known about Mr. Olive's career in Colorado is that a decade before his death at Trail City he was numbered among the earliest cowmen in northeastern Colorado. The Olive Brothers, of which Print Olive was the ramrod, were sharing range on the North Fork of the Republican with other cowmen in 1876. His neighbors were J. W. Bowles; the 21 Outfit, a Texas group; Thomas Ashton; the Reeck Brothers, Charles and Frank; the Bar T Ranch and several others.⁵ It was a crowded range in a drought year on that stream, and the Olive Brothers had only the one, 3,000-cow, herd wedged in between other cattle outfits along the creek. Even with the cattle grazing back ten miles from water, south of the river, it was poor range.

But who were the Olives? Why were they here on the Republican fork, so far from their native range?

The Olive brothers were sons of a pioneer Texas cowman, James Olive, who had registered his brand in Williamson County as early as 1850. Print or Prentice, the oldest boy, began work on the "cow hunts" at the tender age of eight years, riding the bell mare. Soon he was doing a man's work in the saddle, roping the *cimarrones* in the brushy thickets and burning into their hides his father's old "pound" brand, as it was called. At age 21 Print entered the Confederate service. He stayed through the war with his unit until the final sur-

render, having served in Texas, Louisiana, Mississippi and Tennessee, with honor.

Back home, in 1866, a hardened veteran, he again took up the cow work with his brothers, Jay, Ira, Bob and Marion. All held registered brands in the county. Soon they realized that only by savage warfare against the scores of rustlers that infested the region could they hold their herds, gather more cattle and turn them up the cattle trails to market. By 1876, Print had been critically wounded twice by the region's rustlers.

"There have been more men killed in Williamson County this year than were killed in the war," wrote the editor of the *Austin Statesman* in 1876. In August of that year a band of 20 or 30 rustlers raided the Olive Pens, killing Print's brother, Jay, and wounding Print and other Olive cowboys. Print had just been called back from the Colorado drive in time to witness this battle and engage in it. He was now convinced that they must leave Texas for good. But before leaving he and Bob performed a task they had each sworn to do—they killed the chief of the rustling gang and his lieutenant.⁶

Meanwhile, in the north, Ira Olive wintered the cow herd at Corral Canyon, an eroded area on a dry stream bed where floodwaters flow down from the hills to the south into the Republican Fork, near Haigler, Nebraska.⁷ This location was where Ira Olive killed the Mexican *vaquero*, Leon, who had pulled a knife on him. Leon's body was buried near the Olive Pens, later it was taken up and moved to their new ranch headquarters location upstream near Wray, Colorado.

When the writer visited this latter location, in 1958, Mr. Fred Count, the owner of the land, told how the folklore mentioned "one of the Olive's" being killed and buried

there, beneath the giant cottonwood trees that now grace the area. It is possible that these huge trees were planted by the Olives' but there was hardly a tree along the river in 1876.

Prior to visiting Wray, Colorado, the writer had no knowledge that the Olive Brothers had ranged cattle in this area. In my files was a letter from Mr. Diss, president of the National Bank of Wray telling me, in answer to a request, that there was a place called *Olive Lake* near the town of Wray. The lake, I found, had been created about 1898. The dam had washed out about 1925 and was never reconstructed. The lake had been called Olive Lake and, I learned, the stream there was still called Olive Creek.

Upon my arrival at Wray, I met a young man who was interested in local history. His name was Leo McCoy. He soon introduced me to several elderly men on the street. None knew anything of the Olives from Texas. However, when I asked one of these old gentlemen as to the location of Olive Lake, he replied, "Why it's right out there in *H4 Draw*." At the mention of this old road brand of the Olives of 1876, H4, my ears stood up. And it proved to be the mention of this enduring old cattle brand that convinced me that the lake and stream had actually been named after the Olives. And added proof was soon forthcoming.

In Wray, we visited with Cal Webster at his home. Mr. Webster was then 92 years old. He had ridden for the Three Bars, the old American Cattle Company. He had arrived in the area in 1884, he said. The folklore was rich with stories of the Olive Brothers at that time, he recalled. But as he related some of the stories they proved to be events that had happened *after* Print Olive and his brothers had left the North Fork range. Mr. Webster called the area of Olive Creek "*H4 Draw*." He

stated positively that it was the headquarters region of the Olive cow camp. He spoke of Olive as "O.P." Olive.

On a farm west of Wray we talked with another genuine old-time cowboy, Bill Toner. He was hard of hearing but sharp and perceptive. Toner told of the old ranches of the North Fork country, calling many ranchers by their given names. His tongue dripped with tales of the far-off Montana cattle range where he had worked as a young man and to which he had trailed cattle. The area in question had always been "*H4 Draw*," he said. He told of a great farewell party the Olives had given when they left the range, inviting ranchers from near and far to bring all their womenfolk and attend a two-day dance in celebration of their move to Nebraska range.

H4 Draw is itself an unspectacular draw leading down from the hills south to the North Fork stream. Several fine springs form its headwaters. The water is clear and pure and flows constantly, winter or summer. It lies on the south side of U.S. Highway 34, just east of the town of Wray, Colorado.⁸ It was the damming of this small stream, called Olive Creek, to make a watering place for their cattle, that later led to the erection of a substantial dam for recreational purposes.⁹

The town of Wray, so the Colorado history books tell us, was named after "John Wray, an Olive foreman." This information was credited to Sheriff Lovell of Yuma County in *Colorado Magazine*, Vol. XX, No. 3, May 1943, p. 117. This error was copied from an earlier issue of that magazine, Sept. 1932, p. 183, and is an example of how original error gains prestige if it is allowed to exist and be repeated without questioning. For when the writer inquired into the naming of the town it was discovered that an older brother, James Thomas

(Tom) Wray was the man for whom the town was actually named.¹⁰ It was this man, Tom Wray, who guided the Olive H4 herd into the Republican Valley in 1876 and up "Rock Creek Fork," as it was then called, to Corral Canyon and, later still, to *H4 Draw* on little Olive Creek. The Tom Wray mentioned stayed on at Olive Creek and operated a horse ranch after the Olives withdrew from the range. With this younger brother, John Wray, he also operated a cow ranch on Stinking Water Creek in Nebraska. Both brothers were top cowmen, highly respected, and have now been dead for more than forty years.

Before leaving *H4 Draw*, Print Olive dispatched his brother Bob and their top bronc rider, "Nigger Jim" Kelly, on an exploration trip into the central and western Nebraska range country. The two brought back a favorable report on the Dismal and Loup River ranges. Olive Brothers then moved five big herds, consisting of about 15,000 head of Texas longhorn cattle, on to the range east from the North & Cody claimings at the head of the Dismal River's south fork. From there eastward to the Dismal confluence with the Middle Loup, Olive Brothers claimed range in 1877-1878. This area is still a fine cattle country as well as also supporting now, between the two streams, the Nebraska National Forest Preserve (Bessey Division). Seedlings from this sandhills forest are planted all over the United States.

Had Olive Brothers remained on either the North Fork (Colorado) range or the Dismal (Nebraska) range they would have fared better. But Print Olive was an ambitious man who thought and planned big. As the recognized head of his clan he must plan for all families and family members. So he looked for wider and better range, where their indi-

vidual and collective interests could be expanded.

Print's trips to Kearney, Nebraska, supply point on the main line of the Union Pacific took him across a great buffalo grass pasture called the Muddy Creek country. Here the buffalo grass stood five inches in height and the bluestem in the valleys grew wither-high to their saddle horses. It was yet an unorganized county when he first saw it, but it was called "Kountze County," after the famous banking houses of that name at Omaha and Denver who made many cattle loans in the area. Later it was named Custer County, after Brevet Gen. George Armstrong Custer.

The Olives soon moved their ranch headquarters to a school section on the South Loup River. About fifty miles south from there, at Plum Creek (now Lexington) on the main line of the Union Pacific, they built homes for their wives and families. They moved several thousand head of their cattle down on to the Custer County range, out of the Sand Hills. They now had approximately 25,000 head of cattle on the central Nebraska range.¹¹

This latter move proved to be a mistake. The rich, black land of Custer County, unlike the sandy hills to the west, was inviting thousands of settlers. Most of the newcomers were poor, often propertyless. They came with determination to gain possession of some of the black land. Most of them were honest, hard working and with a sense of integrity. The writer's grandparents on both sides were among these pioneer settlers and cattlemen who came at this time to the new land.¹²

But not all were honest. Soon a few were slaughtering range cattle, selling the beef in Kearney markets as "slow elk." Among these thieves and first-class suspects were Manley Caple, eventually hung as a horse-

thief; a man named Christiansen from Sweetwater, whose jaw Print Olive broke for stealing his cattle; Ami W. Ketchum, a young horse-shoer who led a nest of thieves on Clear Creek and Luther Mitchell, an older man whom Ketchum lived with.¹³

Print and the other cowmen had talked over their troubles and Print became, as the historians Andreas and Butcher told it ". . . the prime mover in an attempt to drive the cattle thieves from the country."

When Print elected to move against the rustlers he had Sheriff Anderson of Buffalo County deputize Bob Olive so he could arrest Ketchum and bring him to trial.¹⁴ Manley Caple, already in the toils of the law, had implicated Ketchum with his cattle theft. At the Mitchell homestead where Bob went to arrest Ketchum he was killed by old man Mitchell and the young horseshoer. The murderers fled the country. When they were returned by the Sheriff of Keith County, Print paid \$700 reward for the two, took them up the nearest canyon and promptly hung them. Two of the hanging party, a saloon-keeper and the hotelman from Plum Creek, returning to town past the bodies that night, poured the remains of their whiskey jug over the heads of the hanged men and touched them off with a match.^{14-A} Print Olive, at the ranch at this time and in no way responsible for the burning and mutilation of the bodies, had his name forever linked with this act of pyromania on the part of the dissolute townsmen.

Tried for the murder, though freed of the charges of burning the bodies, Print was found guilty and sentenced to life in the penitentiary. He was freed in 20 months when the Supreme Court of Nebraska found that he was tried in a court in Adams County, Nebraska, having no jurisdiction over the case.¹⁵ He returned to his ranch

on the South Loup to face the great blizzards that raged over the Nebraska range that winter of 1880-1881. The heavy losses on the range caused him to decide on a move southward. Ira Olive remained to become a banker and successful rancher but Print turned his frozen-tailed cow herd south along the old Texas cattle trail, not stopping until he found good range on the Smoky Hill River in Kansas. There he became a successful cattleman again, a Director in the *West Central Kansas Cattle Growers Association*. He purchased forty acres of land adjoining Dodge City and there built a fine home for his wife and family. His four boys attended Boot Hill school. His wife became active in Dodge City social and church life.¹⁶

Print Olive was always an active man. Now he entered into one of the most productive periods of his life. In addition to the Smoky Hill ranch he developed a fine ranch on the Sawlog, twelve miles north of Dodge. Later, he established a good horse ranch in Lane County. He bought property south of Dodge, across the river on the Jones and Plummer Trail. He opened a large meat market in Dodge City, an outlet for his beef. He traded in cattle and horses, bringing many more thousands up the Texas trail. He prospered and associated with other cattlemen such as Martin Culver, H. M. Beverly, Chalkley Beeson, Robert M. Wright, A. H. McCoy, Hi Kollar, W. I. Harwood, George Reighard, R. J. Hardesty, Sim Holstein and others. Both the *Kansas Cowboy*, published at Sidney and *The Globe-Livestock Journal*, published at Dodge, mentioned him frequently in their columns, and his visits to Garden City, Sidney, Dodge City and other points were recorded. He was referred to as "one of our most sagacious livestock men."

When the blizzards of the winter

of 1885-1886 struck. Print and his sons were riding the range, trying to save their cattle. They drove in what they could, they skinned the rest. Print had erected enormous cattle sheds for protection, but the snows and wind came so quickly the stricken animals failed to reach the shelters.

Then came the late spring of 1886, wet, cold, stormy. The weakened animals that lived now died by the thousands along the drift fence of the Smoky Hill Cattle Pool. Dead cattle covered the plains from the Smoky Hill to the Arkansas, and the icy waters of that stream were choked with countless emaciated and mummified carcasses. Looking down from his saddle upon his dead cattle, Print realized the end had come for wintering cattle on the open range. He had been looking elsewhere for other business interests and was now pleased that he had been one of the first to back Martin Culver in the boom town Culver was building just across the Colorado state line, on the Atchison, Topeka and Santa Fe Railroad. "Trail City," they had named it.

That previous summer Print had engaged workmen to erect a large stable and wagon yard on a double lot he had purchased on Trail City's main street. He named it the "Trail's End." He built another good frame saloon building next door to the general store operated by his friend, H. M. Beverly, who had also served as a lieutenant in the Confederate army during the war and was a close friend. A few blocks northwest he erected a small frame building for a home for himself and his negro man, Sam, who worked at the barn. A partner, Haynes, operated the saloon. Now Print turned the skinning of the dead cattle over to his son, Billy, and he headed westward to Trail City.

"Trail," as the cattlemen called it,

was a town boomer's mistake from the start. The National Cattle Trail, which it was designed to serve, failed to get Congressional support and died.¹⁷ The season of 1885 had been fair; 1886 promised to be better. But already, settlers were attempting to fence off parts of the trail. Within three or four months, Print realized that the boom had ended and found a buyer for his Trail City enterprises. It was his desire to get back to the Sawlog ranch, tighten up his operations and pay off some debts he owed relatives in Texas and the bank. The first week in August the businesses were sold, the new operators to take over on the 15th of the month.

The night of the 15th, Print and the new owners celebrated the deal with a friendly poker game and drinks at his old saloon. Late that night, about midnight, he walked down to the stable to talk to "Nigger Sam." At the barn he met Joe Sparrow, a young man whom he had hired for a trail trip a few years before at Goliad, Texas. Sparrow was now 27 years old, a big man, standing six feet two inches, and very handsome.

Joe Sparrow was almost the antithesis to Print Olive. Joe was big; Print was small. Joe was slow-moving; Print moved quickly, like a cat. Joe was slow in speech; Print spoke quickly, with decision. These differences had come between the two men on the cattle trail and Print had been glad to pay off the big cowboy at Dodge City. Later, Sparrow ran cattle in the Indian Territory. Once, in winter time, he came to Print and borrowed a hundred dollars to pay off his cowboys who were riding for him. He had managed to pay it all back but an important ten dollars. This amount he owed Print for many months, nor did he act like he intended to repay the loan. Added to this amount was a small feed bill that he had run up at the Olive barn in Trail City. Though Print had never

been a man to press a debtor for money, he knew the reputation as a dead-beat Joe Sparrow had earned among the cattlemen. Now he asked Sparrow to repay the loan and the feed bill on Sparrow's horse. Sparrow hemmed and hawed, gave Print no satisfaction.

With Sparrow at this discussion between the two men was a man named John Stansfield, a county officer from Hamilton County, Kansas, who frequently came up to Trail City for a binge. As Print and Sparrow quarreled over the money, Stansfield took up Sparrow's quarrel. Print warned Stansfield to stay out of the argument. He had had Stansfield ejected from his saloon a few days previously and now mentioned this to Stansfield. The three men eventually parted but not without Print giving Sparrow a warning to have the money by afternoon, when Print expected to leave town, "or one of us will leave Trail in a box."

Since all three men had been drinking, those who heard the quarrel, including "Nigger Sam," thought the trouble would be over, once the men had slept on it. Print went straight from the barn to his house where he went to bed. As Sparrow and Stansfield left the barn, following the chewing Print had given Sparrow, John Stansfield was heard to remark, "You shoot the son-of-a-bitch, Joe, and I'll back you up."¹⁸

Print arose late the following morning. He packed his things at the house, since he would take the evening train to Dodge City. He left orders with Sam to carry his things down to the hotel where Murph Ward's hack would pick them up and take them to Coolidge, Kansas, where he would board the train. Then he started down to the saloon to have a final word with Walt Hart who was tending bar. It was mid-afternoon, a hot, August day with a south

his era, there was a tenderness that wind whipping clouds of talcum-dry dust up the main street.¹⁹

Within the saloon, Sparrow and Stansfield had stationed themselves before the bar and near a window where they could watch Print Olive's approach from the street. Walt Hart was busy at the backbar, cleaning a ledge. Although there was a man digging a pit or well near the open back door, there were no others inside the saloon.

As Print stepped up the limestone steps to the doorway of the building, Sparrow fondled, then drew his 44 revolver. Print was wiping the sweat and dust from his brow with a red bandana as he stepped into the building. He was in his shirt sleeves, completely unarmed. Before a word was spoken, Sparrow aimed his revolver and fired. The bullet struck Print in the breast. He cried out in pain and surprise, "My God, Joe, don't murder me!"

Joe Sparrow fired a second shot, the bullet again striking the doomed man in the breast. Print fell heavily back against the door casing, his head striking the limestone slab as he fell backwards to the floor. Sparrow now stepped in closer, leaned over, holding the big revolver within three feet of the dying man's head. He carefully aimed and pulled the trigger, sending the bullet into Print Olive's brain.

The entire murder, so well had Sparrow planned it, took only a few seconds. Walter Hart jumped from behind the bar, seized Sparrow's revolver. Sparrow leaped over the prostrate form of the dead man and ran into the street where he was soon captured by the town marshal.²⁰ Stansfield fled out the back door and escaped, never to be heard of again.²¹

So ended the life of Prentice Olive, Texas cowman. His career had spanned an era, that of the range cattle in-

dustry—1840 to 1866. It was a career that not only ran contemporaneously with the era but, one might say, symbolized the age itself. For there was the fierce vigor and drive of Print Olive's life, similar to and in harmony with the activity of that period of history. There was grave lawlessness on the part of men; there was the lust for living, and the enormous expenditures of energy devoted to creating and building new things. There was the drive for accomplishment, married to the faculty for improvisation that made a winning team. And contemporary with the visible rawness and crudeness that shone out like a beacon light in both the man and cropped out onto the surface from beneath. It was the feeling all good men had for the really vital things they cherished and contended for—the love and respect of their womenfolk and the desire to create a better life for their children. And Print Olive had a good wife to whom he was devoted. As the frontier encompassed all these things, so did Prentice Olive's life reflect them back as from a mirror.

The type of man Olive appeared to be, by those who knew him best, is shown in the commemorative testimonial written about him by brothers of Corona Lodge, I.O.O.F., Dodge City, Kansas, the men who buried him. Within a few paragraphs of this document reposes greater truth about him than in the millions of words written about him in the last three-quarters of a century.

Olive's footsteps were felt at other points in Colorado, no doubt, since he was an active cattleman, buying, selling, dealing. But his presence in the state left little mark upon Colorado, or even upon the industry to which he had devoted his life. Still, the name *Olive* is perpetuated in the Colorado history books that deal with the area around Wray, Colorado, as well as in the many stories and the

folklore surrounding old Trail City.

Old "Trail" is, today, just a weed-grown and glass-littered ten acre patch south of Highway 50, on the state line between the highway and the Santa Fe tracks. Tourists, fleeing westward from the "overcommercialized" places at Dodge City, Abilene and Wichita and other 'cow-towns' to the east, now flash by the site of Trail City at eighty and ninety miles per hour. They are searching the west for unsullied points of historical interest, though scarcely one in a hundred thousand have learned where to look for such sites as old Trail City, in Colorado.

As I stood at that old spot one evening, a meadowlark was singing near the limestone ruins of the old hotel that had stood near a giant cottonwood tree. I felt myself fairly surrounded by the Muse of history. Through my mind's ears I heard the bawling of the longhorns as the point of a herd swung up the main street at Trail City, the tin cans tied to the ends of the cowboys' lariats rattling and clanging in rude accompaniment to their shrill cries. Under the clouds of dust raised by twelve thousand hooves, I watched in my mind's eye as the great antlered heads swung by on their way to the Yellowstone. And I contemplated the rich, adventurous lives of such Texas boys as was Prentice Olive, many of whom came to their trail's end in just such a manner as did he. At that moment I came to regard the violent deaths suffered by such men not as just "western reading material" "but as great *western tragedies*. For when a man dies by the act of violence on the part of another man, murder has been committed. When a widow is left, as was Mrs. Prentice Olive, with a family of small children to rear alone, young teenage boys who needed a father's guidance, and without a substantial estate to soften the blow of her husband's death, then a great wrong

has been inflicted upon both her and her family and society. And when you have seen the suffering of even later generations from such an historical act of ugliness and anger, then you realize what an evil act has been done.

Nearly every death scene that took place on the frontier, resulting from such an act of violence, was a tragedy to some wife, mother, father or relative. In my research on the life of Prentice Olive I found living descendants sharing the remorse, too, for Joe Sparrow's thoughtless deed as well as the descendants of Print Olive who have lived under the stigmata provided by the many "western" writers who have recorded the uglier phases of his life. While it is as true as Fran Dobie has pointed out, that we cannot deal with the frontier period without recognizing its violence, still, as earnest scribes, and as astute recorders of our past, we should at all times attempt to place such violence as we must deal with in its proper historical perspective. For there is an important lesson to be learned, and to be taught, from the violence itself, a lesson so old and well-recognized that it has appeared in the earliest writings of man, usually in some such form as follows:

THOU SHALT NOT KILL.

Though callous commercial writers will continue to fill TV screens, motion picture films, books, magazines and newspapers with their diet of western crime, sin, murder, rape, sadism and flagellations, *w e w e s t e r n e r s* should pause and reflect. Let them have it. Let us learn from the deaths of men such as Prentice Olive to record Death just as it occurred, to make no attempt to profit from such tragedy any more than we would try to profit from war. Let us report accurately, not alter facts and color the story to fit what, in our minds, may be the desires, specifications and

formulas of pondering literary buyers.

I have the faith that "truth will out." The quicker the better. And since Truth is always stranger—and more readable—than fiction, I feel that honest western material properly researched and well written, will always find a responsible and receptive American market.

SOME NOTES AND SOURCES

Note NO.

1. All news stories, court records and sources agree on this.
2. Recent articles and stories that repeat these old falsehoods are: *The Saturday Evening Post*, "Tyrant of the Plains," by Mari Sandoz, June 7, 1958. *Cavalier Magazine*, "Man Burner From Texas," by Lewis Nordyke, March, 1959. *Fury Magazine*, "The Mad Outlaw," by L. Gordon Jacot, September, 1960. *TRUE, The Man's Magazine*, "One Man Mafia of the Plains," by John Feack, September, 1960. *Real West*, "Who Killed Print Olive?" by James L. Carter, March, 1960. *Frontier Times*, "Print Olive," by Van W. Tilford, Winter, 1960.

At least one of the above publications has been threatened with a libel suit; none of the publishers attempt to rectify errors of fact on the part of contributing writers, one, with several million circulation, hiding behind the statement that "Only a few persons in Nebraska and Texas are interested, anyway . . ." . Others say, "There are many sides to these old stories . . ." etc. etc.

3. Many persons who actually *knew* the Olives spoke of them as "all good men;" or "I liked them both (Print and Ira);" or "They were friendly men . . ." . Among such

- men were E. C. (Teddy Blue) Abbott; B. O. Shedd, J. E. Myers, cattlemen and neighbors on South Loup; James C. Shaw, former president of Wyoming Stock Growers Assn.; James Stockham, early Custer County official; E. J. Boblits, former Custer County judge; Jack Woods, former sheriff Kearney county Nebraska and foreman for Olives; John Gatlin, Texas cowman and former Nebraska employe of Olives; James Farley and H. S. Stuckey, cowman of Nebraska; Cy Hagadone, Olive foreman; Al Wise, neighbor and cowman; Stiles Brothers, cattlemen, and Greenup Kuykendall, Jim Kuykendall, Lee Moore, Jim Saul, H. M. Beverly, E. S. Boat right, Beal and John Pumphrey and many other Texas neighbors and cowmen.
4. The old photo of "I. P. Olive" in *Butcher's History of Custer County, Nebraska*, bears small resemblance to the real I. P. Olive. Al Olive, Print Olive's son, rejected it as the image of his father, gave the author a genuine photo. We must assume that Butcher, an honest chronicler, was given a false photo, 20 years after Olive left Nebraska. This false photo has been re-touched and used many times to illustrate Olive stories, is even today recognized as genuine by the Nebraska Historical Society.
 5. See Leo McCoy's *Map of Cattle Range on North Fork, Colo.*
 6. The factual account of these killings has never been told before, though James Olive hinted of them as reported in *Butcher's History*. The story is told in detail in the author's book manuscript of I. P. Olive's life, the material coming from various members of the Olive family.
 7. Corral Canyon lies about half-way between Haigler and Parks, Nebraska, on the south side of U. S. Highway 34.
 8. This is SE $\frac{1}{4}$; sec. 5; twp. 1; N $\frac{1}{4}$; R-13 W, Yuma County, Colo.
 9. Fred Count owned this land in 1958.
 10. See *Letters* in author's file from: Mrs. Clara Wray, Culbertson, Nebraska, widow of John Wray. From Mary Wray Darwell, McCook, Nebraska, and Mrs. Frank Leu, North Platte, Nebraska, daughters of James Thomas (Tom) Wray. Also see original source of Lovell's remark, *History of State of Colorado*, p-355, The Blakely Co., Chicago, Ill.
 11. Frank H. Young, Custer County Clerk, estimated for tax purposes about 1879-80 that Olive Brothers had 31,271 head of cattle on the Custer County, Nebraska, range. See Young's *Notebook*, in possession of Mr. and Mrs. Wayne Jenkins. Jenkins Ranch, Oconto, Nebr.
 12. *Butcher's History of Custer County, Nebraska*; see Joseph M. Chrisman, cattleman and Carlyle Hunter, deputy sheriff, who came in 1881 and 1878 respectively to area.
 13. These four men are cited in most histories: See Butcher; Fought; Andreas; Jenkins; Benschoter et al.
 14. Bob Olive (wanted by the Texas Rangers for the murders of several rustlers in Texas) went by the name of Bob Stevens in Nebraska.
 - 14-A. This is the Olive side of the story, told by Al Olive. Also see *Butcher's History*, p. 51.
 15. *Nebraska Supreme Court Records*, Book I.
 16. Now NW Dodge City—W $\frac{1}{2}$; SW $\frac{1}{4}$; sec. 26; twp. 26; R-25; still known as "Olive's Addition."
 17. Congress failed to approve the National Cattle Trail; settlers moved in and fenced the lands; beef prices dropped; the blizzards of 1885-86 struck. Everything con-

spired to kill the range cattle and trail driving industries.

18. Al Olive, Print Olive's son, attended three trials with his mother. He told the author of his father's Trail City enterprises. "Nigger Sam" had related much to Al in later years. Also see *Court Records*, Pueblo, Colorado.
19. Al Olive said that Joe Sparrow knew that his father was leaving Trail City for good that evening, laid for him when he knew his father was unarmed "and would least expect an attack." When asked what sort of a man Sparrow was, if he was an "outlaw or a desperado." Al Olive snorted, "He was nothing; just *nothing!*"
20. Sparrow was tried, convicted; won a new trial, the jury was hung up; tried the third time, the jury freed him.
21. Perhaps the most outrageous report of the murder, not even excluding Miss Sandoz' rendition in her *The Cattlemen*, is that filed with the Colorado Historical Society files as *Along The Cattle Trail*, Hamer Norris, Document No. 43, a collection of interviews by CWA workers, pp. 187-188. Pamphlet 355, Doc. 1-53, inc. and

Pamphlet 355, Doc. 54-63, Prowers and Clear Creek Counties, Colorado. Also see *Lamar* (Colo.) *Register*, March 7, 1928.

22. Print was Memorialized, the Lodge stating that:

"... he was a man and a brother with qualities of head and heart which we all admired . . . that he has shown himself at all times to be a very worthy brother and member of our Order . . . we cheerfully record his many virtues and finer qualities . . . that we mourn for him as an unfortunate brother loving wife and children, whose pangs of sadness and sorrow are more deeply felt than by all others and to whom he has been a kind and affectionate husband and father . . . and we hereby extend our deepest sympathy . . . and spread upon our lodge records this Memorial and extend it to the city papers to be published . . ."

Just the previous year, Print had been elected to serve on the Reception Committee of the Cattlemen's Convention with Martin Culver, Col. R. J. Hardesty and Robert M. Wright.

FROM THE CORRAL RAIL

(Continued from Page 3)

ture accompanying the news story from the *Hamburg-Seite* of 29 May 1961, five members of the group are shown in Western costumes with guns, fancy boots, lariats and cowboy hats. In his letter Mr. Hubl explains that his "Colt" revolver with which he is pictured is "only an imitation," but he wishes it were a real Colt similar to some of the ones owned by other members. Western names such as "Indian Jack" Hubl, "Big Henry" Tiedemann, and "Cowboy Charly" Wobbe are used by the members, who at their May meeting listened to "Old Henry" Stoldt tell stories from

the Old West and sing a few representative cowboy songs.

The English Westerners' quarterly published in April of this year contains four articles which are of interest to Westerners. The first study, titled *The Men at Fort Stanton*, was written by Philip J. Rasch, who is well known to our membership because of his excellent papers published in both the *Roundup* and our *Brand Books*. Colin W. Richards is the author of *Billy Brooks: Dodge City's First Marshal* and of *A Note on James Kirker—Scalphunter*; the fourth presentation, *A Sketch of Al Siebe* the famous Indian Scout, was written by Harry W. Oakes.

COLOROW

By

SARA E. ROBBINS

COLOROW!! Lo! Poor Colorow!

It was already 1860, and although not in the very beginning of the first embryo gates of these beautiful lofty Rocky Mountains, the big "Brass" and "Honor and Land grabbers" had already arrived. They were still fresh with the wounds of having lost their money and property in the panic of 1857. That wouldn't happen to them again--no sir-- they would see to it that they would profit by their painful experience.

Something was already needed to "give" as an "if or an alibi" for anything and everything pro and con, personal, group-wise, or community-wise.

"Fate" and who disputes this successful challenger--is the biggest little word in the world. She writes the destiny and hovers over all living things in the degree of their mental I.Q. even before they are born, hatched or planted. Will the wounds it causes ever be healed? Yes--at least temporarily.

In this case "Fate" had just the right "fall guy" for the right phony jobs or trys, at just the right time. Colorow. "Fate" had decreed for him only physical bigness when he came or was pushed to power, but mentally he was not equipped with the warmth, charm, or even natural aggressiveness, in other words he had no initiative to combat what he may have been tested on this earth for the present times: that is, to perhaps make amends for his undoubted errors in a previous life and come out ahead, or at least "break even." He wasn't ready--therefore he failed. Flat. He had to try agzin to go through perhaps another lifetime on this earth of being a "whipping boy."

Fate, had herself a ball, in the op-

posite direction. She went to work on him and put him through oodles of misconducts, spearheading many escapades for which he was blamed, and didn't know how to counteract. In other words, she threw the "book at him," and for a lot of excess grub which he craved while really being scared--he took it, seemingly with a relish. Instead of strengthening or stretching his brainpower, he stretched his bellyaches.

There's always a trouble spot somewhere in every corner of this earth, either readymade or provoked, and in this case the White River Agency was it. If nothing happened for a few days or weeks, Colorow was restless, feeling it was the calm before the next storm. One reason was that his mental age didn't grow up in proportion to his body. And because he was always uneasy and jumpy, he was always under suspicion of conniving or contriving a disaster.

That's one of the things that made him a surprise biscuit-beggar and a snooper. Secretly (in his own estimation) he kept his eyes and ears open for a word or a sign of the next coming offense or catastrophe. And he never failed, but perhaps overestimated enough to cause trouble a little more than was necessary. Fate did help or should we say tricked him that much, and that's why he was always able to flee with his hand, before he was apprehended.

One thing was certain, he never could or would live down the reputation created for him--it was continuous and certain as night and day. No matter what he would do or say, nobody, (but his hand) would believe him. It was damned if he did or damned if he didn't, so he chose the easiest way. How was he to know that

FATE was luring or leading or pushing him through his many trials and tribulations?

Everytime he had a little vision to try to make a climb up at least one rung of the ladder of life to improve himself, he got "itchy" cold feet and ran, and his little band with him. That too, pinpointed him as the leader of all misdeeds, but to his followers he was "tops"—just out of this world, they thought him endowed with a sixth sense. He liked that.

His main responsibility seemed to be food for himself and his band—and hunger hurts, plenty. He felt he must take the only avenue open to him to keep body and soul together by begging for food and helping himself to a little bit more.

Periscoping the region in those days was an easy one-sided very minor affair—all local tensions. The "Top Brass" were united (why be half-safe) religiously sanctioned against defenseless and anti-Colorow. So those accusations against him not only stuck but are still believed.

Indians usually make a mental record of injuries and grudges—nurse them—and take advantage of the first opportunities to get even, and in this instance Colorow was no exception.

The Utes were thought to have the appearance of a dead-Sabbath calm, (so the whites thought) while their nature was like the wild Apache, bloodthirsty and cruel—but—Colorow was not born or raised Ute. His subconscious never let him forget that even when all the "cards" were stacked against him. Something always jolted him to realism. Some of the Utes adopted him for want of an additional nomad leader. His father was a Comanche and his mother was a Jacirilla.

The real Head-chief of the Utes was Chief Ouray, who was always friendly to the whites. He complained as early as 1850 that he had plenty of run-ins with other tribes, each side violently rejecting the ideas of the

other. It was the Muaches who picked up the bad qualifications of the soldiers, besides running wild and were never around to accept any responsibility for their actions. They got away with it because there were the innocent Utes that were held or thought accountable.

Colorow's only claim that allowed him to fame (as quoted by a member of the Colorado Historical Society) was on Christmas Day in 1861, a bitter cold day. He was the first Indian in this locality who tried to imitate bathing. This took place in the open on Turkey Creek, twenty-three miles south of Denver. He had accidentally witnessed a white man taking a bath outdoors (in the summer) in a wooden washtub, and he did his utmost to emulate that man.

For this outstanding event at the Indian Camp, Colorow had an audience consisting of his band who had gathered in a big circle around a roaring fire heating big rocks on the creek bank. The Ute squaws had dug a hole in this bank three feet deep and three feet in diameter, and half filled it with cold water. A line of squaws marched from the fire to the water-hole each carrying a hot rock in a piece of hide, and dumped the rock into the pool. Then a warrior tested the water with one finger and walked off to the lodge of his chief. That dignity emerged and made a regal entrance to the little pool, STARK NAKED. He then scrubbed himself and became white (clean).

One morning in 1866, Colorow called on Governor Cummings (the Territorial Governor) and as usual our caller was in a sensitive, passionate and very hungry mood, and the session soon developed into a stormy scene. He did seize the Governor and could have done him bodily harm, but when he saw the frail physique he was holding, he released him and left. Colorow's next call was on Governor McCook who had been exaggeratedly informed of the previous

visit, and without waiting for explanations McCook ignominiously kicked Colorow down the stairs.

Colorow (short for old coyote) called himself a "big Indian" and was also known to his fellow Indians by the name of "Too-p'weets," which means a rock. This latter appellation was given him on account of his former stolidity, hence an additional part of the reason for his biggest gripe. At one short-lived time he had been chief of all the White River Country, Bear River or Yampa Utes. At that time he was thought to have owned about 800 ponies and about 2,000 sheep, the Indian way of attaining wealth.

Colorow next made himself heard when he came to grips with the whites and had to champion the Ute's causes when in each case the gripe was so evident he had great difficulty in holding his little band down. The issues were that forceful.

First, it was the case of their annual horse-races, which to them was as important as the World Series is to us. Through their lack of shrewdness, only once did they win the race, and were denied their prize, the losing pony. Again (three times) when they were finally induced to settle on land that was hand-picked by the whites, they were uprooted to make room for more white settlers. This nourished unrest, added to their horse-race disregard, was termed Colorow's nuisance irritations. It was a factor that was over-estimated and led to the Indians' fourth removal from that particular reservation, and Colorow's very noticeable demotion.

He landed in the west in about 1860, and was somehow unjustly preceded and considered the No. 1 crackpot and character unstableness for the rest of his days.

Governor McCook took advantage of the word he received from the then Indian agent, of the sweeping new law from Washington; that it wasn't compulsory for the Utes to reside on

the reservation, and they could ignore the head-chief Ouray's Treaty made in 1868. It wouldn't deprive them of their annuities or their provisions as long as they registered as Denver Utes. It wasn't long before President Grant gave the matter a second thought, outlawed the Denver Ute Agency, and replaced Governor McCook in 1873. This was a mighty lucky move, as war could have erupted anytime, and growing little Denver needed to expand peacefully. This wasn't as easy as it looked as the "big boys" supported McCook and his removal was temporary.

In the meantime, Colorow and his band made themselves a new camp hardly a mile from the Agency. That was a big deal for them as they got many free meals from the white women who were warned to be afraid of the Utes while their husbands were away. His band had diminished in those few years to just a few bucks, old men, women and children, which meant more and more food responsibilities for him to supply which had been bleak and unpromising for some time due to the fact that they were always living on the brink of doom. Also, Indians didn't wear belts, and there was no such thing as belt-tightening. Of course, he could easily have withdrawn from his band by establishing his correct birthright, but these were the only people who believed him and trusted him, so he wouldn't desert them.

A surprise move was next, when President Grant overlooked all of Governor McCook's errors and reinstated him, and that shattered all the little band's hopes and it lasted a couple of years before the Governor quit politics for good. The "Denver Utes" didn't stick together. Several groups of them found different places to camp, and they returned to their primitive ways. They didn't realize that single-handed they laid themselves wide open to being forced into permanent reservations.

By 1876, and for several years thereafter, several chiefs including Colorow called themselves the White River Band. For him it was an "off again, on again" life, for Mother Nature was not too liberal in his provisions. He did seem less and less afraid of enslavement as the white population increased.

The ancient Spa, now called Hot Sulphur Springs, was another of the Ute's pride and joys for many generations. It had been considered Nature's healing power for all ills. The white "carec boys" wanted to capitalize on it for a tourist attraction, and of course, they had a ready-made answer to their problem. The self-appointed chiefs of the military staff immediately posted a sign that Colorow, his band or any other dirty Indian would not be allowed to enter the pool.

That was another insult to the badly injured Indian pride, especially since the pool was to be guarded by "soldiers." The sight and sound of that word riled them no end, and acted as immediate flashback to the Indians' fate of the Sand Creek Massacre at its worst. That episode was badly timed, as the whites were beginning to have a little luck with some reform.

Instead, the Indians Struck. Suddenly they refused to accept any more instructions and abandoned their houses. They disposed of all their tools into the river and were off in a flash, leaving everything in an uncompleted jam. They were outdoor foot-loose people as far back as they could remember, and running was the first thing that entered their minds in any emergency.

An auction-block slave lad who reverted back to the nomad life of the Utes, created quite a following. He started pushing the head-chief Ouray around and almost succeeded in ousting him. His name was Chief Jack.

Chief Ouray whom the whites liked, was worried when a fine person like Nathan Meeker was selected as the

next Indian Agent in 1878. It wasn't good judgment but "Fate" who works in countless ways to accomplish her deeds and misdeeds includes people of any age or calling. The New Testament says, "Many are called but few are chosen." Those few may hold the greatest promise and haven't the slightest idea that their days on this earth are numbered or that some would have to go through tortures. We're like ordinary puppets when "Fate" pulls the strings.

Meeker had wonderful plans to civilize and educate the Indians. He was sure he could adjust the "broken pieces" of former problems of the agency that had already gone "to pot." He would introduce new stages and would spur the progress. He would open up a new world for them, and they would forever be grateful—A big immense happy family. He had every inch of the way outlined, the perfect yardstick for the giant enterprise.

His first big disappointment was the drought when there were no crops to harvest. Then, like simultaneous explosions came the many, many forest fires. Meeker was assured that only one man and his band (with some assistance) could have started all the fires: Colorow. Always an incident as a forerunner to trouble and more trouble, he was really on a biscuit-begging tour near the agency. He was more alarmed than the rest for he saw himself and his followers on the brink of doom, and his whole world in despair again. He guessed it.

By this time the white population was increasing daily. More land was needed for the settlers and crops, so who needed Indians? They, "the big boys" couldn't get much work out of them anyway!

On July 5, a wire signed by Governor Pitkin demanded that "troops" be sent to drive all the Indians back to their reservation. Investigations were unheard of in those days and the authorities wasted no time in obeying the order.

Meeker, (far from being the cowering type of man) objected to this order but he was quickly overruled, yet he sensed the soul-shaking danger ahead, particularly at the mentioned word "soldiers."

The "Top Brass" hadn't figured but that this message would go straight through to its destination, coming from headquarters. It didn't. It sprung a leak. Chief Douglas and Chief Jack received the contents of this message as soon as Meeker did; and the chiefs lost no time making their own preparations during that very night.

The different tribes who had been feuding throughout their lives, decided to stick together in this case because they had a common enemy to fight. Colorow was present at this meeting as representing Chief Jack. Poor Colorow couldn't understand why his many good warnings were always defeated by injustice and sometimes tragedy.

The Whites, not knowing of the "leak" called their own meeting, most of whom were hoping some peaceful measure would show up, but by the next morning their hopes were "gone but not forgotten" by the arrival of the soldiers near the Indian Chief's meeting place.

Colorow suggested a fine place for a camp for the soldiers and their animals about fifty miles away which would have been good; and might have saved the lives and tortures of many people that plunged the entire agency into a nightmare of despair to live over and over again in shame and agony. Poor Colorow, no matter how many times he failed.

Major Thomas T. Thornburgh had overruled his advisors, and notified Meeker that he would reach him on the 29th, and breach Colorow's suggested distance to within ten miles or less. Then too late, came Thornburgh's disappointment when he discovered that all the combined tribes had been warned and were on the

warpath in a body. All the available ammunition had already been confiscated—even the mail. Even then Colorow couldn't keep out of it—if he could only transfer his words into deeds. He begged Thornburgh not to cross Mill Creek to Meeker, for knowing his Indians, he assured him that they would fight.

Hardheaded Thornburgh wouldn't listen and that night (Sept. 29th, 1879) he was ambushed and killed with some of his soldiers, and all the while the battle at Milk Creek was in full force. Hell popped open at Meeker when he and his seven white men were killed, the women outraged, and held hostages for twenty-three days.

A committee including Colorow decided that the first shot that started everything was fired by accident, and that this time no definite Ute was blamed. Though Colorow knew better, he had real tears in his eyes hoping his jinx had been finally broken, and that his star was at least "tilting upwards" when the whites not wishing to admit their mistake, called it a fair fight.

At the next meeting, the officers demanded the twelve men offenders of the agency whites for the women they outraged. It was Colorow who was the first to light his pipe though the head chief Ouray was present. After making its rounds and being returned to him, he smoked wildly, filling the room with encouraging smoke trails. It was also Colorow who went through the "knife on knee" custom among the Utes. He timed the twirling of it so perfectly that it remained stuck in the floor in an upright position which meant it avoided the bad omen. Luck was with him in both these instances or was "Fate" trying him on a little leeway.

Chief Ouray was a little late in requesting that the twelve guilty Utes be tried in Washington. Though the request was granted, chief Jack and chief Colorow reported that those

slippery individuals had already disappeared forever.

To the government authorities however, Colorow was again on the spot. Dispossessed of his authority after that lamentable affair at the agency and a new chief recognized, he was so enraged at being relegated to a position that was nominal he openly declared that he would not live at the agency. He never appeared there voluntarily except to draw his annuity money. This time he declared it was "damned if he did or didn't" so that condition of affairs made the military authorities hurry the deposed chief from the agency. He and his band refused to make the change voluntarily, and were actually herded across the border, and again by the "troops."

In Sept. 1881, as Colorow and what remained of his band were supposedly safe in Utah, and he was desperately trying to cheer up, they could see settlers, miners and speculators moving in on their land immediately, although Congress didn't recognize it as open until June 28, 1882. Nothing more was heard of this particular affair, there was no trials, as the "big boys" connected with it, passed the "buck."

Regardless of Colorow's many tried and true cooperations with the government, it was still called "Colorow's War." The Utes remained on home ground in the Utah Reservation, and reverted back to the primitive life that was born and bred into them through many generations. They continued to hunt in what empty spaces remained and were sometimes rewarded. Colorow, though not a born Ute, remained alert with them and his small band of eight or ten lodges, but as far as their relations with the whites, there was no noticeable improvement because there was always some thrusts or pressure on the Indians. He never lived down the name (biscuit-eater) he still loved biscuits, and although he was harmless, some

of the housewives were still afraid of his "spur of the moment" visits.

In 1887, two horses were stolen, and as usual two of Colorow's band were blamed for it. Garfield County had just come into being and another example had to be made. By then it was a long-range target, but the sheriff and most of his deputies were sent to get them. The dark world of "gloom" not only followed them but overtook them. They didn't try a council, therefore there was a tremendous argument.

Here was a good chance to make a showing of heroic episode of skill. The "big boys" from the east were on top again, and re-election propaganda needed. A shot was fired. Though no one would hazard a guess as to which side fired the shot, the leaders of the troops rode ahead of Meeker to bring the astounding news that Colorow and his tiny band (about 12 males) were on their way to murder them. They surrounded the band almost like an octopus before and after reaching Milk Creek, almost forcing them to fight. That didn't stop the proclamation and panic in Meeker until the whole region of whites were alarmed to eliminate the "savages." The hope for relationship even at a distance didn't pay off. Ignorance, greed and hatred were even in this remote region as well established as in the eastern states.

It was more sensational (in those times) as the present T.V. Westerns, when Governor Alva Adams commanded brigades consisting of several hundred men, and the Denver & Rio Grande was ordered to rush them down to the "new" dramatic war at Meeker. Of course, there really had been a fight, but it was provoked when the whites divided themselves into two groups each practically daring the other to start it.

At first Colorow watched this, thinking he and his band were not concerned in this, that they were safely

on the Utah side. About one hundred Utah Utes were aware of this commotion and they too watched from a distance. To all the Utes, this was a welcome development, again for the 'n'th time hoping it was a genuine try to heal the continuous rift and end in a happy result.

But when the latter saw that a sudden change had taken place and the troops were really after Colorow, and the unevenness of the affair, they joined Colorow at a very critical point and helped him vacate his women and children. Lack of ammunition stopped this three hour skirmish when a few whites and about twice as many Utes were killed.

This "Colorow War" was expensive to the settlers. They didn't solve any dispute because there wasn't any; and each party continued on its way as though nothing ever happened. It was Aug. 22, 1887, before the settlers discovered that the new "Colorow War" was a make believe.

On Dec. 8, 1888, Old Colorow entered the storekeeper's cabin with his hands on his stomach, looking very pale for an Indian. The agency physician was obtained and seeing that there was no hope for the 275 pound Indian, he turned him over to the medicine man of the band.

Colorow, former chief of the Ute White River Indians, died three days later on the Uintah Reservation, in Utah a few miles from the Indian Agency. He was between 70 and 75 years old. He had been so fleshy that it was necessary for him to wear three girths to keep his stomach up, and to mount a horse he had to first climb upon a rock.

The news of Colorow's death spread rapidly among the Utes, particularly the Uintahs, and they indulged in the wildest manifestations of grief. The squaws had in many instances cut off their hair and assumed other evidences of mourning. The young bucks at once killed thirty horses to accompany the old man to the happy hunt-

ing grounds, and he was buried in the most lavish pomp of savage funeral exercises. In his grave were placed blankets and store adlibitum, which, in accordance with the Indian idea he would have use for in his spiritual abode. He was succeeded by his son Gus Colorow, who was a peaceful Indian and less actuated by the animosity toward the encroachments than the old man always was.

Colorow Cave (present owner Mr. L. D. Bax) where annual inter-Posse Rendezvous of the Westerners are privileged to enjoy their summer open meetings, was named after Colorow. It is located near the old Bradford House or Stage Station and described in the Westerner's August 1954 Round-up as follows:

When this vast empire was once part of the ocean bottom, the tremendous upheavals deep within the earth forced the land skyward, and the Majestic Rockies were born. "West of Denver the 'plains' suddenly cease with almost vertical 'hogback' of limestone, the edge of the uplifting of sedimentary rocks when the mountains 'pushed up.' West of this hogback is an area of softer rocks, so, a valley exists between the hogback and the real mountains' igneous rocks. Many gaps are cut by streams in the hogback, so from a distance looking from Morrison to Platte Canon there is a real 'spine' appearance. In this inner N-S valley are the various 'red rock' formations.

To visualize the cave, think that you are sitting at a table, facing the west. You have an ordinary clay brick. You tilt it up, high end to the west, and fill dirt around it so that only the upper edge toward you is exposed, but most of the far end is up in the air. Then think of the weather rounding up all the sharp edges. Also imagine that down in the center of your brick there starts a cutting trickle of water that gradually almost bisects the brick. This cutting is narrow on

the top face but widens to each side in the center of the brick. In time you have a cavern, with an entrance from the east edge with only a fair narrow top that is open to the weather. You have a level floor in the cavern. Now think of your brick turned into red sandstone and enlarged so much that you can drive a four-horse team and wagon into the cavern and easily turn the whole outfit around inside; or think of several hundred people easily seated inside. Perhaps this will give you a faint concept of the cave.

Mr. Bax purchased the land including the cave in 1949, but it was not until 1950 that he named it Colorow Cave. Colorow and his daughter lived in the cave for several years.

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Denver Westerners Memorial Scholarship Awards

In 1956 an outstanding Westerner, **Eric Douglas**, passed over the Great Divide from which no man returns, and in pondering the good deeds of this man, **Maurice Frink**, Sheriff of our Denver Posse at that time, suggested the creation of a memorial scholarship, the full text of which was printed in the April *Roundup* of that year. The following excerpts from that issue explain Mr. Frink's recommendation: "In the last few hours, I have been thinking about him [Eric Douglas], and about what we could do to help keep the grass from growing over his tracks, and those of other Westerners like him—such as **Ralph L. Carr, George H. Curfman, Robert Ellison, Edgar C. McMechen, William McLeod Raine, John T. Caine, III, and Elmo Scott Watson**. . . .

"I suggest, therefore, that we create and establish, in the name of the Denver Westerners, some kind of scholarship or fellowship or prize to be awarded annually to some deserving non-member of The Westerners, to assist him, or her, in pursuit of the goal for which The Westerners were

organized. This goal, as I understand it, is 'the preservation of the cultural heritage of the West and the Rocky Mountain Region.'"

One year later, April 24, 1957, the Executive Committee of our organization approved the Memorial Scholarship Plan and a committee consisting of **Maurice Frink, Erl Ellis** and **Harold Dunham** put the plan into operation.

With the plan well established, Mr. Frink asked to be relieved of the chairmanship and submitted the following report of awards made during the past four years:

The Denver Westerners Memorial Scholarship Award was established April 24, 1957, in the sum of \$300.00 per year, the fund so far as possible being met by voluntary donations by Posse members and such Corresponding Members and others as wish to contribute.

The first winner, announced at the 1957 Christmas meeting, was **Mrs. Billie Barnes Jensen** of Boulder. Her paper, entitled *Some Colorado Confederates*, was printed in the *Round-*

up, Vol. XIV, No. 12, December 1958, under that title, and in *The Brand Book*, Vol. XII, under the title *Confederate Sentiment in Colorado*. Mrs. Jensen is now working on her Ph.D. at CU, where she is a student assistant in the Western Historical Collections department of Norlin Library. Last summer she received a university scholarship which enabled her to do research work on her Ph.D. at the Congressional Library in Washington.

In 1958, the winner of the award was **John B. Brennan**, then a history student at CU, his entry being a paper on *The Territory of Jefferson*. The Westerners award paid his out-of-state tuition and helped make it possible for him to stay in college, where he is working toward his Ph.D. and teaching position in American history.

The 1959 winner was **Duane Allan Smith**, with a seminar paper then in progress entitled *A Study of the U.S. Army 1820-1851*. This paper, since completed, was published in the 1959 *Brand Book* under the title *The Army and Western Transportation*. Mr. Smith is doing his M.A. thesis on the history of Caribou, at CU.

For the 1960 awards, there were three contestants. The decision of the judges—**Mrs. Elmo Scott Watson, Dr. Harold H. Dunham, Robert Perkin** and **Maurice Frink**—was to divide the \$300.00 evenly among the three.

One of the contestants was **Miss Maxine Benson**, who submitted an outline and bibliography for a work then in progress, a study of the Colorado coal strike of 1913-14, with emphasis on the Ludlow Massacre. Miss Benson is a history major at CU. Her study of the Colorado coal strike was for a senior colloquium in Western history, was finished in March 1961 and was then made available for publication by the Westerners. Miss Benson, who is a native of Boulder, will graduate in June and will pursue

postgraduate work, either in history or in library science, at an eastern school.

One of the other applicants for last year's award is **Harold D. Hampton** of CU, who will receive his M.A. in history there in June, 1961, after which he plans to teach for a year or so to help finance his doctorate. He is now teaching assistant at CU. His application for the scholarship was based upon two papers. One of these, completed in first draft, is a research paper entitled *Problems of the Frontier Army 1865-1883*. His other paper, yet unfinished, is on the history of North Park.

Mr. Hampton's grandfather was an early settler in the Walden area, and his family still possesses a trunkful of diaries, letters, photographs and other documentary data pertaining to the early days in North Park. These Mr. Hampton is using in his research, and they will eventually be placed in the hands of one of the state's historical libraries. His paper on the history of North Park sounded to the judges like such a valuable contribution that they told Mr. Hampton that if that work is satisfactorily completed next June as contemplated, and made available to the Westerners for publication, they will endeavor to reward him with another sum of money, amount at this time unstated.

The third applicant in 1960 was **Mr. Leo E. Oliva**, a graduate of Fort Hays Kansas State College, who earned his Master's degree last year at the University of Denver, and is now a candidate at DU for his Ph.D. in American Studies. His paper is entitled *Fortification on the Plains: A History of Fort Dodge, Kansas, 1864-1882*, two parts of which have been published in the *Roundup*, with the complete study to be printed in the 1960 *Brand Book*, Vol. XVI.

Maurice Frink
March 23, 1961

Every member of the Denver Posse is proud of the work represented by the above report and extends to **Posseman Frink** and the members of his committee a sincere, "Thanks a million" for your efforts and good deeds.

John B. Brennan's paper, *The Territory of Jefferson* will be published soon in our *Roundup*, and before the end of this year **Maxine Benson's** paper, *The Colorado Coal Strike, 1913-1914*, and *The Ludlow Massacre* will also be printed. In addition,

Duane A. Smith has found some additional information which supplements his fine study on *The Army and Western Transportation* which we plan to use in an early issue.

The Tally Sheet of the English Westerners is published bi-monthly and reviews the activities of all the various English groups, plus book reviews and summaries of other publications dealing with Western Americana. The *Colorado Magazine* and our *Roundup* are usually reviewed.



Westerner's Bookshelf



FIVE INDIAN TRIBES OF THE UPPER MISSOURI, by Edwin Thompson Denig, edited by John C. Ewers, (University of Oklahoma Press, 217 pgs., \$4.)

For twenty-five years (1833-58) Edwin Thompson Denig followed the fur trade on the Upper Missouri. Married to an Assiniboine woman, he was an acute and objective observer of Indian manners and customs. Denig, like a few other intelligent traders, realized that the information he gathered and the observations he made upon Indian life and customs would be of interest to others. In fact, if it were not for the writings of men such as Denig, there would be much less understanding of the history and ethnology of the Upper Missouri region than we now have.

Denig's early years in the fur trade were spent in the country of the Sioux and he was in charge of a small trading post adjacent to Fort Pierre during the winter of 1834-35. In the spring of 1837 he was at Fort Union where he followed the custom of white traders in the area in taking an Indian wife.

When John James Audubon visited Fort Union in 1843, Denig assisted him in collecting bird and mammal specimens and wrote a description of Fort Union for the naturalist. By 1849 Denig had risen to the post of bourgeois in charge at Fort Union for the American Fur Company, where he traded with Assiniboines, Plains Crees, River Crees and some Chippewa Indians and gathered knowledge of the tribes he was later to write about.

In the summer of 1851, Father Pierre Jean de Smet visited Fort Union and a

friendship developed between Denig and the priest that would last for a lifetime.

Rudolph Frederick Kurz, the young Swiss artist, spent seven months at Fort Union in 1851 and gained much material from Denig for his now much sought after "Journal."

Denig's writings on the Sioux, Arickaras, Assiniboines, Crees and Crows, comprising the Denig manuscript in the Missouri Historical Society, are published together for the first time in this volume. Long referred to as the "Culbertson Manuscript" because it had been purchased from a descendant of the fur-trader naturalist Alexander Culbertson, it was identified by handwriting experts in 1949 as the work of Denig.

A worthy addition to the Civilization of the American Indian Series of the University of Oklahoma Press.

Armand W. Reeder, PM

THE DESERT WAS HOME; The Adventures and Tribulations of a Desert Homesteader, by Elizabeth W. Crozer Campbell. Forward by Lloyd Severe, past president, Southern California Booksellers' Association and The Hollywood Authors Club. 8 vo., illus. Westernlore Press, Los Angeles, 1961. \$6.75.

In his foreword Mr. Severe says, "A truly remarkable lady is Betty C." Anyone who reads her latest book will agree.

Mrs. Campbell has written articles, books and monographs on the archeology of the Southern California desert country. This book is a complete change of pace. It is the personal story of herself and her husband during 20 years of homesteading in the Mojave desert.

In December, 1924 Elizabeth and Bill Campbell camped at a "place marked on old California maps as 'Twenty-nine Palms'". It was no desert resort then but merely a little known oasis in the Morongo basin north of Palm Springs. A prospector or two, a few stray burros and range cattle occasionally stopped by for water. The nearest town was 61 miles away and 45 miles of the road in between was an ancient, seldom used wagon track winding through the sparse desert vegetation.

They had a second-hand Franklin car, a light camping outfit, very little cash and the vague possibility of a disabled veteran's pension. Bill Campbell had been gassed in World War I.

The hot, dry desert climate was what Bill needed. His health improved so they decided to stay. Camping out was certainly no permanent way of life and the cash reserve was low. The pension came through, however, and homesteads were available in the area. That was the answer.

The account of the following 20 years is fascinating. Mrs. Campbell and her resourceful husband (he was almost as good as the combined Swiss Family Robinson) were real pioneers. They build a permanent home, dig a well and put up a second hand 'do it yourself' windmill. They meet and get to know the scattered neighbors, some who were kind and friendly and others, distinctly not.

There were other friends, too, in the early days when the desert was still unsettled—Jerry, the kangaroo rat, Liz, a collared lizard, of course, and a kit fox that took morning siestas in a tree near the barn. And then the birds: road-runners, phoebes, desert hummers, warblers and once an off the course pelican spent an afternoon in the marsh at the spring.

The Campbells took part in the activities of their spread-out community. They helped build roads, crusaded for a school even though they had no children, worked to establish telephone service and acted as doctor and nurse in emergencies.

It was a remarkable 20 years with many hardships and many compensations. Mrs. Campbell tells about them all in a way that makes the reader a participant.

Granville Horstmann. CM

WAR-PATH AND BIVOUAC. By John F. Finerty. University of Oklahoma Press, 1961, pp 355 + xxxix. \$2.00.

Originally published in 1890, this book, sub-titled **THE CONQUEST OF THE SIOUX**, has been reissued as Volume 18 of the Western Frontier Library. The author, John F. Finerty, was a reporter for the **CHICAGO TIMES**, and was sent by his paper to cover the Indian Wars in Dakota

and Montana in 1876. He impressed an observer as "always thirsty—for liquids and news, and he can hold any quantity of either."

Oliver Knight, Assistant professor of Journalism at Indiana University, and the author of **FOLLOWING THE INDIAN WARS** (University of Oklahoma Press), has written the introduction to this present edition of Finerty's book. In this he says "When he writes of Crook's campaign against the Sioux in 1876 and of Miles on the Canadian border in 1879, he writes from personal experience, although his account of addressing a Sioux Council in Canada goes down rather hard. But when he rounds out the story with an account of Custer's disaster, or the winter wind-up of the 1876 campaign, or the unrelated Beecher Island fight of 1868, and of the careers of Crook and Custer, he writes removed and with less effect." The book is more than just an "I was there" account. The author seems to have had the purpose of calling to the attention of the American people, and the Congress in particular, the belated, incomplete recognition given the men of the Old Army upon whom fell the burden of the Indian campaigns. Finerty had ridden with these men and had fought with them, he had not only seen but himself experienced the privations which they suffered.

In his 1890 introduction he writes: "If these frankly-written pages serve to place before the Congress and the people of the United States the deeds and the sufferings of the national army while struggling in several most important campaigns for the extension of our peaceful borders, the safety of our hardy pioneers, and the honor of our martial name, I will feel greatly recompensed for the labor of their production."

Finerty's style of writing makes this book readable, interesting and amusing. It is an excellent addition to the other Western Frontier Library volumes.

G. S. Barnes, P.M.

GOLDEN TREASURES OF THE SAN JUAN
by John B. Marshall & Temple H. Cornelius, Sage Books, Alan Swallow, Publisher. 235 pages, \$4.50.

Innumerable tales have been written about the wealth that has been taken from the gold mines of Colorado. Here are some exciting ones of riches waiting to be discovered.

They tell of "lost" mines, rich prospects barely sampled and locations lost, as well as treasures of bullion—"high-graded" and buried temporarily for safety, but buried so well the buriers were unable to locate them again.

The locale is a country rich in historical background and outstanding scenery. These

attractions lure thousands of visitors and among them will undoubtedly be many for whom gold is a lure. It is reasonable to look for the repetition of the rich "takes" of past years from the GOLDEN TREASURES OF THE SAN JUAN.

Charles W. Webb, P.M.

HISTORY OF SOUTH DAKOTA. By **Herbert S. Schell.** Lincoln: University of Nebraska Press, 1961. Illus. Index. Supplementary Reading List. End paper maps. 422 pp. \$5.50.

Dr. Herbert S. Schell, Dean of the Graduate School and Professor of American History at the State University of South Dakota, has performed a skillful and exceedingly informative work in condensing thirty years of research into this one-volume history.

"The history of a state, or even a community, may be regarded as a cross section of the nation at large," states Dr. Schell. And his book bears out this theory as he relates South Dakota state happenings to the regional and national scenes.

Primarily the book is a political and economic history, with much stress on the political aspects. Although the author concentrates upon the hundred years after the passage of the Organic Act which created South Dakota on March 2, 1861, he discusses the natural setting even preceding the geological time, during the Pleistocene epoch. The first ninety-two pages detail the history of the entire Western area which later became Wyoming, North and South Dakota, and Montana. With such a colorful backdrop, the history of present South Dakota unfolds with its many complexities, variations, developments, and set-backs.

Perhaps the two most entertaining chapters to a non-resident of South Dakota are those entitled, "Pioneer Life," and "The Transformaion of the Sioux."

Although the history of South Dakota comprises many things known to other western states such as difficulties in organization, depressions, droughts, Indian troubles, land grabs, grasshopper plagues, battles for adequate roads and railways, law enforcement and land troubles, it is different from its sister states.

Extreme weather and climatic conditions, a great influx of immigrant settlers with little or no capital, a large resident population of Indians, many of whom were hostile, gave the territory and state a local history distinct from other western states.

Through his thoroughly researched and forcefully written work, Dr. Schell brings the state of South Dakota into sharp focus which will make its future of particular national interest.

Agnes Wright Spring, CM

LUKE SHORT AND HIS ERA by **William R. Cox,** Garden City, N.Y., Doubleday & Company, Inc., 214 pages, notes bibliography, index., \$3.50.

This excellent little book deals with the fascinating life of "Little" Luke Short, professional gambler and gunfighter. This unique little man is familiar to everyone with an interest in the early West, yet until this fine book was published no biography of this colorful character was available.

William R. Cox has done a top notch job of separating fact from fiction to produce a highly entertaining and well documented account of the little man with the fancy clothes and the gambler's hands. Mr. Cox falls into neither the category of hero worshiper nor the category of debunker. His is a fair, straightforward account.

Not only does Mr. Cox present a fine biography of Luke Short but he also helps to put men like Wyatt Earp and Bat Masterson in the proper perspective. These men, who have been much maligned in recent months, were not necessarily the thugs that some would have us believe. On the other hand they were not the heroes that others portray them to be. Mr. Cox, with foresight and understanding, helps us to judge these men in the light of the times, which is, in truth, the only way to find the true character of the men who used the pasteboards and the six-guns. One passage is worth quoting: "They (Luke's friends) were gone. They were the Past. Luke was never tried for the killing of Courtright because it was, on the evidence, self defense. It did not matter, Luke was convicted by the new Western civilization of being a gambler against the law . . . He was notorious—but not respectable." Luke Short, Bat Masterson, and Wyatt Earp have been judged in the light of the "new Western civilization."

The author recounts with insight the various incidents of the life of Luke Short. He clears up many of the mysteries surrounding such incidents as the shootout with Charlie Storms in Tombstone, and his much discussed gun fight with Jim Courtright. Mr. Cox's detailed account of the "Dodge City War" of 1883 is particularly well done. His account of this colorful affair is heavily documented and easy to read. It should prove to be the final word on this affair.

This book deserves a place on everyone's bookshelf. It is well written by an old pro, and deserves much credit. Mr. Cox, in placing this era in the proper perspective, may well have begun a new period in which "hero worship" and "blackballing" are forgotten, and the controversial characters of the West can be appraised in the light of the times in which they lived, not by modern standards. I sincerely hope so.

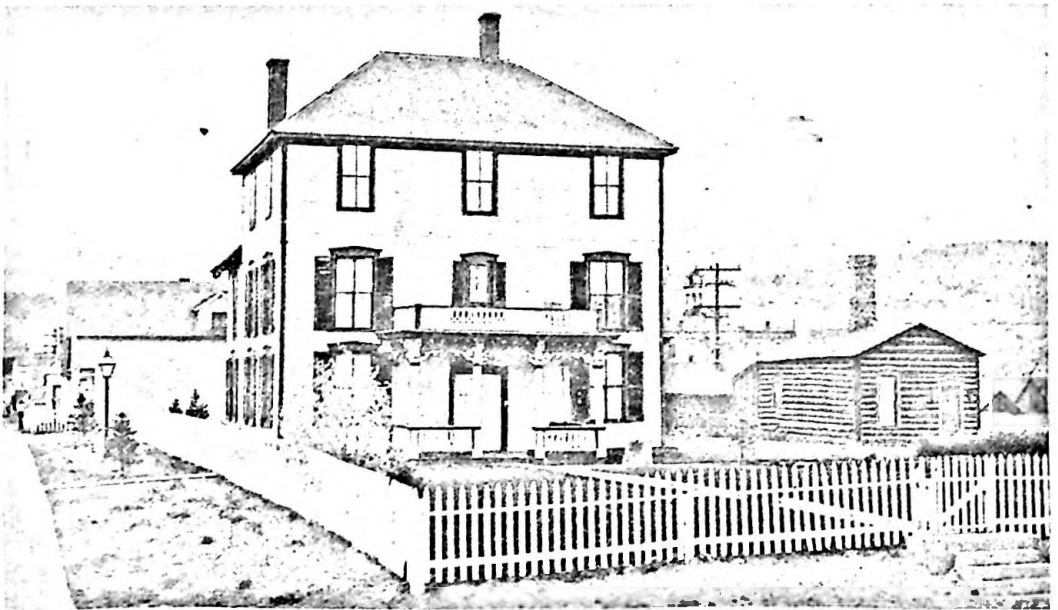
Gary Roberts, CM

COLORADO LANDMARKS

From The Files of Otto Roach



Shack at the Matchless Mine in which Baby Doe Tabor spent her last years



**Healy House and Dexter Cabin
Leadville Branch of the State Historical Society of Colorado**

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



July
1961
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"Fagan's Grave," located near the Point of Rocks, El Paso County, approximately 25 miles northeast of Colorado Springs. Also spelled "Fagin's Grave." —Photo by Carl Mathews.

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SEPTEMBER MEETING

Cripple Creek Conflagrations

by

Lester L. Williams, M.D.

WEDNESDAY, SEPTEMBER 27, 1961

6:30 P.M.

**Denver Press Club, 1344 Glenarm
Denver, Colorado**

Dr. Williams has carefully studied this subject for several years and knowing his thoroughness of research, we can expect an authentic and interesting paper.

OCTOBER MEETING: Caribou by Granville Horstman

FROM THE CORRAL RAIL

Although the Denver Posse does not schedule a regular meeting in July, our energetic Colorado Springs' members planned and invited Posse members and wives plus Corresponding members and spouses of the southern part of the state to an especially interesting meeting on the 29th of July at the Candle Light Inn. Fifty-two reservations were made; fifty-eight persons attended. **Ray Colwell** was the genial master of ceremonies, **Carl Mathews** did the Chuck Wrangler duties, and **Kenny Englert** made the arrangements as well as reading a most entertaining paper, which we are pleased to publish in this issue.

Byron Akers, CM, invited everyone at the meeting to his special "Ghost Town." Those who accepted his invitation were greatly surprised to find themselves in an old carpenter shop of the defunct but not forgotten Colorado Midland Railroad, and more than surprised at the fantastic number of authentic items displayed. Several of the rooms were furnished in the style and fashion of a prosperous family of the 1880s and '90s and proved that **Byron Akers** knows his Western History.

Reserve member **LeRoy Hafen** and wife **Ann** were at the meeting and expressed their admiration of the work and collection in Akers' "Ghost Town."

PM Maurice Frink was happily surprised one recent day when into his office at the State Historical Society walked **Nick Eggenhofer**, the western artist and illustrator.

It was the first time the two had met, except by correspondence, though Nick drew the chapter headings and tailpieces for the 1953 Brand Book that Frink edited, as well as the illustrations for his (with Agnes Wright



Nick Eggenhofer

From Collection of Fred and Jo Mazzulla

Spring and W. Turrentine Jackson) "When Grass Was King."

Frink rallied a few Denver Westerners at his home that night. They all had a real nice time visiting with Nick and his wife Louise, who were on a roving two-months trip in the West.

The Eggenhofer home is in West Milford, New Jersey. Nick is an ardent and active member of the New York Posse of Westerners. As a true depicor of the Old West, considered by many to be the best in the field today, Nick is under a steadily rising star. After many years of illustrating the works of others, he has turned his own pen to writing as well as drawing and has produced a book, "Wagons, Mules and Men," which Hastings House will publish this autumn. Into the book he has put the distillation of thirty years study of the prairie schooner, stagecoach, chuck wagon, and other western vehicles and running gear and the men who made them go. With both text and pictures by Eggenhofer, it is a book to look forward to. (There will be two edi-

(Continued on Page 23)

NEW CORRESPONDING MEMBERS

L. S. Ballard, 236 Pilot Knob, Manitou Springs, Colorado. Although retired, Mr. Ballard is a photo engraver, scenic photographer and has written several historical, recreational and natural history articles. He is especially interested in the history of Colorado and the Southwest.

Alfred G. Hoyl, 1727 Boulder St., Denver 11, Colorado. Mining engineer interested in the history of mining.

Inez Hunt, 1107 Wood Avenue, Colorado Springs, Colorado. Housewife, teacher, writer and lecturer. Especially interested in writing historical books and newspaper articles. Co-author of *Ghost Trails to Ghost Towns, Horsefeathers and Applesauce* and *To Colorado's Restless Ghosts*, plus articles for the *Colorado Springs Gazette and Telegraph*.

Ruby M. Luton, Box 162, Fruita, Colorado. Executive Secretary of the Fruita Chamber of Commerce, Feature writer for the *Fruita Times*, Manager of Peters Department Store; Member of Colorado Press Women, National Federation of Press Women, Business and Professional Women's Organization; Member of Governor Stephen L. R. McNichols' Industrial Committee and Ambassador Committee. Has published a *History of the Uintah Railroad, History of Gilsonite* and a *History of Grand Valley*, and many other articles on Western Colorado. Her special interest: Colorado's Western Slope.

Minnette Miller, 130 East 7th St., Leadville, Colorado. Director of Lake County Department of Public Welfare. Member of Leadville Historical Association and is interested in Colorado history, especially Leadville mining history.

Luther Monberg, Box 1, Leadville, Colorado. Owner and manager of apartment house, District Manager of Mutual of New York since 1920. Is

interested in all Western Pioneer history, and he and his wife photograph and collect items of particular significance to early Leadville.

Stephen W. Pahs, 1414 Krameria, Denver 20, Colorado. Pilot-Flight Engineer with United Airlines, Pilot in the Colorado Air National Guard. Interested in the history of the Southwest, ghost and mining towns and military history of Colorado. Enjoys hunting, camping, flying, photography and gun collecting.

Vance R. Smith, P. O. Box 2885, Denver 1, Colorado. Employed by the jewelers, A. S. Carter Company. Especially interested in old narrow gauge railroads, toll roads and general history. Other interests include 35 mm. color slides and travel.

Mildred J. Sundquist, 304 East Fifth St., Leadville, Colorado. Case worker for Lake County Department of Public Welfare. Interested in Colorado history.

Geogre H. Tweney, 16660 Marine View Drive Southwest, Seattle 66, Washington. Senior Group Engineer Supervisor, The Boeing Company, specialist in aerodynamics and hydrodynamics research and development. Has written over 100 magazine articles and short stories, has a syndicated monthly book review column in newspapers and magazines and is the author of one book. Is especially interested in rare books and first editions and collects early manuscript material, Russell and Remington prints, books on the American Indian and the early exploration of the West.

Elliot P. White, Jr., 3016 Tremont Dr., Louisville 5, Kentucky. Department head for American Standard Corporation and editor of *High Twelvia*. Is especially interested in the re-publication of selected stories in his own monthly paper called *Diversion*.

WHAT LITTLE LUNNON WOULD LIKE TO REMEMBER - OR FORGET

By KENNETH E. ENGLERT



KENNETH E. ENGLERT

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miles to the west called, since 1859, Colorado City. Its inhabitants were mostly hangers on, whose taste, liked a snort of strong Taos Lightning.

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NEW CORRESPONDING MEMBERS

L. S. Ballard, 236 Pilot Knob, Manitou Springs, Colorado. Although retired, Mr. Ballard is a photo engraver, scenic photographer and has written several historical, recreational and natural history articles. He is especially interested in the history of Colorado and the Southwest.

Alfred G. Hoyl, 1727 Boulder St., Denver 11, Colorado. Mining engineer interested in the history of mining.

Inez Hunt, 1107 Wood Avenue, Colorado Springs, Colorado. Housewife, teacher, writer and lecturer. Especially interested in writing historical books and newspaper articles. Co-author of *Ghost Trails to Ghost Towns*, *Horsefathers* and *Apple-sauce* and *To Colorado's Restless Ghosts*, plus articles for the *Colorado Springs Gazette and Telegraph*.

Ruby M. Luton, Box 162, Fruita, Colorado. Executive Secretary of the Fruita Chamber of Commerce, Feature writer for the *Fruita Times*, Manager of Peters Department Store; Member of Colorado Press Women, National Federation of Press Women, Business and Professional Women's Organization; Member of Governor Stephen L. R. McNichols' Industrial Committee and Ambassador Committee. Has published a *History of the Uintah Railroad*, *History of Gilsonite* and a *History of Grand Valley*, and many other articles on Western Colorado. Her special interest: Colorado's Western Slope.

Minnette Miller, 130 East 7th St., Leadville, Colorado. Director of Lake County Department of Public Welfare. Member of Leadville Historical Association and is interested in Colorado history, especially Leadville mining history.

Luther Monberg, Box 1, Leadville, Colorado. Owner and manager of apartment house, District Manager of Mutual of New York since 1920. Is

interested in all Western Pioneer history, and he and his wife photograph and collect items of particular significance to early Leadville.

Stephen W. Pahs, 1414 Krameria, Denver 20, Colorado. Pilot-Flight Engineer with United Airlines, Pilot in the Colorado Air National Guard. Interested in the history of the Southwest, ghost and mining towns and military history of Colorado. Enjoys hunting, camping, flying, photography and gun collecting.

Vance R. Smith, P. O. Box 2885, Denver 1, Colorado. Employed by the jewelers, A. S. Carter Company. Especially interested in old narrow gauge railroads, toll roads and general history. Other interests include 35 mm. color slides and travel.

Mildred J. Sundquist, 304 East Fifth St., Leadville, Colorado. Case worker for Lake County Department of Public Welfare. Interested in Colorado history.

Geogre H. Tweney, 16660 Marine View Drive Southwest, Seattle 66, Washington. Senior Group Engineer Supervisor, The Boeing Company, specialist in aerodynamics and hydrodynamics research and development. Has written over 100 magazine articles and short stories, has a syndicated monthly book review column in newspapers and magazines and is the author of one book. Is especially interested in rare books and first editions and collects early manuscript material, Russell and Remington prints, books on the American Indian and the early exploration of the West.

Elliot P. White, Jr., 3016 Tremont Dr., Louisville 5, Kentucky. Department head for American Standard Corporation and editor of *High Twelvia*. Is especially interested in the re-publication of selected stories in his own monthly paper called *Diversion*.

WHAT LITTLE LUNNON WOULD LIKE TO REMEMBER - OR FORGET

By KENNETH E. ENGLERT



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"Upon nearing Fagin's grave I noticed a small clump of bushes. I left the wagon and went to investigate. As I neared the spot, it seemed they had not been disturbed in several years.

"I approached the spot cautiously. It was well I did, for the next moment I spied the curved outlines of a sturdy whiskey barrel with the bung right side up. I rushed forward

gave it a violent shake, and then glued my nose and ear to the bung. There was a seductive swish, swash sound as the fire liquid rolled from side to side, and a delightful aroma which permeated the innermost recesses of my olfactories.

"Without waiting to explore further, I ran after my companions yelling like an Indian. They were fully a quarter of a mile away when I hailed them, but as soon as they understood the nature of my discovery they wheeled about, and prodded their sleepy oxen.

"Little did we dream of the surprise in store for us. Upon close examination of the bushes we found seven other barrels, filled to the bungs with golden juice of Omar. We were all intoxicated by the mere discovery. Not content with this, however, we sampled the half empty barrel and found it of that delicious mellowness and inspiring bouquet of which the poets sing.

"In order to get the whiskey in our wagon, it was necessary to put a large part of our other cargo on the backs of the oxen. It was worth while, however, and no whiskey was left behind.

"At that time there was a little settlement at the head of Cherry Creek. Thither our jolly party went and opened a saloon, retailing the whiskey at 25c a drink. In order to expediate its sale, we opened another saloon in Auraria. Each barrel netted us between \$400 and \$500, and we realized nearly \$4,000 on our find.

"The whiskey must have been left on the plains by the Government agent. We thought the precious juice must have been in its hiding place for about four years. How it escaped the eyes of the Indians all that time is a marvel. Had they discovered it, the history of Colorado would surely have had at least a page devoted to the details of a delirious drunk such as Bacchus himself never dreamed of in his wildest tremens."

As the old boys waxed flowery in their speech and spun their tales, Colorado Springs continued to grow. By October, 1871, still in her infancy, she was served her first murder case.

"One day in October," related John Potter, "along towards night, there came from the north a large, tall pedestrian. He had evidently come from Denver. The new arrival was as fine a specimen physically, as it was ever my lot to see. He was about six feet three inches high, I should judge, exceedingly well proportioned: features handsome and regular and of aquiline cast; a handsome brown mustache, no beard, and a complexion fairer than that of the average girl of tender years. He seemed to be about thirty years of age, and was neatly and rather stylishly dressed. There was nothing about him that was the least suggestive of the typical Western desperado.

"He walked leisurely into our camp, said 'Howdy' to us and divested himself of his luggage which consisted of a light brown blanket rolled up soldier fashion, tied at the ends and slung over his shoulder. His only ornament was a short, magazine rifle known as the Spencer carbine, a weapon of large calibre and carrying eight cartridges.

"I will say here that during the time he was with us, never for a single instant was he without that gun in his possession. Awake or asleep, it was always in his hand; and when eating, it rested between his knees.

"The stalwart visitor did not spend the night with us, but after partaking of our crude but welcome hospitality, he girded up his loins and left us for vespers at Colorado City. The next day however, he was with us again and made himself somewhat at home.

"It had so happened," continued Potter, "that shortly before his arrival a man by the name of Johnson had drifted in from Denver. He was a barber by trade, and thinking perhaps,

that here was an opening for one of his craft, he decided to invest in a tent and open a tonsorial parlor. He picked up a small mirror, heaven knows where, and negotiated with W. R. Roby, a carpenter, to make him a barber's chair, which should have been preserved for some future historical society. Despite its crudeness it was an ingenious affair and Johnson felt very proud of it.

"As birds of a feather instinctively flock together, so did our barber and the tall stranger find immediate affinity. They both loved to gamble and were equally delighted to look upon fire water. It shortly ended in the tall one taking up his quarters right along with his boon companion. Two or three other congenial spirits were attracted hitherward and the little clique proceeded to spend each night in Johnson's parlor gambling. Their whiskey was procured from Colorado City. In those wild pioneer days, stimulants could be procured if one only knew the right way to go at it and proceeded cautiously.

"For a week or ten days this sort of thing went on, and though it soon began to tell frightfully on the barber, it seemed to have no effect on the man with the Spencer carbine.

"It soon became such a nuisance that we decided that something must be done, and at once, to put a stop to it. But the whole business came suddenly to an end one morning. It was a dreary, drizzling day and the mountains and higher mesas were covered with thick clouds. We had eaten breakfast and the surveying party was on the point of starting out for its daily work when a great uproar was heard in the barber's tent and soon the occupants came pouring out. First the stranger with his carbine, then Johnson, and then two others, all wild with whiskey.

"As we saw Johnson emerge from the tent he shouted to his companions, 'Come on boys and we will do

him up,' and made a rush for the big fellow, who was slowly retreating backward with his carbine in readiness. As the barber attempted to close in with him the carbine was placed against his breast and discharged. Johnson staggered back a step or two, exclaimed, 'O, my poor wife!' and fell on his face—dead.

"As soon as his slayer had discharged his weapon," continued Potter, "he pumped the empty shell out and a fresh cartridge in place as quick as lightning and backed toward the high bank of the creek that was close by. As he reached the bank he sprang over it, ran a short distance under its protection and then plunged into a thick growth of high brushwood that covered many acres along the banks of the creek, and disappeared from our view forever.

"The whole tragedy was enacted in a few seconds, and the first rush was for the fallen man. We immediately notified the sheriff at Colorado City and a party of armed horsemen started out at once in pursuit, but the murderer was never found or definitely heard of again.

"There were two men," quoting John Potter, "who drew the first easy breath for days when the desperado took his hasty flight. They were two Jews—one named Cohn and his son-in-law who had put up a tent at some little distance from the camp and were carrying an assorted stock of goods. They were doing a very profitable business and undoubtedly carried a considerable sum of money with them. From the first time that the tall desperado entered their tent to make some light purchase till his exit from the scene, they were filled with mortal terror. Their lives had been largely spent in doing business on the frontier, and they knew a murderous outlaw when they saw one.

"Nor were their fears in the least unfounded, for they, and they alone,

were the cause of the stranger's prolonged stay in camp.

"Among the clique that we knew held their nightly carousals in the barber's tent was a nearly half-witted cowboy, Dick Bamber by name, who shortly afterward confessed that the desperado had suggested to him that when the time was favorable they would proceed to the tent where the two Jews kept their stock of goods, and where they slept, quietly rob them of their money, and kill them if necessary, then steal two horses and make their escape southward.

"We knew that Bamber had not enough nerve to enter into the scheme, and in all likelihood he feared the man too much to expose his plans to anyone else. With or without Bamber's assistance however, the robbery, and probably the double murder, would have been committed had not the man's plans for the same been completely frustrated by his love for whiskey.

"Where he went was common conjecture for many weeks."

This murder did not stunt Colorado Springs' growth and she continued to advance rapidly. By 1875 she was a sturdy four year old, trying desperately to show her independence. Occasionally she entertained the first inhabitants of the Pikes Peak Region, the Indians. One time her friend from Manitou, Mrs. Adams, served, not a dinner party, but 'A Breakfast to a Band of Utes.'

"One evening," said Mrs. Adams, "when General Adams and I were driving from our cottage, 'Chipita'—named for Chief Ouray's wife who was our devoted friend—when on the banks of the stream near Dr. Bell's cottage of Briarhurst we noticed a great quantity of bright colors. As we came nearer, there arose a great shout and a squaw with her papoose strapped upon her back came splashing through the stream with tears rolling down her cheeks, crying 'Adamus! Ad-

amus!' and clung to the wheels of the carriage while the rest crowded around us as happy as children to see us again.

"'Where Adamus casa?' they asked, and told us they had come to visit us and also to go to their sacred dancing grounds which were near our home.

"We told them to come to our house at 10 o'clock the next morning, and punctually at the hour the Indians appeared in full dress, and tying their ponies to the fence, marched in on foot, braves, squaws and papooses, to where I was waiting to receive them at the head of a long table, hastily constructed of barrels, boards and boxes.

"The chiefs entered first, taking off their hats and arms at the door, which is with them a special mark of friendship. As they entered each came up and shook me gravely by the hand, some greeting me as 'Senora', while others called me 'Adamus Squaw,' and proceeded to take their places according to rank at the table; but I held up my hand and said; 'Where are the squaws? In Adamus house the squaws must eat with their husbands.'

"This was something of an innovation in Indian etiquette, but was taken good naturedly, and the braves went out and brought in their wives, who came with much giggling and hanging of heads. As they came in they unstrapped the papoose cradles from their backs and stood them up along the wall, where the patient little creatures watched their mothers during the whole meal without a whimper or a sign of protest.

"When the squaws were seated beside their husbands, we took our places at the table with them, as Mr. Adams and myself had always treated the Indians as friends and companions and never as inferiors and they at once proceeded to one of the greatest joys of an Indian life—the joy of eating.

"From an intimate knowledge of their tastes, and also knowing that an Indian never ceases to eat as long as there is a particle of food left in sight, we had provided large quantities of the viands they liked best; coffee saturated in sugar, bacon, which they call 'hog-a-meat,' canned peaches, molasses, and lastly bushels of warm biscuit baked with a special view to their tastes, large, heavy and yellow with soda—for be it known that the Indian loves his biscuit best when saturated with soda; the yellower the biscuit, and the stronger of soda, the better he likes it.

"The greatest decorum reigned, for though they chatted and laughed among themselves, they watched us closely, and it was astonishing to see how quickly they imitated our table manners, using their knives, forks, and even the paper napkins which I had provided them, as if accustomed to them all their lives.

"In the meantime we kept heaping their plates and urging them to eat more and more, as long as the supplies held out, which they seemed cheerfully inclined to do. After they had cleared the cloth and licked the platter clean they arose and requested to be shown through 'Adamus Casa.' My heart sunk within me as I thought of this motley array tramping through my house, over the polished floors and fine rugs, but Mr. Adams asked them in Spanish to be careful, and careful they certainly were, stepping softly from room to room, and only touching things with the lightest and most careful hands.

"They seemed as delighted as children to find upon the floors the bear and buffalo skins brought from their own reservation, and laughed and nodded with pleasure as they pointed out to each other the Navajo rugs and blankets with which they were so familiar. But, strange to say, their greatest admiration was excited by a small room covered completely with

Brussels carpet, which they called 'heap nice big blanket.'

"They expressed great admiration of 'Adamus Casa,' and after walking through the grounds, left with expressions of love and affection for us, begging us to visit them at their reservation, and promising to come again."

In 1878, three years after this breakfast, our seven year old town was in a playing mood. Someone had called her attention to the opera of King Henry V that was playing in Booth's elaborate theatre in New York, a far cry from the hall for public amusement in Colorado Springs.

This building was an extremely small and inconvenient structure on Colorado Avenue, approached by the narrowest of stairways. Handbills were posted over the city, giving in addition to a gorgeous lithograph of Harleux, the information that on the 29th and 30th of May, George Rignold and his company would perform Henry V, with the original scenery. Since these scenes were fitted to Booth's theater, it seemed doubtful if the opera could be performed upon a tiny stage whose ceiling was only about twelve feet high.

A good play was a rare pleasure in those days, and the hall was crowded to capacity. Eight o'clock opening time came—half past eight—quarter to nine. It was then announced that the dressing room was so small only one character at a time could put on his makeup. Since forty speaking parts were advertised on the program a muffled groan arose from the audience. Eventually the curtain rose, disclosing a very small part of a large scene. The forty speaking characters ranged at the sides behind inadequate calico curtains, they, like the ostrich, thought themselves invisible. Crispin, the famous white horse, was there also, though it was never known how he ascended the stairs. He objected to his confined quarters and pawed and fretted until he sent the company

scrambling to the center of the stage. When Crispin appeared on the scene, his tail touched the back of the stage, and his forefeet were firmly planted among the footlights. The climax was reached when King Henry, trying to build a fire under his dejected troops, waved the royal standard above his head, and the spear head stuck in the ceiling and could not be dislodged. Rignold, completely overcome, said: 'This is really too ridiculous, ladies and gentlemen. You must be content simply with the beautiful words of Shakespeare, for I have nothing more to offer you.' An undercurrent of mirth ran through the actors and audience, which sometimes broke into open laughter, 'Begone,' the King said sternly to the herald, Montjoy, 'but I don't know where the devil you'll go to.'

Fifteen years after Crispin played a major role in Colorado Springs' first horse-laugh opera, we find that the town has expanded and blossomed into a full bosomed, upstanding lass with all the Pikes Peak Region kneeling at her feet. The millionaires of Cripple Creek built elaborate homes on Cascade Avenue which formed the fringe on her outskirts. A mining exchange glowed like a jewel in her crown. Society gatherings added the frosting to her cake. Since times were prosperous and the get-togethers at the stately homes needed larger outlets, it was only natural that a casino and clubs were bound to appear on the horizon.

When the Cheyenne Mountain Country Club of Colorado Springs was built, this illuminating admission was engraved above the entrance: "Society is an aggregation of well dressed people who prefer being bored by each other to being bored alone." In that stark statement was an explanation of the atmosphere which surrounded the most cultivated society west of Philadelphia.

Here were to be found members

from the finest families of New York, London, Newport and Paris. The elite of the world at one time or another came to the foot of Cheyenne Mountain and basked in the shadows of majestic Pikes Peak.

To have been a member of Colorado Springs' dominant society meant that you had been given a passport to the exclusive circles of the world.

In this society of Colorado Springs, the first impression evolved was that of social security—not the meaning the words imply today however. The women had the charm of worldly wisdom. They had a glittering refinement, a quick wit and the fine grace to smile when others were looking on.

The men, their spirits dampened by ill health or the failure of early dreams to come true, or having everything and wanting nothing, turned to those mild sports which gentlemen did; they played bridge, spoke cleverly and played the role of charming cavaliers to the ladies. Their homes were witness to educated taste, to proud and sufficient numbers of ancestors, and to extended travel. These were the people who combined comfort with elegance. This was Noblesse Oblige in all its true glory!

Noblesse Oblige was their watchword and it naturally followed that Colorado Springs society was a closed corporation. The amount of virtue necessary to enter heaven has never been defined. Wherefore we may suppose that this leisure, rich class, whose business was to get through a day the best way they could without being bored to death, "enjoyed certain vices and liberties, on earth, with impunity." These well-mannered, well-dressed men and women never forgot that gossip was the death of society. Also its indulgence was an evidence of disloyalty to their equals. When, therefore, news of habits and misdemeanors, of conventionalities and threatened homes drained from get-togethers, it trickled down back stairs on the

imagination of prying servants or through the unguarded chitchat of some person whose family was unseasoned and whose money purchased the right of admission to a place among his betters. In such a manner such tid-bits as some of the following have been picked up.

Mrs. William Bell not only owned one of the first telephones in the county, but, from all indications, it owned her. Her husband had held a high position in one of the railroad companies, whose line passed through the Springs, and the conductors shuddered when they saw her coming because she never missed an opportunity to assert her authority. On one such occasion she was about to board a train that was very much behind time, and the crew was making a determined effort to make up the loss. With one foot on the step, she stopped suddenly.

"Hold the train, conductor," she demanded, "I have forgotten something."

Then she returned to the station and assaulted the telephone. She wanted Manitou, and there was the usual delay. At last Manitou answered.

"Is that you, Maggie?"

"No? Well, tell Maggie not to let the children tease the dog. That's all. Good bye!"

With a toss of her head and a flip of her skirt she walked leisurely out to the waiting train, and the impatient conductor.

In the palmy days of Colorado Springs society the smart set participated in flower parades and carnivals. During one such event called "Carnival of All Nations," every brunette girl smiled from behind a Japanese booth, and every blonde gleamed under the Swedish emblem. Mrs. Hayes, however, remained true grey to the Confederacy. Since her father had been Jeff Davis, of Civil War fame,

she felt that she had every right to suspend her Confederate heirloom over her booth. Mrs. Margaret Adams, she who had breakfasted the Utes, waddled up and tossing her mop of white hair, demanded: "Take that rag down." Mrs. McClurg, of cliff dwelling reknown jumped into the breach and brought order out of chaos.

"I'll kill her," lisped Mrs. Hayes.

"So will I," snarled Mrs. Adams.

"Don't mind a word Mrs. Adams says," protested Mrs. McClurg. "No one does—you know."

The war of the Rebellion went merrily on. Mrs. Hayes kept the emblem of the Confederacy a-wavin' in the breezes—and any one who yelled, "down with it," was asking for it.

Billy Hayes (who in later life was a personal friend of ours) rushed into his mamma's room one time where Mrs. Dickerman of Boston was making her "manners" to the daughter of the Confederacy.

"Ma," he blurted, "I'm sick of those dirty damn Yankees and I'm goin' to whip the hell out of 'em."

"Watch your tongue Billy," she reprimanded, and in softer tones added, "The next time they call you 'rebel' at school, just thrash the whole crowd."

This was just too much for the Bostonian who stood up and warned: "Mr. Billy Hayes you had better be careful; you might find the 'dirty Yankees' as hard to thrash as your grandpa did."

The result of this encounter was threefold. Mrs. Dickerman left in anger. Mrs. Hayes became hysterical. Billy boy was more profane and more threatening than ever.

If Billy Hayes was a fighting cock he was no match for cocky, white-thatched Jimmy Burns of Portland Mine gold.

According to Frank R. Marsh. President of the American Crude Rubber

Co., President of Western Rubber Co., and owner of many Cripple Creek claims, sneaky Burns, slipped up behind him in the Pikes Peak Club and for no reason at all, clobbered him from behind. Members quickly pulled the two men apart, either to save the Club's reputation, or to save Marsh's life since he made no effort to protect himself.

According to Jimmy Burns he had every right to attack Marsh. He was a large stockholder in one of Marsh's rubber companies and he had been trying for months to get, if not an audit of the books, at least a peek at them. This Marsh had repeatedly refused to allow.

When Marsh realized that this fist encounter might leak out, he made every effort to suppress it, but Jimmy Burns barked, "I'll sue the club. I'll sue the *Gazette*. I'll sue somebody."

This wasn't the first or last fighting exhibition of Irishman Burns. A few years before he had tangled with J. R. Finlay, a former superintendent of his, whom he had fired from the Portland mine. The two really mixed it up one evening when they chanced to meet at the corner of Tejon and Kiowa.

Finlay and Burns should have saved their fighting ability until 1909 when it could have been used to put out the worst fire Colorado City had ever had.

At 11 p.m. on a cold January night, fire broke out in a fun parlor called appropriately, the "Red Light Resort." What was not appropriate was that it was the home of a *male* by the name of Gustave Hoffner.

Ivan Brush, Chief of the Colorado City Fire Dept., and his men, quickly extinguished the blaze. For some unknown reason a few of the firemen hung around the resort and were on hand when the second fire started at 4 a.m.

A violent wind was blowing at this

time, and its fury picked up the sparks and planted them in the wooden framework of other structures.

Colorado City firemen were not able to keep the fires under control and by five a.m. Chief of Police Wolfe called W. S. Reynolds, Chief of the Colorado Springs Police Dept., and told him that the Red Light District was being destroyed. Twelve policemen quickly volunteered for service. W. S. Reynolds personally led them and a volunteer fire company, into the fray.

At this point all Colorado City was making an effort to fight the terrible blaze. Laura Bell, Mamie Majors and Eula Hames, followed by their thinly clad girls, rushed to the roof tops and fought desperately to save their happy homes. Mrs. Wolfe, wife of the Police Chief, single-handedly saved a building by smothering the flames with her cloak. As luck would have it the fire was confined to the nine houses on the line.

Although the loss in the buildings was estimated to have been \$40,000, the loss in revenue to the city officials was of prime concern. Each month the madams were marched into Police Court to pay their fines, and this money was used by Colorado City to keep good government functioning.

The fire left a black scar across the face of "Old Town," but it healed a sore spot on the Colorado Springs' side.

Although the majority of Colorado Springs residents had been opposed to this red-light element for years, all the populace had taken to its heart a little man of yellow hue, James Bo Fonda, known to perhaps four-fifths of them, as China Jim.

No one seems to know just how or when China Jim came to Colorado Springs. Before his arrival, however, he drove a stage with Cheyenne as his eastern terminus, and later was a cook in a Wyoming cattle camp and a chef in a frontier hotel. In the early

eighties he was employed in a general store in Meeker, Colorado, and although Chinamen at that time were not welcome in the west, China Jim was highly regarded by the white people.

He came to Colorado Springs shortly after this and opened a small store on Pikes Peak Avenue where the Burns building and the Chief Theater now stand. His stock in trade consisted largely of Chinese art goods, novelties and fine teas. Later he moved to 7 East Pikes Peak Avenue, just a few doors west.

Business improved in the new quarters, and while there are no authentic figures, it was estimated that he was the possessor of a comfortable fortune. He was part owner of banks in Canton, Hong Kong and San Francisco, and financially interested in Chinese newspapers in Canton and San Francisco. In the latter city he was a part owner of a Chinese importing house.

China Jim ranked high among the prominent Chinamen of the United States, and no influential business man ever passed through town without paying him a visit. His store, where he also made his home, was visited by dignitaries of the Chinese religion and many envoys and diplomats of the Chinese government. When the new Chinese Republic was established, taking the place of the old Manchu dynasty, China Jim was among the prominent Chinese in this country who were summoned to Peking in an advisory capacity.

About twelve years before his death he returned to China and brought back a bride. He had been married before, but his wife had died. Leo James Bo Fonda Jr. was born to this union, and China Jim was intensely fond and proud of the child. He was the first Chinese baby born in the town and all Colorado Springs society adored him. When China Jim gave a birthday party for Junior and served Chinese candies, fruits and Oriental



Photograph of James Bo Fonda, "China Jim," taken by Alfred Freeman in February 1899. Courtesy of Colorado College Library, Colorado Springs, Colorado.

tea, all the elite were invited to help him celebrate. One of the first to honor him was General Palmer, who gave him his first Christmas party at Glen Eyrie.

When China Jim died the cause of his death was thought to be blood poisoning, said to have developed after a tooth had been extracted. He also suffered an attack of pneumonia.

China Jim knew that he was going to die, and while at Glockner Sanatorium he wrote instructions for the disposal of his body. When death came, Beyle Brothers sent the remains to San Francisco where they were placed aboard the Chiyo Maru. Between Manila and Hong Kong, the vessel grounded in a fog on one of the Lema islands. The passengers on board the ship were saved, but the casket containing China Jim's body went down with the ship.



Photograph of Charles Gardner Bo Fonda, son of "China Jim," taken by C. E. Emery. Courtesy of Colorado College Library, Colorado Springs, Colorado.

What China Jim was to the yellow race, Elizabeth Cass Goddard was to the blue bloods. While *he* may have gone down with the ship, *she* was one who would never give up the ship. She was the Master of Colorado Springs society and Captain of many projects and organizations.

She founded in Colorado the D.A.R., Portia Club, and the Colonial Dames. She was State and National President of the latter. She was a member of the Daughters of 1812, Daughters of Holland Dames, Descendants of Colonial Governors, Order of the Huguenots, and Mary Washington Memorial Society. She could boast no less than fifty-six Colonial ancestors, and when she strung her pedigree across her chest, she resembled a Russian Grand Duke in all his splendor.

There were four things Mrs. Goddard believed in strongly. She believed in dignity when the common people went by, in the Republican Party, in woman's suffrage, and above all else, in Elizabeth Cass Goddard.

Frequently she was called the "Grand Old Woman of the Republican Party," because her political beliefs had their foundation in the very roots of the grand old party. She loved Taft and hated Teddy Roosevelt. When the latter paid a visit to Colorado Springs she made no bones about snubbing him. She gave an elaborate luncheon at the Cheyenne Mountain Country Club to forty of the most prominent and representative women of the Pikes Peak region—at the same time Teddy was addressing the Springs residents.

She was to live long enough to have her dreams of woman's suffrage shattered. She stated publicly, "No law has been put on the statute book of Colorado for the benefit of women and children that has been put there by the women," and in a more pointed statement she remarked, "The type of men that get into office has not improved a bit since women have a vote."

Elizabeth Cass Goddard was just one of the individuals who helped make Colorado Springs nationally known. It was people like her who made General Palmer's dreams of a refined town come true.

Colorado Springs is today, with her fine schools, colleges and academies, a cultured city. She is important, because she is the mother of world famous military installations. But above all she is a beautiful lady. Snuggled beneath frowning Cheyenne Mountain, she displays her wide tree-shaded streets, her lovely homes and her stately buildings, while Pikes Peak, landmark of Indian and pioneer, smiles down and winks his approval.

BRAND BOOKS

of The Denver Westerners

Herbert O. Brayer, editor of the Denver Westerners first *Brand Book*, wrote the following preface:

The desire of men to know the intricacies of their historical backgrounds and the mysteries which lay secreted in the records of generations long past is the motivating force behind the archaeological, genealogical and historical research which men throughout the world engage in either as an avocation or as a vocation. Thus the published histories of any state, region, or nation are but the framework upon which each investigator develops his own interests. The many facets of social, economic, political and spiritual development, in their total, form the true history of a people or culture. Yet, no historian, be he a Gibbons, a Parkman, a Trevelyan, a Lavisse, a Winsor or a Bancroft, can hope to present more than the bare skeletal outline of the complex substance which made up the life story of a people. The substance which must be found and placed in its proper relation to the skeleton must be left to the individual researchers—professional and amateur—whose interests as well as abilities lead him to develop one or more of the facets of history. Recognizing this truth the inquisitive human is ever curious of what his neighbor has found and how it fits into what his own personal interests and research may be. It is for just such reasons that the Westerners were formed.

The need for an organization where man, regardless of profession, might meet regularly to investigate and discuss their mutual interests in the historical development of the Rocky Mountain West has long been felt in Colorado. It was not until January,

1915, however, that as a result of a movement begun in Chicago the second chapter of the Westerners was formed in Denver. The germ was sown by Leland Case, national editor of The Rotarian, who described to a small group of interested Coloradoans the organization founded the previous year in Chicago. Denver Westerners was thus founded.

Limited to thirty members, the organization has but one purpose: to investigate and discuss the cultural background and evolution of the vast region referred to as the Rocky Mountain West. Fortunately, this geographical limitation is broad enough to encompass everything from the Mississippi River to California. This seemingly unlimited scope is justified by history, for few regions in America have been so closely bound to their surrounding areas. Starting with the Spanish explorations emanating from New Mexico, the French explorations from the Northeast, the fur traders, such noted explorers as Lewis and Clark, Pike, Long, and Fremont, the great overland highways known as the Santa Fe Trail to the south, and the Oregon and California trails to the north, Colorado has been crossed and recrossed by men seeking the wealth of other regions. When, after 1858, men stopped using the region as a highway to New Mexico and the Pacific and began to settle in its valleys and mountains, they soon discovered that they had overlooked one of the richest and most productive areas in the New World. "Like flies drawn to honey, the adventurous, the poor and rich, the laborer, and the capitalist, the Scotsman, Irishman, German, Frenchman, Swede, Pole, Cornishman and Cockney poured into the Rock-

ies." From Indiana, Illinois, Massachusetts, Virginia, California, and every other state and territory came the Americans. Each contributed his share to the culture of the region—to that already implanted by the Ute, Cheyenne, Arapahoe, Kiowa, Apache, Sioux, Navajo and Pueblo.

The twelve papers contained in this first volume of the Brand Book are ample evidence of the diversity of interests and the potential value of such an organization as Denver Westerners. Represented in the membership of this organization are attorneys, poets, professional historians, government employees, engineers, authors, book dealers, physicians, printers, publishers, businessmen, and University scholars.

It is unfortunate that the discussion which followed the presentation of each of the papers printed herein could not also have been recorded and reproduced. It is one of the requirements of membership that all must participate in the program. Frequently, the discussion following the presentation of the various papers contributed immeasurably to the knowledge and to further research efforts by the principal speaker. The wide experience and knowledge to be found in the membership of this organization in itself assures the success of almost every meeting. No one can long sit next to such men as William McLeod Raine and George Cursman without acquiring something of the "feeling of the old West."

From this beginning, fifteen volumes of the Brand Book have been published by the Denver Westerners, and since the *Table of Contents* bear valid testimony of adherence to the founding purpose as set forth in Editor Brayer's preface as well as providing a ready reference for our membership, the listing of all fifteen volumes together with the dedication of each is reprinted in this issue of the *Round-up*:

1945 BRAND BOOK – Volume One
edited by
Herbert O. Brayer

— — —
Dedication:

In Memory of
ROBERT S. ELLISON

Westerner and Friend in whose life and success was mirrored the spirit of opportunity, freedom and success so typical of the West of which he was a part.

— — —
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— — —
Appropriate line-drawings were used with the main articles.

— — —
1946 BRAND BOOK—Volume Two
edited by
Virgil V. Peterson

— — —
Dedicated to
THE WESTERNERS

who
made the West

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Colorado Cannibalism
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Coals From My Campfire
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Sheep Wars of the Nineties in Northwest
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By Col. Edward N. Wentworth
Pothooks Over the Plain
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A Train Robber Confesses
By Bill Carlisle
The Lives of Two Great Scouts
By Kit Carson III.
Glimpses of Early Denver
By Edward W. Milligan
Colorado's Early Day Doctors
By Arthur J. Markley, M.D.
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Besides the four-color, fold-out picture of
Yellowstone National Park in the front of
the book, many photographs effectively illus-
trate the articles.

1947 BRAND BOOK—Volume Three
edited by

Herbert O. Brayer
Illustrations by
Herndon Davis
Photographs by
William Henry Jackson

Dedication:
IN MEMORY OF

George H. Curfman, M.D.

Westerner and Friend, whose lasting
memorial stands not in stone or on
paper, but in the generations of
Westerners and their children
whom he healed and be-
friended throughout his
life.

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1948 BRAND BOOK—Volume Four
edited by
Dalney Otis Collins

Dedicated to
DR. JOHN E. VAN MALE

Posseman of the Denver Westerners,
distinguished librarian, founder and
director of the Bibliographical Center
for Research in the Rocky Mountain
region, true Westerner and friend.
On January 15, 1958,
John rode across the Great Divide.

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1949 BRAND BOOK—Volume Five
 edited by
 Don Bloch

Dedicated, with affection—by the Denver Posse of THE WESTERNERS—to the dean of all the westerners, WILLIAM MacLEOD RAINE. "We are an individualistic group, we Westerners. If we weren't, the organization would not be worth a damn." (M. MacL. R., in correspondence to D. B., February 15, 1950.)

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 SHINING DUST AND SHADOWS
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 Permutations in Paradox Valley, Dolores Calahan Renze.
 FOLKLORE AND FOLKWAYS
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1950 BRAND BOOK—Volume Six
 edited by
 Harold H. Dunham

Dedicated to **Ralph L. Carr**, 1887-1950, a fellow posseman who embodied the zest, the scholarship, the faith, the service, and the leadership that gained him the affection and respect of all true Westerners.

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1951 BRAND BOOK—Volume Seven
edited by
Nolie Mumey
illustrated by
Inez Tatum

Dedicated to **Malcolm G. Wyer** who has created a lasting and useful monument in the Denver Public Library by accumulating source material in the Western History Department.

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952 BRAND BOOK—Volume Eight
edited by
Elvon L. Howe

special sketches by
H. D. Bugbee

Dedicated to the late **EDGAR CARLISLE McMECHEN**, Posseman of the Denver Westerners, museum curator, author, editor, art director, outdoor life enthusiast, student of western culture.

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1953 BRAND BOOK—Volume Nine
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Maurice Frink
assistant editor
Francis B. Rizzari
illustrated by
Nick Eggenhofer

Dedicated to **LeROY R. HAFEN**, Historian Emeritus, State Historical Society of Colorado. Professor of His-

tory, Brigham Young University. Sheriff 1954 The Denver Posse of Westerners. A living example of devotion to the pursuit of truth in the recording of history.

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1954 BRAND BOOK—Volume Ten

edited by
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 assistance from
 Alan Swallow
 sketches by
 Jeannie Pear

Dedicated to All of the Authors who
 have contributed to the Brand Books
 of all the Westerners.

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1955 BRAND BOOK—Volume Eleven

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Dedicated to the Officers who have so
 ably led the Denver Posse through its
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 drawings by
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Dedicated to the Ideals of those who
 Built the West

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1957 BRAND BOOK—
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 edited by
 Numa L. James
 sketches by
 Jack H. Shannon

Dedicated to those pioneer women
 whose faith, whose vision, and whose
 courage helped to build the West.

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1958 BRAND BOOK—
 Volume Fourteen
 edited by
 Nolie Mumey
 sketches by
 Richard Holley

1959 BRAND BOOK—
 Volume Fifteen
 edited by
 Raymond G. Colwell
 sketches by
 Jeannie Pear

Dedicated to Pikes Peak, The Shining
 Mountain, symbol and guiding star
 of men and women who took part in
 the Rush to the Rockies in 1859, the
 centennial of which this volume com-
 memorates.

Dedicated to **Jack Foster**, Editor of
 the *Rocky Mountain News*, who has
 stimulated a great deal of interest in
 Western History.

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FROM THE CORRAL RAIL

(Continued from Page 3)

tions, including a limited one with an original Eggenhofer water-color laid in.)

Eggenhofer became enamored of the American West when a boy in his native Bavaria, reading about Indians and cowboys. He came to the USA at the age of sixteen. Living in New York, with relatives, working at odd jobs and studying art at night, he finally got out West in the early twenties and has made many trips out here since then. His first professional affiliation was with Street and Smith, whose art work he did for many years. His work is notable for its authenticity and vigor.

The Stockton, California Corral's quarterly bulletin, *The Far Westerner* carries two excellent articles in its

April issue, "Saddle-bag Preachers in the Mother Lode," and "The Pioneer Jewish Community of Sacramento."

Leland D. Case, one of the founders of our organization, wrote the following paragraphs to our Roundup Foreman and Tally Man, **Erl H. Ellis**:

"I like the way you Denverites are re-discovering the Black Hills. Founders of Rapid City called it "Denver of the Black Hills," you know.

"August 4th Joan and I start for Europe. Meetings are the prime reason—but I hope to contact Westerners in London and, perhaps, Paris.

"Any suggestions on how we can pull our overseas friends a bit closer into the Westerner outfit?"

The Denver Westerners appreciate Mr. Case's words of interest and hope he has time to write us about his visit with the European corrals.



Westerner's Bookshelf



PAWNEE, BLACKFOOT AND CHEYENNE.

History and Folklore of the Plains, from the writings of George Bird Grinnell. Selected and with an Introduction by Dee Brown. New York: Charles Scribner's Sons, 1961. \$4.95.

Dee Brown, who collaborated with Martin F. Schmitt in *Fighting Indians of the Plains*, has here culled some of the best of Grinnell's writing about the three plains tribes on which Grinnell was an authority. The first three parts of the book are a wealth of ethnological and historical information on the Pawnees, Blackfeet and Cheyennes.

The fourth part of the book is entitled "The Coming of the White Man," and contains much of special interest to Colorado.

Nearly forty pages of this section are given to Bent's Old Fort on the Arkansas, which is a Colorado State Historical Monument, now in process of being turned over by Colorado to the National Park Service, which plans to develop the area and reconstruct the old fort as nearly as possible as it was in the 1840s.

Bent's Old Fort then reared "its towers

over the uncultivated wastes of nature like an old baronial castle that has withstood the wars and desolations of centuries." It was (quoting Grinnell) "the oldest, largest, and most important of the fur trading posts on the great plains of the United States."

Grinnell recites its history, describes life in the old fort, and chronicles the careers of the Bent brothers and others associated with them. He brings his story down to 1912, when he stood on the fort site. "It was still bare of grass, and marked on two sides by remains of the walls, in some places a mere low mound, and in others a wall four feet high, in which the adobe bricks were still recognizable." Here and there, he relates, "were seen old bits of iron, the fragments of a rusted horseshoe, of a rake, and a bit of cast-iron which had been a stove and more letters and figures which could be made out as portions of the words, 'St. Louis, 1859.'"

By the time the State Historical Society of Colorado had acquired the site, nothing remained of the fort. It had disintegrated, or been borne away bit by bit.

Today the outlines of the old fort rise

again, in the form of low walls, composed of adobe brick made on the spot and laid out on the original foundations to show the visitor what a vast enterprise Bent's Old Fort was, in the days when the Cheyennes and other Indians came there to trade buffalo hides for the white man's goods. Some of us who have been privileged in the last few years to have a hand in preserving what could still be preserved of this famous Santa Fe Trail landmark, and in getting the site into possession of the United States government so that the area can be properly developed as a National Historic Site, rather hate to give it up,—but it will still be in Colorado.

Maurice Frink, PM

KIRBY BENEDICT: Frontier Federal Judge, by Aurora Hunt. The Arthur H. Clark Co., Glendale, 1961. 268 pages, illustrated. \$9.00.

This book is one of the Arthur H. Clark Company's series of "Western Frontiersmen," which is a guarantee of valid history as well as of fine book-making. Benedict Kirby (1810-1874) began his practice of law in Illinois and rode the circuit there in intimate companionship with Lincoln. His western career began when he was appointed Associate Justice of the Third District of New Mexico Territory in 1853 by President Pierce. This district comprised Bernalillo, Valencia, Socorro, and Dona Ana counties, which at that time included nearly two-thirds of the present states of New Mexico and Arizona. From 1858 until 1866, Kirby was Chief Justice of the territory, and for a good part of those years he was the only functioning supreme court justice. Thus he had more to do than any other man with the establishment of American court rules in a country which had had centuries of Spanish and Mexican justice. He had four peoples to deal with—Americans, Mexicans, Pueblo Indians, and "wild" Indians. He learned to conduct a trial in Spanish; he must decide whether Acoma or Laguna was the rightful owner of a 17th century holy portrait of San Jose; he freed peons who had been sold into slavery in childhood by their relatives; he declared that no Indian could be legally a slave; he urged his friend Lincoln to weed out Southern sympathizers from office and appoint only strong Union men; he condemned murderers, whether male or female, to hanging.

The judge was bearded and pompous; he could get drunk on his own oratory. He got drunk worse and oftener on whiskey, and he was not a good manager of his own finances. But he was an honest and indefatigable judge. In 1866, however, his political opponents complained that he made no distinction between his court and a party

caucus, and furthermore was frequently seen drunk in the street and on his bench. President Johnson refused to reappoint him. Kirby set out on a prospecting tour to the dangerous country of the Walker mines in Arizona. He returned from that to the practice of law in Santa Fe, but his arrogance got him disbarred. In 1873 he founded a newspaper, "The New Mexico Union," which he edited until his sudden death in 1874. Debts of his estate exceeded assets, and his widow, son, and daughter went back to live in Illinois.

The author, Aurora Hunt, has had two other books of southwestern history of this same period published by Clark: "The Army of the Pacific" and "Major General James Henry Carleton."

For color and actuality, she has drawn on a series of letters printed in the "Santa Fe New Mexican" in 1864, describing a tour of the court from Santa Fe to Las Vegas to Mora to Taos. A day's ride in a buggy might cover as much as fifty miles of bridgeless mountain roads. At night, for lack of hotels, the court officers were guests of prominent families. Anyone wanting to read the whole of these six letters can get them in a handsome small book, "A Journey Through New Mexico's First Judicial District in 1864," published by Westernlore and edited by William Swilling Wallace. Mr. Wallace shows by internal evidence that these letters could have been written only by Judge Kirby himself, or by Attorney-General Charles P. Clever who accompanied him. Mr. Wallace thinks Kirby wrote them, but sometimes the phrasing sounds like that of a person who grew up speaking some other language than English, and Clever was German born and educated.

The book has a fine folding map of New Mexico in 1855, which is edged with a blank leaf, so that the whole map can be kept visible for consultation during reading.

Julia Lipsey

COLORADO'S LOST GOLD MINES AND BURIED TREASURE by Caroline Bancroft, assisted by Agnes Nafziger. Johnson Publishing Company, Boulder, Colorado. 56 p. \$1.25.

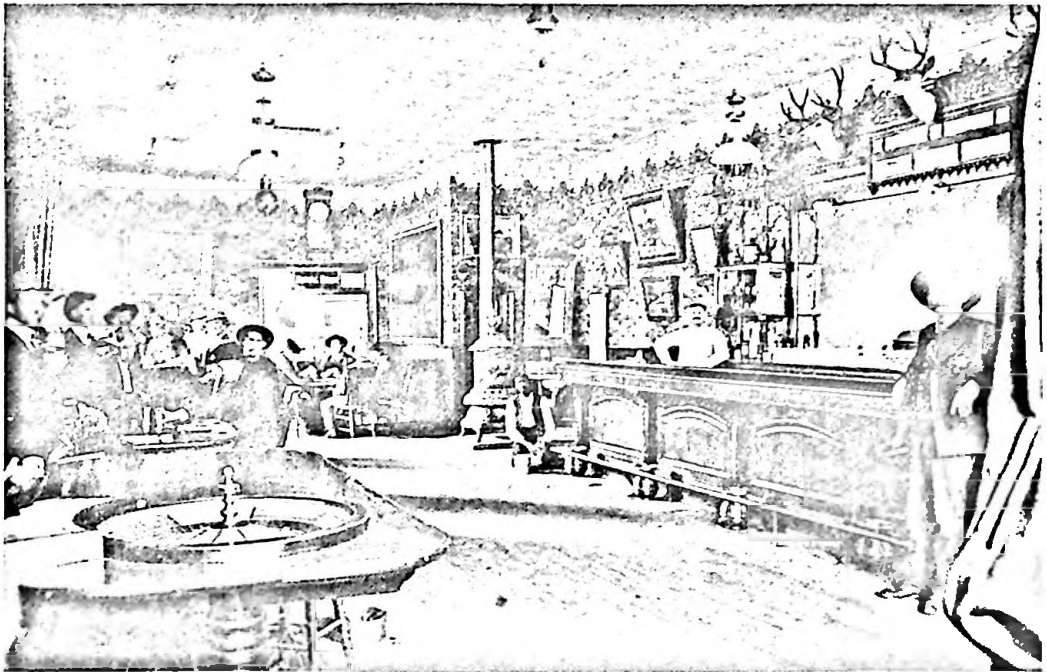
It is to be hoped that none of the eastern dudes will take this pamphlet too seriously and start digging for gold as have so many predecessors, including the Mexicans and Indians. The convenient snow slide destroyed all evidence at each different location where the gold was supposed to have been buried. The pamphlet is well designed and illustrated and ought to make good reading even to the sour dough prospector.

Herbert Johnson, CM

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



August
1961
Vol. XVII No. 8



Telluride Saloon during the boom days.
From Collection of Fred and Ja Mazzulla.

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M O N T H L Y
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SEPTEMBER MEETING

Cripple Creek Conflagrations

by

Lester L. Williams, M.D.

WEDNESDAY, SEPTEMBER 27, 1961

6:30 P.M.

**Denver Press Club, 1344 Glenarm
Denver, Colorado**

Dr. Williams has carefully studied this subject for several years and knowing his thoroughness of research, we can expect an authentic and interesting paper.

OCTOBER MEETING: Caribou by Granville Horstman

FROM THE CORRAL RAIL

About 120 attended the annual Rendezvous held at Colorow's Cave on the ranch of **Posseman Drew Bax**, August 19, 1961. **Posseman Nolie Mumey** made the arrangements for the steak dinner which was enjoyed by all in attendance, and **Rocky Starr** sang Western songs prior to **Frederick Manfred's** informative talk about his writing of Western historical novels. The presentation by the speaker was "taped" on **Posseman Fred Mazzulla's** tape recorder, and **Posseman Alan Swallow** had a transcription made which is published in this issue. The weather was perfect and **Sheriff Charles Ryland** reported "a very pleasant time was had by all."

Corresponding Member **Richard A. Bartlett**, faculty member at Florida State University, Tallahassee, reminded our Roundup Foreman and Tally Man, **Erl Ellis** of the Conference on the History of Western America which will be held this year in Santa Fe, New Mexico, on October 12, 13, and 14. He also wrote: "Just a line to let you know how much I enjoy the ROUNDUP. The only trouble is that it makes me so darn homesick."

Posseman D. O. "Doc" Collins has completed a new book titled *Great Western Rides* which will soon be for sale. The book was planned so the various stories would exemplify some phase of Western history, including the fur trappers' era, the cattlemen's decade, Indian wars, the railroad building period, etc. All the stories are about horseback rides, are "action-packed," authentic, and beautifully illustrated. **PM Alan Swallow's** publishing company, Sage Books, plans to have the book ready for distribution in October, and our Bookshelf will have a review of *Great Western Rides* in the near future.

Sheriff Charles Ryland met with the English society of Westerners at the Grand Hotel in London on the 15th of July 1961. He was invited to speak and responded with a summary of "Colorado Railroads." We will check the English Westerners' magazine for comments on his visit and talk.

Barry Johnson, presiding sheriff at the meeting sent greetings from the English society to the Denver Posse and invited all members who come to England to get in touch with the English organization. If possible a meeting will be arranged for the purpose of meeting and visiting with the members. **Sheriff Ryland** commented on the number of Denver Westerners whom the English group know, primarily because of the books and articles written by members of our society.

Chicago Westerners listened to their deputy sheriff, **Douglas Crozier**, read an excellent paper on the history and accomplishments of the Navajo people at their June 26th meeting. His paper, together with "Chapter Notes" and book reviews, was published in the July issue of their magazine.

The August issue of the Potomac Corral of Westerners' CORRAL DUST contains the first part of a paper titled "Prelude to Lewis and Clark" by a former sheriff of the group, **Roy E. Appleman**. For those interested in this subject this is a well organized presentation. Four short articles and several book reviews complete this issue.

Publisher and Posseman Alan Swallow has announced the titles of nine new books which his organization has published and is distributing.

Besides these new books **Publisher Swallow** has started the printing of "quality" paperbacks which includes such books as **Forbes Parkhill's** *Wild-est of the West* and **Frank H. Mayer** and **Charles B. Roth's** *The Buffalo Harvest*.

BACKGROUNDS FOR WESTERN WRITING

by FREDERICK MANFRED



Frederick Feikema Manfred was born January 6, 1912, on a Siouxland farm north of Daon, Iowa, in Rock township, just a few miles from the Minnesota and South Dakota borders. Mr. Manfred is of Old Frisian-Saxon descent; he is six-foot-nine, the oldest and tallest of six brothers.

He was educated in Iowa until he attended Calvin College, Grand Rapids, Michigan, from which he graduated in 1934. From then until 1937 he wandered back and forth across America from New York City to Los Angeles, stopping off now and then to fill jobs which ran the entire gamut of temporary employment. In May 1937 he became a reporter for the Minneapolis Journal and also did social work and public opinion polls. In 1942 he married Maryanna Shorba; they now have three children.

In 1943 Mr. Manfred decided to quit all other work and, concluding that it was now or never, devoted full time and energy to writing. Since then he has published nine novels, among them *Lord Grizzly*, *Riders of*

Judgment and Conquering Horse. He has received many grants and awards, from such institutions as the University of Minnesota and the American Academy of Arts and Letters. (Until 1951, he wrote under the pen name of Feike Feikema.)

He now lives in southwest Minnesota, near Luverne, Minnesota. He cultivates a garden, an orchard and a vineyard. Among his favorite authors he includes Chaucer, Cervants, Smollett, Doughty, Melville, Twain and Faulkner. He is now working away at novel number twelve.

A talk given at a rendezvous of the Denver Posse of the Westerners in the Colorow Cave, Bax Ranch, Denver, Colorado, August 19, 1961.

Each one of you no doubt has had his own way of becoming interested in "westerns" and in historical writings generally about the Old Far West. In my case, I read westerns whenever I could sneak away from the house. I got my chance to read westerns when I went to the barber shop, or on Saturday nights when the folks went to town to bring in the eggs and get groceries. I'd sneak into the poolroom or the produce house, and so on, and try to find all the mangled up westerns in the back of the counters or behind the stoves. Eventually I ran into Zane Grey, and after that I tried to get hold of everything he wrote. In high school I even read him walking home.

My folks didn't want me to read westerns. My folks were rather religious people; they were Calvinists. It was all right if I read the school books, the textbooks, and if I read the Bible. But for me to be monkeying with modern things like westerns—that was a bad thing. I think what

spoiled it all was that one time I took home a book by Thomas Hardy called *Tess of the D'Urbervilles* and my mother happened to read the passage where poor Tess was taken advantage of. My mother went to the high school principal and asked him if he wouldn't check over my reading from then on. Any book I took out of the library had to go through his office. I then resorted to getting whatever books I could from doctors and dentists in town. I learned that doctors and dentists tended to be a bit more cultured than the rest of the people—at least the wives read if the doctors themselves didn't have time to read.

However, by the time I went to college, I was frowned at so often by my friends for reading westerns, western magazines, Zane Grey, that I began to drop it all. And by the time I was through college the professors had pretty well knocked it all out of my head. Westerns—there was no culture in them at all.

Well then, how did it happen that I came to write LORD GRIZZLY, which is my first so-called western?

I came in through the back door. I began my writing about the things I knew best. The year after I graduated from college, I hitch-hiked through the Dust Bowl in South Dakota, in 1934. I couldn't get that out of my mind. I tried to write a novel about other matters, other subjects, but this particular story hung in me until I finally had to write it first. Later I had another overwhelming experience. I had a touch of TB, stayed in a sanatorium, and I wrote about that. In a certain sense, those early books of mine have the typically classic subject matter of the beginning author—a soul purging—not completely so, because I tried to shape that stuff into a story, into some form that would have meaning besides being something personal.

When I wrote other books. I finally

wrote a long trilogy. But somewhere along the line I began to see there was a dimension lacking in my books. When I studied English authors, for example, I saw that no matter which way Hardy or Thackeray or Dickens moved, or whatever they did, there would be echoes in their writings of other writings before them, and of a long history of the English people. An American writer, if he were from the Midlands, and if he were not from New England or from the Deep South, had very few echoes at work in his books. His characters tended to be two-dimensional. They were true, and they were real, but they lacked something. I began to wonder what it was that mine lacked. I decided, finally, it was because I really didn't know who the fathers and the grandfathers were—particularly who the grandfathers were and not so much the blood grandfathers as the historical grandfathers—of the heroes of my early books.

Soon after I started writing, I read a book called SOUTH DAKOTA GUIDE. Some third of the way through it I ran into a woodcut, a black and white woodcut, which depicted Hugh Glass in mortal combat with a she-grizzly. This caught my eye, and I remember reading the little paragraph and the footnote accompanying it. One of the items in the paragraph told of how old Hugh Glass had been deserted by his two "companyeros," and of how, after he had crawled back to safety and had regained his health, he went looking for those men, intending to kill them, but when he finally did find them, he forgave them. This was difficult for me to understand, fully. Now it is not that I find it difficult for myself to forgive people for minor offenses, but the problem was no one had ever done me as much dirt as these two boys had to Hugh, and I felt if someone had pulled this off on me, I

probably would have had difficulty forgiving them. However, I took notes on the incident, about a page, and put them away, in my old college leather-bound notebook. As time went on, I ran into other things concerning mountain men, and I jotted them down, a reference to some book, or a shot at the problem of how this man could have forgiven those two boys.

About the time I finished my trilogy, and about the time I decided to do something about giving my characters depth, something happened to a relative of mine which was very serious. It was a terrible affront, and at first I thought the man was guilty of what he was accused of, but the further I dug into it the more I discovered he was not guilty, that it was a case of mistaken identity. We had to do a lot of fighting and digging. And when it was all over, many recommended the man sue. But the man didn't want to sue. Since I was quite closely connected with it, I caught a glimpse, for the first time, of what it meant to forgive a grave offense.

I went back to pick up the Hugh Glass theme, and went after it. Now you just don't sit down and begin writing just like that. I had to read many history books about the Old Far West. I read Chittenden, Dodge, Vestal, Prescott, Parkman, Catlin, and many many others. The two books I thought the best for my purpose (what I worried most about was conversation—what do you get them to say and how do you get them to say it? to get the old language you really have to re-enact those old days) were George Frederick Ruxton's *LIFE IN THE FAR WEST* and Lewis H. Garrard's *WAH-TO-YAH*. Both were written by young men, very young men. Both young men put down, I think, the exact conversation they heard in those days. I wrote down all the phrases I thought rang true to me.

I probably had about forty pages of this conversation collected in my notebook. When I began writing the book, every morning, before I would start, I would read maybe a half-hour of this conversation to get the old lingo going in my head and to get the old time syntax straightened away, and then I would pick up where I left off the day before.

I also had to see the terrain. I drove out to South Dakota with my wife, and tried as much as possible to walk over the areas where Hugh Glass possibly did crawl from near Lemmon, South Dakota, down to a place below Pierre.

I also tried to figure out how it would feel to have a broken leg and one's back all torn up. I constructed a wooden stick and tied it to my leg and my back. At the time I lived near Minneapolis on a high hill, and I crawled backward and forward and up and down this hill with this stick to get the feel of it and the ache of it, etc. In the process, of course, I had a chance to look quite closely into the grass right beneath my nose, and there I saw ants and all kinds of creatures, and I took a taste or two of those. If the man was hungry, he would eat anything that moved.

Wherever I possibly could, I tried to enter into the physical conditions this man might have lived through. I crawled across streams of water. I tried to drink some of that South Dakota water on the western side of the Missouri River, which has a lot of alkali in it, or wild salt, as the boys call it, because the effects are very wild. And it is also wild in the sense that it isn't manufactured salt. Finally I talked to historians in historical societies; they too were a real help.

I did do one thing. I avoided reading all contemporary westerns. I didn't read a single book by, say, Guthrie or Clark or Haycox, or any of those written by members of Western-

er clubs. The few glimpses I had of such books gave me the feeling they were not quite true, that they were written a little too patly, that there was a lingo they were picking up from each other rather than what might have been real. They checked the historians, yes, but they had a way of writing that made it feel too easy. Good writing doesn't come easy; it comes tough. Because you're not just picking up something that's going on in the back pot of your head.

I'd like to switch now to the other two books I wrote which deal with the West. And then I'll sum up at the end, giving you the final steps I took with each book to get what I wanted.

The next idea that caught my imagination was an incident recorded in Mercer's little book called *THE BANDITTI OF THE PLAINS*, the Johnson County War. Now, despite the fact my profs in college sneered at me for wanting to read Zane Grey in my youth, I would occasionally still sneak one in college. I had a notion in the back of my head that some day I would write a western, and a cowboy western, and I would make it a good one. I would make it a true one if I possibly could. Well, when I studied all the various ideas and incidents of the Johnson County War, the one story that stuck in my mind most was that of Nate Champion. He had fought on after he was licked. He was cornered, he was done for, but he still battled to the very end. And he was also fighting for an idea. No situation is ever black and white. Nate's side had its faults and the other side had its faults, and you can say something favorable for both the small rancher and the big rancher—both had their points. However, Nate's story was the one that seemed to catch the whole picture of the Cattleman West about the time it was to die out.

Finally I went to Cheyenne, Wyo-

ming. I attended a couple of rodeos for one thing, and watched them handle the horses and steers, etc., to get the old feeling back. (I'd had an old horse named Tip when I was a boy. Tip had a brand on his hip. When you got the mail and you'd stop to read the ball scores while still sitting on him—the moment he knew you were engrossed in the Cub score, he'd tip you off. So I had a little feeling for an old time bronc.) What really helped in Cheyenne was the librarian at the museum. She told me about a woman named Mrs. Clark Condit, living in Kaycee, Wyoming, who knew a lot about the Red Wall gang and the hole-in-the-Wall boys, as well as the history of the Johnson County War. So my wife and I checked in there.

Mrs. Condit was very friendly, but she was a little reluctant to talk about Nate Champion. For one thing, she was going to write about him herself, some of it; and for another, she felt she should be a little careful to whom she told all this stuff. Well, I finally said to her, "I'm going to write about him anyway, so if you don't give me what you know, I'll probably get it wrong, and it'll be as much your fault as my fault. I think it's important that people know who Nate Champion really was." I went away and let her think about this over night. The next morning when I showed up she was very gracious and indicated she was willing to talk about him.

While we were there—about a half hour—who should show up but one of the families intimately concerned in the whole thing—the Tisdale family. The Tisdales knew Nate Champion. Nate Champion was the godfather of many of the Tisdales. Johnnie Tisdale, a famous rodeo rider, was in the group. Johnnie's mother was carrying Johnnie at the time and Nate would undoubtedly have been his godfather too. Well,

seeing Johnnie Tisdale right there—even though he wasn't quite in the world at the time, but was on the way—really made it alive for me. Because we were sitting there, and seemed to be good friends of Mrs. Condit, the Tisdales began to talk. Outside Mrs. Condit's bay window was the very meadow in which Nate was killed. And while they were talking, the Tisdales would point out the various places where Nate ran and where he stopped and where the smoke went, etc.

I have a fairly good memory, and my wife has a good one, but I was hearing too much too fast, so I had to keep excusing myself and go to the bathroom and make notes. I made more notes that day in the bathroom! Those people must have thought I had a bad set of kidneys. I took it down as fast as I could.

That night when we got back to the hotel (I forgot) was it called the Feed Rack? Yes, that's right. The Feed Rack . . . my wife said it was the first time she'd ever had to go to a bathroom in which there was a urinal . . . very interesting experience . . . there was nothing but cowboys and surveyors up and down the hallway . . . we were the only couple there) we spent the first hour or so trying to fill in the gaps from memory.

The next day I heard that the actual gun Nate had with him the last day of his life was up in Buffalo, that one of the Tisdale grandchildren had it, along with some other material, that there was a trunkful of Nate Champion's effects which the Tisdales still had. No one had seen it. Just this girl had it.

I looked her up. She was pretty only when I walked in, and I thought, "The only way to handle this is to be friendly, but also to be blunt." So I told her exactly what I wanted and what I was going to do. Again I made the remark, to her, "I'm going to write about him anyway, so if you

don't give me what you know, I'll probably get it wrong, and it'll be as much your fault as my fault. I think it's important that people know who Nate Champion really was. Because this thing is larger than both of us." Well, she did tell me a little bit, and she finally offered to take me out to the graveyard near Buffalo. So we went out to see Nate Champion's grave, and his brother Ben's, and while we were standing there we found out that she and her brother still brought flowers to the grave every spring on Decoration Day. They kept up the grave themselves. Well, that really brought it up close, and I was about ready to go—except for two more steps that I'll go into a little later when I sum up.

I realized by that time I had to go even further back. Behind the pioneers were the fur trappers and the goldminers, and behind them the Indians. In Siouxland the Indians were the Yanktons. I had played basketball with one Yankton boy, at the Sioux Falls Commercial College, a fine lad named Jim Wells. We played against an Indian team, and I remember how the white boys on my team complained the Indians were tricky, that was why they showed up to good advantage. Well, I had been watching the way the white boys handled me, the things they pulled on me because I was too tall for them, so I studied a little what they meant by the Indian being tricky, and in the process I caught a glimpse of what went on in the Sioux mind when he played the white man's game according to the white man's rules. The Indian is of another time entirely. The distance between him and the white man is almost like the distance between the dinosaur and man. The Indians are a Stone Age people and we are a so-called Modern Age people.

I wanted one idea or one theme or one point or one nugget that would

capture the vision of what it meant to be an Indian. I did a lot of reading in anthropology. I did a lot of talking to old Sioux braves.

Finally I ran into a Yankton woman, educated, whose grandmother's name was Grandma Smoke. This informant was some seventy years old. She had heard many stories and legends when she was a child from her grandmother, when her grandmother was a good fifty years old. So, by adding sixty and fifty, you win back some one hundred ten years.

She gave me an enormous amount of material just talking. She knew what I was going to do with it and she didn't care what she said. And in the talking, the one thing that kept coming up was the idea of the sun dance—why the Sioux performed it. So I studied the sun dance. I saw some modern performances of it. I didn't get to see the old time sun dance. I tried several times to get in on it—the actual sun dance where they put sticks through their flesh and swing themselves on thongs and dance all day—but at the last moment the old braves would shy away, afraid I might be a government man. But I did learn enough from the old braves to get the feel of the old days, and I finally concentrated on the idea this hero of mine should get a vision, and his vision should be a complicated one, which would not only bring forth why he became a brave, and what his mission in life was to be, but would also set up the relationship of the father to the son. In fact, I would peer all the way back into horse culture, and if possible peer back into the animal world from which we all came. And it seemed to me that to study not only the Indian boy in relation to his father, but to study how a stallion ran his herd, would also give me a picture of how families came about. I went to the Pine Ridge reservation with my wife and took pictures. I went to dances

in Northern Minnesota. I got acquainted with some of the Indians who were singers and drummers. And, finally, one time I was invited to join the boys at their drumming. I sort of hung back, but they said, "Just go through the motions. We know you can't really drum like the rest of us, but at least go through the motions." Finally they came to like me well enough so they would come to my house. They would wake me up out of my afternoon nap, would suddenly come along with their regalia, and give me a little impromptu dance right there on my yard.

Well, now I've given you pretty much how I got the raw materials for my three books, LORD GRIZZLY, RIDERS OF JUDGMENT, and CONQUERING HORSE. But there are still left a couple of important steps I think I should tell you about.

I have found, in every one of my books, that whenever I am going to deal with some experience that I haven't personally seen or lived through, I have to brood on it for a long time, think about it deeply, before I can write convincingly about it. Not directly so, or in, say too direct a manner, but sort of slidingly along the edge of it. Play with it. Think about something else a little bit and then let my mind slip back to the subject on its own. Using that method—all of a sudden something seems to happen to my mind—there's a parting of the curtains. Suddenly for about two or three seconds long, I'll get an absolute picture of how it was for this other person—the things he went through. It's very similar to the one we have when young. We may be opening a gate—there may be a hollyhock on the left—a bird may be singing—at that very moment it'll snap into your mind you've had this experience before. You've been there before. You can't pin it down, yet you know you've been there. Now, someone else may have lived it, say

your grandfather or your great grandfather. In fact, it is remindful of the Bridey Murphy sort of thing.

People sometimes say writers are nuts. Now that isn't exactly funny. Some writers do play with things that are dangerous to sanity. They often know too much. They do work sometimes near the area of true hallucination. I have. When I was in college, when I was reading about the old Greek times, for a fleeting second, I would actually see the old Greeks, see them in their regalia, get such a true picture of them that if a movie could have been made in those ancient times it could not have been better.

When I was doing LORD GRIZLY, after I had understood personally what it might mean to forgive a grave offense—about that time I began to get little mental slides or transparencies, little quick movies, of Hugh walking alone, shaking his head, holding his beard to one side as he drank from the White river. I probably got fifty or sixty such shots. When I get such shots, I then know I'm on my way, I'm ready to write.

Somewhat the same thing happened to me while doing RIDERS OF JUDGMENT. The book opens with Cain Hammett riding alone. (I finally called the hero Cain Hammett instead of Nate Champion.) One day, for a fleeting moment, I saw in my mind a man riding out of a mist past a ponderosa pine and some rocks, descending a mountainside. That came to me suddenly one day. "That's where I should begin the book," I thought, "because that's the first real vision I've had of how it was." Then came other glimpses, other partings of the curtains of the past.

I like to think these little visitations I had of Cain Hammett were more true than what actually did happen to Nate Champion. This is presumptuous on my part, perhaps, but I have some right to it because I put it down. And many people

since have read what I put down and have told me that the book did touch them. (For some time the story went the rounds that I was mostly an autobiographical writer. Well, unless I actually was a Nate Champion in another life, I can't be. And I certainly have never been an Indian—at least, not that I can remember.)

The same thing happened while I wrote *Conquering Horse*. I began to get little visions of how No Name the hero would walk, how he would look, how he would talk to his girl friend, how finally he actually had a vision up on Thunder Butte. To help the vision along I of course climbed Thunder Butte. I sat there all day. I even talked my wife into going up there on another occasion, though she hates to climb. Because, sometimes, by having her with me I get another shot at the problem. She often seems to catch and feel, almost with my instincts, what I'm after, and it's a real help to have another person see with you.

There remains one final step.

I have often dreamt about my characters. This usually happens after I've begun the book and am about a third of the way into it. I'll begin to have dreams about the characters. If you'll notice, all my books begin rather slow—at least I think so. But somewhere about a third of the way through, they begin to feel real. It's at this point that I have begun dreaming about them.

Then, often, about two-thirds of the way through, I begin to dream the character's dreams. Dreaming the character's dreams happened to me most often when I was doing MORNING RED. That's why that's a disturbing book to many readers. Because one of the boys in it has dreams that are most revealing. In fact, I worried for some time that perhaps I was more Jack Nagel than I was Frederick Manfred. We are all of us potentially our neighbors. If we will

look very carefully, we will see ourselves in our neighbors. Or, see our neighbors in ourselves. This also happened to me partway into CONQUERING HORSE. I dreamt No Name's dreams and had his vision on Thunder Butte.

It's this business of dreaming about

some of the characters, and then, finally, dreaming the dreams of the characters, that gives my books their final dimension.

I think that pretty well sums up how I did the three "westerns" I've written so far. Thank you.

The Lady Known as Who?

by BARRON BESHOAR

Barron Beshear was born in Trinidad, Colorado, educated in that city's schools and at the University of Denver, Barron Beshear has advanced rapidly from newspaper reporter to the division head of one of the international news agencies of our country. He is a third generation Coloradoan, his grandfather having been one of the founders of The Pueblo Chieftain. Barran was a Posse Member until the press of his many responsibilities caused him to give up his active membership, and he has contributed other articles to our Denver Westerners' publications. The following is representative of his careful research and interesting style of writing.

A man can stand on Colorado Avenue, the main drag of Telluride, and run his eyes over some of the world's most awesome scenery. From his low altitude of only 8,745 feet he has to tilt his head back a bit to get a really good look at the fresh snow-caps on such blue and white cloud scrapers as Ballard Peak, 12,808 feet, or Telluride Peak 12,700 feet, or Wasatch Peak, 13,555 which tower high above the little metal mining town. But these dazzling geological wonders are commonplace to residents of the San Juan area in extreme southwestern Colorado where the terrain runs heavily to the perpendicular. The scenery that really has the attention of some of the principal citizens is in the form of an oil painting which hangs on the south wall of a one-time beer garden next door to the busy corner pharmacy at the intersection of Colorado Avenue and Fir street.

The painting, a life-sized nude, is

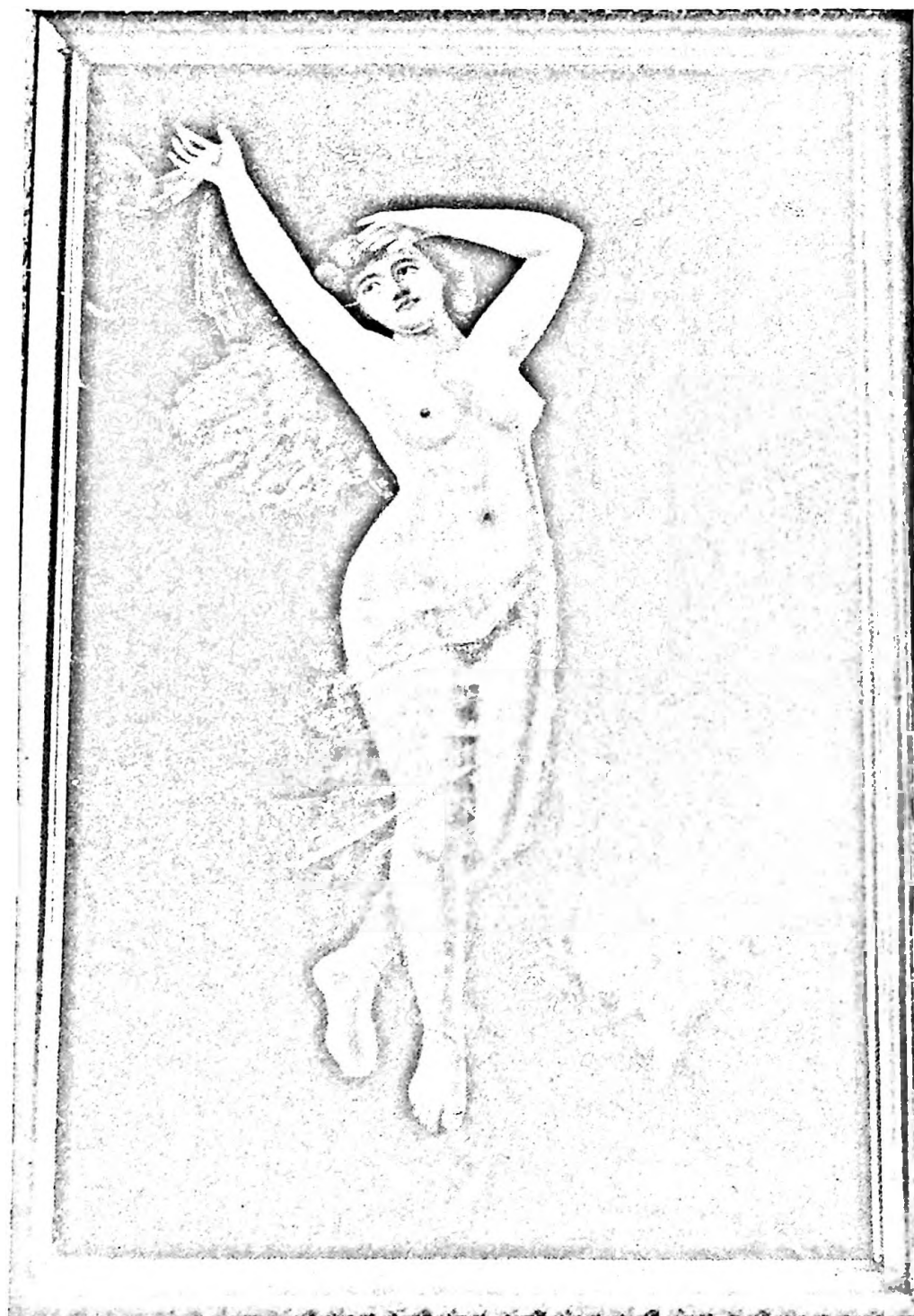
claimed and coveted by a cast of characters who might have just stepped out of the television screen on to the floor of the family room. They include—

1—Frank Biggar Wilson, sixty six, a husky, handsome one time Mexican border cavalryman, a pharmacist for forty one years and the proprietor of the Busy Corner, an establishment that looks like an overstocked prop room for a movie on old-time drug-stores. He has possession of the nude and intends to keep it.

2—Thurston Parsons, often a gambler but currently running the Climax Uranium Mine near Moab, Utah. He once had possession of the nude, intends to get it back.

3—San Migel County Treasurer Donald A. O'Rourke and his lodge brothers who would like to escort the fair-haired nude out of Frank Wilson's place and up Colorado Avenue one block to a place of honor on the walls of the Elks Club.

4—The attorneys, who are getting their cases ready and otherwise preparing to fight it out in court. Wilson's attorney is Philip F. Icke of nearby Ouray who has a private law practice and also is city attorney of Telluride, town attorney of Ridgeway and town attorney of Nucla. Note—his wife, Rose, is a sister of Otto Kerner Jr.,



Photograph of Wilson's painting "The Lady Known as Who?"
Photo by Courtesy of Charles Niehuis

Governor of Illinois. Parson's attorney is Ralph E. Miller of Montrose, Colorado.

As for the painting itself, it probably wouldn't make the grade at the Metropolitan Museum. Female it is, but the proportions of shoulders and arms leave much to be desired though her hips have never been found wanting by generations of hard rock miners. They are wide and spacious, have the same sweeping curves which characterized the rump of another important and cherished inhabitant of Colorado mining towns, the durable mine mule.

Her origin, her identity and her ownership are often subjects of discussion in Telluride, ranking with such topical items as snowslides, the relative merits of various brands of whisky, draw and stud poker, and whether the band of Rocky Mountain sheep which favored Ouray by grazing in an alpine meadow high above the town are likely to cross the mountains and put on a similar spectacle for the one thousand citizens of Telluride.

The most popular story of her origin revolves around an impecunious young artist and a girl who worked "On the Line" on Pacific Avenue just a block off Colorado Avenue. According to this oft-repeated tale the artist, suffering from a severe case of gold fever, drifted into Telluride when the camp was at the height of its boom. Such mines as the Alta, the Black Bear, the Tomboy, the Liberty Bell and the Smuggler were pouring out millions in gold, copper, lead and zinc. Hundreds of men crawled over the mountains looking for new properties. But the poor artist couldn't get together enough money for a grubstake because of a fatal flaw in his physical make-up—his hands were callous free and lily white so naturally no one would trust him.

When he ran completely out of funds he wound up "On the Line" where one of the girls took pity on

him. She was a beautiful and good-hearted Erskine Caldwell sort of girl. She provided the artist with meals and various comforts of life, finally posed for the painting which he sold for enough money to provide the needed grubstake and remove her, via the bonds of holy matrimony, from her life of degradation and shame.

The happy couple bought a home in Telluride and settled down to a life of well-liked respectability. He found a couple of good claims which he sold for substantial sums. Some say grateful miners continued to bring the now faithful wife rich samples of high grade ore which she and her husband processed in their house.

Her removal from the line cut the number of girls working in Pacific Avenue's twenty six parlor houses and cribs from 175 to 174, but the picture more than made up for the loss. Apparently the picture never hung in a Pacific Avenue house. Such pleasure palaces as The Pick and Gad*, The Idle Hour, The Gold Belt, The Silver Bell, The Whitehouse and The Coz Corner, run by such esteemed personages as Diamond Tooth Leona and Jew Fanny, had no need for art painted on a canvas. The picture made the grade over on respectable Colorado Avenue where it hung alternately in The National Saloon and The Cosmopolitan Saloon. Certainly it was traveling between the two saloons fifty years ago as it is clearly remembered by a number of local citizens who also were traveling between the two saloons at that time.

It next showed up during prohibition days in The Diamond, a gambling and drinking spot run by Harry Counterman. After Counterman and his girl, Bessie Young, who ran The Idle Hour, went out of business and went off somewhere and committed suicide, Thurston "Slim" Parsons

*—A Cornish term for a pointed iron bar used by miners to loosen ore.

came into possession of the gambling equipment and the painting by paying \$300 back taxes to the San Miguel County Treasurer.

Parsons kept the painting in one of his places for a time. Then, during one of his business interludes, he took it to The Roma Bar and Cafe where, with some ceremony and reverence, it was placed on the wall opposite the handsome cherry wood bar. The Roma is not unmindful of culture and the esthetic. For example, two of its objects D'art consist of very large pictures, one of a tiger and one of an African lion. Over the glass of each picture is a grating of iron bars. Each grating is firmly fastened to the picture frame with a huge padlock. Shortly after the nude got to The Roma, however, the wife of the proprietor let out a yell. There are men in Telluride who have reputations as sound citizens who say that if you listen closely on a quiet summer night—which is after the Texas tourists have quit yacking and gone to bed—you can hear an outraged echo still bouncing from peak to peak, and if you're real sharp you can make out the words—"Get that thing out of here."

After it was banished from The Roma, the painting traveled up the street to the other end of the block to a beer garden next door to Frank Wilson's Busy Corner Drug Store. There it remained, looking down from the wall, until the beer garden closed its doors in the thirties.

Parsons re-possessed it and after the war he and a partner rented some rooms above the drugstore from Frank Wilson. They opened a private club known as The Telluride Club. The conversation around the club was somewhat limited, but adequate. It ran to such quaint expressions as "I can't open" and "Go a head and hit me" and "Around she goes, gentlemen," and "I'll fadeja."

The nude smiled down on these goings on during the life of the Tellur-

ide Club, but business got pretty bad in Telluride. It hasn't been real good to tell the absolute truth since The Tomboy shut down in 1926 and the Smuggler closed two years later. Charles J. "Babe" Shuler, who has lived in Telluride for fifty seven of his fifty nine years, remembers well that sad Sunday afternoon in 1933 when the last two girls on Pacific Avenue faced up to the economic facts of life and left town. Business got so bad in 1948 that Slim Parsons closed down The Telluride Club. He left his stuff in the rooms, including various tables and chairs, a wheel and other mysterious devices, a cigar counter and the nude.

From this point on, the stories about the gal in the painting begin to differ.

Slim Parsons says he asked Druggist Wilson for the picture after the latter had taken it downstairs and put it back on the wall in the old beer garden. Wilson had a door cut through to the old beer garden room and is using the one time beer garden as a gift shop in the summer and as a storage space for some of his excess from the drugstore.

"I told him I wanted the picture, but that he could have some of the chairs and tables and stuff upstairs if he wanted them," Parson recalls. "I don't have any sentimental attachment to that picture, but it is my property and I want it. In fact, I don't really care for it very much, but I want to hang it in the Elks Club."

Parsons thinks the painting is that of a dance hall girl in Telluride of years ago, but he doesn't buy the specific identity which Wilson ascribes to it.

"There were two such paintings around and if the woman Wilson talks about was painted I think she was the model for the other one," Parsons said. "Last I heard that one was hanging in the stockmen's cafe in Montrose."

Parsons, though he wants the paint-

ing back and has retained an attorney to get it for him, insists the painting has "No money value and is just another barroom nude. There used to be a lot of them around the country years ago. I first saw this one in Telluride when I was just a kid of twenty one and went to work in the Colorado poolroom."

But Druggist Wilson has a different view. He agrees that it is not valuable art, but insists it is not just another nude.

"Why one day an old miner came in here and squinted up at that picture and said, "Why Frank, I see you got a picture of Audrey." I said "How do you know that's Audrey?" The old fellow said, "Why, I would recognize her anywhere."

"I didn't even know the painting was up stairs after Parsons closed up," Wilson said. "One day he told me if I wanted anything up there I could go ahead and take it. I told him he'd better get the stuff he wanted out of there as I might want to rent those rooms to somebody. He took some and when I went up later to look around I saw this painting. People had drawn all over it. I was going to send it out to the dump in the trash, but my son Bob worked on it for about four days cleaning it. He is a history major and he said he'd like to have it. I told him "All right, it is yours" so we hung it in the old beer garden room where it will be safe until he wants to take it."

Wilson hung the cleaned up picture on his wall in 1949, thought no more about it, he says, until Parsons came in and demanded it more than two decades later.

"He got right up on the player piano and was going to take it off the wall," Wilson said. "I got him down off there and told him he couldn't have it, that it's mine and that I am not going to let anyone take that picture down except my son. I called the Sheriff's office and when the deputies

got here they said, "We'll just take it over to the Sheriff's office until this is settled." I said "Oh, no you don't. That picture stays right here." I got on the phone and called Phil Icke, the City Attorney, and told him I wanted him to represent me. He said to put the Deputy Sheriff on the phone. After Phil talked to them they left. Phil's my lawyer and will represent me in any action brought by Parsons."

Wilson who has holsters nailed to the under side of counters in his drugstores and keeps several pistols in readiness for possible trouble, cried—"I would not let anyone take this painting and I wouldn't sell it to anyone." Wilson has a reputation for caution in money matters so he quickly added—"Course I wouldn't give a nickle for it, either."

Sorted County Treasurer O'Rourke — "Frank Wilson knows darned well that painting belongs to Parsons. Of course, Parsons was a little careless leaving it up in those rooms, but there is no doubt it is his."

Complicating the dispute over ownership of the picture is the fact that the Elks, who would like to have it, and Parsons, who would like to hang it in the club rooms, are not Lodge Brothers of Druggist Wilson who never joined the Elks, which is pretty unusual for a businessman in a small, isolated community such as Telluride.

A rugged individualist, who wears a broad-brimmed Stetson and western cut trousers, Wilson runs a store that competes somewhat with the Elks Club as a social center. His prescription room and many of his fixtures are circa eighteen ninety. There is a gun department and a gunsmith up front near the entrance, a soda fountain, liquor department, and merchandise and gimcracks of all kinds. The store cries out for a pot-bellied stove, but it is long since gone. The stove that replaced it in the middle of the store is a sleek, square affair with a small coal stoker attached.

Frank bounces about the store with the vigor of a twenty-year-old, has as his assistant his wife who waits on trade part of the time.

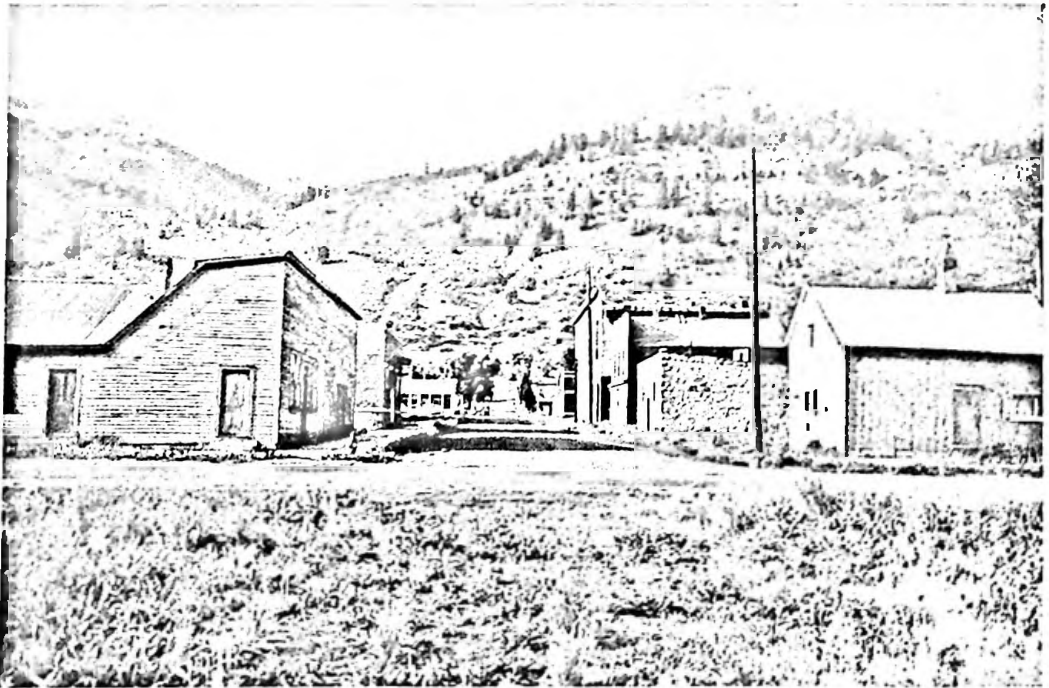
In Montrose, Colorado, attorney Ralph Miller said he has never met Client Parsons but has talked with him on the telephone and has corresponded with him. Some weeks ago Parsons told him about the painting said it was his and he wanted it back. He said the druggist had refused to give it up and that he wanted Miller to represent him in recovering the property.

"I went to Telluride and walked with Mr. Wilson," Attorney Miller said. "He said he considered the picture his property and that he had engaged Phil Icke of Ouray as his attor-

ney. He said he would not give the picture up. Subsequently I wrote a letter to Mr. Wilson making a formal demand for the painting. I sent a copy to Phil Icke and I am now awaiting an answer."

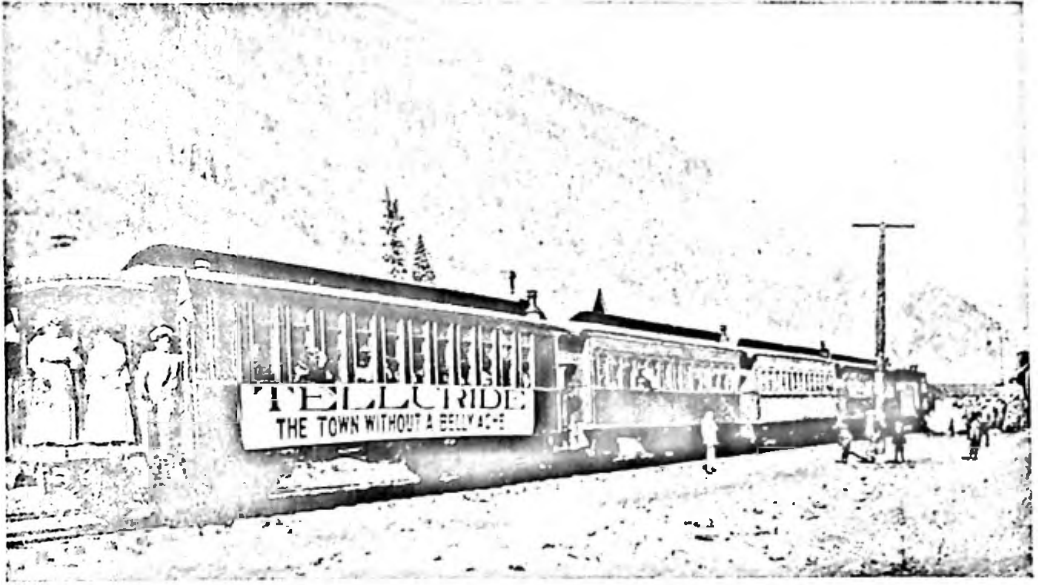
In Ouray, Attorney Phil Icke said "I saw Miller at a cocktail party after we got that letter. I told him then "Ralph, if you want that picture you'll have to fight for it."

There the matter stands though one old resident said he wished the lawyers would get moving and get the whole thing resolved, then added—"She belongs in the Club. In fact, she belongs to all Telluride," and as an after thought—"At least she belongs to all the men folks."



The Red Light District of old Telluride. Corner building on left side of picture was known as the Silver Bell Parlor House.

From Collection of Fred and Jo Mazzulla



Well, Almost!!

From Collection of Fred and Jo Mazzulla

The Territory of Jefferson

An Experiment in Temporary Government

by JOHN A. BRENNAN

The following historical study is a thoughtful revision of the 1958 scholarship award-winning paper by its author, John B. Brennan, who is working toward his Ph.D. at the University of Colorado and who plans to teach history.

American political history seems touched by genius or guided by providence when compared with that of most other nations. Our celebrated series of successes in the "art of compromise" is in no way diminished, moreover, by the fact of occasional failures. While none of the latter are worthy of emulation, they do merit the attention of those interested in the full scope of the American political tradition.

Even Nineteenth Century Americans imbued with democratic zeal experienced difficulty in making successful governments. One short lived governmental experiment was produced by the Pike's Peak gold seekers in 1859. Their massive migration across the plains to the Central Rocky Mountains had preceded Federal establishment of governmental supervision. The pioneers lacked not only the functioning authorities but also the legal means to swiftly correct this defect. In short order, they attempted a variety of extralegal governmental arrangements. The most ambitious of these efforts culminated in the Territory of Jefferson movement.

Government-making through popular action was a familiar undertaking

for many of the Pike's Peak immigrants. Previously, some of them had participated in town and country government organization in the older portions of the United States. Others, moving westward, had aided in establishing territory governments, notably Kansas and Nebraska, and state governments, particularly those of Iowa and California. Due to their prior experiences, and their political heritage as well, these Americans believed, characteristically, that law and order could be made and enforced by democratic governments regardless of the existing difficulties. Their faith was put to the test by the problems they encountered in the Pike's Peak country.

The pioneers' first attempt to establish a Pike's Peak government came in the fall of 1858. By then, upwards of 1,000 prospectors were exploring the Eastern slopes of the Central Rocky Mountain region. One group of them, while camped at the base of the mountains in the Platte River valley, decided to petition the Congress for a new territory. They anticipated a wild gold rush in the spring of 1859 and they asked the Congress to authorize a government for the area before the rush began. Their petition was presented to the 1858-1859 Congress. It was tabled, however, due to Congressional belief that the proposal was premature. The needful prospectors were disappointed but undeterred. They immediately began a second movement to organize a Pike's Peak government.

Their second attempt at government-making, begun in April, 1859, was much more ambitious than the first effort. The pioneers decided to avoid a dependent territorial status entirely by applying for immediate admission to the Union as a state. To this end, they elected delegates to a convention which met on August 1-5, 1859. The convention wrote a state constitution and on September 5,

1859, submitted it for ratification to the Pike's Peak electorate. By then, however, the gold rush had ended, and many disappointed fortune hunters were returning to the States. The remaining '59ers were unwilling to pay the costs of a state government. They rejected a statehood proposal and approved instead a resolution calling for a territorial type of government in the Pike's Peak country.

The movement to establish a territorial type of government for the Pike's Peak region was embarrassed from the start by its lack of legality. "Territory" advocates met the problem squarely, however. On September 24, 1859, they held a public meeting for Platte Valley residents at Denver-Auraria, twin communities separated by the Cherry Creek, to discuss the legality question. Opponents of the new scheme said that since only the Congress could create a legal territory, any attempt to establish an unauthorized "territory" was futile. Their objection was answered by the claim that only a provisional government would be attempted, pending formal action in Washington, D.C., establishing a legal territory and a permanent government. After hearing both sides present their arguments, the assembled valley residents voted to call for an October 3, 1859 election of delegates to attend a Constitutional Convention at Denver beginning on October 10, 1859. The pioneers believed that their disordered situation justified quick action. Fortunately, the preceding five months of debate had made this practicable.

The proposed rapid action was hindered by jurisdictional conflicts. For example, two additional elections were ordered by competing political units for October 3, 1859. Voting to select a delegate to the Congress from the Pike's Peak region had been authorized previously by the August Statehood Constitutional Convention. The other election scheduled for that

day proposed to choose officials for Arapahoe County, Kansas Territory. They were to serve in the area South of 40° parallel and East of the Continental Divide. (Each of these elections was illegal but this did not modify their divisive effect on the '59ers.) Despite these distractions, a sufficient number of delegates were elected on October 3 to enable the Constitutional Convention to proceed.

Once the Constitutional Convention had assembled in Denver on October 10, 1859, the delegates were able to fulfill their responsibilities in just three days. Their swift pace had several causes. First of all, simple necessity demanded speed. Secondly, the delegates were re-enacting the decisions of an August Statehood Convention except for appropriate deletions. For example, the time consuming process of selecting the name, Jefferson, did not need to be repeated. Thirdly, the presiding officer, Robert W. Steele, promoted fast action through his able and personable leadership. Moreover, he was relatively expert with regard to the State Constitution of Iowa, the model used for the state constitution and for the territorial document as well.

Steele's leadership of the "Territory" movement was a favorable circumstance. He was said to be "an energetic, sanguine man, tall, angular, rather rough but possessing good common sense and honesty." Reportedly, he was born in Ohio in 1820, removed in 1846 to Iowa where he studied law, then to Omaha, Nebraska in 1855 where he was a member of the Legislature. Steele came to the Pike's Peak country as a prospector in May, 1859. During the August Constitutional Convention he represented Gregory's Gulch and used his legal knowledge and leadership abilities to aid the pre-territory minority's obstruction tactics. He opposed immediate statehood, he said later, because a state organization was burdensome, the population was

less than the Congress would require, and the economic strength and prospects for the mountain country were not as yet proven. In all, Steele seemed well equipped to lead the "Territory" movement on a swift yet competent course of action.

Under Steele's guidance the "Territory" Convention produced a workable constitution. Even so, its final proposals were far from modest. The "Territory" was to be nearly two-fifths larger than the present State of Colorado, thereby including one-half of Wyoming, one-third of Utah, and a one-eighth slice of New Mexico within its ample bounds. To manage this vast expanse, moreover, it proposed a government having all three traditional branches. As to details, the executive branch officials and legislators as well were to be elected for one-year terms. The bi-cameral legislative branch would have an eight man council and a twenty-one member house of representatives, together called the General Assembly. The Assembly was authorized to meet for forty days each year and its legislative powers were not restricted. As regards the three-judge judicial branch, the judges sitting individually were to hold district courts, and sitting together were to constitute a supreme court. In addition, the constitution also included a "Bill of Rights," limited suffrage to white males of at least twenty-one years of age, and authorized a system of common schools for the "Territory." In sum, the state model constitution was reduced from 119 to fifty sections, but retained the same structure. Actually, the voters would be asked to reverse their earlier rejection of the State of Jefferson Constitution because it had been changed in name and in certain details, though not in organization.

The Constitutional Convention's efforts were commendable except for one glaring breach of accepted procedure. It selected a slate of "official" nominees for executive department

posts. Heading this "official" ticket was Robert W. Steele, nominated for governor. In support of its "official" slate, the Convention agreed to circulate a public letter citing reasons why the Pike's Peakers should approve the constitution and the "official" nominees.

The swift, generally creditable, actions of the Convention were opposed by at least one of the delegates. H.P.A. Smith, a Denver founding father and a judge in Arapahoe County, Kansas Territory, rejected the "Territory" scheme entirely. He said that the '59ers possessed no legal right to form a government, especially for that area within the Territory of Kansas. Furthermore, they had no reason nor necessity to implement the scheme since the Congress would act shortly to authorize a legal territory. Smith's objections made no impression on the Convention, but they did suggest the likelihood of future difficulties.

Despite its opponents, the Territory of Jefferson was successfully launched. The constitution was ratified, the "official" slate was elected to office, and legislators were chosen. However, a surprisingly small vote, 2168 for and 280 against, was cast at twenty-seven different election precincts. This disappointing turnout was due to several related factors. Disinterest in politics was prevalent among the mass of gold seekers, especially since many of the placer miners were returning to the States to wait out the winter freeze-up. Moreover, the outcome seemed certain because militant and widespread opposition had not developed. Finally, the frontier circumstances made harsh demands upon the prospectors and townspeople alike, leaving them little free time and encouraging simple inertia regarding matters not of the greatest importance to their daily existence. Criticisms and disappointments notwithstanding, Governor Steele issued a call for the General Assembly to meet at Denver on November 7, 1859.

Even as the Territory of Jefferson was hopefully begun, strong political cross currents brought more problems. One of them was the willingness of some valley occupants to vote in the Arapahoe County, Kansas Territory, elections. Like all other elections in the Pike's Peak region, they had no binding legal basis because the Federal Government recognized the jurisdiction of the resident Indian tribes only, even though the Congress had divided the entire area among four federal territories. Until the United States Government acted to extinguish Indian titles to the land, therefore, Kansas authority in the Arapahoe County portion of her domain was no more valid than that of the individual '59er.

It remained that loyalty and respect for the Territory of Jefferson's provisional government were diminished by competing claimants to authority. Fortunately, the other federal territories, Nebraska, Utah and New Mexico, did not imitate the Kansas concern for its unorganized western fringe. While the governor of Kansas limited his actions to merely sending election messages to Arapahoe County "officials" and residents, even this was an upsetting factor in efforts to inaugurate the provisional government. This problem's ludicrous side was exposed when, on October 27, 1859, the *Rocky Mountain News* announced that elections would be held every other Monday until further notice.

The upsetting influence of competing jurisdictions was mild when compared with that of excessive desires for public office. The most remunerative office, at least potentially, was that of delegate to Congress. If the Congress were to officially recognize Jefferson Territory, the delegate would receive a salary of eight dollars per day and travel pay at forty cents per mile for his annual 4,000 mile round trip to Washington. This possible bonanza was highly prized among the fortune

seekers, so much so that, the day after the State of Jefferson proposal was defeated at the polls, campaigning for the office of territorial delegate began in earnest. On September 6, 1859, Henry Villard, then a young journalist but later to become a famous railroad organizer, mentioned in his dispatch to the *Leavenworth Times* that he could hear a self-constituted candidate haranguing a noisy Denver street crowd in a "horribly ungrammatical style."

In the course of the congressional delegate campaign, haranguing, general electioneering, and outright fraud were common occurrences. Therefore, complete agreement on the results was never achieved. A self-appointed "Board of Canvassers" decided that of the more than 6,000 ballots cast, only 4,385 were actually valid. The "Board" credited B. D. Williams with 1,911 votes, almost triple the total of his closest rival. Had the "Board" counted the discredited ballots, which came from two previously unknown election precincts, the election would have gone to G. M. Willing. Not surprisingly, another set of self-selected election "judges" recounted the ballots. Despite the seemingly obvious fraud, these "judges" certified G. M. Willing as elected. In the end, both Williams and Willing went to Washington. There, they were joined by a third "delegate," H. J. Graham, who had gone to Washington the previous winter and returned hoping for a monetary reward. The net result of this obvious self-seeking was harmful to the "Territory."

While elections and electioneering fraud were serious problems for the embryo "Territory," the most disconcerting was the unpredictable United States Congress. Its naturally slow pace on territorial questions had been brought to a halt when proponents of slavery denied that Congress had the right to exclude property in slaves

from a federal territory. This inaction at Washington concerning Pike's Peak problems bothered many '59ers, but, rather surprisingly, very few of them displayed interest in the responsible issue. Debate over the extension of slavery into the territories played only a minor role in "Jefferson" politics, oddly enough, despite its vital place in national affairs. Future antagonists on this question joined together in support of the "Territory" in 1859. For example, B. D. Williams, who later joined the Confederacy, and William Larimer, an anti-slavery Pennsylvanian and also a Denver founding father, both supported the territorial scheme. Each of these two leaders had a primary interest in territorial status because they foresaw the commercial transportation possibilities opened up by a growing mountain population and the need for a railroad link with California. These and other common interests, law and order included, kept interest focused on encouraging congressional action despite the discouraging prospects.

The most fundamental problem for the Territory of Jefferson was that of widespread political apathy. The '59ers had come from highly diverse backgrounds, and for the most part, felt that their stay in the mountain country would be brief. Their prime interest was in finding wealth and using it, thus politics was, at best, a bothersome distraction. Moreover, since few of the gold seekers were known beyond a small circle of rapidly changing acquaintances, the trust and confidence in others so vital to representative government was severely restricted. In the mountains, miners and prospectors gave their allegiance to local government and direct representation, exemplified by the mining district and the Miner's Court. Conversely, apathy was less apparent in the "valley." The lack of strong local organizations was a serious problem there, since the lawless and the

vagrant tended to congregate about the town saloons and gambling halls. Resulting efforts to enforce law and order (without restricting the influx of gold dust to the coffers of the enterprising) reduced political apathy. Moreover, thoughtful valley occupants realized the need for a greater extension of authority to protect life and property than even a strong town government could provide.

The cited political strains which weakened support for the new provisional government even before it began to function were in part occasioned and strengthened by economic interest groups. The gulch miners and the Cherry Creek commercial men were dependent upon each other's support if either were to survive and prosper. However, differences between them over the price paid for gold dust created serious mistrust, and eventual financial trouble for the provisional government. On the day following adjournment of the Constitutional Convention, the gold dust problem became a hot issue. The merchants of Denver and Auraria announced, through the October 13, 1859 issue of the *Rocky Mountain News*, a one dollar per ounce reduction in the value of gold dust. The announcement said this change was only temporary, since it was taken only to make up for losses sustained in previous transactions. This new policy was flatly rejected by the mountain men. On October 21, 1859, three days before the "Jefferson" ratifying elections, a miner's meeting to protest against the gold dust price reduction assembled at Russell's Gulch. The enraged miners approved a series of resolutions: (1) to condemn the merchants of Denver and Auraria, (2) to refuse to do business with them, (3) to support only mountain tradesmen, (4) to help them do business direct with the States, and (5) to promise that the foregoing resolutions were not "idle threats." These resolutions

were adopted by other mining district meetings, also. At a Gregory Diggings meeting the word "swindle" was used to describe the Cherry Creek merchant's new policy. However justified the accused merchants may actually have been—it was well known that the miners were not always scrupulous about the purity of their gold dust—the action taken was arbitrary and dictatorial. It was regarded by the miners as a challenge that they must resist. Their organized resistance set a precedence which "Territory" officials were later unable to overcome.

The gold dust controversy not only engendered economic antagonisms, it also served to give substance to the miner's lack of interest in the "Territory" scheme sponsored by the Cherry Creek townspeople. The miner's evident disinterest was reflected in the fact that only 280 of them voted in the October 24, 1859, elections, and most of these votes were negative. Several of the mining districts held no elections, whatsoever. About this time, one young miner, Matthew H. Dale, reported by letter to his father that "the body of the working portion of the people—the miners—did not take the slightest interest" in the Territory of Jefferson. Evidently, a solid core of opposition to the provisional government had begun to form even before the first meeting of the General Assembly at Denver on November 7, 1859.

The main event of the General Assembly's opening day activities was the reading of a message to it from Governor Steele. His message was balanced and constructive. It first outlined and justified the reasons for the Territory of Jefferson, proceeded to make a full and complete declaration of loyalty to the United States of America, and informed the legislators of the importance of their work. As to needed legislation, the Governor's message specifically called for, sever-

ally, the writing of a civil and criminal code, the encouragement of agriculture, the recognition of miner's courts, the assessment of taxes, the enactment of a stringent election law, the organization of counties, the enumeration of official duties and the enactment of a bonding law regarding "Territory" officers. The message included a thoughtful warning from Governor Steele. He said:

The evils of too much special legislation is one which Western legislators are very prone to run into, thereby neglecting very important laws of a general character. When the door is thrown open, it is very difficult to check this abuse of legislative power. It is therefore hoped, that your course on this subject will be a conservative one.

In keeping with Governor Steele's excellent opening message, the first session of the General Assembly was responsible and productive but not without criticism. Between November 7 and December 7, 1859, it enacted forty-two pieces of general legislation, and thirteen special acts. Later, at a special three day meeting, it approved a set of civil and criminal codes for the "Territory." Critics ignored the obvious positive accomplishments of the General Assembly to lash out against the special acts Governor Steele warned against, but signed nonetheless. These acts equalled less than one-fifth of the total legislation, yet the Assembly was accused of "excessive" effort toward special legislation.

Among the general acts, those dealing with financial questions were the most difficult. Salaries were prescribed as follows: the Governor, \$3,000; other executive department officials, \$2,500 to \$500; legislators, \$10 per diem. The judges, sheriffs and clerks were to be rewarded from

the fees assessed. Taxes were to be levied on the following: *first*, all male persons over twenty-one and under fifty-five years of age; *second*, all buildings or other improvements on land or town lots; *third*, vehicles of transportation; *fourth*, beasts of burden over one year old; *fifth*, securities; *sixth*, all taxable licenses. The head tax was set at one dollar, while the property tax was to be one fourth of one per cent of assessed valuation. Explicit instructions concerning the assessment and collection of revenues were also written into law. To ease the provisional government's initial financial embarrassment, the auditor was authorized to issue warrants on the "Jefferson" treasury. Individually these measures were justified, but collectively they were certain to be met with vigorous opposition.

The General Assembly also attempted to deal with the problem of land titles. Essentially, this difficulty was insoluble due to the unextinguished Indian title. Despite this, the Assembly passed a law authorizing homesteading on the public domain and "legalizing" all other land claims based on neighborhood or claim club law. All occupied town sites were also validated. This positive action regarding the complex land title question had no actual effect, however. Researches on this question have not revealed a single instance where a recorded transfer of real estate used the Territory of Jefferson land law as its authority. Usually, the recorded transactions indicated the authority as being Arapahoe County, Kansas Territory. This apparent lack of confidence in the "Jefferson" land law diminished the stature and authority of the provisional government.

*To be Concluded in the
September Issue of the Roundup*

Eustache Carriere

A Trapper Who Discovered Gold in Colorado in 1830 and "La Grand Montagne"

by NOLIE MUMEY

Names of many who discovered gold in the state constantly appear in the literature of Colorado History. One which is seldom mentioned is that of a French trapper, Eustache Carriere, who was attached to a group of men hunting in the mountains of Colorado in 1830. After camping for the night on an unnamed stream in the neighborhood of a very high mountain, they started on their march for Taos, New Mexico. Carriere remained behind, but since he had frequently been delayed on their trek through the country while they were trapping, they paid little attention to him. He was confident he could overtake his companions within a short time. He took a long look at *La Grand Montagne*, as a fix on his bearings, and thought he could take a short route and overtake them. While walking along the bank of the stream, he saw a shining pebble in the sand, which he picked up and examined. Quickly realizing it was pure gold, he made further search and was rewarded with a large number of gold nuggets which he put in his trap-sac. He became lost and confused in his directions. He thought his companions would wait for him or send someone back to find him. All this they did, but he was not found.

It was late in the fall, winter was approaching, and the nights were cold. Carriere knew he must hurry on, for he was exposed to wild animals and Indians. Fatigue and hunger overtook him, and he found the

weight of the nuggets retarded his progress. After placing a few of the nuggets in his vest pocket, he emptied the contents of his trap-sac and scattered the precious gold over the ground. He continued on through the San Luis Valley to the Rio Grande and on to Taos, where he rejoined his party. He tried to explain his tardy arrival by showing them the nuggets he had retained and telling them he had become lost while searching the stream.

His companions made fun of him and said that he had the nuggets in his trap-sac for years, or that he must have obtained them from a party of Utes, or his absence was caused by being in the company of some young squaw. Carriere was indignant and felt insulted, expressing himself in French, "*Mon Dieu! Ma foi! Oh! oh! qui je suis miserable!*"

He became so angry that he challenged his companions to organize a party to go out and look for the nuggets. He offered to guide them to the stream where he had discovered the gold. During the winter in Taos, the men discussed the journey, and when spring arrived, a party was organized with Carriere as guide. He was to lead them to *La Grand Montagne*, which they reached only to be disappointed. They marched for days, while Carriere searched and examined many streams which failed to yield any gold.

Members of the party became angry, cursing and threatening him. They held a meeting, called him a

liar and an imposter, and said they thought he was deliberately deceiving them as to the exact location of the gold. They decided to tie him to a tree and give him a whipping, which they did, then returned to their hunting grounds.

Throughout the ensuing years, Carriere was ridiculed and laughed at by all who knew him. The old trapper led a lonely life; he could neither read nor write, and became totally deaf. But he was exonerated after the Pike's Peak Gold Rush and all travel was to the great El Dorado.

Madame M. B. Chateau had a log cabin built for Carriere in the woods north of Theresa's Seminary, where 10th Street now runs between Pennsylvania and Washington avenues in Kansas City. However, he spent his declining years at Ste. Genevieve, Missouri, where he died at the age of ninety.

Although his "*La Grand Montagne*" has never been identified, Eustache Carriere deserves a permanent place in the archives of the history of Colorado for being one of the early discoverers of gold in the State.

Westerner's Bookshelf

LOST TRAILS OF THE CIMARRON. By Harry E. Chrisman. Denver: Sage Books, 1961. Photographs, maps. 304 pp. \$5.00.

This is a book of anecdotes, reminiscences, and folk stories about people, places, and events in the 1870's and 1880's in that vast area lying between the Arkansas in Colorado and Kansas and the Canadian in Texas and Oklahoma, bounded loosely by the Chisholm Trail on the east and the Goodnight-Loving Trail on the west. The author starts with the buffalo hunters in the 1870's and proceeds down through the ensuing years during which this region was settled and developed by farmers and cattlemen, mostly the latter, and describes the struggles, trials, and tribulations that invariably occur during early frontier growth.

Recorded historical material being practically nonexistent, the author was obliged to rely on interviews with pioneers and their descendants, supplemented by available newspaper accounts. Included are the names of all the towns and settlements in the area covered, many of which have long since disappeared. All of the old "Trails" are mentioned, and some are described in careful detail. More than 750 individuals are named. Some, of course, receive mere mention; others, depending on the importance of the parts they played in the drama, are dealt with at greater length.

One region described is the old "No Man's Land" or Neutral Strip, approximately thirty-four miles wide and one hundred sixty-eight miles long lying between the south lines of Kansas and Colorado and the Texas Panhandle, which now comprises Cimarron, Texas, and Beaver Counties in the Oklahoma

Panhandle. Before this particular area was opened for public filing, little or no law existed. As a result, there was constant trouble and bickering between the cattlemen and the lawless elements that flocked into it for such protection as lack of law afforded them. One notable example was the running feud between George Scranage, a land shark with his cohorts or gang and Oliver Nelson aided by his brothers, which ended in victory for Nelson.

Numerous anecdotes and stories, all interesting, are related. To my mind, the best is "The Naming of Goff Creek," by George W. Brown. This tale from the *Guyman Herald* of February 25, 1915 is described by the author as follows: "It is a strikingly simple yet beautifully-drawn picture of the pristine land of the southwestern plains, covered with black herds of grazing buffalo, antelope and deer, with the shore of the fresh-water lake covered with an immense number of wild fowl which would rest there for a day or two in the course of their annual migration."

Another story which he repeats is the intriguing account of how Tom Catron, a lawyer, Jesse Evans, a cattleman, and Robert Hunter, a friend of Evans hornswoiggled John Chisum, owner of the famous Jinglebob earmark, out of 15,000 head of cattle, paying for them with notes signed by Chisum himself but which he had no intention of honoring. "The old bastard took his beating like a champion," Evans said. "Yes," replied Bob Hunter, "I wonder if you or I could do the same."

The book consists of fifteen chapters, each dealing with a different phase in the history of the Cimarron country. More than forty pictures and maps add to the interest and

value of the work. An appendix gives the complete roster, as of 1885, of the 116 members of the Western Kansas Cattle Growers Association, together with their brands, names of their owners, and foremen. The end papers, as well as the dust cover, portray a map of the area, indicating the brands of the various ranches in relation to the water courses and range held by them at the time. By matching this map with the brand information in the appendix, it is possible to obtain a very complete picture of the range cattle operation of the era in the Cimarron area.

Harry E. Chrisman, the author, was born and reared in Nebraska, obtaining his higher education at the Rochester Institute of Technology and the University of Denver. For the past eleven years, he has worked on the *Southwest Daily Times*, at Liberal, Kansas. For most of his lifetime he has been industriously collecting original material on the cattle days in the area covered by his book. Sage Books is to be commended for making this volume available to the public. It contains a wealth of interesting and suggestive information.

Scott Broome, PM

THE WHIPPLE REPORT. By A. W. Whipple. *Westernlore Press*, 1961. Foreword, Notes and Bibliography by E. I. Edwards. 100 pp. \$5.50.

The Guadalupe Hidalgo treaty, with Mexico, of February 2, 1848, described the boundary line between the two republics and provided for the marking thereof. The western segment ran from the junction of the Rio Gila and the Colorado to a point one marine league south of the southernmost point of the port of San Diego, and this part was not changed by the later Gadsden treaty of 1853.

W. H. Emory was appointed to the U. S. Commission as chief astronomer and commander of the troop escort. He established Camp Riley near San Diego in July and took charge of establishing the latitude and longitude of that camp. Lieutenant A. W. Whipple, corps Topographical Engineers, assisted by Dr. Parry and Mr. Graham, was given charge of the party to determine the other extremity at the Gila-Colorado junction. The bearing of the line between the two Californias was calculated from the two ends thus established. Lieutenant Cave Couss had charge of the military escort that accompanied the expedition from San Diego to "Yuma" and back.

Whipple's trip occupied three months, September 11 to December 11, 1849. His journal of the trip, eastbound, was reported to the Senate in 1851, but only now is made available to the public in this little book.

While Whipple's party had constant contacts with the surge of gold-seekers, headed westward, his report hardly mentions them.

Whipple was most interested in the Indians and made up a vocabulary from a couple of the tribes.

The chief charm of this volume is found in the descriptive abilities of Whipple, his prose approaching poetry at times.

Of particular interest to Coloradans is the fact that Charles C. Parry, later described by the British botanist Hooker as "King of Colorado Botany," accompanied Whipple. Dr. Parry was not only an assistant to Whipple, but was charged with the geological and botanical investigations en route. Parry's activities in Colorado did not begin until 1861. It is to be recalled that he christened Grays and Torreys Peaks.

Whipple wrote a most readable account of what he saw that interested him and gave a vision of the California of that time. He has little to say about his actual work with his transit, but much to say about his friends, the Indians.

Erl H. Ellis

16th Annual Edition. GUN DIGEST, edited by John T. Amber, The Gun Digest Company, Chicago, 387 pp., profusely illustrated, \$3.95.

Primarily GUN DIGEST is for the gun hobbyists and specialists. This edition holds several sections that will appeal to WESTERNERS. Articles on the caliber 50 Spencer, the danger of using modern loads in guns not built for them, Farrow's 32-30, replicas of pages from Civil War period arms catalogs, and bibliographies on guns—all good for those interested in old and new guns.

Along with these are articles on modern arms and hunting with ready reference on many details.

Art Carhart, PM

THE BURNTWOOD MEN by Robert McCaig. New York: The Macmillan Co., 1961. 166 pp., \$2.95. Fiction.

This is a novel of the 1880s in Montana Territory. The French-speaking Bois Brules (Burntwood men) are being exploited by white adventurers, with the "hero" an eastern tenderfoot. He closely resembles TV's "Maverick" in admitting cowardice which he refutes with bold action and unsuspected leadership.

In fact, *Burntwood Men* involves many segments of the tried-and-true TV western plots: Canadian Mounties, U.S. Army cavalrymen, Indians, crooks, and a couple of pretty gals. Summed up: commercial fiction not for Westerners.

McCaig, a Great Falls, Mont., resident, writes well—with short, fast-moving sentences. He's a member of Western Writers of America and his latest book makes novel number nine. His previous books have been converted into paperbacks and it would ap-

pear *Burntwood Men* was produced with this in mind, too. The paper-covered boards and other production short-cuts do not result in too-appealing a package.

With McCaig's obvious writing ability it would be hoped that he would turn to some factual output of his area.

Geo. R. Eichler, PM

COMANCHE, The Horse That Survived the Custer Massacre, by Anthony A. Amaral. Westernlore Press, Los Angeles, 1961. 86 pp. 8 photographs. \$5.50.

This is a little book about a famous horse. Some horses have won renown from their association with famous riders: Bucephalus, of Alexander the Great; Napoleon's Marengo; General Lee's Traveler; the Duke of Wellington's Copenhagen; Washington's Nelson, and many others. Great race horses, Man-o-War, Dan Patch, to name only two, have achieved lasting fame. Comanche is the best-known horse in American cavalry. He was not outstanding in the realm of equine achievement; his reputation stems from the fact that he was ridden in the Battle of the Little Big Horn and was the only living thing to leave the battlefield with the cavalry units that came to bury Custer and his men. If Comanche could have talked, how many of the unsolved mysteries of that episode might have been clarified!

Popular legend and fiction have singled Comanche out as the last and only survivor of the Custer battle. This, of course, is untrue. It is reasonably certain that all officers and men died; it is also certain that other serviceable animals were collected by the Indians, and some of these were retaken by the cavalry in later skirmishes.

Comanche, the private property of Capt. Myles Keogh of the Seventh Cavalry, was purchased from the Government in 1858 at the age of six years. He was used by the Captain in various campaigns in Kansas and adjoining territories, and even in Kentucky. His association with Keogh lasted eight years, ending with the latter's death at the Battle of the Little Big Horn, during which the horse was seriously wounded six or seven times. After the battle, he was transported to Fort Lincoln, Dakota Territory, where he was in a sling for almost a year recuperating from his wounds. Little is known of him from that time until his death in 1891 at the age of 29 years.

By a unique general order of the United States Seventh Cavalry in April, 1878, this horse was excused from all duties, it became a court-martial offense either to strike or ride him, and he received preferential treatment by the Seventh until his death. The gates to his stall were never closed, and he roamed at will around the posts, annoying horses in the picket line, eating out of

garbage cans, and making a general nuisance of himself. He marched with the Seventh on the parade field, draped with a black net and bearing an empty saddle with boots reversed in the stirrups, a solemn symbol of the tragedy and glory of the Seventh Cavalry. Caparisoned as above, he followed General Sherman's coffin in the latter's funeral procession in New York.

After Comanche's death, his hide was mounted by Professor Lewis Dyche, a naturalist at the University of Kansas, in Lawrence, and was later placed in an airtight, glass case. This is still on exhibit in the University museum. His remains, other than the hide, received military burial with honors at Fort Riley. Many efforts, all unsuccessful, have been made to move the exhibit from the University to Fort Riley.

In this careful record, the author has endeavored to sift fact from legend and to present reasonably authentic material. He acknowledges his considerable reliance on Brig. Gen. Edward S. Godfrey's *George A. Custer and the Battle of the Little Big Horn* and on the work of Major Edward S. Luce, *Keogh, Comanche, and Custer*.

The volume is beautifully executed, in a special limited printing, in 14 point Inter-type Garamont on Hamilton Victorian laid deckle-edged paper. It should be of considerable interest to followers of Custerana, horses, and the cavalry. The author, Anthony A. Amaral, a graduate of California Polytechnic, and a trainer on the world-renowned Kellogg Arabian Horse Ranch, has written extensively on the subject of the horse.

Scott Broome, PM

CENTRAL CITY AND BLACK HAWK, COLORADO: THEN AND NOW by Frank R. Hollenback. Sage Books, Denver, 1961. 128 pp. Illustrated with many photographs and map. \$3.60; paper, \$2.00.

A most ingenious short book has appeared under the imprint of Alan Swallow, indefatigable promoter of local Colorado history. It is written by railroad-historian Frank Hollenback, who has turned his attention from track to buildings.

Here are the specific histories of each of the main commercial buildings still standing in 1961 of the two famous towns of Central City and Black Hawk. The author has spent conscientious hours, talking to old-timers and checking records. He has come up with some fascinating sidelights and connecting links in the endless story of Gilpin County.

The book is not designed for the general reader but for those who are interested in the particular. A key map introduces the subject, and then the author presents numbered pho-

tographs, taking up each building according to number.

I was asked to read the script for this book in February, but did not actually have it in my hands until nearly May Day. By that time the pressure was so heavy to meet my own deadlines that I was unable to read the script as thoroughly as I would have preferred. My overall impression was extremely good.

Now, with a word-by-word reading, I have discovered some statements for which I would have suggested changes—but remarkably few. Just one, as the daughter of a mining engineer I must point out. The type of mining done by the Climax Molybdenum Company is not glory-hole mining, but cave-in mining. *Mea culpa.*

For my own part I would have found the book more useful had it had either a detailed *contents* page or an index. Without either the reader, who wants to look up a specific subject or refer back to a statement, is lost. But this personal objection will not effect the over-all usefulness of the book for most readers or for tourists.

All who have an affection for Gilpin County will be genuinely delighted with this new offering. May it have a long and successful life!

Caroline Bancroft

KING OF THE MOUNTAIN MEN, by Gene Caesar. E. P. Dutton Co., Inc., 317 pp., notes, bibliography, index. \$4.95.

More has been written about Jim Bridger than about any guide and mountain man with the single exception of Kit Carson. Since the Cecil Alter account published

thirty-five years ago, few additional details of the life of Bridger have come to light until the publication of this biography. The author makes use of a considerable amount of new source material, noting that he is most deeply indebted to Mrs. Billie Duncan, old Jim Shoshone's great-granddaughter.

Notes the author, "Historians would remember him as the discoverer of the Great Salt Lake; military men would regard him as the most expert contract scout the cavalry had ever employed; topographical engineers learned that all the West was mapped in his mind; but to the mountain men, who had their own concept of what constituted greatness, the time he let his full 110-man brigade stay drunk all winter was the high point of his career."

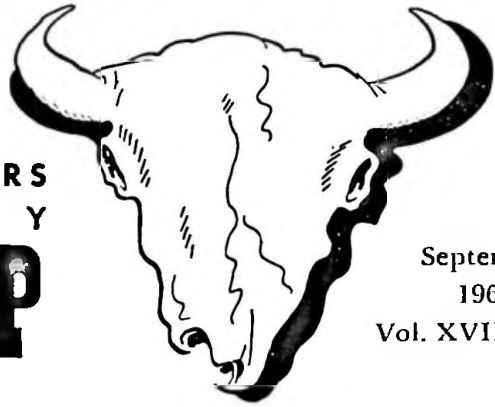
"King of The Mountain Men" is outstanding popular historical biography in which, to quote the author, "details of background and action have been reconstructed to brighten various scenes that are in themselves historically factual, and dialogue that is typical and likely has been recreated in a few places."

The 19-year-old youth who deserted trapper Hugh Glass, whom he believed to be dying, is identified as Jim Bridger, and the author attributes his many acts of daring during his subsequent career to a lifelong effort to live down this youthful act of cowardice.

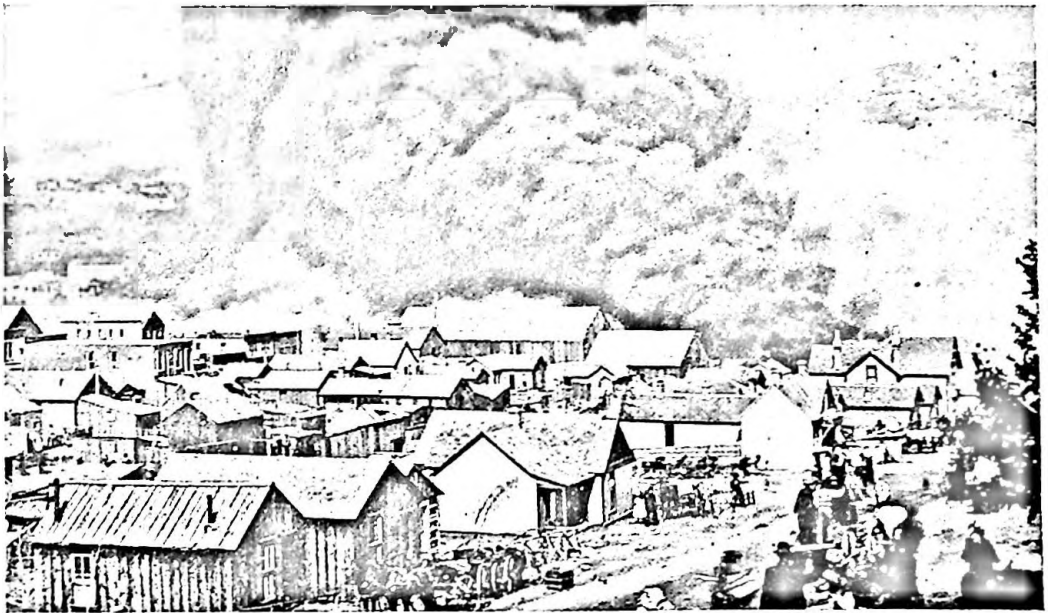
This Bridger biography not only presents hitherto unpublished factual material, but offers highly interesting and entertaining reading as well. It ranks with the best in its field.

—F.P.

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



September
1961
Vol. XVII No. 9



Cripple Creek's Second conflagration. View is from West Myers (later Masonic) Avenue at about the corner of B Street with Myers Avenue in the foreground. Center building is that of the El Paso Livery Stable located on the south side of Bennett Avenue between A Street and First Street. See Page 11 for picture showing the blasting of the Livery Stable building.

From the Collection of Fred and Jo Mazzulla

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OCTOBER MEETING

Caribou Characters

by

Granville M. Horstmann

WEDNESDAY, OCTOBER 25, 1961

6:30 P.M.

Denver Press Club, 1344 Glenarm

Denver, Colorado

Mr. Horstmann, methods engineer with the Mountain States Telephone and Telegraph Company, has studied the Caribou district for many years. As the title suggests, his paper will deal with individuals who lived in the area, something quite different from the booklets and articles written about the area.

FROM THE CORRAL RAIL

The first fall meeting of the Denver Posse was held at the usual place and time, Denver Press Club, 6:30 p.m., with **Sheriff Ryland** presiding. Fifty-nine men attended (33 Active and Reserve Members, 12 Corresponding, and 14 guests). Fifty-one reservations were made. The speaker of the evening, **Dr. Lester L. Williams**, was the first to introduce some ten or twelve "fire-bugs" whom he had invited either for protection or to assure an audience, but as **Tally Man Ellis** noted, "He should not have worried on either score." In the course of the introductions, **Posseman Ed Bemis** introduced the editor of his *Littleton Independent*, **Houston Waring**, and explained the national recognition won by their paper. More about this on another page.

Kenny Englert introduced **Les Williams** who then read "a most complete ember-by-ember account of the fires at Cripple Creek." Only the description of the two most destructive fires is printed in this issue of our magazine. The complete paper with map will be included in next year's Brand Book.

In a letter to **Deputy Sheriff Bob Perkin**, **Miss Lucile Fry**, Librarian of the Western Historical Collections at the University of Colorado, requests the help of our membership in completing the library files of our *Monthly Roundup*. The missing copies are:

Volume eight (1952): numbers 1 and 11

Volume nine (1953): numbers 1, 2, 3, 4, 5, 6, 8, 10

Volume ten (1954): numbers 8, 10, 11

If any member has any of the above copies and is willing to give them to the library please mail to:

Miss Lucile Fry, Librarian
Western Historical Collections
University of Colorado
Boulder, Colorado.

SCHOLARSHIP FUND

Posseman Gerret S. Barnes has informed us that it is time to make contributions to the scholarship fund. Plans have been made to make an award for one or more papers of merit and it is hoped the membership will be as generous as possible. Anyone interested in furthering this worth-while project may contribute. Please make checks payable to The Denver Westerners and bring them or send them to our Tally Man or to Gerret Barnes. Contributions have fallen off the past two years and it is hoped more of our members will make substantial contributions this year.

As predicted, volume eight, number two of the New York Posse's publication contains an excellent biographical sketch of George Catlin by **Peter Decker**, plus photographs of the headstone which was placed on Catlin's unmarked grave by the New York Westerners, as well as an account of the services at the time of dedication. Also included in this issue are: *Sam Houston's Battle With the Texas Navy* by Helene Huff, *Markers in the Field* (Custer field and adjacent National Cemetery) by Kenneth M. Hammet, *The Clay Addison vs. Dodge City Legend* by Gary L. Roberts, *Gunplay in Zane Grey* by John E. Parsons, *Historical Roundup* by Matt Clohisy, the first item of which is a summary of Emma Putnam Reed's "Pioneer Life at Saints' Rest" from the April issue of the *Colorado Magazine*, *Book Reviews*, and *The Hitching Post* in which **Fred and Jo Mazzulla** are praised for having "the largest collection of historical photography" in the state of Colorado and their contribution to the now famous TV series, *Expedition Colorado*.

The August issue of the Chicago Westerners magazine features an article by our good friend **Philip J. Rasch** who has

(Continued on page 4)

(Continued from page 3)

found some additional information on Billy the Kid and his brother, Joseph Bonney. The September issue presents the reminiscences of **Ken Clayton** of Window Rock, Arizona, under the title of *Cowboys, Cooks and Cattle in Old Arizona*. Both publications include the usual departments of "Chapter Notes" and "Western Americana," expertly edited by **Don Russell**.

The English Westerners' quarterly, dated July 1, 1961, features a well documented article on the Civil War in the Southwest. This is the second in a series of three and deals with the expedition which left California to help thwart a Confederate invasion of that state.

NEW CORRESPONDING MEMBERS

Vestal L. Brown, 1346 Dahlia St., Denver 20, Colorado, an occupational analyst in the Colorado Department of Employment, is a collector of first editions of books on Colorado railroad history and a member of the Rocky Mountain Railroad Club.

Wayne H. Creasy, Independence, Kansas, owns and operates four corporations dealing with insurance, real estate and photography and is interested in western history.

Orin Diedrich, 416 West Eighth St., Leadville, Colorado, operates a garage and automobile business, is one of Lake County's commissioners and enjoys fishing and hunting.

William Crow, 960 Grant St., Denver 3, Colorado, is a jeweler interested in the histories of Colorado, Wyoming and Montana.

J. Frank Henderson, 1235 Grant St., Denver 3, Colorado, is a plant superintendent who is designing and supervising the building of facilities at Moab, Utah, for the potash plant of Texas Gulf Sulphur. He comes from a pioneer Arizona

family whose members have been interested in mining for many years, and is interested in minerology, geo-chemistry, archaeology and the early days of Arizona, Utah and New Mexico.

Martha M. Kramer, 1115 Bertrand St., Manhattan, Kansas, a retired professor of Kansas State University, who has written professional articles on home economics, is interested in the histories of Kansas and Colorado.

Jack Taylor Jr., Walsh Hotel, Alamosa, Colorado, is a lumberman and rancher interested in the Land Grants of the Southwest.

Gordon R. Yates, 5180 East Jewell Ave., Denver 22, Colorado, is assistant vice-president of Galen E. Broyles Co., Inc. of Denver and helped prepare a 12-week series of ghost town window displays in 1959 for the Silver State Savings & Loan Association. He is an avid reader of Colorado and Western history, is a charter member of the Colorado Ghost Town Club, and with his wife has personally visited more than 100 of the State's less accessible mining camps and sites. At present he is reviewing the memoirs of Charles Scott, a Silverton bookkeeper in the late 1800's who later built one of the first homes in what is today known as Rocky Mountain National Park.

HONOR FOR THE LITTLETON INDEPENDENT, POSSEMAN ED BEMIS AND EDITOR

During the past several years members of the Westerners, at their regular meetings, have heard from one of the members, numerous remarks about the *Littleton Independent*. Posseman Edwin A. Bemis is the publisher of this newspaper, in case you have forgotten.

At the meeting in Denver on September 27 Bemis gave a short resume of the recent history of this newspaper when he introduced his partner and

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CRIPPLE CREEK CONFLAGRATIONS OF 1896

by LESTER L. WILLIAMS

Posseman Williams is a Colorado Springs physician, recognized authority on firefighting and fires in the Colorado Springs area and well-read on Colorado history. The following excerpts from his paper presented at the September meeting of the Denver Posse are ample proof of his scholarship and research. His paper on "The Antler's Conflagration" was published in the 1956 *Brand Book*, and his complete paper on "The Cripple Creek Conflagrations of 1896" will appear in next year's *Brand Book*, together with complete documentation.

Too frequently, to fill a void in the conversation, we use the worn and hackneyed cliché "lightning never strikes twice in the same place." We may think fire follows a similar pattern, but this is not necessarily so. A Colorado community once had two devastating conflagrations just four days apart, each doing \$1,000,000 damage, and this back in 1896, when a dollar bought a lot of potatoes. That town was Cripple Creek. The two fires destroyed a larger proportion of the town involved than occurred at such famous conflagrations as Chicago in 1871, Baltimore in 1904 or San Francisco in 1906. Two such fires so close together should make a good story, and they are the subject of this paper.

By the spring of 1896 the Cripple Creek district had a population calculated at 30,000, of whom about 16,000 lived in the town of Cripple Creek. Gold production was soaring, Cripple Creek was experiencing a building boom, the central part of town was densely built up with buildings mostly of frame, but with a sprinkling of substantial brick structures. The city had telephone service, a water system with fire hydrants, and a fire alarm system with street fire alarm boxes. The fire department had 175 volunteer members, 3 hose carts, a hook and ladder

truck, and a chemical engine, all hand drawn, however when a team was available it could be used to pull the rigs to a fire.

Shortly after 1 P.M. on Saturday, April 25, 1896, the first of the great Cripple Creek Conflagrations began on the second floor of the Central Dance Hall, located on the south side of Myers Avenue, six doors east of Third St. Jennie LaRue had a quarrel with her boy friend, and in the ruckus a gasoline stove was overturned. The gallon of flammable liquid contained in the reservoir gave the fire a brisk start, and the flimsy frame construction of the building allowed the fire to spread rapidly. Tradition has it that the alarm was first sounded by the firing of a sixshooter into the air. Box 21 of the new fire alarm system was pulled and about 10 or 15 minutes past 1, the whistle known as the "mocking bird" began to blow. This whistle was located on the El Paso & Fremont Electric Light and Power Company's plant on the east side of Xenia, one block south of Warren. In the past this had been used as a noon whistle, and on this fateful day many people mistook it for the 1 P.M. signal, but in a few minutes the prolonged whistling plus the columns of black smoke that came rolling up from Myers Avenue plus the clanging bells of the volunteer fire companies told the wondering populace that something serious was amiss. After the fire the mocking bird was never sounded again save as an emergency signal.

By the time the three volunteer hose companies and the hooks arrived the entire top of the building was in flames, and before hose could be laid fire was spreading west to the adjoining Union Dance Hall and east to Casey's Second Hand Store. The Whiting Hose Company got first water on the fire which would be

expected since their station was located closest to the Central Dance Hall.

Two lines of hose were laid, water pressure was good, and the fire fighters seemed to be gaining, then the hose burst, and during the few minutes required to shut down and replace the bad sections of hose, the fire gained such headway that thereafter it was impossible for the firemen to cope with the fire. Doubt arose as to whether the fire could be confined to the south side of Myers Avenue. Despite intense heat and smoke the firemen, breathing through sponges, stuck to their posts until the walls fell out into the street.

The fire spread so rapidly along the south side of Myers in the block between Third and Fourth that inmates of the houses were unable to save any of their belongings.

Fifteen minutes after the alarm, radiated heat and windborn sparks set fire to the Topic Theater, owned by Tutt and Penrose, on the north side of Myers. Then indeed there was anxiety, for the Topic, built of wood, was surrounded by a sea of small, closely packed, frame buildings, and adjoining to the north was the post office and the business heart of the city. Now there was fear the block would go and perhaps more. A moderate wind was blowing from south southwest, and in addition the ground rose to the north, causing the fire to spread rapidly north and east, but this slight easterly direction of the wind later lessened the hazard to the buildings on the west side of Third Street. The fire spread along Myers until both sides of the street were a mass of flames from Third to Fifth. Other buildings burned on the north side of Myers included ex-chief Jordan's "My Friend" Saloon, such parlor houses as the Old Homestead owned and occupied by Pearl Sevan, Lottie & Kittie's Place, and the Library, occupied by Ella Holden.

Ten minutes after the Topic Theater caught fire the post office, north across the alley, was threatened, then burst into flame. With just those few minutes of warning, postal employees had moved

some of the mail out of the building, and locked stamps and currency in safes, however an estimated 35,000 letters were destroyed.

Now there was panic on Bennett Avenue. Merchants locked their papers in safes and hid desperately for wagons to move and thereby save their more valuable goods. Not infrequently stock was saved only to be stolen, adding insult to injury. Carriages, express wagons, moving vans, officials shouting commands, fleeing women and children, and men about to be separated from all their worldly goods, milled through the streets while clouds of black smoke swirled overhead and sparks and cinders rained down. The end of the world seemed near.

The fire moved north in the block between Myers and Bennett and destroyed Fairly Brothers Furniture Store and other establishments on the south side of Bennett. The high masonry wall that divided the upper and lower sides of Bennett between Third and Fourth provided a natural barrier for defense, and on top of and in front of this wall firemen massed hose lines in a futile effort to keep the fire from crossing Bennett Avenue, but in a short time the terrific heat forced the firemen to abandon these hose lines where they lay.

Once on the north side of Bennett the fire gutted Johnny Nolan's Saloon, the Cross Shoe Store, the City Hall, First National Bank, and the Gold Mining Exchange. When Chief of Police Marshall saw the City Hall was in the path of the flames, he and jailer Tom Ryan opened the doors of the lockup and released the twenty prisoners.

Citizens in Victor saw the smoke, learned of the fire, and sent their hose team with the hook and ladder company to the depot. After some delay in making up a special F. & C. C. train, the hose reel and ladder truck was loaded and a record time of just 7 minutes was made on a wild ride to Cripple Creek. This assistance was not expected since the towns were bitter rivals. Now in the crisis feuds were forgotten. This help was

greatly appreciated by the sorely pressed Cripple Creek fire fighters. On arrival about 3 P.M. the Victor fire laddies were greeted with rousing cheers. They laid out hose lines and were of much help in holding the line to prevent spread westward across Third Street.

There were reports that the water supply failed, and that the pressure reservoir, then, as now, located at Pikes Peak Avenue and Hayden Street, ran dry. A careful and credible observer indicated this was not so. Instead, when 14 hose lines were laid out from plugs all on one 6 or 8 inch main, pressure fell and none of the streams was of sufficient force. When some of the hose lines were shut down the remainder were satisfactory fire streams. This is basic fire hydraulics.

Most of the hose lines were concentrated on the west flank of the fire in an effort to keep the flames from crossing Third Street. This was no inconsiderable task, for this west flank was 3 blocks long and Third Street was just 60 feet wide, building front to building front. Few townspeople thought the fire fighters would be successful here, and attempts were made to evacuate the most valuable merchandise from stores west of Third. Express wagons, ore wagons, and every possible form of conveyance was pressed into service, loaded high with goods, then driven recklessly out of the path of the flames, spilling merchandise along the way. Harry Gehm, agent for the Midland Terminal at their city office located two doors west of Second on the south side of Bennett, recalled picking up boxes of socks, gloves, and ties that fell off wagons as they headed west on Bennett seeking a haven. Loss during attempts at evacuation plus damage from water and smoke was costly to the merchants on the west side of Third even though that side of the street was untouched by the fire itself. For example, the Weinberg Clothing Store, southwest corner of Bennett and Third, suffered \$20,000 damage from water.

A saloon keeper named Kline suffered some loss during removal of his goods.

Days earlier he had taken delivery on a big shipment and had stored a number of barrels of whisky in front of his saloon on the south side of Bennett. The barrels were piled on their sides, two or three deep, against a light pole to keep them from rolling down hill. Kline detailed some men to roll these casks west on Bennett then south on Second so they would be safe. The men found the job so easy that they exceeded their instructions, and rolled one of the barrels into the backyard of the Midland Terminal's office. There they knocked in the head of the barrel so whiskey was plentiful for all. With many saloons gutted by the fire Mayor Steele and Marshal Jim Marshall realized the danger from having a large portion of the population under the influence, so enforced an order to keep every saloon closed.

As a result of seeing the fire spread beyond control Chief of Police Jim Marshall ordered buildings to be blown up to create fire breaks and stop the spread of fire. This was first used early in the conflagration, when the fire had spread west from the Central Dance Hall along the south side of Myers to the Argyle Block, at the southeast corner of Third and Myers. This building housed the office of the *Morning Times*. When fully involved by fire it presented a major problem to the fire laddies. Although a number of streams were played on it, the fire continued unabated until giant powder was used to level the building, then the fire was stopped from spreading further west. It was estimated that 20 buildings were leveled by blasting. Dynamite was readily available in every hardware or general store. The miners felt that anything less than a full case was not worth bothering with, generally they used two boxes for good measure. Blasting at the Cripple Creek conflagration had mixed results. In the center of the city explosives often opened up a building to the more rapid spread of fire. When blasting was used at the edges of the conflagration it was fairly successful in creating a fire break. Although Cripple Creek hard rock

miners might be expected to be thoroughly familiar with explosives, the worst injuries of the fire were from blasting accidents. Frank Heaton of the Whiting Hose Company crawled under a building in the path of the fire to place a charge of explosives. Meanwhile another fusileer not knowing of Heaton, and anxious to clear a fire break lit the fuse of a stick of dynamite under the building. Heaton now had his dynamite placed and the fuse lighted so started to back out, but just then the charge behind him exploded, tearing off his right foot. He was sent to the Pike's Peak Hospital in critical condition.

As the flames approached the Sisters' Hospital on the south side of Eaton, the patients were prepared for evacuation, 10 were wrapped in blankets and transferred to the Pike's Peak Hospital, and the other 10 who could walk went to private residences. When the fire approached to within two or three doors of the hospital, and to save it, the authorities ordered the smaller buildings adjoining to be blown up. During frantic preparations for this a stick of dynamite fell on a red hot stove and exploded, injuring J. L. Howard. He was taken to the Pike's Peak Hospital and the leg amputated 6 inches above the ankle. The hospital was saved but windows had been broken and damage amounted to \$1500.

Property along the flanks of a conflagration such as this sometimes is saved by dedicated men. The Midland Terminal depot at the east end of Bennett Avenue was almost completed and due to be occupied April 30. Burning embers landed on the shingle roof but enterprising men on the roof used buckets of water and saved the building.

The fire extended northward from Bennett to Carr to Eaton, burning handsome residences, small cottages, and cabins. Along Carr and Eaton houses and cabins were too widely separated for the fire to spread from one to the next. By 5 P.M. the combined efforts of the Cripple Creek and Victor Fire Departments plus many unorganized volunteers stopped the

conflagration from spreading farther. Two unburned islands in the blocks of ashes were the Family Liquor Store at the northeast corner of Myers and Third, and the Methodist Church, at the northeast corner of Carr and Fourth. What similarity did the fire find in these two occupancies? On Carr Avenue the fire had destroyed the Baptist, Episcopal and Congregational Churches, so union services were held by the Methodists the next day, Sunday.

At midnight firemen were still playing streams on the embers, chiefly spots where safes were known to lie, since considerable anxiety was felt for the contents of these iron boxes, all of which appeared badly warped.

Police Chief Jim Marshall swore in 100 special deputies to maintain order, prevent looting, and enforce the order closing saloons. Since all badges had been destroyed in the City Hall, a tinner was given a rush order for stars cut from tin cans, and these crudely fashioned symbols of authority were issued to the special officers. Crude or not, they were effective, 53 arrests were made up to midnight, and order was maintained. Prisoners were held in the basement of the Midland Terminal Depot.

An estimated 3,000 people were made homeless by the conflagration, but generous townspeople whose homes were outside the burned district opened their doors and provided shelter.

At 11 P.M. Saturday evening, J. L. Lindsay, cashier of the First National Bank, was observed sitting on the undamaged bank vault amidst smouldering ruins. He assured all who asked that books and securities were safe, and that no depositor would be a loser for the destruction of the bank building. A telegram had been sent to William Ainsworth, an expert on safes, regarding procedure for opening the vault. The First National rented space in the building on the south side of Bennett adjoining the Bimetallic Bank, made modifications, and opened for business on Monday. Some stock and type were rescued from the

office of the *Morning Times* and taken to the corner of Second and Golden, and later to the New Wolfe Hotel. A paper was issued the next morning, Sunday, lacking in advertisements and printed on a small job press. While the fire was still raging, George Holland secured the new store room on Bennett next to the Branch, put up a stage, and gave a show and dance in this new theater that very evening, Saturday, a few hours after the fire.

In this account no mention has been made of the chief of the Cripple Creek Volunteer Fire Department. The chief was Frank G. May. There is good and ample reason for omission of his name from the account of the battle. His little boy died just about the time the alarm was sounded so he was unable to manage the work of the department. This loss of leadership was a distinct handicap to the fire department.

Whenever a large fire occurs people attempt to explain its fast start or rapid spread by pointing a finger of blame at fire bugs. Rumors flew thick and fast at this fire, including one whopper that a gang of fire bugs had touched off the town so they could plunder the vault of the First National Bank, at that time bulging with \$100,000 in cash. These rumors were discounted by the police who believed all the events of the day stemmed from ordinary causes.

The fire of Saturday led many property owners to conclude that insurance was a good buy even though the rate was 10% of the value of the property for one year's protection, and many rushed to take out a policy. Events would soon prove their wisdom.

The volunteers who fought this first fire must have been mentally and physically exhausted from the ordeal and discouraged by the devastation. A picture shows some firefighters surrounded by ruins. Very little equipment is in evidence, only 3 of the group of 33 have helmets, and only 4 have rubber coats. Although worn out from fighting fire these men had to return to jobs Monday

morning. Most of them probably had enough of fire fighting to last them a lifetime, and the volunteers and townspeople must have been filled with consternation when just 96 hours later, about 1:30 P.M., on Wednesday, April 29, 1896, fire broke out again. This second fire started in the kitchen of the Portland Hotel, on the west side of Second Street, south of Myers. Most accounts indicate that a pan of grease on the range blazed up and caught the grease soaked boards of the wall, then in an instant the entire kitchen was on fire. Some accounts suggest the fire was incendiary in origin and started outside the Portland's kitchen. After the fire, Chief Frank Angel disappeared so could not be questioned. One witness even points out that the manager of the Portland had an unsavory background and had been requested to leave Ouray when his hotel there had several fires of suspicious origin. There had been tangled litigation over the lease and furnishings of the Portland.

Bessie Kelly, a waitress, reported she had gone to the kitchen for an order and found flames all up the wall of the kitchen, and she thought they had come from the Chicago Cafe, adjoining to the west. She ran to the office crying, "Fire." C. H. Kelly, head bartender, suddenly found flames shooting through the six inch stove pipe hole over the water closet, apparently spreading from the kitchen. He took the cash out of the register and escaped, nothing else was saved.

The Portland was built of frame construction with an outer wall of brick veneer. The kitchen occupied the center rear portion, and above the kitchen the second story had a light well. The west side of the building was covered with corrugated iron, and adjoining on the west was Green's Chicago Cafe, formerly known as Mack's Place. The waitresses ran from the dining room up outside stairs to their rooms over the kitchen to save their personal effects. The stairway was quickly involved by smoke and flames, and the girls scarcely had time to get out

again, minus their baggage (a case of bag without baggage).

To the front smoke was seen rolling from under the cornice and the alley to the south was a mass of flames. Within minutes the Portland was blazing from a dozen places from sidewalk to eaves. The fire department responded promptly, and put a number of streams on the building but they had no effect. One account states that hose had been loaded on the reel of the Davey Hose Company wrong end to, causing delay in getting lines laid. Today by the use of double male and double female couplings hose can be laid either way, but if these couplings weren't available wrong loading of hose would present a major obstacle.

A moderate wind was blowing almost due north, aiming sparks and sheets of flaming tar paper at the heart of the remaining business section. Immediately north across 68-foot wide Myers Avenue was the Big Booth Furniture Store, filled with fine wares, and to the east was the brick Masonic Hall Block. As the Portland spewed flames northward furniture was carried out of the Booth Store, for it seemed inevitable that it would catch. Mr. Booth tried to protect the coping with wet blankets. With the memory of Saturday's conflagration fresh in their minds merchants to the north were struck with terror by the smoke and flames from the Portland, their excitement heightened by the noise of the volunteers getting to work and by the evacuation of the Booth Furniture Store. Merchants did their best to move valuable stocks from their stores to a point safe from fire. Wagons were hired for \$5 to \$25 per load and occasionally when the traffic would stand the price reached the exorbitant figure of \$100 cash for one load. This gouging wasn't accepted lightly, and on May 19 the City Council revoked the license of an expressman found guilty of making an excessive charge for hauling goods during the fire. One question had an easy answer, that of a haven for their stocks. Where better than the district burned in Saturday's fire? There at least was one

section of the city where fire couldn't spread, for there was nothing left to burn.

From the heights of Gold Hill the scene must have been impressive, with leaping flames and billowing black smoke, punctuated by explosions and flying debris. In the streets confusion was the theme, for 10,000 inhabitants were there either to fight the fire, to see the spectacle, or to try to salvage something of their earthly goods.

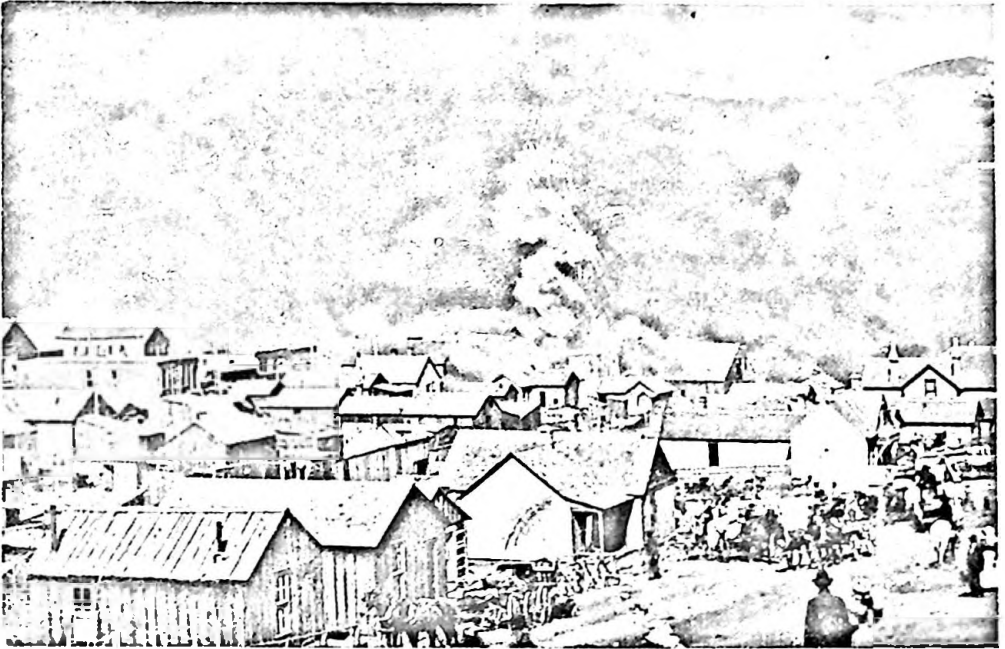
A strong fight was made to keep the fire in the Portland Hotel from traveling east across 60-foot wide Second Street to involve the Masonic Temple, a three story brick structure, 50 x 135 feet, and these efforts were crowned with success, although from radiated heat the building sustained about \$1,200 damage, chiefly broken glass and charred cornice and window frames.

The Wright Hardware store north and opposite the Portland Block was a mass of flames and the stock of ammunition was firing a fusillade. Myers Avenue was a furnace. The fire spread west from the Portland Hotel to the adjacent Chicago Cafe. Fifteen minutes after the initial alarm, flames were showing from the cornice of the Booth Furniture Store.

Next the immense stock of lumber in the El Paso Lumber Yard, just west of Booth's, took fire.

With the memory of Saturday's disaster fresh in every mind, there was no delay in putting giant powder to use. The Booth Furniture Store was the first to be blasted. Charges were placed in buildings in advance of the fire, the explosions threw debris high into the air, then it rained down on the crowds of people that jammed the streets, causing many injuries. One building after another was blown up in the attempt to stem the fiery tide.

Following the Booth Furniture, two sizable charges were placed in the grocery of C. Harder, between Booth's and the alley on the west side of Second Street, just north of Myers. The crowd was moved away as the fuse grew short, then a group of volunteers came up with a



Explosion which wrecked the central portion of the livery barn. View is from the same position as the cover picture.

From the Collection of Fred and Jo Mazzulla

line of hose. Either they did not hear or they failed to appreciate the danger, but dragged their hose line to the front of the grocery. Scarcely had their stream of water touched the front of the grocery than the first charge exploded, pelting them with bricks, mortar, timber and glass. When the smoke cleared it was seen that the street was strewn with injured men. Good samaritans rushed to their assistance and arrived just as the second charge exploded, and more casualties were added to the fast growing list. The 20 injured were taken to the Pike's Peak Hospital and there cared for by Dr. Liggett and Dr. Crane. Meanwhile, flames consumed the kindling created by the blasts. In the explosion, George Griffith, a member of the Lindsay Hose Co., sustained a head injury. One account stated he was taken to the hospital with his brains oozing out, another said his head was blown off. While there may be con-

fusion over the exact anatomic diagnosis, he was dead.

A few minutes later, C. C. Howell was on the roof of Murray's saloon on Second Street, handling hose and assisting to fight the fire when the building was blown up with dynamite. He was cast into the air and landed about 30 feet away from the front of the building, bruised, but not seriously injured.

Within 30 minutes of the first alarm, the Portland Hotel was completely gone, the walls of the Booth Furniture Store had fallen in, the Queen Bee Block had been blown up, and the row of business houses to the north along the west side of Second Street was all ablaze. From the El Paso Lumber Yard the fire crossed the alley northward to involve the rear of the buildings along the south side of Bennett between First and Second. By 2:30 the Palace Drug Store, southwest corner of Second and Bennett, was wrapped in

flames, and a fierce fight was being waged to keep the fire from crossing the 80-foot wide Bennett northward to the Palace Hotel. At the time the fire was still contained west of Second Street.

At 2:30 the old part of the Palace Hotel, on the northwest corner of Second and Bennett was blown up, but this was a futile gesture since the fire had already caught in the middle of the block on the north side of Bennett between First and Second.

At the time Sam Altman, owner of the Palace Hotel, had been on the upper floor trying to save the building by putting water on the roof. He was warned to leave as the building was to be blasted, and got to the sidewalk just as the fuse sputtered to a large charge of dynamite, which leveled the building. Ironically, he had refused an offer of \$60,000 for the building just two weeks earlier, now he had only an empty lot and no insurance. Worse yet, the 3 story addition to the Palace had been receiving its final touches, had cost \$15,000 and had never returned a penny to its builders.

With the Bennett Avenue battle line crossed, the next main fight was to protect the heart of the business section between Second and Third, which had been saved from Saturday's fire. If either the Pullin Block, at the northeast corner of Second and Bennett, or the Bimetallic Bank, southeast corner of that intersection, should take fire, there would be no hope of saving anything northward or eastward. To the north along and beyond Carr were private dwellings and rooming houses which the inhabitants would need for shelter.

At 2:40 the fire crossed Second and the Bimetallic Bank was blasted in an attempt to stop the fire there, but this was a failure. Just east of the Bimetallic Bank was the Cripple Creek Mining Exchange which now housed the First National Bank, forced to find new quarters after the earlier fire. As this new holocaust approached the clerks again locked money and negotiables in the safes, then abandoned the premises.

On east in this block, 13 cases (650 pounds) of dynamite was used to level the Weinberg Clothing Store, southwest corner of Third and Bennett. This explosion knocked down everyone within a block, broke all the remaining windows on Bennett and served only to accelerate the fire's progress. The fire then crossed Bennett in solid phalanx and a few minutes later all the buildings on both sides of Bennett Avenue between Second and Third were burning fiercely.

As the fire grew in area its perimeter increased, and it advanced north, east, and west, along a line about 1600 feet long. Few city fire departments today could cope with such a fire and muster enough pumping capacity, hose lines, fog nozzles, and manpower to put up a water curtain 1600 feet long to contain such a conflagration. At this stage Cripple Creek's defenses were completely overwhelmed. There seemed no hope of checking the fire at any point. To the north the tall lodging houses on Carr Avenue were falling one by one. To the west the fire had climbed the hill, burning home after home.

As the fire advanced west on Bennett Avenue it crossed First Street, destroying the Davey Hose House and a number of small stores and businesses. There is pictorial evidence that the El Paso Livery Stable, on the south side of Bennett between First and A Streets, was blasted in an attempt to create a fire break, but leveling the central part of that structure only made it an easier prey for the flames. At A Street the fire spread north to Carr, then west to B and north to Eaton. In this area it destroyed many homes and small businesses and stores. As the fire spread north from Carr dozens of homes were dynamited, and this determined effort was successful in stopping the fire at Pikes Peak Avenue. This stop, at about 4:30 P.M., marked the western and northern limits of the burned area.

Now indeed was Cripple Creek crippled. Along Second Street there was devastation from Warren to the north edge of the city where there was no more

fuel. When the Masonic Temple was kept from burning, the south side of Myers between Second and Third was thereby protected. At the northeast corner of Second and Myers a fierce battle had saved the Palace Livery of Welty and Faulkner and this kept the fire out of that block along the north side of Myers. Fire in the north half of this block was kept from spreading to the south half by hose lines in the alley between Bennett and Myers. At the alley on Third Street the substantial brick Penrose Building, though damaged by blasting, protected the frame buildings south of it. Along Bennett Avenue new ashes extended from A to Third Street, and east of Third were the ashes of the first fire. The only building left standing on Bennett was the newly completed two story brick Gardiner Block. It lost windows, sash and doors but was basically uninjured.

A second disastrous fire so soon after the first engendered the wildest rumors about incendiarism and bands of arsonists organized to burn the town for plunder, and there were many stories of the shooting of men caught in the act of stealing, or arsonists found with a torch lighted. One such story is probably true. As the second fire was burning out into the residential section and houses were being blasted to create a fire break, Floyd Thompson saw a man deliberately set fire to a mass of debris. Without any thought but to avenge the deed Thompson pulled his gun and killed the man. He lay unidentified in the morgue for several days.

Business men displayed typical American zeal and vigor in re-establishing businesses. Friday morning one restaurant displayed a sign advertising "strawberries with pure cream for 15 cents." The *Times* and the *Journal* each got out abridged morning editions on Thursday by using the facilities of other plants in Victor or West Cripple Creek. The \$75,000 National Hotel, northeast corner of Fourth and Bennett was under construction during the fires, and work on it continued unabated. Mr. Hemenway

immediately ordered 30 cars of lumber for a new stock for the El Paso Lumber Co. Many property owners announced immediate plans to rebuild. P. H. Heller, the druggist at Third and Bennett, suffered smoke and water damage from Saturday's fire. Adjusters were settling his claim on \$1500 insurance when the second fire wiped him out. The next day he commenced construction of a 20 x 60 foot temporary frame structure and telegraphed for a stock of drugs. Western Union, singed in the first fire and burned out in the second, reopened after only a half hour's interruption of service in the F. & C. C. Depot and put on a total of 15 expert operators and an equal number of clerks, all of whom had to work from 18 to 20 hours per day to handle the flood of messages.

The post office and about 35,000 letters had been lost in the first fire. On Tuesday afternoon postal authorities had let a contract for construction of a 25 x 60 foot temporary frame building on Third Street behind Nolan's Saloon, at the edge of the first burned district. Workmen were busy erecting this structure when the second fire broke out. By heroic efforts in covering the new boards with blankets kept wet with a hose stream they were saved. This building was completed just 23 hours after the first spadeful of dirt was turned for the foundation. Clerks then sorted 300 sacks of accumulated mail and Uncle Sam was open for general delivery at 1 P.M. on Thursday.

Life in the world's greatest gold camp returned to normal in record time. Construction got into high gear. Labor unions agreed that pre-fire wage scales would prevail. Attendance at the relief camps gradually decreased, and although services were held at the only remaining churches in town, Methodist and Catholic, on Sunday, May 3, there was no appreciable slackening in construction that Sabbath. With or without apologies to Cy Warman a saying was in vogue that went: "Every day's a week, and there's no Sunday in Cripple Creek." A parrot

at the Midland Depot screeched repetitiously: "Burned out. Burned out. Polly burned out."

The Board of Trustees, urged on by many citizens, concluded that a paid fire department would be a cheap luxury. As the first step in this direction, the position of Fire Chief and Fire Warden was created with salary of \$100 per month. Elected to this office was W. J. Allen, who had 20 years experience with volunteer and paid departments under his belt. He had been a member of the Joe Bates Hose Company of the Denver Volunteer Fire Department, foreman of the J. A. Whiting Hose Company and Chief of the Cripple Creek Volunteer Fire Department from April 3, 1895, until he resigned Feb. 18, 1896, for reasons unknown. At the time of the big fires he had been on a visit to his old home in Missouri.

The Fire and Police Committee con-

ferred with the new chief and a thorough plan was prepared for complete reorganization of the fire department. Eleven paid firemen were hired in addition to the chief, of these 3 were stationed at the Davey Hose House, 3 at the Lindsay Hose House, and 5 at the Central Station. Horses were hired and later purchased. Hale swinging harness and \$3,000 worth of equipment was obtained for the department. The chemical engine was traded for a new horse drawn hose and chemical combination for the old town station. Through a sound building code and an effective fire department all necessary measures were taken to insure the permanence of the gold camp. How could they have foretold the attrition of their city from inflation and the artificial fixing of the price of gold at a figure so low that it could not be mined with profit?

An Experiment in Temporary Government

by JOHN A. BRENNAN

In the first installment of this study, Mr. Brennan reviewed the events which brought about the need for a territorial government, the elections and activities of the various population centers in the election of territorial officers, and their actions in The General Assembly. The following concludes his award-winning paper. See the August, 1961 issue of our Roundup, pages 17 to 23, for the first part.

After the General Assembly adjourned on December 7, 1859, Governor Steele completed his immediate tasks and prepared for a trip. He approved and signed the bills enacted by the General Assembly. He issued calls for local elections and appointed supervisory election officials. His desk cleared, the "Territory" established and functioning, though not

unanimously supported, he left to see his family at Florence, Nebraska, and to close out his personal affairs in that territory. Until his return in the spring, L. W. Bliss, the secretary of Jefferson Territory, would act as governor.

When Governor Steele departed on December 13, 1859, the political situation was outwardly calm. The trip seemed auspiciously timed. Beneath the surface, however, a revolt was brewing. The basic problems already mentioned were about to mature.

A few days after Governor Steele departed for Nebraska Territory, a group of miners began the almost inevitable "revolt." On December 17, 1859, their statement of complete rejection of any form of taxation by the Territory of Jefferson arrived to upset the Denver capitol's outward calm. Specifically, they objected to

the \$10 per diem the legislators had voted themselves and they repudiated the \$1 head tax assessed to finance the "plunder." They attached some 700 signatures of miners living in Russell and Gregory mining districts. No doubt, they represented the majority opinion in the two districts and, probably, their attitude toward the enacted financial measures was shared by a majority of miners in the other districts.

Another group of miners underscored the seriousness of their "revolt" by forming a small military company. On December 11, 1859, even before Governor Steele had left his capitol, miners idled by the winter weather formed the Rocky Mountain Rangers, headquartered at Mountain City. The Rangers totaled approximately 100 men, and four elected officers. Their announced purpose was to protect both persons and property and to resist any attempt at "unlawful or unjust taxation." Unfortunately for these restless young '59ers, subsequent events deprived them of the opportunity to chase off provisional government tax collectors.

Shortly after the "unjust" tax law had been thoroughly condemned by many of the miners, they all were given the opportunity to register their attitude toward the entire Territory of Jefferson experiment. The occasion was an election to select officers for Jefferson Territory county governments held on January 2, 1860. At this election, the participating miners refused to cast votes for the offices of county judge, treasurer, recorder and county attorney as authorized by the "Territory" Constitution. Instead, they voted 395 to 95, to reject organization of the proposed Mountain County government, intended to embrace all the mining districts on the upper Clear Creek. In effect, the miners totally disavowed association with the Ter-

ritory of Jefferson by those living within the mining district jurisdictions.

The crippling effect of the miners' refusal to organize a subordinate county government was heightened by the absence of the "Territory's" elected governor. Before he left Denver for Florence, Nebraska, Governor Steele had apparently won the confidence of most persons. Moreover, he had been a representative of the Gregory Mining District at the Constitutional Convention. While his presence would not have prevented the miner's open resistance, it might have enabled him to persuade the dissidents to temper their objections to less than an outright repudiation. However, Steele's leadership was unavailable and his representative, L. W. Bliss, was unable to cope with the situation.

The miner's repudiation of the Territory of Jefferson was, at its roots, a new outburst of an old suspicion. The provisional government had been sponsored and organized by the valley people, primarily. Moreover, its actions were closely identified with Denver interests, and particularly with those of the local merchants. As mentioned, the merchants had antagonized the miners by temporarily lowering the exchange value of gold dust. Subsequently, the merchants were gratified and the miners repulsed by the very first law passed by the General Assembly. It authorized writs of attachment and garnishee, a necessary yet irritating law aimed at the working population. Succeeding acts such as special legislation for corporations and the revenue law greatly stimulated the miner's resentment. The latter act proposed "unjust taxes because the miners believed the provisional government had nothing to offer them in exchange for the dollars it wished to collect. The miners had no immediate need for the illegal "Territory"

because, as it has been mentioned previously, they had already organized adequate extralegal local governments.

The miner's opposition to special legislation enacted by the illegal "Territory's" General Assembly was to a much lesser degree echoed down to the Cherry Creek. There, the law granting a charter to the consolidated City of Denver generated trouble for the provisional government. It erupted immediately after a special election on December 19, 1859, to choose officers for the new city government. Disappointed persons on the Auraria side of Cherry Creek met to protest. Their most substantial objection questioned the authority of Jefferson Territory to issue the new city charter. Since none of them had publicly raised this point before the election, the exact nature of their disappointment was not altogether certain. It was certain, however, that this challenge to the "Territory's" authority diminished its status even in the valley.

The several rebuffs to the "Territory's" authority were not effectively met by the acting governor, L. W. Bliss, who only managed to make matters worse when he did act. For example, Bliss became involved in a duel. J. S. Stone, judge of the Mountain City Miner's Court, challenged Bliss when the latter made a toast at a public banquet containing insulting references to Stone. Earlier, Stone had deeply irritated Bliss by his obstructive tactics in the "Jefferson" House of Representatives. In fact, a resolution to censure Stone's "reprehensible" conduct had been introduced, but it was tabled by the cooler heads. For this treatment, and the insulting toast, Stone demanded satisfaction. In the duel, Stone was wounded and, after a lingering decline from March to September, 1860, he died due to this injury. The tragedy was the result of a fair fight,

but it hurt Bliss personally and it irrevocably ended the provisional government's influence among the miners.

The impact of the Stone-Bliss duel on the miners' attitudes was nearly equalled by the effect of the 1860 gold rush on valley loyalties. This fresh influx of thousands of transients who were totally disinterested in the needs and working of the Territory of Jefferson quickly squelched the provisional government. Shortly, executive power disappeared despite the return of Governor Steele in late May, 1860. In part, this was due to the absence of revenue. Ironically the legislators had deferred the collection of assessed taxes until June, 1860, after the expected spring influx of new emigrants and funds had arrived. The "Jefferson" court system, which for several months had handled the greater part of the judicial business originating outside the mining districts, was rendered ineffectual by its competitors. This unusual form of competitive enterprise arose from the fact that the Pike's Peaker of 1860 could choose between three different courts: provisional government, Kansas Territory, or mining district. Therefore, a case lost in one court might be taken to another to obtain an injunction or a reversal.

After the miner's "revolt" and the spring migration had severely crippled the provisional government, Denver City voters administered the coup de grâce. Their excuse was that the elected officials of the consolidated City of Denver, organized under "Jefferson" authority, had failed to curb an outbreak of lawlessness during the summer of 1860. Moreover, the officials had been too weak to even restrain the itinerant drummers openly underselling legitimate merchants on the streets of Denver. The distraught Denver citizens decided to organize an independent gov-

ernment since "the existing organization persistently declines taking cognizance of passing events." The reorganization movement was begun in early August and was climaxed by an October 1, 1860, election. The independent government proposal was ratified by an overwhelming 1132 votes out of 1163 cast. The vote was certified by a board of judges headed by William Larimer, Jr., who listed the place of election as Denver, Kansas Territory.

The pending withdrawal of his capitol city from "Jefferson" jurisdiction prompted Governor Steele to suggest that a reorganization was needed. He cited two principal causes for this unfortunate situation. First, a "Negligence and lack of promptitude in some of the officers (had) destroyed confidence to an extent that was humiliating to those who were endeavoring to keep the government in motion," he wrote. Secondly, Steele continued, opponents of the legislation passed sought to destroy the government rather than to amend the legislation. At this juncture, Governor Steele's only meaningful consolation came from Golden City, a village that lay between the Cherry Creek trading centers and the mining districts. The high-minded editor of Golden's newspaper, the *Western Mountaineer*, gave fulsome praise in print to the governor. He said that the extreme diversity of opinions and interests had caused the governmental crisis.

The Golden City support temporarily revived the nearly expired Jefferson Territory. The city was host to a special convention called by Governor Steele, October 9-12, 1860. The convention's purpose was to determine what action should be taken to remedy the chaotic conditions. Its meetings were as fully disorganized as the political situation it attempted to discuss, however. At its final meeting, the convention

voted to allow the people to decide the fate of "Jefferson" through the annual elections previously set for October 22, 1860. In those elections, the provisional government was sustained and Governor Steele was re-elected, but the total vote was very light. Steele received only 986 votes. The mining districts did not participate sufficiently to be an important factor in the balloting totals. Denver voters, in a special election held on the same date, rejected the "Territory," 1174 to 388.

The unpromising results of the elections at least justified another session of the General Assembly at Denver, November 12, 1860. Governor Steele's report to the Assembly went unflinchingly to the heart of their problems. He advised the legislators to petition Congress for immediate territorial status, to repeal all revenue and salary laws, to carefully restudy all the laws, and to avoid all special legislation. However, the lack of a quorum, and the offer of free and hospitable centrally located quarters induced the General Assembly to adjourn at Denver and reassemble in Golden City. Again, Golden City hospitality had delayed the total demise of the provisional government.

The second session of the General Assembly, thus far had not received even the minimum interest required of its legislators much less the public. The distractions were increasingly formidable, however. News of Lincoln's election and Southern Secession had arrived on November 13, 1860. That night, Pike's Peak Republicans held their first recorded meeting. In one day, national issues had completely eclipsed local problems. Thereafter, the dying Territory of Jefferson never regained serious public concern for its affairs.

Despite nearly universal neglect the General Assembly met sporadically at Golden City for three weeks, from

November 27 to December 13, 1860. The meetings were increasingly desultory. As recommended, the controversial revenue and salary laws were repealed. However, no new legislation was attempted. The General Assembly accepted its impotence. Before adjourning, it passed and the governor signed an act authorizing a convention to assemble at Denver in May, 1861, in order to complete a new constitution for a proposed State of Jefferson. The political wheel had again turned a full circle.

Adjournment of the General Assembly on December 13, 1860, ended the active life of the provisional government. All three of its branches had ceased to function. Its officials had little authority, no power, and many debts. Seemingly unmourned, it passed out of operation.

The Territory of Jefferson continued a nominal existence, however, until Governor Steele made his final statement. He delayed this last rite until June 6, 1861. Before then, the Congress had at last, in the absence of Southern legislators, voted to authorize a new federal territory to be called Colorado. Furthermore, President Lincoln's appointee as governor, William Gilpin, had arrived on May 26 and would take office on July 1, 1861. It was necessary, Robert W. Steele said, that he should publicly surrender his elected office, yielding unto "Caesar the things that are Caesar's," and calling upon all citizens to give obedience to the laws of the United States of America.

The Territory of Jefferson experiment had performed a needed service. It gave the Pike's Peak immigrants a means of political expression despite the lassitude of the Congress. Moreover, it demonstrated the '59ers fundamental faith in political democracy. Undemocratic methods were not publicly suggested despite the need for immediate and effective

government to protect persons and property.

The services rendered by Jefferson Territory were overshadowed by its problems. First, it lacked legitimacy. Second, it was without financial support. Third, it failed to obtain a constructive compromise of differences dividing the miners and the merchants. Being unable to solve these basic questions, "Jefferson" failed.

The Territory of Jefferson experiment exemplified a continuing ambiguity. Certainly, it reflected the vitality of American political democracy in the 19th Century. However, it also revealed the deadening effect of apathy and the divisive influence of conflicting interest groups. This ambiguity, as it fosters or hinders the "art of compromise," is a continuing theme in the American political tradition.

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From the Corral Rail

(Continued from page 4)

the editor, Houston Waring. The occasion for the presence of Waring, and the short story was in recognition of the fact that it was exactly 35 years ago on the 27th of September, 1926, that Waring went to work for Bemis at the Independent.

Most members of the Posse were unaware that the Independent had become known world-wide. The story, in brief, and leaving out the earlier years which led up to this recognition, is something like this:

In the spring of 1951 the telephone in the office rang and Waring was informed that the caller was a represent-

ative of the Department of State at Washington, D. C. The caller said, "We have selected your newspaper out of all newspapers of the United States as the best one and we would like permission to come out and photograph you and your paper in action to make a film for world-wide distribution. Will you permit us to do it?" Waring, of course, told them to come on out.

The Department first sent out two men to look over the situation so that the photographers would know what the job was. Soon afterwards there came seven moving picture men with a carload of equipment. They stayed five weeks and photographed every-

(Continued on page 20)

(Continued from page 19)

thing around the newspaper, everything in and around the community which the newspaper and its personnel in any way touched, influenced or affected.

Out of all of this they created the film called "The Small Town Editor." Other newspapers in the country did not know the Department was making any selection. It was not a competitive situation. The Department did its own choosing.

The purpose in making the film was to send it all over the world, to countries outside the "iron curtain," in order to show what a newspaper can do in a Democracy in the way of interpreting local, state, national, and international affairs. In other words it was to show how an editor in a free country has a free hand, and how an overall good job can be done.

These films were sent all over the world. Posseman Bemis and Editor Waring have heard from Greece, Scotland, Peru, South Africa, Australia, and other countries, as well as from many places in the United States. They have been informed that in Greece alone 40 of these films have been worn out through the many showings.

It resulted, this year, in the development of a sister city plan with

Australia, in which Waring went to Bega, New South Wales, and the Bega publisher came to Littleton. Littleton is the first American city to have the "sister" relationship with any city in Australia. When the Bega publisher came this August he brought a great exhibit of Australian materials and pictures, which were shown at the Arapahoe County Fair. With him, also, were the New South Wales beauty queen and her sister, and two young farmers of the area.

As a result of this film, whenever any editors from overseas countries visit America, they are always scheduled to pay the *Littleton Independent* a visit. It has been very interesting for Editor Hous Waring, and Publisher Ed Bemis, to meet these people.

Waring is, of course, a part owner with Bemis of the papers, *The Littleton Independent* and *Littleton's Arapahoe Herald*. The Herald is out on Tuesdays and the Independent on Fridays, a twice a week operation with two separate newspapers instead of the same paper coming out twice a week.

So, the *Littleton Independent* is known throughout the world, a claim which can be substantiated. Our heartiest congratulations to both Posseman Bemis and Editor Waring, and many thanks to Ed Bemis for furnishing us the above information.

First Swedish Posse Brand Book

by SCOTT BROOME

The Number 1 Brand Book of the Swedish Posse was dated "Juni 1959," its editor Gösta Gillberg, of Gothenburg. Excerpts from his introduction are explanatory:

"Yes, this is the first issue of our Brand Book. It doesn't look like much in general, but it is going to improve, both in form and in content. . . There is so much to cover. . . We are also

confronted with a language problem. The 'Wild West' is so specialized an area that we run across many words for which there are no corresponding Swedish terms. We have therefore decided to retain such words in the original. . . Does anyone know, for example, the Swedish for gunman, gunslinger, gunfighter, lawman, marshal, waddy? Or, Brand Book?"

In the first issue its editor also indicated that articles were planned on such subjects as the Little Big Horn, "voyages" across the prairies, the Mountain Men, along with some who never died ("and they are overwhelmingly numerous"). The first article was entitled "Muy Mal Hombre," by Mr. Gillberg himself, describing incidents in the life of Al Jennings.

In addition to articles on western subjects (usually translated from other Brand Books or available western publications), each number usually contains western book and film reviews, plus miscellaneous notes. The editor in commenting on what he terms "dollar-poor" Swedes, is particularly appreciative of the inexpensive pocketbook editions published in this country (which, however, cannot be ordered directly from the U.S.A., inasmuch as Importbokhandeln over there has a monopoly on their sale), also the inexpensive Western Frontier Library of the University of Oklahoma Press.

Mr. Gillberg first started reading English books at the age of sixteen, has since then read hardly anything else except for a few of his Swedish favorites. He is proud of his sizeable western library, still remembers (and has) his first English books, Sapper's *Knockout* and Zane Grey's *Fighting Caravans*. The latter put him on western trails, and he "rode" westerns, he says, until he wearied of them and turned to whodunits ("I read literature too, I hope"), his thesis for a

university degree in English being on the development of the detective story.

On the subject of films, he says: "I was more or less weaned on motion pictures. In my little home town there were two cinemas, and my father was manager of one of them, so I have been going to the pictures as long as I can remember. I even saw those labeled 'adults only,' although I must say that my father censored a few of them. I am a member of two film studios here in Gothenburg, and I see about twenty-five classics a year, plus some of those running at regular cinemas. We have had 'The Ox-Bow Incident,' which I think is one of the best, not only as a western. I have seen it twice, and I remember how surprised I was the first time. Here was realism in an American western, Henry Fonda going out to vomit after having roostered his antagonist in the saloon brawl. Americans have the reputation over here of being prude on such matters. Yes, that was a real film."

Since the first issue of the Swedish Brand Book, monthly issues have been received with regularity, each with the familiar buffalo skull on the cover. The last one at hand contains two articles, "Jim Bowie och Hans Kniv" ("Jim Bowie and His Knife"), by Tore Svensson, and "Kansas Före 1854" ("Kansas prior to 1854"), by Louise Barry. Certainly, the spirit of the 1944 Chicago Westerners and the 1945 Denver Posse has traveled "a fur piece."



Westerner's Bookshelf



REPORTS FROM COLORADO 1859-1865.
The Wildman Letters and other Documents, Far West and Rockies Series XIII, by LeRoy R. Hafen and Ann W. Hafen, Published by The Arthur H. Clark Co. 333 pp., notes, bibliography, index.

This volume in a series compiled by LeRoy and Ann Hafen is another well documented

book on Colorado's history at a period when the rush to the Rockies was in full swing in quest of that illusive, illustrious metal, GOLD.

The Wildman Letters and documents by other authors depict the times, opinions, and descriptions of the Rockies by these correspondents during the beginnings of such

Colorado towns as Denver City, Arapahoe, Mountain City, and others connected with this stampede to and from the mountains. The views of these writers are particularly interesting because *they were here*. Of interest to a Goldenite like myself is a letter from Denver City, December 28, 1859 by a correspondent for the *Missouri Democrat* in which he makes the statement, "Geo. Andrew Jackson, the gentlemen after whom the Jackson Diggings were named in conjunction with Captain T. L. Golden and others founded Golden City." Prior to this there was some doubt as to Golden's being named for Tom Golden.

The footnotes at the end of most of the pages explain and translate the letters so they are more meaningful for this day. The source material from which the footnotes are derived are also listed so those who wish to do further digging for historical data may do so.

This book should have been out in time for The Rush To The Rockies Centennial Celebration because it certainly gives eye witness accounts of the happenings of this era.

This is a volume that should be in the libraries of all Colorado Historians.

R. A. Ronzio PM

NEWPORT IN THE ROCKIES: THE LIFE AND GOOD TIMES OF COLORADO SPRINGS. By Marshall Sprague. (Denver: Sage Books. Illus. Index. 1961. 370 pp. \$5.75)

There is much to be said for writing a history of Colorado Springs with concentration on its outstanding personalities, such as William J. Palmer, William A. Bell, Winfield S. Stratton, Count James Pourtales, John J. Coughlin, and Spencer Penrose. And when the writing comes from the pen (or typewriter or dictaphone) of Marshall Sprague, it is sure to be lively, interesting and informative. If Colorado Springs is both something more and less than the Newport of the Rockies, the author has nevertheless presented a treasury of stories of the life and good times of the city and its development. A broad acquaintance with pertinent sources of information, even those revealing intimate details of noted leaders, has contributed to the author's production of excellent social, institutional and biographical history.

Numerous important studies of the lives of the first citizens of the Springs are already available. Yet these have not exhausted the field. For example, Sprague has stressed some

of the important personal and business characteristics of General William J. Palmer. The latter was a leader in the field of forming interlocking companies. His use of such companies is perhaps a matter for admiration. Yet one might well question whether or not, according to the author, the General practiced "sound frontier finance" when he had one of his companies sell land costing \$.80 an acre to another company for \$15.00 an acre. Is such a practice either "sound" or typical of the "frontier?" Nevertheless, Sprague has brought out the poignancy of Palmer's loneliness, until one daughter came to live with him, caused by his wife's refusal to live at Glen Eyrie.

For another example, there are the activities of the Penroses. The author portrays the bachelor "Spec" trying to prove himself to his father, successfully backing the project for developing the low-grade copper ore of Bingham Canyon, Utah, becoming practically ensnared by the determined, energetic and charming Mrs. J. H. McMillan, his future wife, and then spending his prodigious income "on dynamic projects to promote the charms and the prosperity of the Pikes Peak region." Additional valid, significant, and pertinent points are revealed about so many other prominent figures, both men and women, which a short review can not mention. Furthermore, there are well presented accounts of the Broadmoor, Colorado College, and the Fine Arts Center.

Sprague has an eye for the apt and humorous story. Witness his citation of the time President Grant stopped overnight at Manitou House and "uttered one of his stirring one-minute speeches on the porch of the Colorado Springs Hotel." There is also the account of Bathhouse J. J. Coughlin bringing an injured elephant to his Cheyenne Creek farm and feeding it a pint of Jim Beam a day. There are instances of the forgetfulness of Mrs. William A. Bell, or again an account of the three sisters that attended a prominent social function attired in clerical garments with transparent backs. In addition, there are helpful insights, such as the comment that the "gold of Cripple Creek had caused a steady deterioration of the moral climate of El Paso County."

One might question the accuracy of a few of the author's historical references and the reader will stumble on a few typographical errors in the book, but both the author and the publisher, Posseman Alan Swallow, are to be congratulated on the high quality and worthiness of *Newport in the Rockies*.

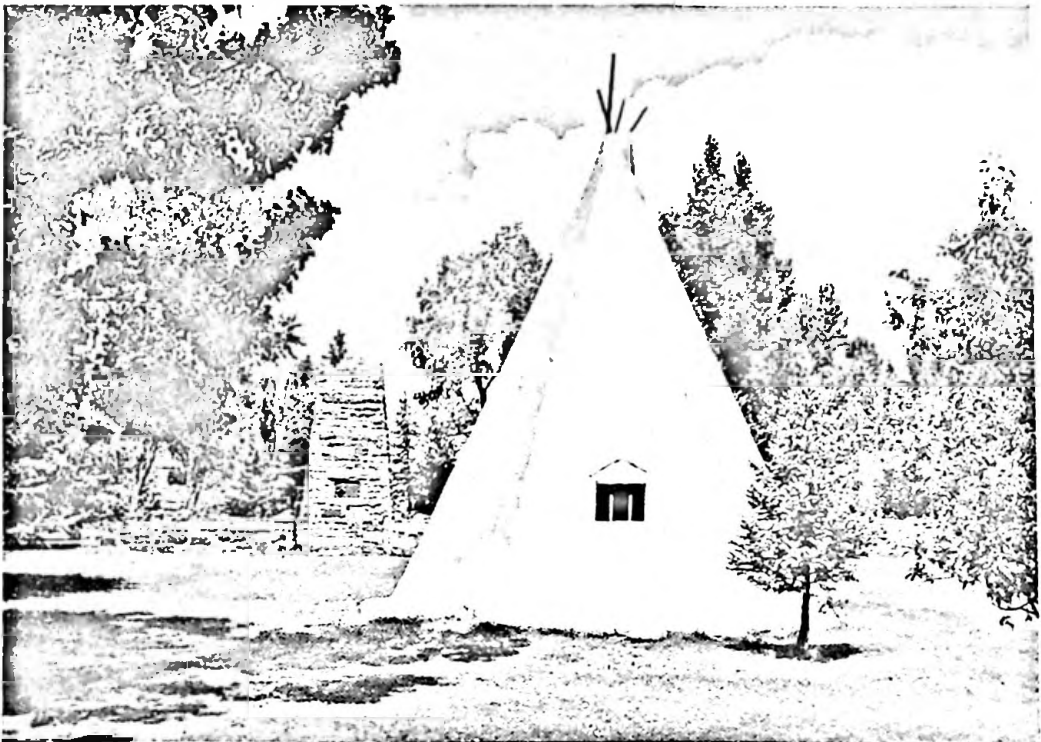
PM Harold H. Dunham

Colorado Landmarks

From the Files of Posseman Otto Roach



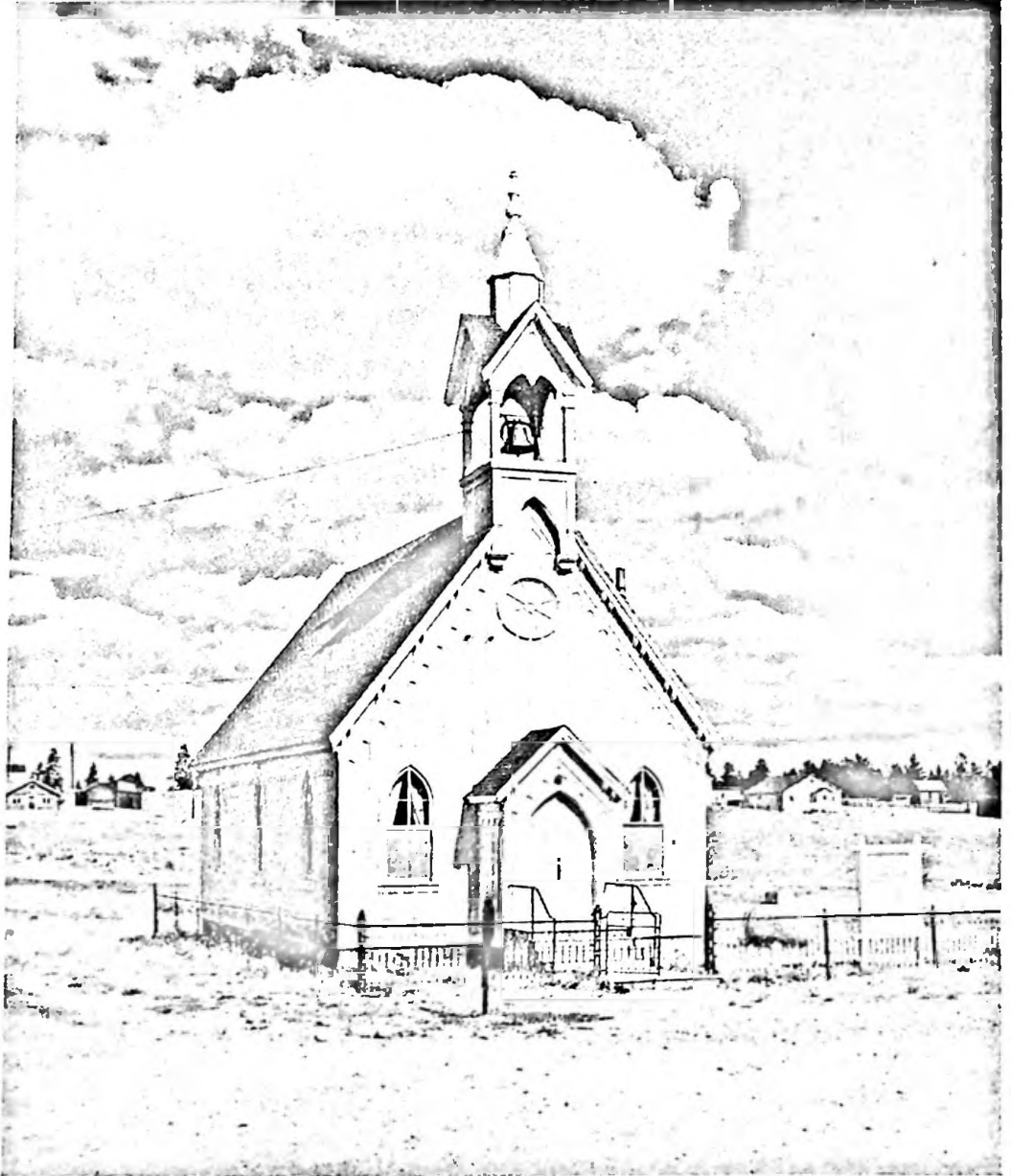
Ashcroft—Ghost Town



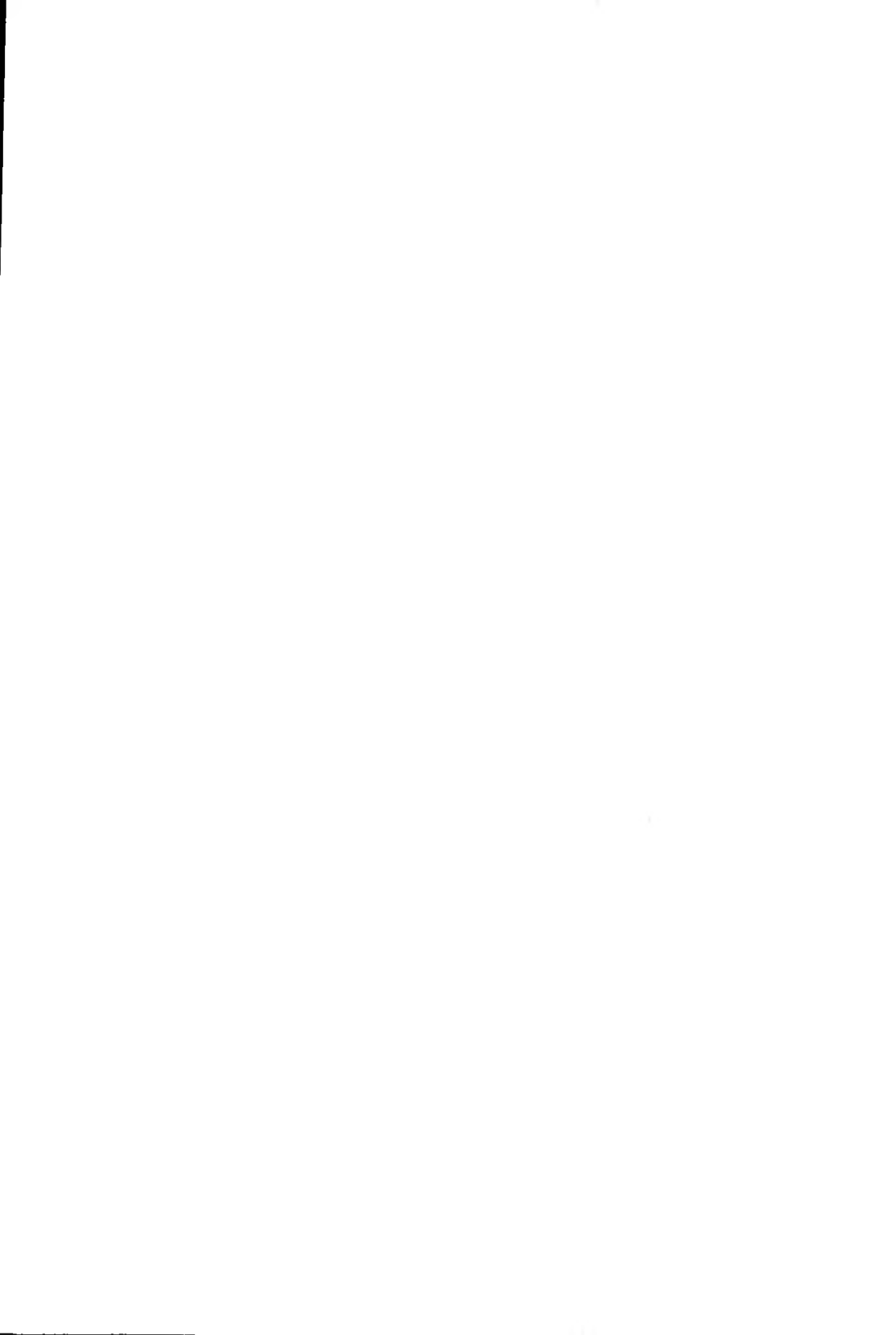
Chipeta's Teepee in park owned by Colorado State Historical Society. Site is four miles south of Montrose.

Colorado Landmark

From the Files of Posseman Otto Roach



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Leo E. Oliva—FORTIFICATION OF THE PLAINS, FORT DODGE, KANSAS, 1864-1882. Fort Dodge was built in 1864 to protect the Santa Fe Trail. It was abandoned in 1882. Its history is well portrayed by this study which won the 1960 Annual Award of the Denver Posse.

Al Look—JOHN OTTO, FANTASTIC FATHER OF THE COLORADO NATIONAL MONUMENT. The story of the fascinating eccentric, John Otto, who fought to preserve the beauty of a Colorado wonderland. This story is written by a distinguished Colorado author who knew John Otto well and hiked with him on many occasions through the canons of the Monument.

Steve Frazee and Dr. Wendell Hutchinson—CHAFFEE COUNTY LANDMARK. An outstanding Western writer and the owner of the

famous Hutchinson Ranch collaborate their talents in presenting the history of this Colorado Landmark located in Poncha Springs—Salida area.

L. T. Sigstad—WIT AND HUMOR OF THE AMERICAN INDIAN. Yes, the American Indian possesses a fine sense of humor. A fascinating account of a neglected subject by a leading student of the Western Indian.

Carrie Scott Ellis—A STUFFY SUBJECT. The story of Colorado's and probably the world's first lady taxidermist. Self-taught she killed her specimens and learned to present them in lifelike postures.

Marshall Sprague—LITTLE LONDON AND THE BELL MEMOIRS. One of Colorado's best known writers was recently given permission by the heirs of Dr. William A. Bell to present two memoirs. One was written by Cara Georgina Whitmore Bell, the wife of Dr. Bell, and the other was written by Cara Rowena Pearce, a daughter of the Bells. This manuscript sheds a new light on the pioneer life in Colorado Springs and Manitou Springs.

Lorene and Kenneth Englert—MILLING ALL AROUND. A pioneer woman, who came to Colorado as a girl in a covered wagon in the early 1860's, tells of the family's wanderings from Denver to Colorado City to Canon City and Blackhawk before constructing the famous Bissett Mill at Divide, near Monument, Colorado.

Raymond G. Colwell—BOYHOOD RECOLLECTIONS OF CRIPPLE CREEK. A well-known Western historian tells of his boyhood in "The District." A fine eyewitness account of life in the Cripple Creek-Victor area when both gold camps were booming.

Charles S. Ryland—CHRYSOPOLIS . . . THE GOLDEN CITY. A detailed account of early Golden, Colorado, by a man who has spent many years studying this beautiful little city at the foot of the Rockies.

Otto Roach—PHOTOGRAPHS BY ROACH. Fifteen photographs of ghost towns and historic landmarks taken by Mr. Otto Roach, the West's finest scenic photographer.



WHO ARE THE WESTERNERS?

"A UNIQUE GROUP," said Robert L. Perkin of the Rocky Mountain News in his column, "One Man's Pegasus," dated April 23, 1961, and Mr. Perkin continues:

"The boys in the upstairs room at the Press Club on Wednesday night will be, again, the Westerners, a unique group of individual and unique Coloradans whose avocation is the life and times of the American West.

It's a very special sort of group. The Westerners are no regional chauvinists; they take the West they love seriously, but not grimly, and they maintain a nicely balanced sense of good humor about Buffalo Bill, H. A. W. Tabor's nightgown, the last surviving relic of the first settler north of 16th St. and other

esoteric matters. So they can get away—notarians never could—with calling their outfit a posse and their president a sheriff.

The group includes lawyers, a federal judge, physicians, scholars and professors, authors, 17th St. real estate brokers, corporation executives, ranchers, scientists, bookmen, engineers, bankers, poets, a dealer in modern Taos lightnin', CPAs and, ah! a hairy newspaperman or two. They are members of a loosely affiliated organization which now extends half-way around the world and which prides itself on having no formalized rules and regulations, no national—or international, for that matter—officers, no bureaucracy, no assessments for the good of any cause whatsoever.

In addition to Denver (one of the first hotbeds of the movement) there are now Westerners groups in New York, Chicago, Kansas City, St. Louis, Spokane, Seattle, Portland, the Black Hills, Tucson, Los Angeles, England, Paris, Sweden, West Germany, and I've probably forgotten some. Perhaps someday there'll be a Moscow branch, though it's a bit difficult to imagine drawing "Tovarich" and those damn pragmatic Roosians probably would go and mess things all up, violate every decency and kiss the girl instead of the horse."

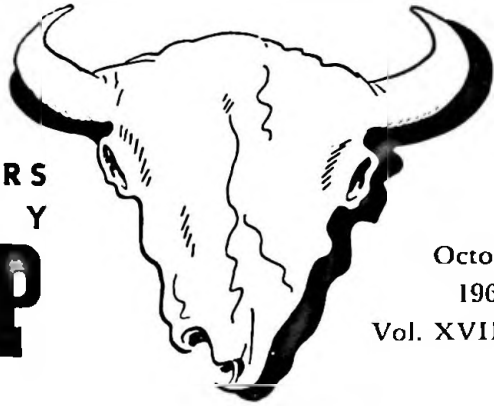
WHAT IS THE BRAND BOOK?

In 1945 it became evident to the membership of the Denver Posse of the Westerners that the historical manuscripts presented at its monthly meetings were of such fine quality as to merit publication. Not only were the manuscripts well written, but they contained a wealth of original research that the Westerners felt should be preserved and made available to students of Western history. The Posse realized that to meet the high standards they had set for such a book it would not only be necessary for them to underwrite the cost of the book but also to supervise its publication.

The first Brand Book was published in 1946, but as most of the material had been gathered during the previous year, it was entitled "The 1945 Brand Book." Annually since 1946 the Denver Posse of the Westerners has offered a new Brand Book to those interested in Western history, and the Posse is justly proud of the acceptance these books have received.

Many times the Westerners have considered increasing the edition of the Brand Book, which is traditionally set at 500 numbered copies, to editions of 1,000 or 2,000 copies. We are, however, a group of men who greatly enjoy our avocation of the West and are not professional publishers or book dealers, and we feel that if through publication of a limited edition of the Brand Book we can share with others our love of the West and at the same time make a serious contribution to our Western culture, we have achieved our purpose.

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



October
1961
Vol. XVII No. 10



Outdoor barber shop in early days of Caribou
From the collection of Fred and Jo Mazzulla

The DENVER WESTERNERS
M O N T H L Y
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Boulder, Colorado

The Westerners
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Denver 2, Colorado

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OFFICERS

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Roundup Foreman, George R. Eichler
Tally Man, Bill Brenneman
Chuck Wrangler, Herbert P. White
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NOVEMBER MEETING

**THE CIVIL WAR EXPERIENCES OF
GENERAL PALMER AND HIS REGIMENT**

by

General Wm. E. Carraway

WEDNESDAY, NOVEMBER 22, 1961

6:30 P.M.

Denver Press Club, 1344 Glenarm
Denver, Colorado

Gen. Carraway, a graduate of West Point, served in the United States Army from 1923 to 1955 and then retired to become the Director of Industrial Development for the Colorado Springs Chamber of Commerce.

He has been a student of the Civil War period for many years, belongs to the Civil War Round Table of Colorado, and was recently designated by Governor McNichols as a member of the Colorado Civil War Centennial Commission.

CHRISTMAS MEETING:

Saturday, December 16, 1961, at the American Legion Club,
14th and Broadway. Special program. Make reservations early.

FROM THE CORRAL RAIL

Our fourth-Wednesday dinner meeting on October 25, 1961, was the largest regular gathering recorded to date, according to the research of our new Roundup Foreman, **George R. Eichler**. The count as recorded by Chuck Wrangler **Herb White** showed an attendance of 69 with meals served to 68 (34 Posse members, 24 Corresponding members, 11 visitors). Back in April, 1959, there were 66 in attendance. Former Sheriff **Fred Rosenstock** called the October meeting to order and the usual self-introductions were made.

PM **Don Bloch** announced the re-opening of his downtown bookstore at 1038 Fifteenth Street on or about the first of December (official announcements will be made in the Denver newspapers), and Don invited everyone present and all their friends to come for a look-see.

Last year's book review chairman and this year's chairman made a plea for all book reviews to be sent in as soon as possible. According to the chairmen, several books have been in the hands of some members for over a year and no review has been received.

Following a break for visiting, Posseman **Numa James** introduced the speaker of the evening, **Granville M. Horstmann**, who gave an interesting paper on the people who once lived in or were associated with Caribou, Colorado. Several questions and comments on the various citizens of Caribou were asked and made following the presentation. Mr. Horstmann's paper begins on page 5.

Reservations for this meeting which were in the office of the secretary by Tuesday, October the 24th, totaled

45; ten more were received by Wednesday noon and the Press Club set places for 60. The Club was able to take care of the eight additional meals for this time, but our Roundup Foreman asks, even pleads, all reservations for future dinners be made by the Tuesday noon prior to the Wednesday meeting. The Denver Press Club management was sent a letter of appreciation for their extra efforts on October 24th by our secretary.

Have you made your contribution to the **Scholarship Fund**?

CORRECTION

In last month's issue of the *Roundup*, your editor incorrectly labeled the **Cito Roach** landmark picture, at the bottom of page 23 as *Chipeta's Teepee*, located in the park near Montrose. Although the Colorado State Historical Society does have a similar cement structure on the Montrose site, the teepee pictured in the *Roundup* actually is the cement one in the agency park, across the road from the headquarters of the Consolidated Ute Agency in Ignacio, Colorado. The monument in the background is the one erected to the four Ute chiefs and clearly identifies the picture. Please correct this mistake in your September issue of the *Roundup*.

On August 2, 1961, **Erl H. Ellis** submitted his resignation as Roundup Foreman and Tally Man. Erl had told the executive committee at the beginning of the year that he planned to resign, but would not consider the matter until the *Brand Book* accounting and membership dues, all of which were just coming in at that time, were tallied and accounted for. This having been done and a most complete record having been submitted, the executive committee met
(Continued on Page 4)

FROM THE CORRAL RAIL

(Continued from Page 3)

on the 25th of September and reluctantly accepted his resignation. After some discussion, the committee agreed to the separation of the two jobs and empowered **Sheriff Ryland** to appoint **George R. Eichler** as Roundup Foreman and **Bill Brenneman** as Talley Man if the gentlemen would accept the responsibilities. Having talked with both men, Sheriff Ryland announced their appointments last month and the list of officers on page 2 has been changed accordingly. It will also be noted that the official address for all communications with the organization and its secretary will be Geo. R. Eichler, Roundup Foreman of The Westerners, Denver Theater Bldg., Denver 2, Colorado. However the old address of 730 Equitable Bldg., will be used for *Brand Book* orders and a few other matters until the end of the year.

Posseman **Scott Broome** has written an excellent tribute to Erl (see page 11), and all members join in saying many, many thanks, Erl, for everything you've done for our organization. The editor of the *Roundup* adds a very special thanks since his work would have been much heavier had it not been for the invaluable help and guidance so generously given by Erl H. Ellis.

Posseman **Guy M. Herstrom** has informed us that copies of the 1960 *Brand Book* are now in the bindery and that the book will be mailed soon after the 1st of December. Since many give copies of the book as Christmas gifts, we suggest you send your order with check to The Westerners, 730 Equitable Bldg., Denver 2, immediately (price per copy \$8.50 until December 31). If you know of others who might be interested in buying a copy, please send their names to Guy at 2140 Hoyt Street,

Lakewood 15, Colorado, or phone him at BE 3-2005, and he will send them the brochure with the table of contents.

DEATH OF RESERVE POSSEMAN ALBERT N. WILLIAMS SR.

On October 3, 1961, **Albert N. Williams Sr.**, passed away in his home on the historic Sanford Ranch in Littleton. He was 73 years old at the time of his death, had been an active posseman for several years, and a reserve member for the past two years. He was born in Denver in 1888, educated in the Denver Public Schools, and rose from the job of sweeper in the old Burnham rail shops to banker and industrialist of national recognition. At the February, 1954 meeting of The Denver Posse, Mr. Williams read excerpts from the diary of his grandmother, Mollie E. Dorsey. Selections from this diary by **Carrie Scott Ellis** were published in the 1954 *Brand Book* under the title of "The Diary of a Pioneer Woman." Later the complete diary was published in book form under the title of *Mollie* and reviewers credited it as one of the best such books ever published.

The Westerners extend their sympathy to the members of the Dorsey, Sanford and Williams families, and are most grateful for the historical information passed on in *Mollie*.

NEW CORRESPONDING MEMBERS

Glenn I. Anderson, 601 So. 34, Lincoln, Nebraska, is the State Director of Retirement Systems and is interested in rare books on Western Art. He has published *Unit Study of Nebraska History*, *Projects in Art* and *Problems of Art*, and has a fine collection of books dealing with Western art.

(Continued on Page 10)

CARIBOU CHARACTERS

By *Granville M. Horstmann*



GRANVILLE M. HORSTMANN came to Colorado with his parents in 1910, age of five, and has lived here ever since. He completed his elementary and secondary education in the Denver Public Schools and attended both Colorado University and Denver University. In 1928 he was employed by the Mountain States Telephone and Telegraph Company and has been with the company ever since. Learning to read at an early age, he soon was engrossed in the accounts of famous battles such as the Alamo, The Little Big Horn and Beecher Island. These aroused his interest in Western history which has continued down through the years, and today he is a member of four state historical societies, Utah, Montana, Nebraska and Colorado, plus the Historical Society of the Pikes Peak Region. Mr. Horstmann also participates in the Great Books program of the Denver area.

As an introduction, all of you are entitled to know that I am an uncontaminated, 100 per cent amateur, both as a historian and a writer. The proof is in the short paper I am reading tonight.

It is an incomplete collection of odds and ends about a few of the people who lived and worked in one of Colorado's early silver mining towns, Caribou, northwest of Boulder, in the old Grand Island Mining District. The collection was gathered to

satisfy my own curiosity, which, frankly, has not been accomplished. Each "odd" added, seems to have several "ends" still to be traced and run down. For me this is only the first installment. I think it will take additional episodes to satisfy me.

A friend took me to Caribou first in 1939—that's when the collection started—photographs of the old well and watering trough, a name copied from an almost illegible grave marker in the abandoned cemetery. That was the beginning. My friend, however, was the one who kept me going. He had the original interest in the area and did the real pick-and-shovel research work, consisting of personal interviews, considerable correspondence and many hours of reading old newspapers. I inherited the benefits of his work when he moved to Montana. I am grateful to him and to many others for help received. I misquote a very prominent historian and say, "Never has one owed so much to so many." My thanks go to Torr Newcomb of Great Falls, Montana who got me started, and then to the John Buchanans, Capt. Donald Kemp, the Don Griswolds, and the late A. Bixby, Esq., whose writings and comments on Caribou led me on.

Some of the names I mentioned are familiar to you but you may need an introduction to Mr. Bixby. He can do that himself from an autobiographical sketch as follows, "The *Caribou Post* was established in 1871. A. Bixby, then a resident of the city, was a writer and later editor of this paper."

The early state historians, newspapers of the period and writers of our own times, some of whom I just mentioned, tell us quite a bit about Caribou.

The original silver discoveries, the Caribou and Poor Man claims, were made in 1869. The town was platted in 1870. An 1876 map shows more than fifty claims and working mines, in addition to the first two, on Caribou and Idaho hills. These included the Native Silver, the Seven-Thirty, the No Name, the Idaho—all good producers. In 1879 the population of the town was 3000 and the total mineral production of the Caribou Mine since its discovery went over \$1,000,000.00. Mine laborers that year got \$2.50 a day, and cost of mining, ore hauling and milling totaled \$19.15 a ton. This was the big year for Caribou and its mines. From then on—not so good. Activity declined, discontinued and resumed sporadically after the silver market slump in the 1880's, then ceased completely as far as silver goes, in the early 1900's. All that is left of Caribou now are the old mine dumps, rusting machinery, some foundations and the remnants of a few buildings.

So much for some of the cold facts—but what about the people who created the activity? Not Jerome Chaffee, D. H. Moffat and other big names that are still familiar, but the butcher, the baker and the billiard parlor proprietor on Potosi Street. Where did they come from? What did they do before they came? How did they get here and where did they go?

We know who some of them were because they got their names in the newspapers of the day, both in the personal columns and the advertisements. You are familiar with the references I have in mind:

J. B. King, late of Denver and Boulder City, is now located in Caribou, at his old tonsorial profession. Particular attention is paid to ladies' and childrens' hair cutting. [Fred Mazzulla has a picture of an early Caribou tonsorial parlor—oper air style—which may have been Mr. King's. One of the waiting customers is a black, long eared dog—presumably he came to get his ears cropped. See cover picture.]

Our new post office is a building not quite so costly as the New York City Court House, but really quite elegant for a mining town. At any rate, in Postmaster Sears and his assistant, Mr. Andrews, we have gentlemen as accomodating and popular as ever served the public in any official capacity.

The Caribou Brewery and Bakery. Thoney and Fritz, Props. We brew our own beer and bake our own bread. Both are fresh and nice. [Incidentally, this was one of the highest operating breweries in the U.S.—the altitude at Caribou is 10,004 feet above sea level.]

Sears and Werley have purchased a ½ interest in the Rio Grande lode, situated a short distance north of the Boulder County property.

It is rumoured that the wages of the men at the Breed and Cutter Mill at Middle Boulder are to be raised to \$10 and \$50 a month.

Harmon Minkler of the No Name Mine accused the Caribou of stoping out ore on the No Name property.

In a recent letter to this paper James A. Dun refutes statements that his suit against the Caribou owners is blackmail. Alleges that Chaffee and Company robbed his property of ore and dividends to bull the New York stocks.

Are these casual references in yellowed and tattered newspapers all that we know about the people who lived and worked in Caribou? Perhaps not—let's take the editor whom I mentioned earlier.

Amos Bixby, Esq. was originally from Maine where he practiced law after completing his schooling. He left there for the West, Grinnell, Iowa, coming on to Central City, Colorado, in 1862. The Ward Mining District then attracted him. He bought some mining property and to quote him—“... sold it advantageously. However, further mining operations there proved unfortunate, it being too early for the successful treatment of the ores in that locality.”

The publishers of the established *Central City Register* apparently

thought well of Mr. Bixby. First they employed him as writer and editor for their newspaper, the *Caribou Post*, and later moved him to Central City in editorial charge of the *Register*. He paid his own moving expenses.

Back to the mines for Bixby despite his previous bad luck. Presumably the newspaper business was not lucrative enough. He "acquired a very promising property" north of Nederland. Again to quote him, "This venture proving unfortunate the family moved to Boulder." Once more he wasn't in the right place at the right time.

In Boulder, however, conditions changed for the better. He was one of the publishers of the *Boulder County News* and later sold his interest at a profit. We can leave Mr. Bixby in 1880, comfortably situated as Boulder postmaster.

Joe Retallack was a Cornishman. He and two of his brothers married three sisters. His wife died shortly after they were married in 1882 and was buried in the old Caribou cemetery. Joe immigrated from Cornwall as a boy with his family. They first went to Black Eagle, Wisconsin. There, the ten sons in the family learned the blacksmith trade from their father. Each son had his own anvil. When he finished his apprenticeship and left his father's shop that anvil was never used by another man.

He came to Caribou with a group of Cornishmen (all his cousins, no doubt) and went to work at the Caribou Mine as a blacksmith. He had bad luck in the big fire of 1879, losing all of his belongings and clothes except two pairs of worn out dancing slippers. Apparently he didn't believe in all work and no play.

Along with his blacksmithing Joe was a collar and elbow style wrestler. According to Sullivan's rules published by A. G. Spalding in 1896, collar and elbow wrestling was considerably different from the modern TV style. It was a highly scientific sport and re-

quired real skill. Each wrestler wore a specially designed canvas jacket and all holds were made using this jacket. The collar and elbow hold consisted of grasping the high collar of the opponent's jacket with one hand and grasping the sleeve at the elbow with the other. The objective was to twist the leather collar until the opponent's air supply was decreased, if not cut off entirely, and to twist the arm until the man could be thrown down. This was followed by a quick shift to pin his shoulders to the mat. Of course, the adversary was attempting the same thing.

Joe wrestled in Boulder, Idaho Springs and other camps of the area and won the "West of the Mississippi" championship belt, along with a \$5000 purse, in 1892. He kept the belt until he retired from active competition. His training routine sounds rather strenuous. It consisted in taking hold of an 80 pound anvil by the horns, one in each hand, and lifting it at arm's length. This presumably strengthened the wrists. Joe Retallack died in Denver in 1927, the last of the ten sons.

"Charlie Thoney, aged 13 years, and Harry Logue, aged 14 years, are driving down on a discovery named 'The Young Miner'." This is from the *Caribou Post* of July 18, 1871. The article also said the boys expected to make a \$100,000 strike. There is no later evidence that they did. A partially legible wood marker in the old cemetery has a date that looks like 1878 (that was seven years after The Young Miner) and the recorded age might be 20. The first name is not readable but the last name is "HONE (almost illegible) Y" Could this be our boy Charlie and was he the son of the brewery and bakery proprietor?

Neil D. McKenzie came to Colorado in 1866 by way of the New England states from his home in Nova Scotia. He got into the mining business im-

mediately in Summit and Gilpin Counties and followed the excitement to Caribou in the spring of 1879. He was financially involved in two of the largest producing mines, the Poor Man and the Boulder County. He was one of the last active operators in the area. A newspaper item of the period says, "... he has the reputation of being one of the most careful and practical of the miners." He was also careful about some of his other activities and didn't marry until he was 35, which was "getting along" in those times. One of his interests was helping to develop the schools in the vicinity. A contemporary of his reports, "In politics, he is in the front ranks of Democracy." It doesn't say whether that means he was a Democrat or a Republican.

Then there was F. L. Hornbecker who lived in Niwot and ended up as a Longmont farmer after leaving Caribou. He never got over being a miner. In a 1939 letter he says, "It was in the year of 1882 or 1883 the first time I was in the place when the town was booming and I have been interested in the district for the past 40 years and still holding on. Expect to make a fortune before I quit." He didn't.

In *Silver, Gold and Black Iron*, Capt. Kemp mentions John A. Gilfilian, a St. Louis mining engineer, who was active in the Grand Island District. Caribou saw him only briefly in the late 80's, after the real boom. This was before he went over the mountain to his real "baby"—Eldora. Platteville, Colorado, where he died in 1940, must have been rather quiet for a man who had been so much a part of the boom days.

John H. Pickel was in on the ground floor at Caribou. Originally from Tennessee, he farmed there for a time before going to Iowa. Something attracted him back to Tennessee, but he later returned to Iowa, changing from farmer to storekeeper. Still on the go, he left Iowa for Mis-

souri. Then came the news of the gold discoveries in the Pikes Peak region. He decided to "see the elephant," arriving in Colorado in 1862.

He was a summer time prospector and winter time wood cutter, selling the wood for mine timber and boiler fuel. The wood cutting was the pay off—through this activity he met the right people. His name, with others that are perhaps better known, is on the 1869 location notices for both the original Caribou and Poor Man claims. He later was involved in other mining ventures but never got completely away from his earlier storekeeper days. One of the earliest business houses in present day Nederland, a hardware and miners' supply store, was built by Pickel.

Again I quote Capt. Kemp. He refers to Eben W. Smith as an "engineer of wide experience and exceptional ability." This was when Smith took over as manager of the Caribou Mine. Here was a man who knew what he was doing from experience. From his home in Pennsylvania he went to California in 1862, age 19 years. After some placer mining and milling experience he came back east. While in St. Joseph, Missouri, he talked to some of the returned 59'ers from Colorado. They told him of the fabulously rich quartz veins in the Clear Creek area.

At this time he met Jerome Chaffee. Now Chaffee was no miner and Eben Smith was a man who recognized an opportunity when he saw it, so the two went into partnership to build a small quartz mill. The mill was built at Leavenworth and they had it freighted to Gilpin County where it was set up in 1860.

From here on Eben Smith was off with a running start—his activities included mining, banking and railroad-ing, among others, and were spread all over the state. William Byers says of him, "The only man in the territory who had experience in the



Eben Smith as a young man, soon after his arrival in Colorado Territory.



Eben Smith in his later years.

machine processes of milling for the extraction of gold. He was a skillful mining expert and inaugurated methods for properly developing several promising Gilpin County gold lodes."

After helping to organize the First National Bank in Denver in 1865, Smith continued with his interests in Gilpin County, transferring his activities to Boulder in 1876. Chaffee (his former quartz mill partner) and D. H. Moffat, who had recently bought the Caribou Mine, hired him as manager and superintendent. He retained this position until 1879. After the consolidation of the Caribou and adjacent properties, which resulted in the Caribou Consolidated Mining Co., he stayed on until 1881.

Mining activities then took him to Pitkin County, to Leadville, and then to Denver in 1894 where he set up headquarters for his many interests. In the meantime he had associated with Chaffee and others in the organization of the Florence and Cripple Creek Railroad. This required only

part of his driving energy as he also had mining and milling interests in the vicinity. Arizona, Oregon and Utah then caught his eye and his activities extended to these areas.

With a son, Eben Smith established the Mine and Smelter Supply Co. in Denver during 1896 and was president of this concern for a time. He sold his interests in 1901. With all of his business activities he found time to serve two terms as Boulder County Commissioner. One of his biographers says, "He was a lifetime Republican."

These are some of the Caribou characters, the people who lived and worked there and some of the things they did. There are many more for the next episode and then, of course, there are the many unanswered questions.

Pete Werley and his partner, Sears, had a saloon and billiard parlor with three tables on Potosi Street. Was Pete able to take any of the tables with him when he moved to Ouray (or was it Telluride?) Don Bloch says

there was a billiard table in a second hand store in Ouray that just might have been one of Werley's.

According to the *Rocky Mountain News* of September 1, 1874, "... one William Chapman was blown up Thursday morning in the Caribou Mine and horribly mangled. He was suffering terribly when last heard from, although still alive." Did he ever recover? I haven't found out.

Then in December, 1883, "U. S. Marshal M. A. Shaffenburg was the recipient of a massive set of silver plate, made of bullion from the Caribou Mine." Of course, Shaffenburg was one of the Caribou board of directors but one wonders what he had done for the stockholders that they liked him so much.

Also, what about the apocryphal story of Sam Conger and the Arapaho Indian Princess who was going to lead him to the rich silver lodes on "Treasure Mountain," presumably the Caribou? The story has been told but

there seems to be a question of authentication.

Who was S. Ellingham? He had property on upper Main Street and who were Mrs. Dunn and Mrs. Thayer? they lived on Jones Street just off Sherman.

I almost forgot Charlie Miller. A predecessor of Bob Perkin reported in the old standby the *Rocky Mountain News* of October 2, 1880 (that was 81 years ago last week), "On Tuesday last a man named Charlie Miller was killed in the Caribou Mine by the falling of a bucket filled with rock which struck him on the head and killed him."

"A man named Charlie Miller"—who was he? A middle aged Civil War veteran with a growing family or perhaps a young chap with a sweetheart on one of the Boulder Valley farms? The newspaper account states, most emphatically, what happened to him. It didn't identify him nor even say where he went.

(Continued from Page 4)

Warren L. Boughton, 1263 Yost St., Aurora 8, Colorado, an engineer with the Martin Company, is interested in the history of South Park and early Colorado. Uranium prospecting, geology, gemology and exploration of ghost towns, historical sites and battle grounds uses up most of his spare time.

Claud W. Roberts, 1632 South Elizabeth St., Denver 10, Colorado, renovates and manufactures men's felt hats. While living in the Texas Panhandle, he assisted in researching the historical backgrounds of the Southwest and engaged in archaeological explorations with specialists from Amarillo. He also enjoys collecting and writing epigrams.

Dr. Charles R. Thompson, 1104

Republic Bldg., Denver 2, Colorado, is interested in ghost towns, mining camps and historical buildings. He also collects stamps and guns and enjoys hunting and exploring in Colorado's mountains and plains.

Stanley W. Zamonski, 10120 West 20th Ave., Lakewood 15, Colorado, is a freelance photographer and writer. Stanley is well known to our membership, having contributed the articles "Colorado Gold and the Confederacy" and "Rougher Than Hell" for the 1956 and 1957 *Brand Books* respectively. At last April's meeting of the Denver Posse, he and Teddy Keller presented the paper, "Battle Axes of the Lord"; they are also co-authors of *The Fifty-Niners*. Besides his interest in Colorado and Denver history, Zamonski is a pilot, an artist, and specializes in the history of Eastern Europe.

A Tribute to Erl H. Ellis

In his own precise, informative article, "A Broad Tail on a Narrow Gauge Dog" in the 1954 *Brank Book*, Erl H. Ellis, retiring Roundup Foreman and Tally Man, provides some revealing clues about himself. "Did the research on the whys and wherefores of the Farmington Branch of the D&RG and could not get anyone to write it up, so did it myself." As I recall it, that was the philosophy of Aesop's mother lark, and Erl is impressive evidence that it is a valuable philosophy.

Erl H. Ellis was born on April 10, 1888 in Garden City, Kansas, where his parents had stopped while Daniel B., his father, worked in the wheat fields to make enough money to continue on to Denver and establish his law practice. Erl and his mother arrived in Denver when Erl was about three months old, making him practically a native, and certainly he was reared in the legal grain. He attended Ebert Elementary and East High schools in Denver, then entered the University of Colorado and graduated in 1912. He first majored in engineering, later switched to law. While working on his law degree, he taught mechanical drawing. After graduation, he practiced law until he entered World War I in naval aviation. Following the close of the war, he resumed law practice. At the outbreak of World War II, he was stationed at Camp Hale in Leadville, where he was associated with Platt Rogers in the construction of that camp. At the close of the war, he moved to Idaho Springs, where he has since resided. He practiced law there for about a year, then served as Treasurer of the University of Denver for five years, and is now a member of a prominent Denver law firm. He has one son, Robert D., of Pueblo, and three granddaughters.

All of us who know and cherish Erl inevitably think of his lucky link, Good Wife Scotty (Carrie Scott, whom he married in 1950). These two lovable people share many interests. Mountain climbing (Erl is a 50-year member of the Colorado Mountain Club), skiing, hiking, wild life, western history, etc. He has an extensive botany library and flower collection, and his library of Western Americana is the envy of his friends. Scotty and Erl live on a mountainside, and in truth, they look to the hills. Their hospitality is legendary.

In 1951 Erl joined the Westerners as Corresponding Member, being elected an Active Member in 1953. He served as Registrar of Marks and Brands in 1954, and as such was editor of *The Roundup*. In 1955 he became Publications Chairman, and edited the 1954 *Brank Book*. In 1956 he became Roundup Foreman, Tally Man in 1957, and has served in both capacities up to the present time. For good and sufficient reasons, he is now resigning these two offices, to the great regret of every member of the Posse. Not only has he carried out his formal duties faithfully and indefatigably, but he has performed many others that needed to be done.

Beyond our deep appreciation for his selfless contributions to the work of the Westerners, we are grateful that he will continue as an Active Member and that his vigorous zest, his wide experience, and his trained judgment will not be lost to the organization. We are mindful of his touches of humor, his ability to consume his own smoke, his years of industrious and first-rate attention to the tasks to which he set himself. It will take a long time for us to shake hands on all the runs he has made in behalf of the Denver Posse of the Westerners.

SCOTT BROOME, PM

The Federal Army on the Great Plains 1861-1865

By Duane Allan Smith

Winner of our Posse's 1959 Memorial Scholarship, Mr. Smith has given his permission for publication of this research which complements his prize-winning report "The Army and Western Transportation," published in the 1959 Brand Book. We suggest this report be filed with that book or the article in the Brand Book marked to remind you of this additional information and bibliography.

The Civil War focused the major attention of the American people on the events in the East. The struggle in Virginia and later in the eastern Mississippi Valley was well-known and closely followed by the public. The land beyond the state of Missouri, the Great Plains, was generally, except in a few instances, ignored or forgotten in the rush of wartime affairs. Here, too, a war was fought as the Federal army defended plains transportation and settlements. The opponents however were not the soldiers of Lee and Jackson but a foe more ruthless and mobile, the plains Indian.

The importance of the Great Plains to the Northern cause can not be underestimated. Across them stretched the vital communication links to Colorado, California, Nevada, Washington, Oregon and New Mexico. These Union states and territories contained men to serve in the army and mineral wealth, both vital to prosecuting the war to a successful conclusion. To keep these areas safely within the Union, communication lines had to be kept open. Although not heavily settled the loss of an area the size of the plains during the war

would have been a blow to the prestige of the North and might possibly have hastened European recognition of the Confederacy.

With the opening of the war many of the officers and troops from the regular army were ordered East. As these forces were withdrawn, volunteer troops replaced them wherever and whenever possible. By November, 1861, forces remaining on the plains were cut down to fifteen regular companies as compared to thirty the previous year, while New Mexico was garrisoned mainly with her own volunteers.¹ Increasing the problem of defending the overland routes were the new trails to the recently formed Territory of Colorado. The numerous wagon and freight trains crossing the Smoky Hill and Platte routes offered the resentful plains Indians more opportunities for plunder and revenge. The public outcry for protection increased as the troops left. The settlers in Colorado demanded the roads to the states be kept open and safe for travelers and the older territories of Kansas and Nebraska were not outdone by their young neighbor in demanding military protection. The weakened garrisons had almost more than they could do in defending the older trails without attempting to guard every foot of the central plains.

On the southern plains (Texas and New Mexico) the army was not primarily concerned with the Indian problem. Texas joined the Confederacy and the Federal troops were replaced by southern forces. Directly to the north the Union forces also evacuated the posts in Indian Territory. In New Mexico the Indians, a menace²

to the Confederates, posed a greater threat until 1863. In that year to check the inroads of the Comanches, Ft. Bascom was established in the northeastern part of the territory. The Navajos within New Mexico Territory during the years 1863-64 were slowly placed on a reservation, the Bosque Redondo. The period of the war, except for raids by the plains tribes and petty depredations by the local Indians, was one of the more successful in respect to controlling the Indians in eastern New Mexico. The military on the plains then was primarily occupied with protecting transportation from the area of the Santa Fe Trail northward during the war years.

The central plains were guarded by the scattered posts, Riley, Larned, Kearny, Laramie and Wise;³ while two posts remained occupied farther north in the fall of 1861. Fortunately for the depleted army the Indians remained peaceful throughout the year. The Fort Wise Treaty in February had temporarily settled the friction in Colorado and the decline of emigration over the central routes calmed the Indians. In the Arkansas River valley a tense situation was averted when they were given food and other goods.⁴ One of the first important changes in the plains defense system occurred in September when the telegraph line reached Ft. Laramie, thereby permitting better and faster communication over the central routes.

The government in February had bowed to demands from the Pacific states and territories and appropriated \$50,000 to protect emigrants. The Emigrant Overland Escort Service administered by the Secretary of War⁵ was given the task of furnishing this service. During the remainder of the year \$30,000 was spent out of this fund. Among the services provided were the hiring of frontiersmen as guides and escorts for the trains, and exchanging lame or sick cattle for

fresh stock at military posts.⁶ The following year \$25,000 was added to the fund by Congress. The backers of this plan envisioned it as affecting the entire overland travel not just Pacific emigration.⁷

The same year (1862) as Congress passed the second bill to increase the escort fund, Minnesota citizens prevailed upon the War Department to provide protection for the Minnesota to Montana migration. Until this time a transcontinental northern route had not been in use. Army engineers and surveyors had gone into the northern plains and the Mullan road had been completed from Ft. Benton to Ft. Walla Walla, Washington Territory, but the overland gap still remained between Ft. Benton and the eastern states. The army appointed Capt. James L. Fisk to guide and escort the emigrants west. That year 120 people went with Fisk and the following year he guided a second but smaller train. Fisk was an ardent advocate of this northern route, writing long reports to Congress praising the region and the trail.⁸ In 1864 he led his third emigrant party west. Going farther south than previously, this train was attacked by Indians and besieged for sixteen days before being rescued by troops from Ft. Rice. Army officers, alarmed at the effect of the increased emigration on the northern Sioux, were critical of Fisk and his efforts.⁹ In 1865 the government and the army refused to continue the service, thus ending Fisk's escorts. To him however belongs the honor of opening the route as well as deserved recognition as an excellent trail maker.¹⁰ This type of government service was not typical to the whole plains region, probably due to the fact that the central trails were better known and protected.

The year 1862 proved to be a fateful one for the entire central and northern plains region. The Minnesota Sioux rebelled and massacred

some 700 settlers within a week. The troops immediately sent after the Sioux forced the fleeing bands to seek shelter on the plains, spreading discontent to the plains tribes. The next summer two columns of troops under Brig. Generals Alfred Sully and H. H. Sibley entered the northern plains to chastise the hostile Indians. Sibley fought the Sioux in a series of actions in late July while Sully in a running battle from Sept. 3 to the 5th defeated a Sioux band and captured their village.¹¹ Sully returned again in 1864 to once more chastise the Indians as well as to protect the overland route to Idaho and establish military posts.¹² Marching through present North and South Dakota, Sully met and defeated a combined Minnesota and northern Sioux force in the battle of Killdeer Mountain. The Indians fled southwestward.¹³

The consequences of the campaigns during these three years were more far-reaching than just defeating the Sioux. The army was now permanently stationed on the northern plains. Harney's expedition had wintered in 1855 at Ft. Pierre and garrisoned the post.¹⁴ This fort had proven unsuitable and in 1857 the last of the troops were removed to Ft. Randall, some 150 miles below the older post. Until the troubled 1860's this was the only army station on the upper Missouri River. The discovery of gold in Montana and Idaho during the early part of the decade increased the need for army protection as the river became a main transportation artery to the new Eldorado. The northern Sioux, bitterly hostile to the invasion, declared no more whites could go through their country either by land or water.¹⁵ The Indians backing their threat with action often shot at passing steamboats; in 1863 an entire boat load of miners was killed.¹⁶ Rumors circulated, including one which stated the Indians had a piece of artillery to sink the boats,¹⁷ increasing

the fears of the emigrants and gold seekers. Protests from these groups and others mounted as the Indian "outrages" increased. Sully during his 1864 campaign, in partial answer to these demands, established a series of posts to guard the river transportation. Ft. Rice was built, and Forts Union and Berthoud (both old fur trading posts) were garrisoned.¹⁸ Old Ft. Sully (near Pierre), built during the 1863 campaign, was occupied throughout the remainder of the war and helped to check raids on Missouri River transportation.

An unexpected consequence of the 1862-64 campaigns was the unrest which resulted among the plains tribes. While the year 1861 was peaceful on the central plains, 1862 was marked with a growing uneasiness among the Indians and a corresponding increase in depredations. In the spring, stage stations and stages in the Ft. Laramie region were attacked.¹⁹ Unable to immediately send troops to the area, the Government authorized Brigham Young to raise a company of cavalry to be sent to the territory in and about Independence Rock.²⁰ This company continued in service until replaced by the 11th Ohio Volunteer Cavalry which established headquarters at Ft. Laramie, and was able to end the serious raids. The overland mail route, however, was shifted to the shorter Bridger Pass Route to evade further trouble. To guard this new route Ft. Halleck was built in southern Wyoming. The troops were now spread over a greater distance as both the Bridger Pass and the old route, with the telegraph line, had to be protected. In August, Brig. Gen. James Craig, commander of the military district of Nebraska, wired Secretary of War Stanton stating Indians from Pike's Peak to Minnesota and from Salt Lake to Ft. Kearny were committing many depredations.²¹ With the Indians evincing a disposition to rob trains and destroy wires,

and the army unable to concentrate its small forces for fear the unguarded trains and lines would be destroyed; the military could only offer patrol and escort service to defend plains transportation.²²

To prevent similar trouble in 1863 a group of Comanche, Cheyenne, Arapahoe, and other plains tribal chiefs were taken to Washington to see the "great White Father." On their return a council was held at Walnut Creek (Kansas). The general attitude of these tribes, as a result of the trip, council, and presents, was good throughout the year.²³ In the early summer a new enemy to overland transportation emerged when the Utes from out of their mountain domain swept down on the trail in July. By the time a relief column arrived the Utes had disappeared back into the mountains. In the fall a peace was signed averting further trouble with them.²⁴ Additional troops, Colorado and Iowa Cavalry, were placed on both the Platte and overland trails until the fall to help prevent further disturbances. The plains settlers meanwhile were becoming increasingly worried about the Indian danger. The *Rocky Mountain News* (Denver) of July 5, 1862, reported Indian affairs were in anything but a desirable state and on Feb. 5, 1863, came out in favor of wiping the Indians "off the face of the earth" to end the peril.

The two previous years which were difficult for the plains troops seemed but preliminary bouts to the main event by the end of 1864. There were numerous reasons for the outbreak of full scale war on the central plains at that time. The year 1864 witnessed a rush of emigration by men avoiding the draft, settlers and gold seekers. The Ft. Wise treaty, when the terms were finally comprehended by the Cheyenne and Arapahoe, caused dissatisfaction among these tribes. The plains Indians were gradually being

crowded from their old hunting grounds and the buffalo south of the Platte were declining noticeably in numbers. New routes were being or had been opened through Indian country increasing the friction between the races and the resentment of the Indians.²⁵ Sioux from the north drifted down onto the central plains adding more unrest. The war had withdrawn most of the regular troops to be replaced by, in many cases, officers and men from the western territories and states. All these factors helped produce a situation which needed only some spark to light the fire. It was not long in coming. In April and May sharp clashes occurred between the Cheyennes and the soldiers. In late May the troops were withdrawn from the South Platte River and concentrated on the Arkansas to meet a rumored Confederate advance, leaving the Platte region open to attack. The Indians were not the only ones to be in a state of unrest. In June the citizens of Denver were in a state of near panic after viewing the remains of the massacred Hungate family, which were placed on exhibit in the city. The following month war broke out in earnest, from near Denver eastward to Ft. Kearny. In a last minute attempt to prevent trouble a series of conferences were held with the Sioux by Brig. Gen. Robert B. Mitchell, the commander of the District of Nebraska, but to no avail.

During August while Lee and Grant faced each other across the trenches at Petersburg and Sherman slowly terminated his Atlanta campaign, Indian raids increased in tempo and fury on the plains. Many settlers in the outlying areas fled east, overland traffic came to an abrupt and unexpected halt, ranches and stage stations were reduced to smoking ruins, and central "plainites" generally thrown into a panic. In the middle of the month the Kiowas and Co-

manches attacked trains on the Santa Fe Trail, joining the Cheyenne, Sioux and Arapahoe in the general war. Mail to Denver had to be rerouted by ship and brought overland from California, prices soared in the isolated settlements and before the end of the outbreak an estimated \$1,000,000 worth of property had been destroyed or stolen.³⁰ Many eyewitness accounts were written of the period, two of which vividly portray the times; one from the viewpoint of the Indian, the other that of the white:

"At this time, as I rode from one camp to another in this great village, I saw scalp dances constantly going on; the camps were filled with plunder taken from the captured wagon-trains; warriors were strutting about with ladies' silk cloaks and bonnets on, and the Indian women were making shirts for the young men out of the finest silk."²⁷

Both life and property on this route (Santa Fe) is almost at the mercy of the Indians. . . . Women and children have been taken prisoners to suffer treatment worse than death. Many contractors and private trains are now corralled and unable to move from their camps for fear of Indians and other trains have had their entire stock run off . . ."²⁸

The army had never before been faced with such a danger to the vulnerable plains settlements and transportation. Prior to the general outbreak on the Santa Fe Trail, troops were sent from New Mexico to the Cimarron route crossing of the Arkansas River to aid the troops on the Overland.²⁹ With the trains on the Santa Fe trail being attacked, by the middle of August, more soldiers were hurried up the trail to guard the wagons past the danger points.³⁰ On the central routes, Mitchell ordered a post built at Julesburg, Colorado, and fortified structures established at several other points. Forts Mitchell (near Scott's Bluff) and

Harker (near Ellsworth, Kansas) were garrisoned to protect the Smoky Hill and Oregon Trails. Ft. Zarah, located on Walnut Creek near the Arkansas River in Kansas, and Ft. Dodge, near Dodge City, were established to protect the Santa Fe Trail. Two expeditions were sent out in an attempt to defeat the hostile bands; one had very little success and the other failed to find any Indians.³¹ The roads were not opened until troops were placed at the various stations along the trails and escorts for stages furnished daily.³² Patrols from the forts also traveled over the routes searching for hostile bands. On Oct. 22, to drive the remaining Indians from the trail, the prairie from twenty miles west of Julesburg to ten miles east of Ft. Kearny on the south side of the Platte valley and on the north side, from 25 miles west of Julesburg for 125 miles east was set on fire.³³ A center strip along the trails was left for the wagon trains to use as forage. By the middle of October except for small bands the raiding on the central routes ended. Troubles on the Santa Fe Trail did not diminish as rapidly and in November a punitive expedition to halt raids and punish the Indians left New Mexico under the command of the renowned "Kit" Carson. The troops attacked a Kiowa village; after a hard fight were forced to retreat, thus ending the campaign.

As winter drew near the Indians, preferring to live peacefully during the colder months, left the trails and settled down. This hope was to be rudely shattered. Among these villages was that of Black Kettle's Cheyenne located on Sand Creek in eastern Colorado. Whether this village was friendly or hostile depended on which was believed, the settler or the Indian. Through the cold night of Nov. 28-29 Col. John Chivington, erstwhile Methodist preacher and hero of Glorieta Pass, led his hundred day Colorado volunteers toward the village. In the

morning they struck with all the vengeance and hatred that had built up during the 1860's, especially since the exhibition of the Hungate bodies. The battle can best be described in Chivington's own words, "It may perhaps be unnecessary for me to state that I captured no prisoners," or in the statement of one of the other officers present, "I am satisfied from my own observation that the historian will search in vain for braver deeds than were committed on that field of battle."³⁴ History did not have to search in vain however to describe what happened at Sand Creek; it is called a massacre. Estimates run from 69 to 500-600 (Chivington's) Indians killed; but whatever the figure (probably nearer the former) many of the killed were women and children.³⁵ As the Colorado boys went home to display their trophies, the Indians were banding together to reopen the war. The army once more was faced with a full scale Indian uprising and before it was checked many innocent people paid with their lives for the morning's work done at Sand Creek.

The Cheyenne joined by the Northern Arapahoe and Sioux launched a revenge campaign.³⁶ In January the Indians attacked the Platte valley capturing and burning stations, houses, and wagon trains.³⁷ Julesburg within sight of Ft. Sedgwick was looted twice, the second time slowly, tantalizingly burned to the ground in hopes the troops would come out and defend it. They did not. Between January 28 and February 2 the Indians raided up and down the road which was now under their control. For the second time within six months the overland mail to California suspended operations.³⁸ A ten day military campaign during the middle of January failed to locate any Indians but was successful in removing most of the troops from the trail and not relocating them before the late January raid.³⁹ General Grenville Dodge,

commander of the Department of Missouri, initiated a policy of strike and strike hard against the Indians in hope of driving them from the trails. Mounted escorts and patrols were sent over the trail, Indian scouts (Pawnees) were organized to track their hostile brethren, wagons were ordered to collect in larger trains, and scouting parties were sent from the posts in every direction.⁴⁰ Meanwhile the Indians, tiring of winter warfare, slowly retreated north toward the Powder River country and although twice attacked by troops were not in serious danger. They were victorious, killing more whites than the number of Cheyennes killed at Sand Creek and furthermore had destroyed between 75-100 miles of the overland trail.

Although plans for a winter campaign were discussed no troops followed the Indians, as very severe late winter and spring weather settled down over the plains. A bit of humor was injected into the otherwise gloomy situation when the 16th Kansas Cavalry, one of the regiments ordered west for the proposed campaign, disappeared between Forts Leavenworth and Kearny. Leaving Leavenworth in early February the regiment faded from the scene until mid-April when they reached Ft. Cottonwood, west of Kearny. The reaction of Mitchell and Dodge to this disappearance was shown in a series of reports:

"Nothing heard from the Sixteenth Kansas I cannot imagine where they are. Not on either stage route."⁴¹

"The most miraculous event of the war is the loss of the Sixteenth Kansas. I cannot hear from them by scout or otherwise."⁴²

"The commanding officer of the Sixteenth Kansas Cavalry should be brought to account for his delay. It is near two months since he left Ft. Leavenworth, time enough to walk to Kearney (sic) and return twice."⁴³

As the Civil War ground to a slow

halt in the east, an uneasy spring settled on the plains. In April the Indians once more started scattered raiding on all the plains' routes.⁴⁴

The Federal forces on the plains had utilized a more or less "hold the line" type of defensive policy during the war years. The old methods for defense of escorts, forts, and punitive campaigns were varied very little except by the introduction of new ideas such as burning the prairies and attempts to control the number of wagons in each train. The army during the period was clearly on the defensive in respect to the plains Indian. To add to the existing troubles were the consistent rumors of a possible Confederate advance into the area. This threat forced the Union officers to keep continual vigil on the southern plains and at least once, in the early summer of 1864, caused the withdrawal of troops from an area where they were urgently needed to protect transportation. Confederate officers were rumored to have started the 1864

uprising but the charge was not proven and the condition of the south by midsummer of that year would seem to contradict this rumor.⁴⁵ The army was forced to subdue these rumors as well as the actual adversary, in order to protect the overland routes.

The conquest of the plains did not halt during the Civil War. By the end of the war settlements ringed the region and were slowly cutting it in two; the telegraph spanned the previously vast distances; the army was permanently located from the Northern plains to the Rio Grande; new trails crisscrossed the prairies. Overseeing this transformation were the officers and men of the Union army. Small in number, outnumbered by their foes, almost forgotten by the rest of the nation, stationed in lonely scattered outposts and forts, these men performed their duty in protecting the plains settlements and transportation in one of the unrecognized and unsung epics of the war.

NOTES

¹*Senate Executive Documents* 37th Cong. 2d Sess. (1118) Returns of the Western and New Mexico Military Departments. Hereafter cited *S. Ex. Doc.*

²*House Executive Documents* 37th Cong. 3d Sess (1157), pp. 382-85. Hereafter cited *H. Ex. Doc. The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* Series I, Vol. 4, p. 77. Hereafter cited *W.R.*

³Ft. Riley was located at the junction of the Republican and Smoky Hill Forks of the Kansas River, Larned near present Larned, Kansas, Kearny at Grand Island on the Platte River, Laramie in southeastern Wyoming and Wise on the Arkansas River in southeastern Colorado. Wise, originally for Gov. Henry A. Wise of Virginia, was later renamed Lyon in honor of Nathaniel Lyon, killed at the battle of Wilson's Creek.

⁴Rupert N. Richardson, *The Comanche Barrier to the South Plains Settlement*

(Glendale: Arthur Clark Co., 1933), p. 279.

⁵W. Turrentine Jackson, *Wagon Roads West* (Berkeley: University of California, 1952), p. 274.

⁶*U. S. Congressional Globe* 37th Cong. 2d Sess. p. 481.

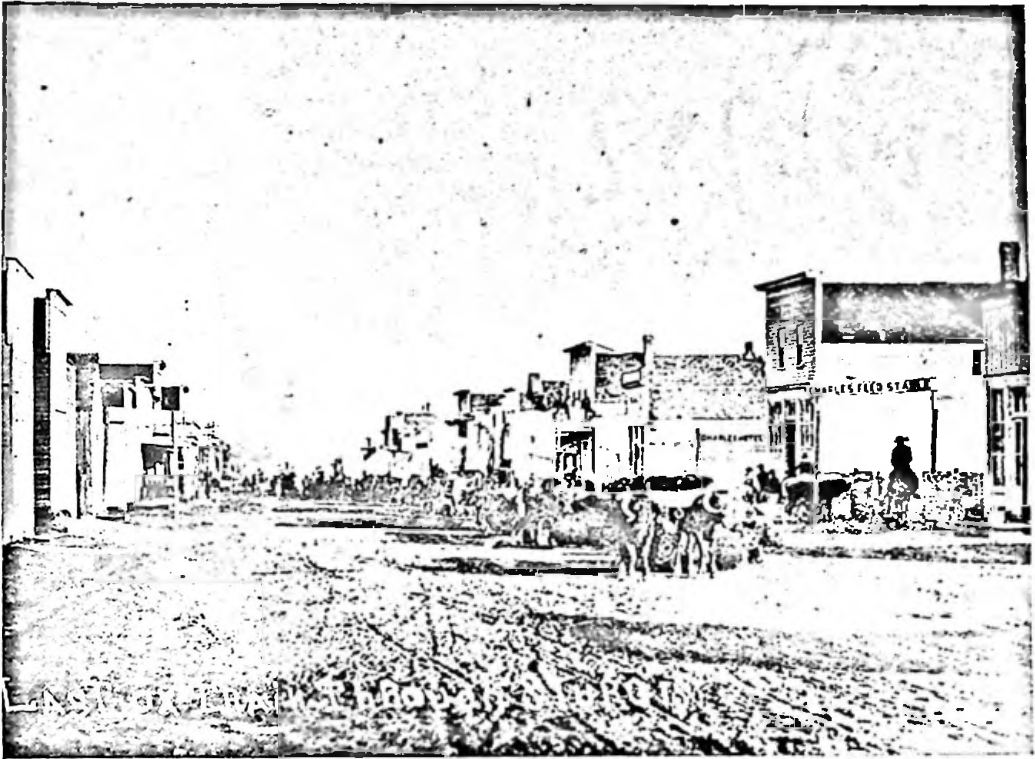
⁷*Ibid.*

⁸*H. Ex. Doc.* 38th Cong. 1st Sess. (1189) No. 45. Fisk had joined the army in 1861; he resigned four years later.

⁹*W.R.* Series L, Vol. 41, part 2, pp. 132 and 151. Reports of Sully and Pope.

¹⁰W. T. Jackson, "The Fisk Expeditions to the Montana Gold Fields," *Pacific Northwest Quarterly* 33 (July, 1942), p. 282.

¹¹*W.R.* Series I, Vol. 22, Part 1, pp. 353-57 and 555-61. Sibley's and Sully's reports. Henry Hastings Sibley, not to be confused with the Confederate Brig. Gen. Henry Hopkins Sibley, served as a Brig. Gen. of the Volunteers throughout the war. He was honorably mustered out of



The last ox-train to go through Sturgis, South Dakota. This was the type of transportation which the army helped protect. From the Collection of Fred and Jo Mazzulla

the service in 1866. Sully, a regular army officer, had been twice cited for gallant and meritorious service during McClellan's peninsula campaign of 1862.

¹²W.R. Series I, Vol. 34, Part 2, p. 541.

¹³W.R. Series I, Vol. 41, Part 1, p. 135.

¹⁴Brig. Gen. William S. Harney campaigned against the Sioux in 1854-55. Ft. Pierre was located near present Pierre, S. Dak.

¹⁵George E. Hyde, *Red Cloud's Folk* (Norman: University of Oklahoma Press, 1937), p. 116.

¹⁶Roy M. Mattison, "The Military Frontier on the Upper Missouri," *Nebraska History* 37 (September, 1956), p. 170.

¹⁷W.R. Series I, Vol. 34, Part 3, p. 330.

This region produced more than its share of rumors including the Ft. Buford massacre of 1866.

¹⁸Ft. Rice was located 28 miles north of Bismarck, Ft. Union near the North

Dakota-Montana line, and Ft. Berthoud about midway between Rice and Union.

¹⁹LeRoy R. Hafen and Francis M. Young, *Fort Laramie and the Pageant of the West, 1830-1890* (Glendale: The Arthur Clark Co., 1938), p. 306.

²⁰W.R. Series III, Vol. 2, p. 27.

²¹W.R. Series III, Vol. 2, p. 449.

²²W.R. Series III, Vol. 2, p. 449. Series I, Vol. 13, pp. 468-69.

²³Richardson, *Comanche Barrier*, p. 280.

²⁴Hafen, *Fort Laramie*, p. 313.

²⁵Hyde, *Red Cloud's Folk*, pp. 104-05. George Bird Grinnell, *The Fighting Cheyenne* (Norman: University of Oklahoma Press, 1956), p. 154.

²⁶Lyle E. Mantor, "Stage Coach and Freighter Days at Ft. Kearny," *Nebraska History* 24 (Dec., 1948), p. 328. The *Missouri Democrat* Aug. 12 reported 1,000 government and civilian horses and mules

had been captured by Indians. (Reported in the *New York Times*, Aug. 18, 1864)

²⁷George Bent as quoted in Grinnell, *Fighting Cheyenne*, p. 155.

²⁸Report of Col. J. C. McFerran, *W.R. Series I*, Vol. 41, Part 2, pp. 927-28.

²⁹*W.R. Series I*, Vol. 41, Part 2, p. 512.

³⁰*W.R. Series I*, Vol. 41, Part 2, p. 812.

³¹*W.R. Series I*, Vol. 41, Part 1, pp. 243-47.

³²*W.R. Series I*, Vol. 41, Part 1, pp. 825-29 and p. 243. Orders were issued to hold small trains until sufficient men gathered to insure safety. The stages were instructed to arrange schedules in order to pass dangerous points of the trail in daylight. p. 836.

³³*W.R. Series I*, Vol. 41, Part 1, p. 831 and Part 4, p. 62-63. The object of the fire was to render the plains untenable for hostile Indians.

³⁴*W.R. Series I*, Vol. 41, Part 1, pp. 949 and 956.

³⁵*W.R. Series I*, Vol. 41, Part 1, p. 961.

³⁶Hyde, *Red Cloud's Folk*, pp. 109-10. Grinnell, *Fighting Cheyenne*, p. 184.

³⁷*W.R. Series I*, Vol. 48, Part 1, pp. 490-91.

³⁸*New York Times*, Jan. 14, 1865.

³⁹Eugene Ware, who was on this campaign stated in a book written some years later that Mitchell on the 27th ordered the prairie fired for a second time. Eugene F. Ware, *The Indian War of 1864* (Topeka: Carne and Co., 1911), pp. 488-89. No record of this could be located in the *War of the Rebellion Records*.

⁴⁰*W.R. Series I*, Vol. 48, Part 1, p. 793 and 853. Grace R. Hebard and E. A. Bininstool, *The Bozeman Trail* (Cleveland: Arthur H. Clark Co., 1922), Vol. 1, p. 138.

⁴¹*W.R. Series I*, Vol. 48, Part 1, p. 1188.

⁴²*Ibid.*, p. 1194.

⁴³*W.R. Series I*, Vol. 48, Part 2, p. 42.

⁴⁴Grenville M. Dodge, *The Battle of Atlanta and other Campaigns* (Council Bluffs: Monarch Printing Co., 1910), p. 80.

⁴⁵Ware, *Indian War*, p. 194 and the *Missouri Democrat*, Aug. 12 (*New York Times*, Aug. 18, 1864) both stated southerners were behind the outbreak.



Westerner's Bookshelf



BLACK ELK SPEAKS, by John G. Neihardt. University of Nebraska Press, Lincoln, 1961. Illustrated by Standing Bear. 280 pages. \$1.50.

This paperback reprint is one of the Bison Book series of the University of Nebraska Press. The original hardcover edition was published in 1932.

The Black Elk who speaks in this book was a holy man or priest—some would call him medicine man or shaman—of the Oglala Sioux. He was born in 1863, so Black Elk's life coincided with the period of the decline and fall of the Sioux nation. He was in at the death at Wounded Knee in 1890. Forty years later, one of the pathetic old men of the reservation era, he told his life story to Neihardt, who recorded it faithfully and poetically, in the Indian idiom. It is the story of all his tribesmen, as well as of himself.

Even as a boy, Black Elk had been "different." The birds and animals talked to him, he dreamed dreams and saw visions. He knew he was destined to do something im-

portant for his people, but Black Elk was among those who are always on the verge of great things. His story ends in the lamentations of one who feels that he failed his people by not having been able to prevent their destruction. Like others who think they have failed, Black Elk succeeded in a manner the spirits never told him of, for by imparting his story to one who could record it as beautifully and feelingly as Neihardt did, the old Oglala gave to our literature a minor classic that will long be read by those who seek an understanding of what the Indians call their good old days.

Note: The handsome Sioux Indian in tribal garb who poses for amateur photographers at Mount Rushmore in the Black Hills is Black Elk's son, Benjamin.

MAURICE FRINK, PM

THE PLAINSMEN OF THE YELLOWSTONE, by Mark H. Brown. G. P. Putnam's Sons. \$7.50.

The Plainsmen of the Yellowstone is the story of the explorers, trappers, and pioneers

who opened up the vast area of the West drained by the Yellowstone River and its tributaries—the western parts of the Dakotas, much of Montana, and vast areas of northern Wyoming.

Mark H. Brown traces the history of this area from early in the 18th century when the Frenchman Pierre de La Verendrye and his sons made a futile search for the Western Sea, to the turn of the 20th century, when the sodbusters started turning up the prairie soil.

There is much that is familiar in Brown's narrative—the names of William Clark, Captain Reynolds, John Colter, George Armstrong Custer are important to this history. But there also is much that sheds new light on the struggles of men in this vast land of open spaces: The story of Francois Antoine Larocque, who explored the Yellowstone country well in advance of the Clark expedition; the grim adventures of the outlaws who hid behind the Red Wall of the Big Horn Mountains; the gripping drama of the fantastic and abortive Johnson County wars.

Perhaps the most important contribution is Brown's new look at the troubles with the Teton Sioux. Well-documented with contemporary accounts and letters, many of them previously overlooked by historians, this new account tells the whole story, from the first rumblings to "Sitting Bull's War."

Throughout, the author develops a new thesis—that the renegade Sioux themselves were responsible for the wrath of the Great White Father.

Paralleling this thought is another thread—a story of administrative and military mismanagement, inefficiency, corruption, and incredible innocence as to the ways of this wild country and its native people. The unbelievable blunders committed by the military and civil servants assigned to conquer this area lead the reader to wonder that the job ever was accomplished.

There are a thousand wonderful vignettes of life in the taming of the Yellowstone Basin, enough to provide the reader with a hundred delightful nights of reading—and to give the television script writers enough source material to keep the horse operas galloping across the TV for a dozen seasons to come.

This work is Brown's third major contribution to the study of Western Americana. Previous books of notable import include *The Frontier Years* and *Before Barbed Wire*.

BILL BRENNEMAN, PM

THE CONVENIENT COWARD, by Kenneth Shiflet. Stackpole Co., Harrisburg, Pa. 308 pages, \$5.95.

This is a fictionalized biography of the life of Marcus A. Reno, who commanded the

battalion of the Seventh Cavalry that survived the Custer Massacre.

Custer was dead. The news of the disaster on the Little Big Horn reached the press in the early summer of 1876 and the people of the country were dazed. Custer became a hero overnight. In public opinion he couldn't be to blame for the disaster and efforts to find a scapegoat upon whom to fix the burden of responsibility were initiated in many quarters.

First attempts were made to pin the blame on General Terry who was in overall charge of the operation, but failing in this Custer's partisans turned on Major Reno, the regiment's second in command, who was accused of cowardly failure to go to Custer's relief.

Major Reno then personally wrote the President demanding a Court of Inquiry be convened to determine the truth or falsity of these charges and the Court convened at Chicago, Ill., on January 13, 1879.

The book starts with the convening of the Court of Inquiry and follows closely the official records of its proceedings, with flashbacks of Reno's early life as an orphan, as a cadet at West Point, the four bitter years of the Civil War, his young wife's sudden death and the separation from his son.

As the Court proceeds in its inquiry, the events leading up to the battle of the Little Big Horn, the battle itself and its aftermath are reconstructed in detail by the author with historical accuracy.

The book ends with the complete vindication of Major Reno by the Court of Inquiry. If the author had carried the biography a bit further—to cover the next year of Major Reno's life—we would find that on April 1, 1880, Major Reno was dismissed from the army for drunkenness and for "conduct to the prejudice of good order and military discipline." Even though vindicated, the Custer blight hung heavy over him and he was as much a casualty of the Little Big Horn as was Custer and the men who died with him.

ARMAND W. REEDER, PM

UNIQUE GHOST TOWNS AND MOUNTAIN SPOTS, by Caroline Bancroft, assisted by Daniel K. Peterson. Johnson Publishing Company, Boulder, Colorado. 95 pages. \$2.00.

The authors have put out a very readable and illustrated book that makes for pleasant reading. Regional maps are particularly instructive as well as are the pictures. "Methinks," however, that the authors have been very liberal in using their sources, from such books as *Stambede to Timberline* by Muriel Sibell Wolfe. Practically all the ghost towns covered in the earlier books appear in

Unique Ghost Towns and Mountain Spots. I should like to see a book written on towns of the front range including Gilpin, Boulder and Clear Creek counties. There are quite a number of ghost towns that have not been covered by any author.

HERBERT JOHNSON, CM

MAN OF THE PLAINS, Recollections of Luther North 1856-1882. University of Nebraska Press. Pioneer Heritage Series IV. 350 pages, \$4.75. Foreword by George Bird Grinnell.

Fortunately for us George Grinnell, a good friend of the Norths, insisted that Luther North write down his memoirs of his brother Frank, the Pawnee Scouts and Luther's own experiences.

Donald Danker, the editor, has accomplished a marvelous task in filling in names, dates, occasions, footnotes, chapter supplements and the chronological order of events. There are no illustrations in the book, but nine pages of maps help the reader follow expeditions, locations and campaigns. To me the maps would prove more beneficial interspersed amongst the chapters rather than at the end of the book. I would also have preferred the footnotes on each page.

Through no fault of North's or Danker's (but the U. S. Army) it seems as though they were always mustered in or out of the Pawnee Scouts.

It is remarkable that Mr. North, in the latter years of his life was so accurate in recalling dates, events, battles, etc. We are enlightened on the various guns used, routes followed, hardships endured—all told in a very humble and modest manner. Luther North never bragged in any respect.

Although long trips were made during the fiercest winter weather conditions, 20 degrees below zero, he tells of it as though he had just jumped in the family slyver and chugged down to the drug store for a package of fags.

The Pawnees signed away the last of their land in the treaty of 1857. The Government promised that it would provide for them and help keep the Sioux and Cheyenne from attacking them, however forays were still being made on them through 1861 and 1862.

In 1860, when only thirteen years of age, Luther North carried the mail, through Pawnee country, between Columbus and Monroe, Nebraska (24 miles round trip) three times a week.

In the fall of '62, L. M. enlisted in the 2nd Nebraska Cavalry. A little dog belonging to Col. Furniss livened up the action when he barked at a mule team. Within five minutes 180 mule teams were scattering beans, bacon, flour, coffee, etc., all over Dakota territory. Two weeks were required

to clean up the wreckage.

Two regiments went from Sioux City, Iowa to White Stone Hills in North Dakota to fight Indians. The trip took 36 hours—the men did not eat or unsaddle their mounts. One regiment lost two men and had several wounded, however 100 Indians were killed and 156 prisoners were taken.

Luther was mustered out the 1st time in December of 1863. General Sam Curtis in August of '64, engaged Frank North as interpreter, and seventy Pawnees as scouts. They had their own horses (extra pay for horses), but went into service at enlisted man's pay. North stated he believed they were never compensated.

In November, '64 General Curtis gave F.N. the rank of Captain and authorized him to enlist 100 Pawnees as scouts. While Luther was trying to find the Indians who were on their annual fall hunt, he ran into a blizzard that lasted three days. The snow was so deep he could hardly follow the Indians, but after contacting them it took him four days to reach home. He had nothing to eat and the weather was 20 degrees below zero, or lower, all the time. One time L. N. was sent from Columbus to North Bend, Nebraska, 35 miles away, with dispatches. After leaving Columbus he overtook a Pawnee boy who had come from Geno, 22 miles the other side of Columbus. The Indian "dog-trotted" all the way to North Bend and then 16 miles farther to Fremont. This total distance of 73 miles was covered by the boy at the rate of seven miles per hour. He had only one drink of water on the entire trip!

In January '66, one of the great Pawnee runners, Black Hawk Chief, dashed from the Pawnee agency to the Wichita Agency, a distance of 120 miles in 24 hours. He rested for only two hours and then started his return trip.

In March of '67 Captain Frank organized four companies of Pawnees to guard the U.P.R.R. Each company was composed of 47 Indians and three white men. North told of a Sioux being shot in the back with an arrow which protruded out his stomach. He pulled the arrow through his body, fitted it into his bow, shot it back at the Pawnees, then fell over dead.

Luther was mustered out in the latter part of '67 and did not re-enlist in the spring of '68. He believed more than two companies would be organized, which did not materialize. These two companies were mustered out in the fall of '68.

Luther's horse Mazepa must have been a dilly! L. N. tells the story of letting Mazepa have his head during a raging blizzard in order to follow a trail. When the horse came to an ice filled river he jumped off into the frigid water, and crossed the channel.

Some fifty yards away, in pitch darkness, he scrambled up an icy bank! North could not praise enough his two horses Mazeppa and Trifle. Whether camping or hunting they were immensely intelligent. Trifle would follow a wagon or stand without being tied, he even preferred to sleep close to Luther. The 900 lb. Mazeppa once carried North and equipment (180 lbs.) 22 miles in one hour and 22 minutes. One hour later he returned by the same route in two hours. No wonder the frontiersmen were superb! What horseflesh they had at their command!

In February '69 Frank again was ordered to recruit a company of 50 Pawnee scouts. Luther was made the Captain of the Co. A. Major Noyes, who made camp on the open prairie, saw 50 horses freeze to death. He burned wagons trying to keep warm, but several men were frozen and others lost their toes and feet, or fingers and hands. Captain North's men and stock came through in good shape since his Pawnees had set up camp in a canyon. It took them three days to reach Ft. McPherson and they had nothing to eat for two days. The men were mustered out in December of '69.

Luther North, between engagements with the Pawnee Scouts, acted as a guide and hunter.

In 1870 he guided a herd of Texas cattle from Wood River Nebraska, near Grand Island, to the Sioux tribe at Whetstone agency in South Dakota. He crossed four rivers in order to accomplish same. North told this story as though it involved nothing more complicated than going to a neighboring town after a bucket of axle grease. While crossing one of the rivers he almost lost his life. The horse he was riding, not Mazeppa, could not swim. North had on his everyday clothes, a heavy overcoat, 140 rounds of ammunition, and his rifle. The water was deep and the current was swift. The only thing L. N. lost was the rifle. He hated this because with this gun he had shot 16 prairie chicken in succession at a distance of 70 to 100 yards. When he returned home, he was employed to drive horses to Ft. Harker in Kansas.

He took along eight young Pawnees and Chief Fighting Bear. The trip lasted seven days. When they returned all were a foot except L. N. and Fighting Bear. The return trip, 250 miles, took five days.

In September, 1870, two companies of scouts were organized. Although Cody was not a member of the Pawnee Scouts, he went along. North touched on the Col. as a "good fellow" to whom he gave no great credit except to state that he was an excellent rifle shot, from horseback—the best. Once Wm. Cody killed 16 buffalo in 16 shots from the

back of his mount. Frank North, not to be outdone too far, killed 11 buffalo with 12 shots from his revolvers, also from horseback. In all other events Cody was riding the hind mule. Frank was a crack rifle shot and could outshoot Wild Bill Hickock with revolvers. The Norths were acquainted with George Custer, however Luther was not too enthused with the General or his doings.

Luther was engaged as a scout in 1871, having been mustered out in December '70. He was ordered by Major Switzer to take dispatches to Grand Island 60 miles away. He wound up riding a distance of 140 miles in 24 hours—yep, Mazeppa again! When he returned the Major asked him if he felt like riding to St. Paul. Yes, if he could have a fresh mount. L. N. rode 180 miles in all and was without sleep for 36 hours. After this ordeal he slept for fifteen straight hours. In the latter part of June, after a hassle with the Major, he quit as a scout.

George Grinnell and the Norths often hunted together. Grinnell saw Luther at least once a year for 52 years.

In June of '76, Gen. Sheridan again asked Frank and Luther North to organize 100 Pawnee scouts. As the Pawnees had no horses, Sheridan ordered North to ship the Indians from Coffeetown, Kansas to Sidney, Nebraska by train and there to buy horses for them.

In October a military troop, not scouts, marched from Ft. Robinson to Ft. Laramie, a distance of 90 miles in three days. Not up to the calibre of the Pawnee Scouts!

In the spring of 1877 the Norths were mustered out for the last time at Sidney, Nebraska. This was the end of the famous Pawnee Scouts.

I was born at Lodge Pole, Nebraska and naturally found the book of great interest. Many of the events related by North took place in this locality. Information about cattle stampeding, roping, branding, cattle outfits, size of herds, ranchers, wild birds, animals and the trials and tribulations of ranch life are explained. He tells quite a bit about the ranching business he engaged in with Cody.

Luther North died, at 88, at Columbus, Nebraska, in April 1935. He left no children. He outlived his famous brother Frank by 50 years and Col. Wm. Cody by 18 years. Stella North Chambers, daughter of Frank, died in 1960. No direct descendants are living today.

This is a book that I would very reluctantly lend to a very good friend—they seldom return them.

KENNY ENGLERT, PM

**THE DOWNS, THE ROCKIES — AND
DESERT GOLD, by Helen Downer Croft.
Caxton Printers, Ltd., Caldwell, Idaho.
247 pp. plus a short bibliography. \$5.00.**

In this book Helen Downer Croft sketches the story of the Downer family from the time that Deborah Pritchard left England in 1873 to marry Thomas Downer and establish a home in the Hardscrabble Canon near Canon City, Colorado, to the death of their son, Roger, in 1947, after he and the author had lived in Goldfield, Nevada for the first four years of their married life.

It is, however, much more than the story of a family, because it encompasses the heyday of mining in Colorado and Southern Nevada. In so doing, it reflects the life of a typical family of mining people, with the ups and downs, the good times and the tragedies, of the thousands of ordinary people who moved from one mining community to another as economic necessity dictated.

It differs from most accounts of this sort in that both the author and her husband, Roger Downer, were college graduates. Mrs. Downer (who later became Mrs. Croft after the death of her first husband) was graduated from the University of Colorado with an LLB degree and practised law for some time. Roger Downer was a mining engineer with a degree from Colorado School of Mines.

Briefly, Roger and his older brother,

Malcolm were born in the Hardscrabble district, then lived at Querida (the famous Bassick mine), then in Ouray for a number of years and went to Goldfield, Nevada, in 1905 or 1906. Downer Brothers assay office operated there for 36 years (although Malcolm died in 1937) and was known over the Southwest for accuracy and integrity.

In 1942 Roger Downer and his wife moved to Albuquerque for his health, but he was interested in the mining industry until his death in 1947.

The book is somewhat confusing to the reader because the style occasionally changes abruptly from that of a literate college person to the technical style of a mining report, well larded with history, particularly at the beginning of the Nevada period.

The key is found in the Introduction in which Mrs. Downer (Croft) tells of the unfinished memoirs of her husband. She writes "I hope that if the brothers could somehow know, they would forgive me for inserting and weaving a little thread of their story into that . . . of their long partnership."

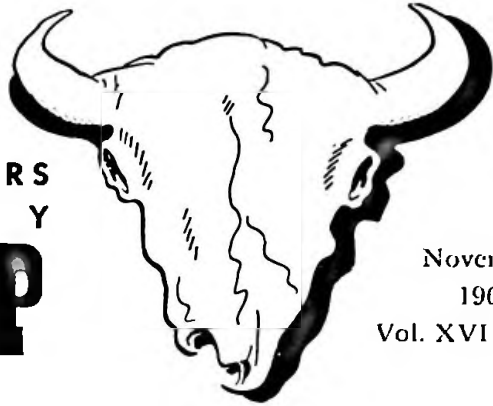
Nevertheless, *The Downs, the Rockies — and Desert Gold* rings true and will appeal particularly to anyone with an interest in the history of mining in Colorado and Southern Nevada.

I liked it.

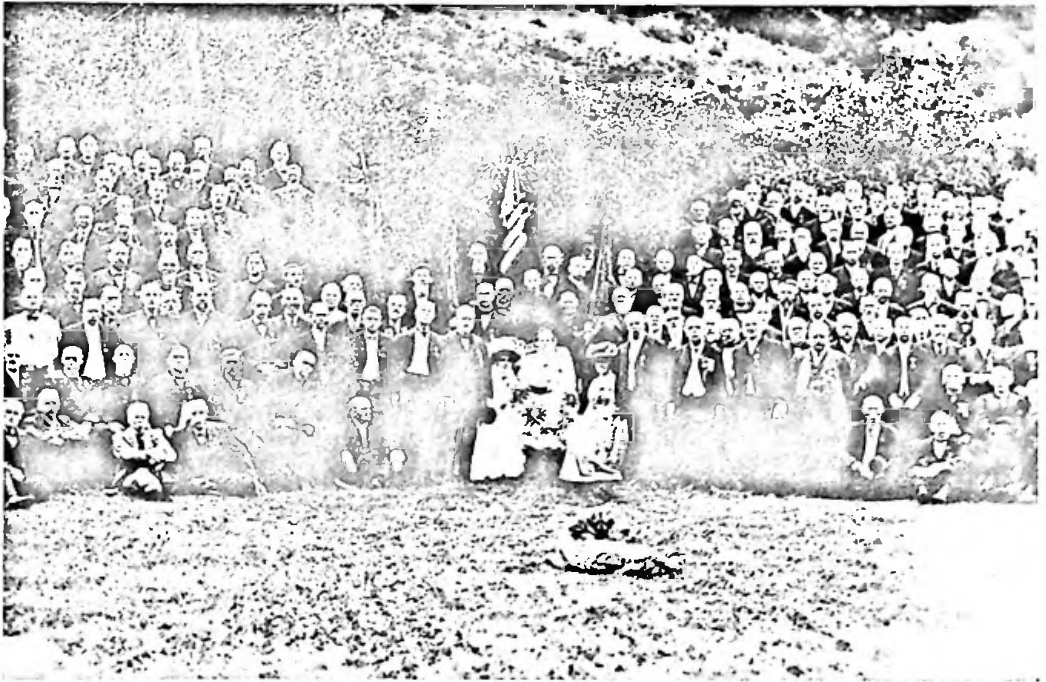
RAY COLWELL, PM

Contributions to the Scholarship Fund should be sent to the Roundup Foreman at 414 Denver Theater Building, Denver 2, Colorado. Please make checks payable to The Denver Westerners and marked "for Scholarship Fund."

The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



November
1961
Vol. XVII No. 11



Group picture, center section, of the 15th Pennsylvania Volunteer Cavalry with Brigadier William J. Palmer in the chair of honor.

From the collection of Fred and Jo Mazzulla

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M O N T H L Y
ROUNDUP



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DECEMBER MEETING

LO THE RICH INDIAN

by

Vincil S. Lester

Superintendent of Schools in Cortez, Colorado

Mr. Lester has been interested in the Ute Indians and their problems for many years and will present a thought-provoking paper.

December 16, 1961

American Legion Club — 1370 Broadway

January Meeting

will be at the Denver Press Club, 1330 Glenarm, on the 24th of January 1962.
Speaker: Corresponding Member Harold S. Lindbloom of Boulder, Colo.

FROM THE CORRAL RAIL

The November meeting of the Denver posse was another large gathering with an attendance of sixty (33 Posse, 20 Corresponding and 7 guests). Following the usual self-instructions, **Sheriff Ryland** read a report from **Brand Book Editor Guy Herstrom**. **Tally Man Bill Brenneman** reported on the Scholarship Fund and before the end of the meeting, the fund was oversubscribed (the remainder will be carried over for next year's award). **Program Chairman L. T. Sigstad** announced the Christmas meeting, then introduced the speaker of the evening, **General William E. Carraway**, whose well-documented and interest-holding presentation begins on page 5.

RYLAND IN LONDON

Our London Westerners reported the visit of **Sheriff Ryland** as follows:

Arrangements for this meeting were rather hurried, and we had to meet in the TV basement room, instead of the usual Bedford Room. Our principal guest was Charles S. Ryland, Sheriff of the Denver Westerners, who talked for about an hour on Colorado railroads and other facets of his State's history, and also on the Denver Posse. Questions and general debate lasted for a further hour, and the meeting broke-up between 11:30 and midnight. Just before he left us, we had the pleasure of enrolling Charles Ryland as a member of the Society."

Miss Helen Canon, Associate Professor in the Department of Home Economics at the University of Colorado, is searching for a picture of the home of Territorial Governor Alexander Cameron Hunt. The house was built of red brick with gables and French doors leading to the balconies and stood in today's Lincoln Park. If anyone has or knows of such a picture, please write Miss Canon at the University of Colorado in Boulder.

Colorado State Historian **Mrs. Agnes Wright Spring** was honored by her alma mater, the University of Wyoming, as a "Distinguished Alumna," the first woman of the university to be so designated. This won her a place in the *Denver Post Gallery of Fame*. Denver Westerners send their congratulations to Corresponding Member Spring.

Posseman **Erl Ellis** received a letter from **Leland D. Case**, Chicago Westerner, in which he summarized his European experiences as follows:

"... this summer I spent a couple of months abroad and had a rattling good time with the Westerners in London. Then in Paris I spent an hour or more chatting with Gabriel Chen, Sheriff of the group there. Enthusiasm and interest runs high in things Western—underlining my own feeling that this common interest in Western America is doing much to promote good will for us over there. I wouldn't say that we're doing more than the diplomats—but it wouldn't take many more Corrals to make a really notable impact."

Corresponding Member **John Buchanan**, City Hall reporter for the *Denver Post* for some years, has been promoted to the "inside" job of assistant city editor. Congratulations.

Posseman **Kenny Englert** missed the November talk, the first time he has missed a regular meeting for several years. Postcards received by members were appreciated, not only for their messages but also for the Colorado Springs landmark pictures.

Corresponding Member **Burr Betts**, president of Security Life Insurance Company, has been in the news spotlight recently since his company will build another Denver skyscraper on the location of the Max Cook Sporting Goods Store.

Posseman **Armand W. Reeder** is in receipt of the monthly programs

(Continued on Page 4)

FROM THE CORRAL RAIL

(Continued from Page 3)

which have been given and will be given during the 1961-1962 meetings of the St. Louis Westerners. The speakers include such historians as Nicholas Joost of Southern Illinois University and W. E. Hollon of the University of Oklahoma. **James F. McDermott** is the president and **J. Orville Spreen** is the secretary of the St. Louis Posse.

Corresponding Member **Wallace Foster**, publisher of the *Gunnison News-Champion*, reported most favorably on a talk made by **Maurice Frink** in Gunnison on the 10th of November. In his talk PM Frink described the various state museums and the increasing interest throughout the state in Colorado history.

Excerpts from an unpublished autobiography make for interesting reading in "Con Kohrs In The Pacific Northwest," lead-off article in the current New York Posse publication, which also includes portrait pictures of Kohrs and his wife, Augusta. Within the publication's twenty-four pages will also be found a biographical sketch of Marcus Albert Reno by **Kenneth M. Hammer**, "My Old Southwest" by **Alida Malkus**, Book Reviews, **Matt Clohisy's** "Historical Roundup" and other short articles.

The October monthly of the Chicago Westerners features their September talk, "The Story of the Harvey Girls" by **Byron Harvey**, grandson of Fred Harvey, founder of the Harvey chain of restaurants. The Chicago Corral meeting was held in the Continental Club, a Fred Harvey restaurant; wives were guests, and the group was served by genuine Harvey Girls dressed in the style of costumes worn by the Girls when Harvey Houses opened along the Atchison, Topeka and Santa Fe Railroad. Within the magazines eight pages will be found

the usual departments of "Chapter Notes" and "Western Americana."

The July, 1961, issue of *The Far-Westerner* of the Stockton Corral has an excellent article on "The Evolution of Law Enforcement in California" by **Michael N. Canlis**, plus book reviews and "The News of the Far West—A Century Ago."

Although the credit line for the Eben Smith pictures was accidentally omitted in last month's *Roundup*, everyone correctly surmised the photos were from the **Fred and Jo Mazzulla** collection. All who have benefited from your generosity in permitting us to print your pictures say "Thanks a million," Fred and Jo; and your editor of the *Roundup* is sorry the credit line referred to above got lost in the shuffle.

CORRESPONDING MEMBER A. A. PADDOCK DIES

Native Coloradoan **A. A. Paddock**, publisher of the *Boulder Daily Camera*, died at his home in Boulder, Colorado, on Tuesday, November 7, 1961. Born during the campaign of one of Colorado's most popular Democratic governors, Alva Adams Paddock was named in honor of that governor, and during Paddock's early years he was nicknamed Gov, a name which he carried for the rest of his life. His grandfather on his mother's side, Valentine Butsch, started the *Boulder Daily Camera* in 1892 and Gov started his newspaper career on the paper in 1910, after his graduation from the University of Colorado. He was a director of the Colorado Historical Association and promoted all worthwhile enterprises that furthered the interests of the state of Colorado.

Several Westerners have suggested the printing of PM **Nolie Mumey's** paper, "The Man on the Top of the Mining Exchange Building" in one

(Continued on Page 19)

THE MUTINY OF THE 15th PENNSYLVANIA VOLUNTEER CAVALRY

by BRIGADIER GENERAL WILLIAM E. CARRAWAY
U.S. ARMY, RETIRED



Wm. E. Carraway,

a native of North Carolina, graduated from West Point in 1923 and was commissioned in the infantry. He was stationed in China from 1933 to 1936, studied Russian during that time and returned to the United States in 1936 via Siberia. At the outbreak of World War II, he was on duty with the Caribbean Defense Command, then went to Washington D. C. to serve on the War Department's General Staff. During 1944 and 1945 he commanded the 261st Infantry Regiment of the 65th Division. After the fighting of World War II ended, he became the Executive Officer of the United States Element of the Allied Control Commission in Vienna, Austria, returning to the United States to attend the 1947-1948 course of the National War College in the nation's capital. He served in the Pentagon from 1948 to 1951 as the Chief of the Plans Branch of the Army's Budget Division. During 1950 he also served as the Secretary to the Program and Budget Advisors to the Joint Chiefs of Staff. From 1951 to 1953 he was the Deputy Commander and Commander of the United Nations Civil Assistance Command in Korea where he was also the U. S. Chairman of the Finance Committee of the Combined Economic Board, the Joint U. S.-South Korean Agency established to coordinate economic matters in the Republic of Korea. In 1953 he served with the United Nations' Civil Assistance Command and the 2nd Division in Korea, was promoted to Brigadier General, became the Assistant Division

Commander of the 31st Division, and moved with this division to Fort Carson in 1954. In 1955 he retired after 32½ years of service and is now living in Colorado Springs where he is Director of Industrial Development on the staff of the Colorado Springs Chamber of Commerce. He is married to the former Mela Royal of Goldsboro, North Carolina, and the Carraways have two sons, both of whom are married.

On August 17, 1907, a special train left Broad Street Station in Philadelphia carrying to their 35th reunion more than 100 former members of the 15th Pennsylvania Cavalry of Civil War fame. As the train moved through Pennsylvania, other veterans of the regiment joined their former comrades, 72 boarding at Pittsburgh alone.

Three days later the special train arrived in Colorado Springs, Colorado, where a total of 271 members of the regiment were greeted enthusiastically by the people of the city. For the next six days the grizzled veterans, all well over sixty years of age, completely dominated life in the Pikes Peak Region, with parades, meetings, parties, sightseeing, and many other informal gatherings and events.

The highlight of the six days was a public meeting held in Perkins Hall of Colorado College. When their wartime regimental commander, Brigadier General William J. Palmer, appeared before them in a wheelchair, the old veterans and the townspeople really went wild. Luther Hunt, a senior citizen of Colorado Springs, recently stated that it was the most touching spectacle he had ever witnessed in his 87 years, adding that there were no dry eyes among those present.

On August 26, 1907, another special train left the foot of Pikes Peak for the return trip to Philadelphia. Three

days later the former cavalymen were back at their respective homes, tired out and subdued, but supremely happy with their memories of a most fabulous reunion.

In distance travelled, in having twelve days together, in meeting 42 years after their regiment disbanded, the 35th reunion of the 15th Pennsylvania Cavalry was truly remarkable. But even more so was the fact that all expenses, including costs of the special trains, were paid by General Palmer.

The reunion had been originally scheduled to be held in Philadelphia, but General Palmer could not attend because of a serious injury he had received when thrown from a horse. He therefore offered to bear all expenses if the gathering were held in Colorado Springs, just outside of which was his English castle home, Glen Eyrie.

There were other good reasons for holding the reunion in far away Colorado Springs. After the Civil War ended, Palmer built railroads in Colorado. In 1870 he organized the Denver and Rio Grande Railway Co., and the next year, 1871, began laying tracks south from Denver. That same year, at the foot of Pikes Peak, he founded Colorado Springs as a city of beautiful homes, wide streets, large parks, unmatched scenery, and culture, a most novel concept for those days of the Wild West. In 1874 he started Colorado College in Colorado Springs, the first liberal arts college in the Rocky Mountain area.

As many as 16 veterans of the 15th Pennsylvania worked in Colorado with Palmer on these and other projects, including Major Henry McAllister who was Executive Director of the company which developed Colorado Springs (Palmer was the company's president), and Major William Wagner, who was the first mayor of Colorado Springs.

But the 15th Pennsylvania, or Anderson Cavalry, as it was often called,

was outstanding for more fundamental reasons than their generous commander and their most unusual 35th reunion. Members of the regiment had been recruited on such a highly selective basis that Governor Curtin of Pennsylvania stated that practically all of its men were officer material. General Rosecrans said that the men were so intelligent that the only way he kept them from being placed on headquarters duty was by ordering that no one who rode a horse could be detailed as a clerk.

More important, the regiment ended the war with the reputation of being one of the best cavalry units in the Union Army. Certainly it was the most mobile; on January 1, 1865, the regiment struck the final blow to Hood's army in Mississippi; on April 8th, the day before Appomattox, blocked Lee's supply line near Lynchburg, Virginia; for the next two weeks operated on Johnston's rear in North Carolina; and in May moved by forced marches as far south as Athens, Georgia, where it played an important part in the capture of Jefferson Davis.

For these and other operations the 15th Pennsylvania Cavalry and its commander were commended many times in official reports. Palmer was repeatedly recommended for promotion and finally in early 1865, at the age of 28, was made a Brevet Brigadier General. Just before the Civil War ended he was in command of a cavalry division which included the 15th Pennsylvania and seven other regiments.

The unusual character of Palmer and his regiment is further indicated by their attitude toward looting. When at the last the 15th Pennsylvania captured 7 wagons loaded with valuables belonging to the people of Macon, Georgia, the regiment took the proper steps of inventorying all the items and sending them under heavy guard to Union authorities. Palmer later wrote, "I am as proud of

that as of all the fights the regiment was ever in." In his final report as division commander he recommended that five of his eight regiments be immediately recalled from the field because, "... a large number of the men and some of the officers devote themselves exclusively to pillaging and destroying property."

Another mark of distinction for the 15th Pennsylvania was that a large amount of space was given the regiment in the Official Records of the Rebellion. This emphasis resulted from the fact that just before and during the battle of Murfreesboro, or Stone's River, the regiment staged a first class mutiny on the battlefield, certainly the worst that occurred during the Civil War if not during the entire history of the United States.

Understandably this untoward event is scarcely mentioned in the 784 pages of the history of the regiment as written by its members. Three pages only are devoted to the affair under the heading "At Nashville" and without mention of the word "mutiny." The Official Records, however, are much more frank: the "Mutiny of the Anderson Cavalry" is listed as one of the principal events in Tennessee and neighboring areas during the period November 1, 1862 to January 20, 1863.

The story of the events connected with the mutiny and with the way the men of the regiment later made up for their early mistake is as outstanding in both military and human interest as any episode of the entire Civil War. Furthermore, a full knowledge of the facts involved cannot but add materially to the already high reputation of the regiment, its commander, and its officers and men.

In the late summer of 1861, William J. Palmer, then personal secretary to the President of the Pennsylvania Railroad, overcame his Quaker scruples and decided to fight for the Union. He accordingly secured approval for the formation of a troop of

specially selected young men to act as a bodyguard, or headquarters security force, for General Anderson, the hero of Fort Sumpter, who was then in command of Union forces in Kentucky.

In October, 1861, Palmer organized the so-called "Anderson Troop," accepting only "young men of respectability" who were recommended by outstanding citizens of various counties throughout Pennsylvania. Before the Troop was completely formed, however, General Anderson was replaced by General Buell, so that for a time uncertainty existed as to whether or not the unit would be accepted for bodyguard duty.

Palmer went to Kentucky to see if General Sherman would take the Troop for this purpose. Sherman declined the honor, writing the Assistant Secretary of War in his usual forthright manner "I merely desire to put it on record that such guards at this time are vain things."

General Buell was more amenable, so in December, 1861, the Anderson Troop moved to Kentucky and became his bodyguard. During the next six months the Troop operated so creditably that the War Department was asked to authorize its extension to a full battalion with all officers to be appointed from the original Troop.

When approval of this plan was received in August, 1862, Captain Palmer and thirteen of his men returned in August, 1862, Captain Palmer and thirteen of his men returned to Pennsylvania and began a well-publicized campaign of recruitment throughout the state. The necessary men for a battalion were secured so quickly, enlistments were continued even though War Department approval had not been received for such a step. After two weeks in all, nearly 1,000 men had been enlisted, enough for a full regiment. Such extraordinary success undoubtedly resulted from the prospect of service as a body-

guard and from the highly selective process by which the men were secured.

The regiment was officially designated as the 15th Pennsylvania Volunteer Cavalry although still called the "Anderson Cavalry" or even the "Anderson Troop." On August 22, 1862, the men were mustered into the service at Carlisle, Pennsylvania, and began their training under Palmer who was promoted to colonel. But, before weapons, uniforms, or mounts could be issued, officers appointed, or unit training begun, Lee invaded Maryland. The regiment was accordingly broken up into detachments for various kinds of duty, with the men who knew how to ride a horse being mounted on animals borrowed from nearby Pennsylvania farms.

During this period Colonel Palmer apparently felt that he could do little as regimental commander of such a new unit for he performed several very valuable but independent reconnaissance missions, several times going by himself in rear of the Confederate lines.

On September 19, 1862, two days after the battle of Antietam, on his own initiative and against the advice of friends, he crossed the Potomac with two civilians to determine Lee's movements and intentions. He later referred to this venture as an "act of injudicious patriotism." Certainly it had a most unfortunate outcome, for he was captured in civilian clothes and was in real danger of being shot as a spy. But he insisted to his captors that he was a civilian engineer from Delaware named William J. Peters so he was finally sent to Richmond where he remained in prison for four months in constant danger that his military position would be discovered.

After its baptism of fire at Antietam, where one man was killed by a stray bullet, the 15th Pennsylvania resumed training at Carlisle. But without the energetic and continuing

leadership of Colonel Palmer difficulties began to multiply, particularly because responsibility for the organization of the unit was quite confusing, with the War Department, the State of Pennsylvania, and General Buell's headquarters each being involved.

Only a very few officers were appointed, all of whom came from the original Anderson Troop. Arrangements by which the regiment could receive pay were not completed. Even worse, the men heard that General Buell had been replaced by General Rosecrans and so began to fear that they might not be assigned to body-guard duty.

In spite of all difficulties, on November 7, 1862, the regiment moved by rail to Louisville, Kentucky, where horses and other equipment were issued. One month later the regiment, fully mounted, left by marching for Nashville, Tennessee, where Rosecrans was preparing the Army of the Cumberland for an attack on Bragg's Army of Tennessee. Rosecrans was most anxious for the 15th Pennsylvania to join before the impending battle since at this time the Confederate cavalry was both more numerous and better led than that of the Union forces.

This situation caused rumors to reach the men that it was intended to brigade the regiment for full combat duty rather than to use it as a body-guard. Some of the men were so upset that they refused to march for Nashville but were finally persuaded to do so.

On December 24th the regiment arrived at Nashville and went into camp two miles south of the city. That night the commanding officer, a Lieutenant Colonel, called on General Rosecrans who informed him definitely that he did not want a body-guard and that the regiment would be assigned to ordinary combat duty.

The news was a severe blow to the

men who felt that they had not been enlisted for combat and that the regiment was not properly officered or trained for such difficult and dangerous service. Their views in the latter regard were confirmed the next day, Christmas, when a foraging party, made up of men from all companies, was attacked by a Confederate cavalry and driven back to camp in disorder with the loss of one man killed.

That night a committee representing every company visited their Lieutenant Colonel in the effort to obtain assurance that they would not be assigned combat duty. Failing in this mission, they returned to their comrades and discussed the situation in detail. Then the committee went once more to the Lieutenant Colonel and informed him that if marching orders for combat were received, the men would stack their arms and refuse to obey. The Lieutenant Colonel promptly became sick, just as had happened during the battle of Antietam. He performed no further duty with the regiment and resigned from the service shortly thereafter.

The next morning, December 26, 1862, the regiment was directed to move forward as a part of the Union advance on Murfreesboro. After some discussion 16 officers present and about 200 men obeyed and marched off to report to General Stanley, Rosecrans' Chief of Cavalry. The remainder of the men in camp, 546 in number, stacked arms and refused to obey the order.

The next day the general in command at Nashville ordered the regimental quartermaster, the only officer left in camp, to march the mutineers to join their comrades at the front, but they refused to go.

On December 28th, General Rosecrans appointed additional officers from the Anderson Troop, but these joined the men who were at the front so that the situation in the rear remained unchanged. The following

day Rosecrans directed the general in command at Nashville to inform the mutineers that he would disgrace them if they did not obey orders.

A captain of the regiment was then directed to take the men forward. But he could get only 34 of the mutineers to accompany him. Accordingly General James Morgan was ordered "to take such measures and use such force . . . to make them march."

On the morning of December 30th, the day before the battle of Murfreesboro began, General Morgan went to the camp of the mutineers with a regiment of infantry and gave the men 30 minutes to saddle. No trouble developed and the entire group departed. Unfortunately after going a short distance Confederate cavalry was discovered between them and the main Union forces. When their leaders decided to withdraw rather than to fight their way through, the mutineers went back to their original camp.

On December 31st, while the battle of Murfreesboro was in progress, the majority of the men again refused to move forward. At long last, they were therefore confined under guard in Nashville.

During this week of confusion, the mutineers had undoubtedly been encouraged in their continued disobedience by reports from the front concerning the difficulties experienced by their comrades who had gone forward when first ordered to do so.

On December 27th, the fighting part of the regiment, acting with other cavalry units, preceded the Union advance on Murfreesboro. While marching slowly through heavy fog, they were fired on by their own infantry. When they went into action against the Confederates, a number of their carbines exploded when first fired due to mud being in the barrels. Undaunted by these two misfortunes, they twice charged and drove back Confederate covering forces. For these two successes they were complimented

by General Stanley in his report of the day's fighting.

Nothing of consequence developed on December 28th, but on the following day the fighting men of the 15th Pennsylvania ran into real trouble. In the words of General Stanley, "The Anderson Cavalry behaved most gallantly this day, pushing at full charge upon the enemy for 6 miles. Unfortunately their advance proved too reckless." The basis for this conclusion was that the regiment had charged within ten feet of a fence behind which Southern infantrymen were waiting. The charge was accordingly repulsed with severe losses of both men and morale. Two majors, the only remaining field officers of the regiment, were both killed.

The next day, December 30th, 42 of the men who had obeyed orders, while guarding a wagon train eased their burdens by putting their weapons into the wagons. When suddenly attacked, two were killed and the remainder captured before they could even begin to fight. The regimental wagons and equipment therein were lost in this action.

On December 31st, the fighting men of the regiment were fired on quite heavily and one man killed by their own artillery. That afternoon, and again the next day, the weary men who had been almost continuously in the saddle, participated in panic-stricken flights from the enemy, at least one of which they themselves started.

After these last events General Stanley reported, "The spirit of the Anderson Troop, which gave such fine promise, seems to have died out, and I have not been able to get any duty out of them since." Concerning the action on January 1st their brigade commander reported, "I am sorry that the Anderson Troop, with very few exceptions, scampered off in most every direction. They are very demoralized. In any work for me to do,

I ask you to please not count them as being any help to me. I would sooner do without them."

Accordingly, late on January 1st, even though the battle of Murfreesboro continued, the fighting men of the 15th Pennsylvania were ordered back to camp in Nashville. In their six days of almost continuous action they had suffered approximately 40% casualties, 14 of their number, including their two senior officers, having been killed, 10 wounded, and 57 captured. These losses together with their other difficulties, seemed to establish definitely that the regiment had not been ready for combat.

During this six days, the original Anderson Troop accompanied General Rosecrans and acted as guards, orderlies, and couriers at his headquarters. They were not engaged directly in combat operations and suffered no losses other than one man who was killed by a cannon ball.

During this same period the mutineers had been given no punishment of any kind. Their confinement under guard was somewhat of a joke as the guards allowed the prisoners to move freely about Nashville and even to eat their meals at hotels and boarding houses.

The men who returned from the front could not but have compared their rough experiences in combat with the very easy requirements which had been placed on the Anderson Troop and the mutineers. The marked contrast in this regard must have added to their demoralization, for on January 4th, three days after rejoining the mutineers, over 70 of the fighters refused to obey orders and were promptly placed in confinement. Counting those already there, a total of 415 members of the regiment were then in arrest and restricted in this way.

General Rosecrans repeatedly stated that 700 men were guilty of mutiny. Apparently the maximum number

confined at any one time was 415, so nearly 300 of the mutineers appear to have avoided arrest and confinement. As mentioned above, some who refused to march on December 26th later joined the fighters. Perhaps others followed the example of their Lieutenant Colonel and simply went on sick report. However, according to a letter signed by 536 members of the regiment, the vast majority of the 300 were "missing." Apparently about one-quarter of all the men disappeared during the regiment's time of trouble, thereby avoiding both duty in combat and confinement for mutiny.

The above letter from the men was addressed to certain citizens of Philadelphia who had come to Tennessee as a committee to see what could be done to get their young men out of the trouble resulting from the mutiny. In this letter, the men asked to be "relieved from an organization which has become odious and unbearable to us." In a petition sent about the same time to the Secretary of War they stated that the "regiment desires that they be assigned to the duty for which they were enlisted or be at once disbanded."

On January 16th the Philadelphia committee informed Secretary of War Stanton in Washington concerning the difficulties of the 15th Pennsylvania. Following this meeting Stanton telegraphed for a report on the affair and directed that an officer of the Inspector-General's Department proceed at once to Nashville to investigate the matter.

In the meantime, on January 9th, General Rosecrans had publicly reprimanded the mutineers for their "base and cowardly" actions, and appealed to them to abandon their stand so they could be saved "from impending disgrace and ruin." This appeal had no immediate effect whatsoever.

Perhaps influenced by the telegram of the Secretary of War, perhaps concerned as the result of a meeting with

the Philadelphia committee, or perhaps even softened by a more objective analysis of the underlying causes of the mutiny, on January 19th Rosecrans offered to excuse those in confinement who would agree to do duty. More important, he announced that he had intended all along to assign the regiment as his bodyguard. All but 208 of the men accepted these assurances and were released from confinement.

On January 24th, the captain then commanding the regiment reported that he was unable to control the men, writing in particular, "A number of men in camp, finding that by refusing to obey orders they can have good food and quarters in town, with the freedom of the city, are becoming disobedient." He then requested advice as to "how to proceed in this matter."

On February 4th the Inspector from Washington submitted a very complete report, with the conclusions that the mutineers had "set the authority of the Government at defiance," that the Philadelphia committee had encouraged 208 men still in confinement to continue in their refusal to do duty, and that "there is no good excuse for their mutinous and disobedient conduct." He recommended that an example be made of the portion of the regiment still in confinement.

General Rosecrans accordingly directed that 18 of the mutineers be tried by court-martial. Before this action could be completed, Colonel Palmer was released from prison, returned to Washington and proceeded to Tennessee.

Certainly Palmer must have realized that the obvious solution was to break up the regiment altogether. After all, more than one-half of its members had gone so far as to request that they be relieved from the organization that they said was "odious."

But this was Palmer's own outfit, one formed on his own initiative, with its members recruited through

his own personal efforts. His self-respect and his loyalty to the men could not permit him to admit such a failure until he had made a whole-hearted attempt to correct the situation. He therefore delayed his return to the regiment until he had received authority to reorganize it.

On February 7, 1863, Palmer appeared before his men for the first time since his capture and established himself firmly as the leader that they so desperately needed by telling them bluntly, "I was determined I would not appear before you until I could look every man of you in the face and say to you—this regiment will be reorganized."

To use Palmer's own words, at this time "the condition of the Anderson Cavalry . . . was just about as bad as it was possible to be . . . the men . . . had become demoralized . . . the regiment has only 15 horses left, about 250 carbines and sabers, but few tents, and no wagons. It was rather worse than beginning afresh."

The Inspector reported that there was "a want of harmony of feeling between different portions of the regiment." The mutineers and the fighters were undoubtedly critical of one another while both groups resented the lack of leadership on the part of their officers as well as the apparent lack of courage demonstrated by those who were missing during the mutiny. Finally, the members of the Anderson Troop objected to joining the regiment as had been originally planned.

The 14 line officers who were left in the regiment soon realized that they had lost the confidence of the men. They were accordingly permitted to resign or to return to the Anderson Troop which was then completely broken up. Thus, Colonel Palmer himself became the only line officer in the regiment who had come from the original Anderson Troop.

Nevertheless the reorganization proceeded in accordance with plan. The

men who had not participated in the mutiny were distributed equally among all companies, with the better ones appointed as officers. Non-commissioned officers who had mutinied were reduced to the ranks. Steps were taken to prevent the transfer of any of the mutineers from the regiment.

Palmer also secured the release of men still in confinement dependent on the good behavior of the regiment. He also made arrangements for the regiment to receive pay which was still due from the dates of enlistment, with authority for him to determine when each mutineer would be paid.

The regiment was soon reequipped and entered on an intensive training program. On April 3, 1863, all men then mounted went on a 5-day reconnaissance mission. On April 30th, the regiment was reviewed by Rosecrans. On May 24th the War Department was notified that the reorganization of the regiment had been completed.

On June 24th, when the Tullahoma campaign began, three companies were detailed as bodyguard for General Rosecrans. The balance of the regiment was placed on courier and related duty at various headquarters. These assignments continued for about five months until Rosecrans was relieved after the battle of Chickamuga.

In 1865 the regiment operated in East Tennessee on a series of independent combat missions. It increased steadily in efficiency and gained a high reputation as a fine cavalry unit.

In 1865, as mentioned above, the regiment engaged in combat operations in Mississippi, Alabama, Tennessee, North Carolina, Virginia, South Carolina, and Georgia. From March 5th, when the regiment left Huntsville, Alabama, until May 22nd, when it returned to the same town, the 15th Pennsylvania marched approximately 2,000 miles, living off the country practically all of this time.

Even General Sherman seems to

have relented in his attitude toward the "bodyguard" regiment. When he accepted General Johnston's surrender in North Carolina, two enlisted members of the 15th Pennsylvania were present. One, as Sherman's confidential clerk, made copies of the terms of surrender while the other was on guard outside the door during all conferences. These men later reported that Sherman told them that their regiment was the best cavalry outfit in his department.

General Palmer remained with the regiment throughout the war, although toward the last he was in turn both its brigade and its division commander. When urged to leave the army in early 1865, he wrote his uncle as follows: "My chief reason for not leaving the army at this time is that I cannot leave my Regiment, in consequence of its peculiar history . . . I left it once, to my sorrow and it came near being ruined. The blot its reputation then received has been so thoroughly effaced that I think if General Thomas were asked today he would say it is the best regiment of cavalry in his army. Since I returned from Richmond I have guarded its honor with constant vigilance. Its time of service is out next September and I must stay with it to the end."

After the war former members of the 15th Pennsylvania seem to have tried to forget the mutiny. But their deep interest in the events near Nashville was well indicated in 1888 when Volume XX of the Official Records was published with 39 pages of reports, letters, and posters concerning the incident. Included in this material were several lists of the men who had either obeyed or had disobeyed orders at one time or another. Some mistakes appeared in one of these lists, with the result that a Congressional Committee investigated the matter. Their report of February 28, 1889, changed the status of 15 men, removing 6 from the list of those who

had obeyed and adding 9 to this same group.

Only 190 of the 271 men who attended the 25th reunion in Colorado Springs had been with the regiment during December, 1862. The extent of the mutiny is indicated by the fact that 109 of these 190, or 57%, are listed in the Official Records as having refused to obey orders during the mutiny.

Were the men of the 15th Pennsylvania justified in their refusal to march into battle? Certainly they were poorly trained and inadequately officered. Furthermore there can be no doubt that they were encouraged to enlist by an implied promise of bodyguard duty. It is therefore evident that the basic complaints of the mutineers were largely justified.

But the same cannot be said for their actions. In refusing to join their comrades in the Army of the Cumberland who were marching valiantly into battle they prejudiced the Union cause and added to the dangers of all in the Union ranks. Perhaps more important, their refusal to do their part in the common effort soon caused them to lose their self-respect as individuals. Therefore, as an offense against military discipline, as a denial of their duty to their comrades, and as a blow to the peace of mind of each participant, the mutiny was very wrong indeed.

Nevertheless due to a wide variety of factors, the mutineers were treated with extreme leniency. It was certainly in their favor that the offenders all came from the best families of Pennsylvania. The Union victory at Murfreesboro made forgiveness far more easy. The determination of Palmer to reorganize the regiment made such an action the easiest solution. The misfortunes of those who obeyed orders clearly established their lack of readiness for battle and aroused sympathy for the regiment as a whole.

Furthermore, the line officers of



Brigadier General William J. Palmer

From the collection of Fred and Jo Mazzulla

the regiment at the time of the mutiny were punished quite severely, two meeting death in battle while all of the others were discharged or permitted to resign. Ironically these officers, who received full blame in this way for the mutiny, participated in the fighting rather than in the mutiny.

Nevertheless they did not demonstrate the judgment and force necessary to compel their men to obey orders and were judged to be guilty parties simply because they failed to prevent the mutiny.

The story of the 15th Pennsylvania is accordingly a classic example of the

example of the basic truths that young Americans in uniform are always very likely to perform poorly under weak leaders and that whenever they fall down as a group the fault is almost always with their officers. Contrariwise, young Americans can be counted on to do very well indeed under an able commander who, like Palmer, has real ability and who guards the honor of his men with constant vigilance.

A military commander cannot be wholly successful if he seeks his own glory, as Palmer did in the Antietam campaign. He learned the hard way that for maximum success a leader must give individual loyalty to his unit and to his men, so thereafter was exceptionally faithful to this basic

principle and trust of military leadership.

It was by virtue of this dedication that Palmer succeeded in making a very efficient cavalry regiment out of a disorganized, demoralized, and mutinous collection of men. And it was this same dedication and ability which in later years permitted him to guide the development of the railroad, the beautiful city and the fine college which he had founded.

The tumultuous welcome which General Palmer received at the public meeting held in Colorado Springs during the 35th reunion of the 15th Pennsylvania was accordingly an expression of well-deserved appreciation and affection.

Santa Fe Conference on the American West

by GEORGE R. EICHLER

As the frontiers of the West recede the interest in the past appears to be ever increasing, more intense and lustier than ever. From this upbeat tempo of interest a new organization devoted to the West will be officially created in Denver in October, 1962.

The serious Western Americanists deeply interested in the American West as a field of research and interpretation have for many years worked in small groups (such as The West-erners) or as members of local and state historical associations or organizations such as the Mississippi Valley Historical Association.

In 1929 a successful conference on Western America was held at the University of Colorado, at Boulder, but no general meeting of Western Americanists has convened since that session until October, 1961, when a "Conference on the History of Western America" convened at Santa Fe, N. M., for three days.

The conference was an informal

but serious assembly, put together by a dedicated volunteer group headed by John Porter Bloom with the National Park Service (Jefferson National Expansion Memorial, St. Louis).

Little publicized, the conference was expected to be a modest gathering of perhaps 60. But as word spread of the scope of the meeting together with the "names" of those who would present papers, attendance swelled to more than 300 registrants from 24 states, the District of Columbia, Canada, and Mexico.

The organizers were motivated by the belief that common interests in the historical phenomena of Western America exist today in such depth that such a national meeting was in order. The pioneering venture was so successful that a second conference will be held in Denver next year, plus formal plans for a new and permanent Western America organization to continue the annual gatherings.

Elected president pro-tem of the in-

ipient association—as yet unnamed—was Ray A. Billington, professor of history at Northwestern University, Evanston, Ill. An executive committee to draw up a constitution and by-laws was named as follows: Robert G. Athearn, University of Colorado; LeRoy R. Hafen, Brigham Young University; W. Eugene Hollon, University of Oklahoma; Joe Frantz, University of Texas; John A. Carroll, University of Arizona; Donald C. Cutter, University of Southern California; Walter Rundell, Jr., American Historical Assn.; Edgar I. Stewart, Eastern Washington College; K. Ross Toole, Museum of New Mexico; Robert M. Utley, and John Bloom, both of the National Park Service.

Toole, one of the original organizing group, expressed the desire for lay members of the new association, saying, "While the professional teacher and historian will probably be the backbone of the new Western America organization, there is an intense lay population interest in the American West. These people must have a voice in the interpretations of the past. The Santa Fe meeting was a good indication that they are needed. We drew so many here because of a vacuum in the study of the West by other historical organizations."

Billington, too, said, "It should not be a professional organization but should be composed of all people interested in the great West, and who can help contribute to the knowledge of the West. It should include that part of the West in Canada and northern Mexico.

"While such an association will be a common meeting place for teachers, librarians, archivists, curators, it will also be for researchers, writers, publishers, bookmen, collectors and organizations such as The Westerners who have the West as their field of interest."

In a letter to the writer since the Santa Fe conference, Billington said

there "should be a session arranged and staged [at the 1962 meeting] by the Denver Posse, and I hope attended by others from other Corrals."

The Denver conference will be co-hosted or co-sponsored by: University of Denver, University of Colorado, Colorado College, Air Force Academy, and The Denver Posse of The Westerners. Named in charge of program and arrangements by Billington will be: Robert Athearn of C.U., Allen Breck and Harold Dunham of D.U.; Harvey Carter of Colorado College, and Capt. Oakah L. Jones of the Air Force Academy.

If the New Mexico gathering was a preview of the type program a permanent conference would offer, it blazed a trail in covering ground. Twenty-six separate papers were given in the areas of: Indian Wars, West in Fine Arts, Ethnohistory, Mining Frontier, Stock-raising and Agriculture, Exploration and the Fur Trade, Twentieth-century West, Southwestern Borderlands, Transportation and Communications, Overland Migration, and Publishing of Western Americana.

Westerners were in good evidence at the conference. Among Colorado's 33 registrants (New Mexico leading with 93, California second with 37) were five Denver Possemen: L. Drew Bax, Harold Dunham, Geo. R. Eichler, LeRoy R. Hafen, and Alan Swallow. Several CM were also present, including Agnes Wright Spring, state historian, who was honored as the only woman discussant on the program.

Other "name" participants included: Harold McCracken of the Whitney Gallery of Western Art, John C. Ewer, of the United States National Museum, Merrill J. Mattes of the National Park Service (CM), Ralph P. Bieber of Washington University, N. Orwin Rush of Florida State University, Oscar O. Winther of Indiana University, and Dale L. Morgan and

J. S. Holliday of the Bancroft Library.

PM Dunham has expressed the hope that it may be possible for The Denver Posse of The Westerners to arrange some time for a separate ses-

sion of Westerners from the various Posses and Corrals.

In any event, October, 1962, will see new frontiers blazed in the recording of the events of Western America—past and present.

Fires That Destroyed Thirteen Businesses

by DEAN KRAKEL



Ault, Colorado, in August of 1906, prior to the fires.

Ault in Northern Colorado was small in 1907, yet big enough to have king sized fires. Darkness, the lack of a fully organized hose company and an inadequate water works contributed to disaster. Within an eight week span over \$70,000 in prosperity went up in smoke, leaving three-quarters of the town's business district a smouldering heap.

Buildings in those days were hasty frame structures, with high false fronts, overhanging porches, and outside stairs leading to upper rooms. The settlement looked like a movie set cowtown, yet it was agriculture to the core. Land south to Greeley was thickly populated with irrigated farms but north to Cheyenne there was nothing but barbed wire, coyotes, and cactus.

The community had sprung up around a "V" like corral built by cattlemen during the 1880's. It wasn't until 1898 that a general store was

established near the railroads' stock loading chute. On the same day as the Battleship Maine was blown up in Havana Cuba's Harbor, a handful of farmers, mostly Danes and slow talking Swedes, petitioned for a post office, submitting the name Ault with their document. The name paid respect to Alexander Ault, a square shooting flour miller from Fort Collins, who bought wheat locally, saving crop raisers from the more than slightly hoggish practices of railroads and whims of big city markets.

After the turn of the century Ault grew like Topsy. Flimsy buildings flanked by creaking windmills were scattered along a "Main Street." The town had a social problem too, since a group of unshaven outcasts from Missouri took over, finding its law slightly unnerved. Honky tonks, bootleg whiskey, and poker games were in high style, until the decent element banded together in a charter of in-

corporation. After the election in May of 1904 things were never quite the same.

One of the first items on the town board's agenda was the reorganization of the hose company and laying plans to bolster the water works. As months whizzed by various improvements were made to entice newcomers. Business places even boasted small wattled electric light bulbs—the latest thing in conveniences. The year 1906 came and went with more civic additions, but still no pressure in water pipes; windmills, and handpumps continued to fulfill a large portion of the towns requirements. "Next year," recorded the board clerk in his minutes book, "we'll have regular fire hydrants with new water lines to hookup." To date there hadn't been the slightest inkling of trouble, though the shadows of danger lurked with every slicker of a match head. The entire community seemed preoccupied in a wave of prosperity brought on by the famous "Ault Potato." Virgin soil was producing red and white tubular specimens of unbelievable size. In almost any patch a dozen or so field runs could be found that would easily fill a bushel basket. Five hundred of the prizes, weighing over a ton, had been exhibited at the Worlds Fair in St. Louis.

Shortly after New Years Day 1907 taxpayers voted to bond the community so an expanded and improved system might be had. The mayor announced that ditch digging and pipe laying would "commence" just as soon as the frost came out of the ground. By now Ault boasted a bulging population of 500, among that number none was more concerned with the increasing incendiary hazards than Night Watchman William Fry. He warned merchants that workers on the spud sorting crews needed watching because of their careless "Saturday Night" habits; "another thing," he pointed out was the constant threat

freight trains posed. "Sometimes," he cautioned, "engines on sidetracks puff sparks clean across town." The watchman wanted to present the town board and the hose company members a plan for prevention of fires, but no one would hear him out.

How fire number one started is still a mystery, and as a matter of fact so are the second and third fires. All were discovered after midnight. Shots and terrifying shouts for help brought half dressed, B.V.D. wearing citizens running with water pails in hand.

Pence's Hotel was the initial loss. It went up like a tinder box in the wee hours of January twenty-third. It was small consolation to R. Lincoln Pence that adjacent structures were saved. However, the next time the alarm was given things were different. While men worked frantically to thaw out pumps a bitter February wind fanned spreading flames white hot and within an hour, five buildings in the heart of town became a blazing inferno. Windows cracked and exploded from the intense heat like it was Fourth of July and nearby structures smouldered tottering on the brink of ignition. In two hours the Gilchrest Lumber Company was engulfed lock, stock and barrel and more store buildings were added to the conflagration. Flames skyrocketed hundreds of feet into the air, and in Greeley twelve miles away, crowds gazed from vantage points thinking Eaton, four miles closer was sure in a bad fix.

Citizens formed cordons near the end of streets and at openings between buildings to prevent foolishness. Merchants entering buildings from the rear worked feverishly to salvage what they could, while each home and out building had its own roof-top spark stomper. For more than three hours it looked as if the entire business district might go, then the wind suddenly stopped—as if the Almighty *hissself* decreed it so. At last bucket lines be-

gan making an inroad on the disaster.

The next day grim-faced men poked about the rubble looking for "remains" but none were found. Insurance investigators sought clues, speculating maybe the disaster had been the work of a pyromaniacal mind or even a heinous plan to avoid bankruptcy. However, before anything could be resolved the third and last fire happened. By this time the community had as seasoned a crew of fire fighters as existed in the region. Each man knew exactly what to do. Consequently only one building was de-

stroyed and a second seriously damaged. Of course, it might have been as the town's sage put it, "hell, there ain't nothin' left to burn."

In and around Ault, the fires that destroyed thirteen businesses were the subject of conversations for years. Old-timers still remember some of the tales circulated as to the cause . . . like the phantom night rider or the laughing hobo. Yet Night Watchman Fry maintained to his dying day that it might have been different "if only them fellers in the Town Hall" had of listened to his plan.



Ault after the second fire of 1907.

FROM THE CORRAL RAIL

(Continued from Page 4)

of our publications, but previous arrangements have been made and the complete article will appear in the April 1962 issue of the *Colorado Magazine*.

Nick Eggenhofer, artist who illustrated the 1953 *Brand Book*, Dabney Otis Collins' *Great Western Rides*, and many other books, and whose own book, *Wagons, Mules and Men*, has just been published, has moved out west after living in West Milford, New Jersey, for some thirty years. Nick and his wife visited in Denver last August while on a western trip that was expected to last two months. After a stay in Cody, Wyoming, how-

ever, the Eggenhofers decided that was where they wanted to live, so they hurried back to New Jersey, sold their house, and by the middle of November were back in Wyoming, and settled down at 1014 Eighth Street, Cody, P. O. Box 857.

NEW CORRESPONDING MEMBERS

Verner C. Carlson, 1187 South Corona St., Denver 10, Colorado, works for Continental Oil Company in the marketing department, and is interested in Colorado history, its ghost towns and mining camps with a special interest in Crystal City.

Henry E. Coupland, 1615 Culebra Place, Colorado Springs, Colorado, is interested in Western history and rail-

roads. Recently retired from his pharmacy business in which he was engaged for fifty years, he continues to enjoy collecting railroad pictures and books, to grow roses and to go fishing.

Norman Feder, 1300 Logan St., Denver 3, Colorado, Curator of American Art at the Denver Art Museum is interested in American Indians and their part in our Western history.

Charles W. Henning, 2251 South Albion St., Denver 22, Colorado, is the division manager of the Rocky Mountain Oil and Gas Association for the state of Colorado, and promotes a program of public and government relations for the oil industry. He is interested in the history of oil in Colorado, has written a magazine article on the history of the Florence Oil Field, enjoys Western art, old newspapers and Western history in general. Prior to his present work he was state editor for KOA radio and TV, and has worked for other radio networks and on newspapers.

George L. Jensen, 8180 West 39th Ave., Wheat Ridge, Colorado, coordinator of instruction in the Denver Public Schools, is interested in Western history and its teaching in our schools. He also is a rancher and business man, and finds time for the study of Indian camps and the homes of early homesteaders.

John A. Murphy, Denver Museum of Natural History, City Park, Denver 6, Colorado, is curator of geology-mineralogy and paleontology at the city museum, is especially interested in the early mining industry and the early geological surveys of the West. He is also interested in the birds of this area and the evidences of ancient man in Colorado. His article "The Black Swift of Colorado" was published in *Natural History Magazine*. John is a descendant of one of Colorado's pioneer families.

Lee Olson, 3155 Gray St., Denver 15, Colorado, is an editorial writer for the *Denver Post* and is especially in-

terested in Colorado mining and ranching history. He did most of the text work for the *Post's* now famous Centennial Edition of 1959. His hobby is photography.

CORRESPONDING MEMBER CLARENCE S. JACKSON DIES

One of the Denver Westerners' most faithful members, **Clarence S. Jackson**, died on Thursday, October 12, 1961, in St. Luke's Hospital, from the effects of a heart attack. He was born in Washington D. C., on February 2, 1876, but spent the major portion of his life in Colorado. His father, William H. Jackson, was the famous Western photographer and painter, and from his father's experiences as a pioneer photographer. Clarence authored three books, *Picture Maker of the Old West*, *Pageant of the Pioneers*, and, in collaboration with Lawrence Marshall, *Quest of the Snowy Cross*. He contributed the article, "Roll Out, Roll Out, The Bulls Are Coming," to the 1954 *Brand Book*.

The photograph of Clarence S. Jackson printed below was taken by his friend **R. F. Ruhoff**, CM, and was to be used on Mr. Jackson's Christmas cards for this year.



The Colorado Coal Strike — 1913-1914 And the Ludlow Massacre

by MAXINE BENSON

The battle at Ludlow, the notorious Ludlow Massacre of April 20, 1914, is still a controversial and somewhat enigmatic incident in the history of labor disturbances in Colorado. It served effectively, however, to dramatize the industrial situation in the state, and, perhaps, more than any other single event of the strike, focused national attention on that protracted struggle between the coal miners and the mine operators.

It is difficult to determine exactly what happened on that April day in 1914, and probably the true story can never be known. Ludlow was the climactic incident in the coal strike of 1913-1914, which was one of a series of industrial disturbances whose history dates almost from the founding of the state itself. In the metalliferous mining industry the first important strike occurred in Leadville in 1880. It was not until 1903, however, that the first major strike was called in the coal mining industry by the United Mine Workers. In 1910 another strike occurred in the northern Colorado coal fields, and it had not been settled when the 1913 strike in the southern fields was called. In order to understand the nature of this strike and the reason for it, it is necessary to know something of the conditions in the coal mining industry of Colorado at this time.

Probably the first and foremost cause of unrest stemmed from the very nature of the industry itself. The large mining companies, which produced most of the coal in the state, controlled almost all aspects of the lives of the miners who worked for them. These men lived in company houses, built on company land, access to

which was furnished by company roads.¹ The companies in many cases owned the churches, the schools and the stores. They dominated the politics of the district, and it was commonly conceded that the election of many community officials was controlled by them.² Moreover, living conditions in the mining towns were certainly not good; an article in *Outlook* magazine described the "inadequate housing" and the "general ugliness of the surroundings."³

In addition, these companies were controlled by absentee businessmen who visited their holdings infrequently, if at all. John D. Rockefeller, Jr., who represented the controlling interest in the Colorado Fuel and Iron Company which produced some 35 per cent of the coal in Colorado, became a symbol of the absentee capitalist. This system of absentee ownership caused much resentment among the miners. *Outlook* magazine, commenting on this type of organization wrote that "Medieval feudalism had at least this advantage—that the feudal lord lived with his retainers and usually fought at their head."⁴

The mine operators defended their paternalistic domination and system of absentee ownership. They felt that such a "feudal" method was necessary "for the well being of their employes and for the peaceful operation of the industry."⁵ Much was made of the report that Rockefeller had not been in Colorado for about ten years, and he had, of necessity, left the operation of the Colorado Fuel and Iron Company to subordinates. In answer to criticism directed to him he stated it was "impossible for any man to be personally responsi-

ble for all the management of the various companies of which he might be a larger or smaller director."⁶

This absenteeism on the part of the owners, however, contributed to the problems in the mines.⁷ Perhaps if Rockefeller and the other owners had taken more personal interest in their property, and if they had been more aware of the magnitude and scope of the unrest in the mines, the strike might not have reached the proportions it did. In fact, the report of the Congressional committee which investigated the strike stated: "Absentee owners or directors by their absence from the scene of such disturbances cannot escape their normal responsibility for conditions in and about the properties in which they are interested."⁸

Another factor contributing to the industrial difficulties was the fact that the miners themselves were a polyglot group. Many were of foreign origin and did not speak English. For the most part they had little understanding of American life and government. It has been pointed out that a group of this type could easily be manipulated and managed by the labor unions.⁹ Moreover, since many workers could not read and understand signs, it was difficult to call their attention to mining dangers, and the abnormally high accident rates in the Colorado mines were due in part to the miners' lack of knowledge of English.¹⁰

Given the conditions in the coal mining industry of company domination, absenteeism ownership, and a heterogeneous group of miners, coupled with union agitation and activity, it is not difficult to see how conflict could arise. Moreover, as *Current Opinion* magazine stated: "Add to all this the slumbering resentments of an intermittent industrial warfare extending over 30 years, with high handed outrages committed by both sides, and the reasons for the . . . outbreak"

were apparent.¹¹ Indeed, it was evident that "all the materials for a first-class conflagration" were present in the coal fields of southern Colorado in 1913.¹²

On September 15, 1913, the United Mine Workers called a meeting in Trinidad in order to state their demands and grievances. E. L. Doyle, the Secretary-Treasurer of District 15, United Mine Workers, stated the demands at the convention:

Recognition of the Union.

A 10 per cent advance in wages on tonnage rates and a daily wage scale on the same basis as that of the state of Wyoming.

Ten per cent advance on the wages paid coke oven workers.

An eight-hour day for all classes of labor in the coal mines and coke ovens.

Pay for all narrow work and dead work which includes brushing, timbering, removing falls, handling impurities, etc.

Check weighmen at all mines to be elected by the miners without any interference by company officials.

Right to trade in any store that mine workers please, and the right to choose their own boarding place and their own physician.

Enforcement of the Colorado mining laws.

Abolition of the notorious and criminal guard system which has prevailed in the mining camps of Colorado for many years.¹³

Of these demands the most important was that of recognition of the union. The strike revolved around this issue, and it was the "sole point of irreconcilable difference between the miners and the operators."¹⁴ The miners demanded union recognition, while the companies would under no circumstances consider this. They refused to do so on the grounds that it would involve "the absolute closing of the 'open shop' which has always prevailed in the Colorado mining fields."¹⁵ Rockefeller stated, "We

do not question the right of any workmen to freely associate themselves in unions for the furtherance of their common and legitimate interests, but we do assert the equal right of an individual to work independently of a union if he so elects."¹⁰

Perhaps the strike could have been averted had there not been this one issue on which neither side would make concessions. And, once the strike was called, it might have been resolved in a reasonably short time if the operators, because of the issue of union recognition, had not refused to submit the dispute to arbitration. The operators felt that this question was a matter of principle, and a point which they could not yield. As Rockefeller stated, "When it comes to submitting the question of whether or not the camps shall be unionized to arbitration, that is a matter of such basic importance, it is a matter of such fundamental principle, that we would not feel justified in yielding our view about such a question."¹⁷

A second major point in the demands of the miners was the question of enforcement of the laws. Several of their demands were already guaranteed by the laws of Colorado. It charged, however, that these laws were not well enforced. *The Literary Digest* wrote: "That these laws were habitually and persistently disregarded is claimed by the unions and is virtually substantiated by official statements in the reports of the factory inspectors in Colorado. . . ."¹⁸ The Congressional investigating committee asserted:

Colorado has good mining laws and such that ought to afford protection to the miner as to safety in the mine if they were enforced, yet in this State the percentage of fatalities is larger than any other, showing that

there is undoubtedly something wrong in reference to the management of its coal mines.¹⁹

Although the operators declared they complied with the regulations, it is indeed probable these laws were not rigidly enforced.

The strike was called on September 23, 1913. The *Rocky Mountain News* reported the strike, involving 7600 workers, commenced "what United Mine Workers officials claim will be the greatest industrial conflict of its kind in America."²⁰

FOOTNOTES

¹"Colorado Strike," *Survey*, XXXI (December 20, 1913), 333.

²"Colorado Appeals to the President for Help," *Current Opinion*, LVI (June, 1914), 415.

³"Issue in Colorado," *Outlook*, CVII (May 16, 1914), 101.

⁴"Private War in Colorado," *Outlook*, CVII (May 9, 1914), 61.

⁵"Failure of Colorado," *Independent*, LXXX (October 12, 1914), 61.

⁶"Way Rockefeller Looks at it," *Harper's Weekly*, LVIII (May 23, 1914), 12.

⁷Oscar R. Romine, "The Use of Military Power in the Colorado Coal Strike, 1913-1914" (unpublished Master's dissertation, Colorado State College of Education, 1939) 19.

⁸U. S. Congress, House, *Report of the Colorado Strike Investigation Made Under House Resolution 387*, House Document 1630, 63rd Congress, 3rd Session, 31.

⁹LeRoy R. Hafen (ed.), *Colorado and its People*, (New York: Lewis Historical Publishing Co., Inc. 1948), 11, 312.

¹⁰*Ibid.*

¹¹*Current Opinion*, LVI, 415.

¹²*Ibid.*

¹³*Rocky Mountain News* (Denver), September 17, 1913, 1.

¹⁴*Independent*, LXXX, 61.

¹⁵*Facts Concerning the Struggle in Colorado for Industrial Freedom*. Issued by the coal mine managers, September 21, 1914, 8.

¹⁶Rockefeller quoted in "Responsibility for the Colorado Crisis," *Review of Reviews*, XLIX (June, 1914), 735.

¹⁷*Harper's Weekly*, LVIII, 13.

¹⁸"Comment on Colorado by Those Who Know," *The Literary Digest*, XLVIII (May 16, 1914), 1165.

¹⁹House Document 1630, 63rd Congress, 3rd Session, 4.

²⁰*Rocky Mountain News*, September 24, 1913, 1.

The remainder of Miss Benson's paper together with her notes and selected bibliography will be published in December's Roundup.

As explained in the June issue of our magazine, Miss Maxine Benson, history major at Colorado University was one of three winners of the 1960 Denver Westerners Memorial Scholarship Award.



Westerner's Bookshelf



SILVER, GOLD AND BLACK IRON, by Donald C. Kemp, Captain, U. S. Army, retired. Sage Books, Denver, 230 pp. Illustrated with 56 photographs, indexed, end-paper maps. \$5.00.

In 225 pages or so, Capt. Kemp has succeeded in presenting a detailed, well written history of three mining camps in Western Boulder County, Colorado: viz. Caribou, Eldora and Nederland, illustrating the three metals in the same order as in the title.

After a brief introduction to the Grand Island Mining District with its intriguingly mysterious name, the story of Caribou from its discovery in 1869 (the author gives you a choice of three stories of its discovery) rises and falls with the price of silver, moves down Middle Boulder Creek and merges insensibly into that of Nederland.

Caribou and its mines got a good start in the early 1870's and by 1873 the Caribou mine was flourishing under Breed and Cutter. Breed gave an option to Mose Anker, a Denver promoter, who unloaded it on a bunch of unsuspecting investors in Holland. They organized The Mining Company Nederland of the Hague with a capital stock issue of \$3 million (half of it went to Anker) and made a down payment of 1½ million cash to Breed and Cutter.

Breed worked swiftly to gut the property of as much ore as possible before giving possession to the Dutchmen, so by the time P. H. VanDiest arrived as manager he had little to work on. David H. Moffat and Jerome B. Chaffee, two of the smartest men in Colorado mining history, bought the defunct mine with its big mill at Nederland at sheriff's sale in October, 1876, and manager Eben H. Smith, who was a real "expert" developed a mine which produced through the Nederland mill a million dollars in a little over three years. 1879 was probably the best year the mine ever had. Costs were high, however, and in 1882, when silver dropped to 90c an ounce, Smith closed the property down. Attempts to revive it in 1887 and 1914 were futile. So ended the Caribou mine and town, but not Nederland.

About the beginning of this century "that damned black iron" which had so annoyed the early prospectors turned out to be tungsten, and the Krupps of Germany became interested as did American steel men, particularly the Firth-Sterling Steel people, and tungsten production started. An unusual angle about the discovery of tungsten in the Nederland district is that it was made by Sam Conger, who had discovered the Caribou

silver some thirty years before; a credit to his alertness.

World War I brought a real boom to Nederland which lasted a few years until cheap Chinese ore nearly crowded domestic tungsten out of the market. Production dropped off and the famous old Caribou mill, which had been adapted to production of tungsten concentrates by the Wolf Tongue Company, burned down July 3, 1926. Altho it was promptly replaced by a concrete structure, Nederland as a mining camp was dead.

Capt. Kemp devotes almost half of his book to Eldora, representing the "Gold" in the title, altho as he himself writes "Certainly nothing connected with its short history justified the excitement which raised Eldora Village to Eldora Town with more than a thousand inhabitants." Caribou at its peak may have had five hundred.

His interest is understandable, for John H. Kemp was in effect the father of the town, as well as of the captain. The son's knowledge of the history of Eldora is thus either first-hand or at most second-hand, which is vastly different than research in books and newspapers, although he did much of that as well. He has lived for twenty five years in the enlarged and modernized home built by the elder Kemp in the nineties.

As a consequence the author gives us a most readable account of the Happy Valley, where a little work was done in 1872. It lay dormant until 1887 when it was the scene of some prospecting, but the outside world commenced to hear of it in 1891 when John Kemp, then of Central City, located the Happy Valley placer. By the summer of 1892 a small camp developed which lazied along for five years or so until it blossomed out with a real, though minor, boom in 1898. Eldora was incorporated March 9, 1898, seems to have reached its peak a year later and to all intents and purposes died on November 18, 1899, along with banker-promoter Neal B. Bailey, who was the tragic victim of a mob murder, most out of place in the idyllic setting of Happy Valley.

Certainly Kemp tells us nothing of world-shaking import, but he does give us an almost blow-by-blow account of a small mining camp at the turn of the century.

Silver, Gold and Black Iron is a valuable addition to the growing shelf of books about specific Colorado localities. Unlike some of them, it is not a rehash of stale and too often erroneous material, but an original piece of work by one with an affectionate interest in his subject, and his book shows for it.

RAY COLWELL PM

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The DENVER WESTERNERS
M O N T H L Y
ROUNDUP



December
1961
Vol. XVII No. 12



Meriwether Lewis. Frontispiece of Reuben Gold Thwaites' "Original Journals of Lewis and Clark Expedition," Vol. I. Courtesy of The State Historical Society of Colorado Library.

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The Westerners
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Denver 2, Colorado

*Denver Posse Founded January 26, 1945
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OFFICERS

*Sheriff, Charles S. Ryland
Deputy Sheriff, Robert L. Perkin
Roundup Foreman, George R. Eichler
Tally Man, Bill Brenneman
Chuck Wrangler, Herbert P. White
Membership Chairman,
Charles W. Webb
Preceding Sheriff,
Fletcher W. Birney Jr.*

*Publications Chairman,
Ray G. Colwell
Registrar of Marks and Brands,
Don L. Griswold
Editor of 1960 Brand Book,
Guy M. Herstrom
Program Chairman, L. T. Sigstad
Book Review Chairman,
Numa L. James
Awards Committee Chairman,
Rev. Gerret S. Barnes*

JANUARY MEETING

Politics, Pursestrings and Personalities

by

Harold S. Lindbloom

WEDNESDAY, JANUARY 24, 1962

6:30 P.M.

Denver Press Club, 1330 Glenarm

Denver, Colorado

Corresponding member Lindbloom is the State Representative for Scott, Foresman and Company and is co-author of a widely used textbook, *Colorado Citizen*. In his paper he will review Colorado's political history from pre-territorial days to 1900.

FROM THE CORRAL RAIL

Roundup Foreman, **George R. Eichler** summarized our December meeting in the following paragraphs:

The Denver Posse's annual Christmas party, held Saturday, December 16, from almost every standpoint was probably one of the most successful such affairs held by the Denver Westerners.

Starting with a social hour at 5:30 p.m. the "spirit" of the occasion gradually increased. One-hundred-forty Posse members, wives, guests, Corresponding Members and families sat down at about 6:30 p.m. to break bread in the attractively decorated dining room of the American Legion building at 1370 Broadway.

The scene was festive in that tables were set for six and eight places, making possible more across-the-table chit-chat than at the long, formal tables.

Dinner was thick slices of prime rib, baked potatoes with ample servings of sour cream, the "trimmings" that go with such a main course—topped off with good western coffee.

In the absence of Santa Claus (Sheriff **Charles Ryland** guessed St. Nick had perhaps become lost in the maze of roads that make up the Valley Highway.) **PM Arthur Campa** supervised the passing of gifts to the ladies, toilet articles and small fruit cakes. Meanwhile the Posse members retired to the draped stage for a brief meeting which consisted of the annual election of officers.

Maurice Frink, chairman of the nominating committee, submitted a slate of officers which was adopted unanimously. (Other members of the committee were **Fred Rosenstock** and **Francis Rizzari**.)

Elected to head the Denver Posse for 1962:

Sheriff: **Erl H. Ellis**.

Deputy Sheriff: **Robert L. Perkin**.

Roundup Foreman: **Geo. R. Eichler**

Tally Man: **William G. Brenneman**
Registrar of Marks & Brands: **John J. Lipsey**

Chuck Wrangler: **Richard A. Ronzio**.

Upon resumption of the general meeting, **Sheriff Ryland** called upon **Mrs. Elmo Scott Watson** to bestow upon the incoming sheriff the gold badge of office once worn by the late Mr. Watson when he was sheriff of the first Westerners group in Chicago.

The Rev. **Gerrit S. Barnes** reported the Scholarship committee's decision to award the 1961 scholarship to **Charles Warren VanderHill**, a Denver University graduate student, who is preparing a study on "The Letters of Kirby Benedict, 1854-1865, relating to judicial problems in New Mexico: an edition with introduction and notes."

As a special and added attraction **Sheriff Ryland** announced the entertainment portion: western songs played and sung by **Katie Lee**, nationally known folksinger. Miss Lee entertained for nearly a half hour with a variety of well and little known songs that were greeted with deserved applause.

PM John Lipsey and his wife gave to each lady present a mining-page plate from Mathews' "Pencil Sketches of Colorado."

Featured speaker **Vincil Lester**, superintendent of schools at Cortez, Colo., spoke for nearly an hour on "Lo, The Rich Indian." It was thoughtful and mirthful, entertaining and educational—quite a feat for any speaker to perform.

Program chairman **L. T. Sigstad** is well deserving of a special vote of thanks for arranging such a top-notch program.

Posse members attending the dinner were: **Ed Bemis**, **Scott Brome**, **Bill Brenneman**, **Drew Bax**, **Gerrit Barnes**, **Nevin Carson**, **Arthur Campa**, **Erl Ellis**, **Geo. R. Eichler**, **Kenny Englert**,

(Continued on Page 4)

FROM THE CORRAL RAIL

(Continued from Page 3)

Maurice Frink, Guy Herstrom, Alan Swallow, John Lipsey, Forbes Parkhill, Richard Ronzio, Charles Ryland, Armand Reeder, Otto Roach, Charles Webb, Herb White, Philip Whiteley, Dabney Collins, Ralph Mayo, Fred Rosenstock, and Henry W. Toll. (Twenty-six!)

The minutes of previous years show that at the 1960 Christmas Party 104 were served dinner; in 1959, 128; in 1958, 114; in 1957, 132; and in 1956, 166.

The winter issue of *Montana*, the magazine of Western History, is recommended to our readers. Six interesting articles, many complementary pictures and newspaper reprints, letters to the editor, and the "Reader's Remunda" by **Robert G. Athearn** fill its sixty-four pages. **CM Agnes Wright Spring**, and **PM Harold H. Dunham** both review one book, while **PM Dabney Otis Collins** reviews two books in that section of the magazine.

Spokane Westerners made a significant contribution to popular Western history in the November 26, 1961, *Inland Empire Magazine* of the *Spokane Spokesman-Review*. Twenty-two articles including "Death of Sitting Bull" by **Edwin A. Poole**, "Northwest's First Doctor" by **Dr. Carl P. Schlicke**, "The Mullan Road" by **Joe Baily**, and "Ruby . . . Death of a Mining Town" by **John M. O'Brien Jr.**, were included in the magazine as well as pictures and a brief description of the Spokane Posse and its quarterly magazine. Congratulations to the Spokane Westerners for such a fine supplement to their local newspaper.

The October 1961 issue of *The Colorado Magazine* features "The

Morey Mercantile Company" by **William L. Myatt**, an employee of the company for more than 50 years. The magazine also includes "First Ladies of Colorado—Julia Pratte Gilpin" by **Helen Cannon**, "The 'Bloodless Third Regiment,' Colorado Volunteer Cavalry" by **Raymond G. Carey**, "Quartermastering For The 2nd Colorado, Volunteers" by **Charlotte A. Barbour**, and its usual fine book reviews. If you are not already a subscriber to this excellent publication of the State Historical Society of Colorado, we recommend you start your subscription immediately.

From the confidential news service of the Barbed-Wire Network of East Tincup, we learn that **Fred and Jo Mazzulla** have furnished all the pictures for **Max Miller's** new book, *Holladay Street*, which will deal with the robust and factual events of early Denver's street of wickedness. The book is slated for publication in April and will be "I Cover the Water Front" Miller's twenty-sixth book.

Guy Herstrom has reported a complete sell-out of this year's *Brand Book*, and the necessity of returning almost one hundred orders, which he could not supply since only five hundred copies were printed. We are very sorry more copies were not available, but the resources of our organization permit us to print only a limited number of books which are sold to the first five hundred orders received. Remember to order early for next year's *Brand Book*.

Reminder from our Book Review Chairman: please submit your book reviews as soon as possible. Some fifteen books for reviewing have been in the hands of members for six months or more and those reviews should be sent to **Numa James** immediately.

Some Little Known Facts Concerning the Lewis and Clark Expedition, With Detailed Instructions Given by President Thomas Jefferson

by NOLIE MUMEY

Over a century and a half has elapsed since Lewis and Clark made their expedition up the Missouri River, and many books have been written concerning their journey in 1804. There is little known about the preliminary preparation and the diplomatic and carefully worded message sent to Congress by the President, requesting an appropriation for funds to finance the exploration.

The instructions to Lewis, who headed the expedition, comprise a document full of facts and interest. It details all the important things they should do, observe, and report upon during the entire trek.

The idea of finding a passage to the Pacific was a long-cherished dream of Thomas Jefferson, who had thought about it for fifteen years before he became head of the nation. He confided his idea of such a project to his friend and neighbor, Meriwether Lewis. Little did he realize that some day he would put such a plan into effect, one which would double the area of the United States.

After Thomas Jefferson was inaugurated as President on March 4, 1801, he persuaded Meriwether Lewis to resign from the Army and become his secretary. In the summer of 1802, he sent Lewis to Philadelphia to learn something of the natural sciences and how to make astronomical observations.

On January 18, 1803, President Jefferson sent a secret message to Congress asking for funds to explore the country west of the Mississippi, pointing out the necessity for acquiring

more land for the white settlers and the need of establishing government trading posts among the Indians. Jefferson had studied all the available maps of the region and was familiar with the extent and wildness of the country. Congress appropriated the sum of twenty-five hundred dollars, the amount asked for by the President.

In August, 1803, Lewis and his friend William Clark, whom he had asked to join him, met at Louisville, Kentucky, and traveled to St. Louis, where they recruited a staff, built boats, purchased supplies, and made ready for their memorable journey.

The organized party started up the Missouri River on May 14, 1804 to the Mandan Village, which they used as a training camp for members of the expedition.¹ At this site, where they spent the winter, the misfits were weeded out and sent back with returning boatmen.

At the time Jefferson was planning the expedition, the Federalists were waging a bitter campaign against him. They tried to instigate a war and made every effort to discredit the President. Congress had authorized, at his request, the purchase from Spain of the outlet at the mouth of the Mississippi River, which had been closed to traffic. The Federalists went into a rage and the cry was: "Why buy? Why not seize?"

James Monroe was appointed by

¹The site of the Mandan Village was near Stanton, North Dakota, where the Knife River empties into the Missouri.

the President as special envoy to assist Robert Livingston, Ambassador to France, in negotiating the purchase of the Floridas and New Orleans.

Napoleon renounced Louisiana, and asked Livingston, "Why not buy all of it?" The price, fifteen million dollars, was staggering for a new government.

When the message reached President Jefferson, he was delighted, but the constitutionality of the transaction troubled him. The treaty was ratified by Congress and the area of the United States was doubled.

These facts of events leading up to the Lewis and Clarke Expedition, as well as the expedition itself, are of interest to the historian. The instructions given to Lewis have likewise been recorded; however they are worthy of being repeated.

"To Meriwether Lewis, Esquire, Captain of the 1st regiment of infantry of the United States of America: Your situation as Secretary of the President of the United States has made you acquainted with the objects of my confidential message of Jan. 18, 1803, to the legislature. You have seen the act they passed, which, tho' expressed in general terms, was meant to sanction those objects, and you are appointed to carry them into execution.

"Instruments for ascertaining by celestial observations the geography of the country thro' which you will pass, have already been provided. Light articles for barter, & presents among the Indians, arms for your attendants, say for from 10 to 12 men, boats, tents, & other travelling apparatus, with ammunition, medicine, surgical instruments & provisions you will have prepared with such aids as the Secretary at War can yield in his department; & from him also you will receive authority to engage among our troops, by voluntary agreement, the number of attendants above mentioned, over whom you, as their command-

ing officer are invested with all the powers the laws give in such a case.

"As your movements while within the limits of the U. S. will be better directed by occasional communications, adapted to circumstances as they arise, they will not be noticed here. What follows will respect your proceedings after your departure from the U. S.

"Your mission has been communicated to the Ministers here from France, Spain & Great Britain, and through them to their governments: and such assurances given them as to it's objects as we trust will satisfy them. The country of Louisiana having been ceded by Spain to France, the passport you have from the Minister of France, the representative of the present sovereign of the country, will be a protection with all it's subjects: And that from the Minister of England will entitle you to the friendly aid of any traders of that allegiance with whom you may happen to meet.

"The object of your mission is to explore the Missouri River, & such principal streams of it, as, by its course & communication with the waters of the Pacific Ocean, may offer the most direct & practicable water communication across this continent, for the purposes of commerce.

"Beginning at the mouth of the Missouri, you will take observations of latitude & longitude, at all remarkable points on the river, & especially at the mouths of rivers, at rapids, at islands & other places & objects distinguished by such natural marks & characters of a durable kind, as they may with certainty be recognized hereafter. The courses of the river between these points of observation may be supplied by the compass, the log-line & by time, corrected by the observations themselves. the variations of the compass too, in different places, should be noticed.

"The interesting points of the portage between the heads of the Mis-

souri & the water offering the best communication with the Pacific Ocean should also be fixed by observation, & the course of that water to the ocean, in the same manner as that of the Missouri.

"Your observations are to be taken with great pains & accuracy, to be entered distinctly, & intelligibly for others as well as yourself, to comprehend all the elements necessary, with the aid of the usual tables, to fix the latitude and longitude of the places at which they were taken, & are to be rendered to the war office, for the purpose of having the calculations made concurrently by proper persons within the U. S. Several copies of these, as well as your other notes, should be made at leisure times & put into the care of the most trustworthy of your attendants, to guard by multiplying them, against the accidental losses to which they will be exposed. A further guard would be that one of these copies be written on the paper of the birch, as less liable to injury from damp than common paper.

"The commerce which may be carried on with the people inhabiting the line you will pursue, renders a knowledge [sic] of these people important. You will therefore endeavor to make yourself acquainted, as far as a diligent pursuit of your journey shall admit,

- with the names of the nations & their numbers;
- The extent & limits of their possessions;
- their relations with other tribes or nations;
- their language, traditions, monuments;
- their ordinary occupations in agriculture, fishing, hunting, war, arts, & the implements for these;
- their food, clothing, & domestic accommodations;
- the diseases prevalent among them, the remedies they use;
- moral and physical circumstances

which distinguish them from the tribes we know;
peculiarities in their laws, customs & dispositions;
and articles of commerce they may need or furnish, & to what extent.

"And considering the interest which every nation has in extending & strengthening the authority of reason & justice among the people around them, it will be useful to acquire what knowledge you can of the state of morality, religion & information among them, as it may better enable those who endeavor to civilize & instruct them, to adapt their measures to the existing notions & practices of those on whom they are to operate.

"Other objects of notice will be the soil & face of the country, it's growth & vegetable productions; especially those not of the U. S. The animals of the country generally, & especially those not known in the U. S.

The remains and accounts of any which may be deemed rare or extinct;

the mineral productions of every kind; but more particularly metals, limestone, pit coal, & saltpetre; salines & mineral waters, noting the temperature of the last, & such circumstances as may indicate their character.

Volcanic appearances.

Climate as characterized by the thermometer, by the proportion of rainy, cloudy & clear days, by lightning, hail, snow, ice, by the access & recess of frost, by the winds prevailing at different seasons, the dates at which particular plants put forth or lose their flowers, or leaf, times of appearance or particular birds, reptiles, or insects.

"Altho' your route will be along the channel of the Missouri, yet you will endeavor to inform yourself, by inquiry, of the character & extent of the country watered by it's branches,

& especially on it's Southern side. The North river or Rio Bravo which runs into the gulph of Mexico, and the North river, or Rio Colorado, which runs into the gulph of California, are understood to be the principal streams heading opposite to the waters of the Missouri, and running Southwardly. Whether the dividing grounds between the Missouri & them are mountains or flatlands, what are their distance from the Missouri, the character of the intermediate country, & the people inhabiting it, are worthy of particular enquiry. The Northern waters of the Missouri are less to be enquired after, because they have been ascertained to a considerable degree, and are still in a course of ascertainment by English traders & travellers. But if you can learn anything certain of the most Northern source of the Missisipi, & of it's position relative to the lake of the woods, it will be interesting to us. Some account too of the path of the Canadian traders from the Missisipi, at the mouth of the Ouisconsin river, to where it strikes the Missouri and of the soil & rivers in it's course, is desirable.

"In all your intercourse with the natives treat them in the most friendly & conciliatory manner which their own conduct will admit; allay all jealousies as to the object of your journey, satisfy them of it's innocence, make them acquainted with the position, extent, character, peaceful & commercial dispositions of the U. S. of our wish to be neighborly, friendly & useful to them, & of our dispositions to a commercial intercourse with them; confer with them on the points most convenient as mutual emporiums, & the articles of most desirable interchange for them & us. If a few of their influential chiefs, within practicable distance, wish to visit us, arrange such a visit with them, and furnish them with authority to call on our officers, on their entering the U. S. to have

them conveyed to this place at public expense. If any of them should wish to have some of their young people brought up with us, & taught such arts as may be useful to them, we will receive, instruct & take care of them. Such a mission, whether of influential chiefs, or of young people, would give some security to your own party. Carry with you some matter of the kin-pox, inform those of them with whom you may be of its efficacy as a preservative from the small-pox; and instruct & encourage them in the use of it. This may be especially done wherever you winter.

"As it is impossible for us to foresee in what manner you will be received by those people, whether with hospitality or hostility, so is it impossible to prescribe the exact degree of perseverance with which you are to pursue your journey. We value too much the lives of citizens to offer them to probably destruction. Your numbers will be sufficient to secure you against the unauthorized opposition of individuals, or of small parties: but if a superior force, authorized or not authorized, by a nation, should be arrayed against your further passage, & inflexibility determined to arrest it, you must decline it's further pursuit, and return. In the loss of yourselves, we should lose also the information you will have acquired. By returning safely with that, you may enable us to renew the essay with better calculated means. To your own discretion therefore must be left the degree of danger you may risk, & the point at which you should decline, only saying we wish you to err on the side of your safety, & bring back your party safe, even if it be with less information.

"As far up the Missouri as the white settlements extend, an intercourse will probably be found to exist between them and the Spanish posts at St. Louis, opposite Cahokia, or Ste. Genevieve opposite Kaskaskia. From still farther up the river, the traders may

furnish a conveyance for letters. beyond that you may perhaps be able to engage Indians to bring letters for the government to Cahokia or Kaskaskia, on promising that they shall there receive such special compensation as you shall have stipulated with them. Avail yourself of these means to communicate with us, at seasonable intervals, a copy of your journal, notes & observations of every kind, putting into cypher whatever might do injury if betrayed.

"Should you reach the Pacific ocean [one full line scratched out, cannot be read] inform yourself of the circumstances which may decide whether the furs of those parts may not be collected as advantageously at the head of the Missouri (convenient as is supposed to the waters of the Colorado & Oregon or Columbia) as at Nootka sound or any other point of that coast; & that trade be consequently conducted through the Missouri & U. S. more beneficially than by the circumnavigation now practised.

"On your arrival on that coast endeavor to learn if there be any port within your reach frequented by the sea-vessels of any nation, and to send two of your trusty people back by sea, in such way shall appear practicable, with a copy of your notes. And should you be of opinion that the return of your party by the way they went will be eminently dangerous, then ship the whole, & return by sea by way of Cape Horn or the Cape of Good Hope, as you shall be able. As you will be without money, clothes or provisions, you must endeavor to use the credit of the U. S. to obtain them; for which purpose open letters of credit shall be furnished you authorising you to draw on the Executive of the U. S. or any of its officers in any part of the world, on which drafts can be disposed of, and to apply with our recommendations to the Consuls, agents, merchants or citizens of any nation with which we have intercourse, as-

sureing them in our name that any aids they may furnish you, shall be honorable repaid, and on demand. Our consuls Thomas Howes at Batavia in Java, William Buchanan of the isles of France and Bourbon, & John Elmslie at the Cape of Good Hope will be able to supply your necessities by draughts on us.

"Should you find it safe to return by the way you go, after sending two of your party round by sea, or your whole party, if no conveyance by sea can be found, do so; making such observations on your return as may serve to supply, correct or confirm those made on your outward journey.

"In re-entering the U. S. and reaching a place of safety, discharge any of your attendants who may desire & deserve it, procuring for them immediate payment of all arrears of pay & cloathing which may have incurred since their departure; & assure them that they shall be recommended to the liberality of the legislature for the grant of a soldier's portion of land each, as proposed in my message to Congress & repair yourself with your papers to the seat of government.

"To provide, on the accident of your death, against anarchy, dispersion & the consequent danger of your party, and total failure of the enterprise, you are hereby authorised, by an instrument signed & written in your hand, to name the person among them who shall succeed to the command on your decease, & by like instruments to change the nomination from time to time, as further experience of the characters accompanying you shall point out superior fitness: and all the powers & authorities given to yourself are, in the event of your death, transferred to & vested in the successor so named, with further power to him, & his successors in like manner to name each successor, who, on the death of his predecessor, shall be vested with all the powers & authorities given to yourself.

"Given under my hand at the city of Washington, this 20th day of June 1803

Th. Jefferson
Pr. U S. of America"

The foresight of President Jefferson and the expedition of Lewis and Clark can never be measured fully in words,

nor will they ever be appreciated by monuments of marble or bronze. The exploration up the Missouri River banished the barriers of westward expansion and gave our government a dominating influence on the American continent.

Dr. Nolie Mumey, Posseman, physician and well-known author, came across the above quoted document in the course of his historical research. Our organization is grateful for his explanations and notes and his efforts in preparing and passing along the interesting information on our American heritage.

NEW CORRESPONDING MEMBERS

George L. Allison, 303 South Walnut St., McPherson, Kansas, is a retired lawyer who was a district judge for many years. He is interested in all phases of Western history and is writing a book about his grandfather as a participant in the California gold rush. Mr. Allison became interested in our magazine while attending the *Conference on the History of Western America* at Sante Fe, last October.

Richard K. Ayers, 215 Hewitt Bldg. 728-15th St., Denver 2, Colorado, part owner of the weekly newspaper *Mining Record*, is interested in the history of western mining, particularly gold mining. He also is a partner in the Ayers Public Relations firm.

D. H. Cummins, Box 1023, Gunnison, Colorado, is Professor of History and Dean of the Faculty at Western State College. He is especially interested in the history of western Colorado and has contributed articles to *The Colorado Magazine* as well as for other scholarly publications.

Jerome E. Dingerson, 2596 West Warren Avenue, Denver, Colorado, is president of *The Dingerson Press*, and a former editor and publisher of the *Georgetown Courier*. His interest centers in western prints and books, and in photography.

Genevieve J. North, 2922 Eaton St., Denver 15, Colorado, works for the Mountain States Telephone and Telegraph Company as a technical clerk in the Directory Art Department. Mrs. North is interested in historical books, antiques, pictures and steam railroading, with a special interest in the works of William H. Jackson. She lived in historic Leadville for eighteen years, and has typed several manuscripts for historic books.

Plaudits for Posseman Swallow

Recognition of **Posseman Alan Swallow** has just been called to our attention. On the 16th of July *The New York Times* published a very complimentary report written by **Lewis Nichols** on the publishing activities of Swallow, and on the 22nd of July the *Saturday Review* published a history of *Swallow Books* and *Sage Books*, the two companies owned and supervised by Alan. The *Saturday Review* article was written by the well-known novelist and critic, **Richard Elman** and gave our posseman well-deserved praise and credit, especially for his contribution in the publishing of poetry. Copies of both articles were reprinted by **CM Ray Johnson**, and may be secured from him at 839 Pearl Street, Boulder, Colorado.

The Colorado Coal Strike — 1913-1914 And the Ludlow Massacre

by MAXINE BENSON

The background of the coal strike, causes of unrest and demands of the workers were briefly set forth in the first part of Miss Benson's paper which was published in the 1961 November issue, pages 21, 22 and 23. The following concludes her study.

The principal areas involved in the strike were the counties of Las Animas, Huerfano, and Fremont. In order to provide homes for the striking miners several tent colonies were erected, and the men and their families moved to them. The largest of these was established at Ludlow. There were over 100 tents in this village, which was located 18 miles north of Trinidad, on the road to Walsenburg.²¹

The operators claimed the majority of the men were satisfied, and felt that "of transcendent consequence is the fact that the Colorado coal strike was not due to dissatisfaction of the men with their working conditions."²² They felt the calling of the strike was due to the work of agitators, who were "sent to Colorado to stir up trouble and to arouse the men to fancied grievances."²³ It is perhaps true that, as one writer has stated, "left to themselves, the miners would never have called the strike."²⁴

It is important to recognize that the strike was a dispute between two groups which were both influenced, to a greater or lesser extent, by forces outside of the state of Colorado. As the Congressional committee stated, "In these disturbed areas we find a conflict between capital and labor which is not confined to those in the State of Colorado, but on both sides is nation wide in its effect."²⁵

After the strike was called the contending factions settled down to a long drawn-out struggle. Both sides

were determined to win, and each resolved not to give into the other. Frank J. Hayes, International Vice President of the United Mine Workers, asserted, "It is a war of humanity. We shall continue it indefinitely until we get our rights."²⁶ As the *Rocky Mountain News* commented, "the strike itself seems to have settled down into a contest of endurance. . . ."²⁷

There was violence in the coal fields almost from the beginning of the strike. Both sides began arming their men, each claiming the necessity for defense against the other. The operators claimed the striking miners were being armed by the United Mine Workers. Accordingly, the companies began to hire guards to protect their property. They "employed at all of their more important properties from half a dozen to fifteen armed guards to protect the mine equipment and defend the workmen against the assaults of the strikers."²⁸

Some of these mine guards were recruited from the Baldwin-Felts Detective Agency. This agency had also furnished guards in the West Virginia coal strike, and some of the men employed in Colorado came from that region.²⁹ The strikers felt they were in danger of attack from these guards, and this feeling either precipitated or intensified their efforts to gather arms and ammunition. Therefore, there were two armed groups in the Colorado coal fields, and in such a situation clashes were almost inevitable.

Soon after the strike was called there was disorder and chaos in the strike area. Several battles were fought between the mine guards and the strikers. On October 7 the first

battle at Ludlow was fought, and on October 9 there was another clash at approximately this same location. The battle at Forbes on October 17 marked the "most serious conflict between armed guards, deputy sheriffs, and strikers."³⁰ On October 25 a series of battles began near Ludlow, Tabasco, Hastings, Berwind, and Delagua which lasted for four days. This resulted in the death of two guards and the wounding of a number of strikers and deputies.³¹

At this point the situation had become critical, and it was necessary to stop the fighting and bloodshed. Accordingly the Colorado National Guard was ordered into the strike area on October 29, 1913. The Governor of Colorado, Elias M. Ammons, had hoped to settle the strike without calling out the Guard, but in the end he felt conditions in the strike zone made it imperative he do so. In an article in the *North American Review*, Ammons stated his views:

During all this time I was doing my utmost to forestall further bloodshed and disorder by attempting to settle the strike itself. But the time came when, despite all other considerations, the state had to assert its authority through its military arm. In the southern field a reign of terror prevailed. The good citizens of the State, in no wise concerned with the strike itself, were in real danger of their lives. Between the two contending forces no respect whatever was paid to the constituted civil officers of the peace. Because of the almost frantic appeal of the sheriffs of both southern counties, of the boards of the county commissioners, mayors, judges, and other civil authorities, as well as from hundreds of citizens, I felt constrained to call out the National Guard.³²

The troops of the Colorado National Guard established two main camps, one at Trinidad, under the command of Colonel W. S. Davis, and

the other at Walsenburg, under the command of Colonel E. Verdeckberg.³³ According to the report of Captain Nickerson, adjutant of the Trinidad camp, "The chief duty consisted in foreseeing the plans of the strikers and immediately massing troops at those points where outbreaks might be expected."³⁴

The arrival of the Colorado National Guard intensified many of the problems already existing in the strike zone, and there was much controversy over the actions of the militia in the coal fields. This debate stemmed in great measure from the fact that vacancies in the ranks were filled with men recruited from the mine guards. The report of the Congressional committee stated, "it was testified before the committee that men who had previously acted as mine guards were divested of their guns, but were then sworn in as members of the militia."³⁵ It is difficult to say how many guards were actually members of the militia; undoubtedly there were more than a few, although how much of the total force they represented is not known. The fact that there were some mine guards in the militia did contribute substantially to difficulties in the area, "since intense animosity had existed for some time between the mine guards and the miners, and it was difficult or even impossible for the miners to feel these men were neutral conservators of the peace."³⁶

In the following months there were minor clashes and skirmishes between the militia and the strikers. The strike dragged on, however, without any major incidents. On April 16, 1914, about three-fourths of the Colorado National Guard troops were withdrawn, a move necessitated by lack of state funds with which to pay these men.³⁷ A small force of less than fifty men remained in the vicinity of Ludlow. This was composed of six officers and men "left as military head-

quarters for that part of this district, supported by a company of mounted infantry numbering two officers and 34 men, stationed in the Berwind canyon one mile distant."³⁸ Governor Ammons hoped, in recalling the other men, the peace which had been established would continue, but feared it would not.³⁹

Governor Ammons' fears were justified, for shortly after the bulk of the troops were withdrawn came the bloodiest and most controversial incident of the entire strike. After several months of relative quiet the strike zone erupted with a major clash between the strikers and the militia. The facts of the Battle of Ludlow cannot be ascertained with certainty; there are two almost completely divergent views on the events of April 20, 1914. Whatever actually happened, however, the "massacre" drew nation wide attention to Colorado and to the strike, and Ludlow became a symbol of the fight between labor and capital.

The battle began on Monday, April 20, 1914, at about 7:30 in the morning and continued for most of the day. Previously, on Easter Sunday, April 19, there had been a reported fight or argument between the strikers and the militia during a ball game in the tent colony. The fighting Monday was over a three square mile area, bounded on the west by Berwind and Hastings, on the east by Barnes station, on the north by Ludlow, and on the south by Barneyville.⁴⁰ During the course of the day's fighting the Ludlow tent colony caught fire and burned to the ground, and it was later discovered that eleven children and two women had died in a trench dug beneath the camp.

These are the basic facts of the battle; however, each side gave radically different accounts of the fighting. Each claimed it was fired upon by the other. The strikers charged the militia wantonly and mercilessly

attacked the colony, firing indiscriminately on the women and children, while the Colorado National Guard asserted the battle had been deliberately planned by the strikers, who were merely awaiting the departure of most of the troops before attacking. It was not possible then, and it is not possible now, to determine who actually fired the first shot.

The United Mine Workers, in their accounts of the battle, stated the strikers in the tent colony had been fired upon by the militia remaining in the strike zone. *The Denver Post* reported the Union leaders declared, "only a few of the strikers were armed, and that the attack was started by the troops stationed at Ludlow for the purpose of wiping out the tent colony."⁴¹ John McLennan, President of the Colorado State Federation of Labor, stated "it was a massacre, the most cruel and shameful in the history of our government. The mine guards started the trouble at a ball game Sunday afternoon and followed it up with the attack with the machine gun."⁴² A bulletin issued after the incident by the United Mine Workers asserted, "the most infamous attempt to exterminate the strikers was made on April 20, 1914 when two companies . . . deliberately attacked the Ludlow tent colony."⁴³

The theory that the strikers were attacked by the militia was and is widely held. Against this view, however, is the one set forth by the Colorado National Guard, the operators, and others, who asserted the small group of militiamen stationed in the area had been attacked by the strikers, who had been preparing for such a clash. Captain Nickerson wrote in his report, "suddenly and without provocation the strikers opened fire, some shots falling about the mounted infantry taking up position on the hill, other bullets dusting about camp, about 150 shots being fired in the first onslaught."⁴⁴

There were other reports substantiating this theory. The *Trinidad Chronicle-News* wrote:

The enemies of law and order are today making a desperate attempt to make good their repeated threats to exterminate the state militia left in the strike zone. What appears to have been a carefully planned attack was made early this morning when, according to reports, a small force of men under Captain Lawrence and Lieutenant K. E. Linderfelt was fired upon.⁴⁵

In an eyewitness report to *The Denver Post* Mrs. Linderfelt, wife of Lieutenant Linderfelt, stated, "the strikers started the fighting. They kept up a fire on the soldiers for fully ten minutes before a shot was sent in their direction. . . ."⁴⁶ Governor Ammons wrote, "when the troops were withdrawn, thirty-four men were left upon police duty near Ludlow, the largest of the tent colonies. On April 20th these men were attacked by ten times their number of strikers."⁴⁷

It was suspected by the operators and the militia that the strikers had been preparing for such an attack. The *Trinidad Chronicle-News* stated "that the strikers were planning to exterminate the small company of national guardsmen has been commonly predicted since the removal of the majority of the state troops, but the fierceness of the onslaught was hardly expected."⁴⁸ The paper further said, "weeks ago the strikers boasted that they would 'start something' as soon as the state's armed force moved out. Today was the day they struck."⁴⁹ Captain Nickerson reported that "investigation immediately after the battle of the 20th proved conclusively the preparedness of the strikers for their attack."⁵⁰ Moreover, "entrenchments and earthworks, some freshly dug and others so situated as to avoid suspicion before the outbreak, gave glaring evidence of the

warlike intentions of the colony."⁵¹

The presence of boxes of ammunition and other supplies in and around the tent colony was cited as proof the strikers had been preparing an attack. Mrs. Linderfelt stated she had "heard of one man who told Major P. J. Hamrock that the strikers had been planning their assault for weeks and had been receiving secret shipments of arms and ammunition for the battle of Monday."⁵² Captain Nickerson reported, "empty shipping cases for rifles were found about the colony."⁵³ L. C. Paddock, writing on the strike, stated that "in the tent colony a large quantity of ammunition was taken from various tents in the colony, some 19,000 rounds being taken from a tent marked 'HEADQUARTERS JOHN R. LAWSON.'⁵⁴ As would be expected, this was denied by the strikers and by the Union. Lawson stated, "the story that ammunition was found in my tent is a deliberate lie. There never was any ammunition in my tent."⁵⁵

The battle of April 20th would have been just another incident, however, had not the eleven children and two women been killed as a result of the fighting. These unfortunate victims died in the "Black Hole of Ludlow," a trench dug beneath the camp. Their deaths turned a military clash into a "massacre" which attracted the attention of the entire nation, and which resulted in the condemnation of the Colorado National Guard.

The Union claimed the militia had deliberately set fire to the tent colony and had massacred the women and children. John Lawson stated the deaths of these people "has cinched the determination to fight to a finish."⁵⁶ E. L. Doyle, Secretary-Treasurer of District 15, colorfully asserted:

In no war have civilized nations been known to massacre so deliberately defenseless women and chil-

dren. These fiends seemed to delight in the choice of the women and their babes and seeing whether they preferred to be shot down by explosive bullets or cremated in their little tented homes.⁵⁷

The Miner's Magazine, in fine style, wrote:

The massacre at Ludlow, Colorado, was one of the most heartless and cold-blooded that has ever disgraced the history of any state of our union, and the Cossacks of Russia are princes of peace compared with the hired fiends recruited by Rockefeller and company to shoot strikers into submission or death.⁵⁸

The militia asserted they had not set fire to the tent colony, and that they had not fired on the colony except when absolutely necessary in the course of the battle. Captain Nickerson wrote, "a stray bullet struck some combustible substance in a tent in the colony and fire started which slowly spread through the colony. This occurred about 6:30 p. m. . . ." ⁵⁹ The Guard and the operators claimed the fire which destroyed the colony had been started accidentally, as a result of the fighting.

They further asserted the women and children had not been shot, but had suffocated in the trench. James Cameron, a man who had spent much of his life in the coal mining industry, stated in an interview that the women and children had been placed in the trench as a protective measure, but that this "proved to be their undoing for they died from suffocation and not from the shooting as it was reported in some newspapers."⁶⁰ Paddock wrote that it was found, on investigation, that "none of the bodies showed any evidence whatever of bullet wounds and that they had been suffocated and had been dead some time prior to the time the fire started in the colony."⁶¹ Captain Nickerson re-

ported, "a group of unfortunate women and children died by suffocation. . . . There was no knowledge of this until after the bodies were found in a systematic search the next morning. None of these bodies showed any bullet marks."⁶²

Moreover, contrary to the Union position, the militia asserted not only had they not deliberately shot the defenseless women and children, they had tried to rescue as many as possible from the flames. Captain Nickerson reported between 25 and 30 people were rescued, and that "the refugees were fed, taken to the train, and sent to Trinidad. A collection of \$18 was taken up by the soldiers and given to the refugees."⁶³ Governor Ammons wrote, "this rescue was made with distinguished bravery and under a heavy fire from the strikers themselves."⁶⁴

The deaths of the women and children, whether accidental or deliberately caused, inflamed the strikers at Ludlow. *The Denver Post* reported, "it is the treatment of women and children which has wrought the greatest degree of bitterness and hatred against the troops."⁶⁵ The paper also stated that Union leaders feared they would be "unable to restrain their followers, now that the fire of battle has been kindled and the miners' sensibilities played upon by so strong an agent as the death of many of their women and children. . . ." ⁶⁶ In fact, the paper reported on April 23, "the army of strikers is growing rapidly and their battle cry is 'Avenge the murder of women and children at Ludlow!'" ⁶⁷

The soldiers of the Colorado National Guard were bitterly attacked for their part in the alleged massacre, an attack which many felt was undeserved. Governor Ammons wrote:

These men have served their State with a truly commendable devotion, to the sacrifice of their own personal

interests, risking their lives in a quarrel not of their own making and in which they had no interest. They have not been paid this year even the pittance that is allowed by law. If ever patriotism found expression, it is in the unrecompensed and unselfish service of these soldiers of the State who have only the consciousness of a duty performed to reward them, and upon whom has been heaped the opprobrium and abuse that private interest has dictated.⁶⁸

The Rev. A. A. Berle, who observed conditions in the strike zone, stated, "it is a question as to whether the fearful charges spread broadcast about the volunteer soldiery of Colorado are even approximately true. Personally I believe them to be vile lies."⁶⁶ Moreover, he said "the people of Colorado, instead of being ashamed, have every reason to believe in and take pride in their militiamen for their resolute efforts to save life under fire."⁷⁰

There were many newspaper and magazine accounts of the Ludlow incident, and much of the comment ranged from the emotional to the impassioned. The *Rocky Mountain News* wrote, "Ludlow Camp is a mass of charred debris and buried beneath it is a story of horror unparalleled in the history of industrial warfare."⁷¹ The *New York Times* stated, "Worse than the order that sent the Light Brigade into the jaws of death, worse in effect than the Black Hole of Calcutta, was the order that trained the machine guns of the State Militia of Colorado upon the strikers' camp at Ludlow. . . ."⁷²

The battle at Ludlow occurred at the same time that the United States was becoming involved with Mexico and General Huerta, and this situation provided a convenient and ready-made analogy for the news writers. The *New York Times* wrote, "this terrible blunder has precipitated a

situation more grave than that which exists between this country and Mexico."⁷³ *Outlook* magazine felt that "war with Mexico must not distract attention from the atrocious war within the limits of the United States. . . ."⁷⁴

One of the strongest comments to come out of the entire Ludlow episode was an editorial in the *Rocky Mountain News*, by William L. Chenery, entitled "The Massacre of the Innocents." The following excerpt from this editorial will indicate its content:

The horror of the shambles at Ludlow is overwhelming. Not since the days when pitiless red men wreaked vengeance upon intruding frontiersmen and upon their women and children has this Western country been stained with so foul a deed. The details of the massacre are horrible. Mexico offers no barbarity so base as that of the murder of defenseless women and children. . . . Villa is a barbarian, but in his maddest excess Villa has not turned machine guns on imprisoned women and children. Where is the outlaw so far beyond the pale of human kind as to burn the tent over the heads of nursing mothers and helpless little babies?⁷⁵

This editorial has been reprinted many times, and remains one of the best examples of extreme emotional journalism to come out of the strike.

Other, more sober, accounts were concerned with the failure of the state of Colorado to prevent the conflict. Walter Lawson Wilder, writing in the *Independent*, felt the basic cause of the trouble was "a collapse of the state government."⁷⁶ *The Nation* stated, "amidst all the confusion and conflict of testimony one thing is clear; the total collapse of the authority of the state of Colorado."⁷⁷ The *New York Times* commented editorially that the state was "unable to quell the insurrection."⁷⁸ Thus Ludlow, and the strike, became a

problem not only for Colorado but for the entire nation, and was recognized as such.

Armed clashes in the Colorado coal fields continued after Ludlow. During the week of April 20th there was a battle at Delagua and several mine properties were burned.⁷⁹ *The Denver Post* reported, "there are now so many different bodies of armed strikers operating in both Las Animas and Huerfano counties that it is impossible to keep in touch with them," and feared "even the arrival of the state troops may not serve to quell the disorders."⁸⁰

Immediately after the battle at Ludlow Governor Ammons had ordered state troops back to the strike zone, but with such chaotic conditions in the area many felt federal intervention in Colorado was necessary. The *Rocky Mountain News* telegraphed to President Wilson: "In the name of humanity, *The Rocky Mountain News* appeals to you to use your great power as president of this nation to stop the wanton murder of innocent women and children. . . ." ⁸¹ The *New York Times* editorialized, "there can be no telling to what lengths the war in Colorado will go unless it is quelled by force. The President should turn his attention from Mexico long enough to take stern measures in Colorado."⁸²

Several local groups also felt the situation called for federal assistance. Soon after the battle at Ludlow the Trinidad Chamber of Commerce met and passed resolutions stating "that a state of insurrection and anarchy exists in Las Animas county; that life and property are in imminent danger; . . . and that the situation is so serious it is necessary to appeal for the aid of the federal government."⁸³ In Denver a meeting attended by approximately two hundred women was held and it was resolved to ask for immediate presidential intervention.⁸⁴

President Wilson received many

telegrams urging federal aid to Colorado. Mrs. Mary C. C. Bradford, State Superintendent of Public Instruction of Colorado, wired an appeal on April 22 for presidential intervention "in behalf of industrial peace and justice. . . ." ⁸⁵ Many local groups sent telegrams to Wilson, of which the following is typical: "In the name of humanity leave Mexico alone and order troops to Colorado and save women and children."⁸⁶ *The Labor News* wired, "Cannot you do something to stop the horrible atrocities now being perpetuated . . . we appeal to you to use your power to restore peace and safety."⁸⁷

Governor Ammons realized the situation in Colorado could not be controlled by the state militia, and accordingly, on April 25, 1914, wired to Wilson, "Conditions in this state compel me to request of you that federal troops be sent immediately into the state of Colorado. . . ." ⁸⁸ The Governor wrote afterward that "the time came when the rebellion assumed such proportions that it could not be met with the greatly reduced force at my disposal. . . . I requested the President of the United States to take charge of the situation with Federal troops. That request was honored."⁸⁹

President Wilson had hoped to end the strike and thus avert the need for federal troops. He had asked Representative Foster of Illinois to confer with Rockefeller about ending the strike, but this meeting proved unfruitful. Therefore, Wilson ordered the federal troops to Colorado on April 28, and they arrived in the area about May 1.⁹⁰ With the coming of the federal troops the state militia was withdrawn from the strike zone, and peace, or at any rate an armed truce, was enforced.

President Wilson continued in his attempts to bring an end to the strike. Hywel Davies, president of the Kentucky Mine Operators Association, and W. T. Fairly, an officer of the

United Mine Workers, were asked by the Secretary of Labor to go to Colorado and attempt a settlement.⁹¹ They spent most of the summer of 1914 in the state, and in September a plan was submitted by Wilson to the operators and strikers as a basis of adjustment.⁹² The plan called for a three year truce, and presented six conditions to be enforced as part of the truce. These conditions included the enforcement of mining laws and the election of a grievance committee by the employees in each mine.⁹³

The miners called a special convention to consider the President's proposal, and on September 16 they approved it almost unanimously. However, on September 22, President Welborn, of the Colorado Fuel and Iron Company, rejected most of the conditions of the settlement. The other mine operators took the same position, and their moves precluded any chance of terminating the strike under Wilson's plan.⁹⁴

The strike continued until December, 1914. Union officials realized by his time that the strike had failed and could not be carried on. Therefore, at a convention in Denver, the United Mine Workers voted to terminate the strike. On January 1, 1915, the federal troops began to withdraw from the strike zone, and by January 10 had completed their departure.⁹⁵

Although the strike technically ended in failure, it did help to bring about reforms in the conditions of the mining industry in Colorado. John D. Rockefeller, Jr., played an important part in these reforms.⁹⁶ He helped to evolve a plan of management and operation in which all interests would be represented, and which provided that non-union men would not be discriminated against.⁹⁷ Moreover, the state of Colorado created an Industrial Commission which had the power to investigate improper or hazardous working conditions.⁹⁸

The Ludlow Massacre, perhaps

more than any other single event of the strike, dramatized Colorado's industrial troubles and focused nationwide attention on the state. Many years after the strike the *Walsenburg World Independent* wrote, "the sacrifice at Ludlow was not a vain one. Out of the tragedy came a renewed effort to better the conditions of the miners, not only in Huerfano county, but throughout the United States."⁹⁹ The memory of Ludlow has been kept alive through the years. The United Mine Workers erected an impressive monument on the site of the battle, and held memorial services for many years after the event. In summary, the battle at Ludlow, whether actually a massacre or not, was the subject of much controversy throughout the nation, and the reaction to this event made it almost imperative for attempts to be made to improve the coal mining industry in Colorado.

FOOTNOTES

⁹¹The *Rocky Mountain News* stated that there were 100 tents in the colony (September 27, 1913, 3) while *Survey* magazine put the figure at 178 (XXXII, May 2, 1914, 108). This perhaps reflects a growth in the Ludlow colony between September, 1913, and May, 1914.

⁹²*The Struggle in Colorado for Industrial Freedom*, No. 14, August 25, 1914. Pamphlet in series issued by the coal mine operators.

⁹³*Ibid.*

⁹⁴Romine, 17.

⁹⁵House Document 1630, 63rd Congress, 3rd Session, 31.

⁹⁶*Rocky Mountain News*, September 23, 1913, 1.

⁹⁷*Rocky Mountain News*, September 29, 1913, 2.

⁹⁸*Facts Concerning the Struggle in Colorado for Industrial Freedom*, 10.

⁹⁹House Document 1630, 63rd Congress, 3rd Session, 6.

³⁰Romine, 52.

³¹Romine, 58.

³²"Colorado Strike," *North American Review*, CC (July, 1914), 37.

³³Major John H. Nankivell, *History of the Military Organizations of the State of Colorado 1860-1935* (Denver: W. H. Kistler Stationery Co., 1935) 190.

³⁴*Ibid.*

³⁵House Document 1630, 63rd Congress, 3rd Session, 6.

³⁶House Document 1630, 63rd Congress, 3rd Session, 6.

³⁷Nankivell, 191.

³⁸*Ibid.*

³⁹*North American Review*, CC (July, 1914) 40.

⁴⁰*Rocky Mountain News*, April 21, 1914, 1.

⁴¹*The Denver Post*, April 21, 1914, 9.

⁴²*The Denver Post*, April 24, 1914, 9.

⁴³*The Struggle for Industrial Freedom*. United Mine Workers, Bulletin 2, August 20, 1914.

⁴⁴Nankivell, 191.

⁴⁵*The Chronicle-News* (Trinidad) April 20, 1914,

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 53Nankivell, 195.
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 55*The Denver Post*, April 22, 1914, 6.
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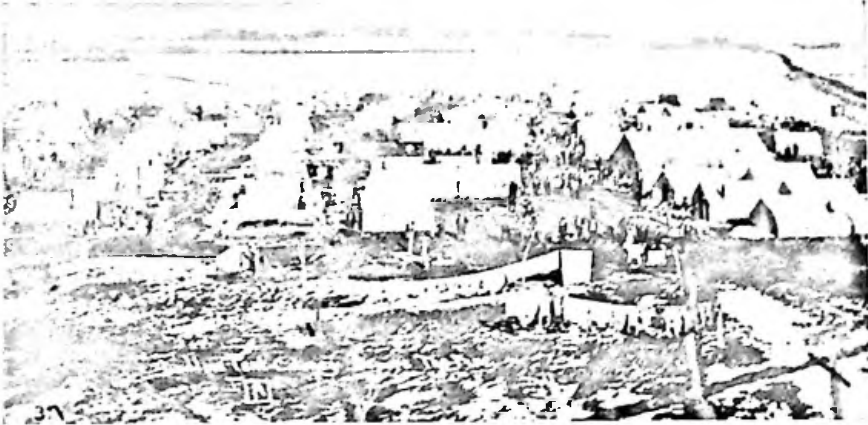
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The Ludlow Story In Pictures

From the Collection of Fred and Jo Mazzulla



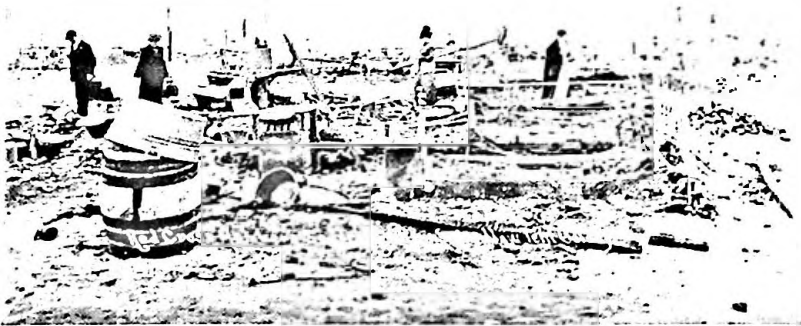
Ludlow Tent Colony Before the Fire



Remains of the Tent Colony After the Fire



**Hole in which the Bodies of 11 Children
and 2 Women were found After the Fire**



**Red Cross Members Searching Ruins
of the Ludlow Tent Colony**



**Funeral Procession of the Ludlow Victims
Leaving the Catholic Church**



**Monument Erected at Ludlow by
United Mine Workers of America**

Westerner's Bookshelf

CHRISTMAS ON THE AMERICAN FRONTIER, 1800-1900, by John E. Baur. The Caxton Printers, Caldwell, Idaho, 1961, illustrated by Charles McLaughlin, 320 pages, \$5.00.

The author is eminently qualified by his education, experience and the accessibility

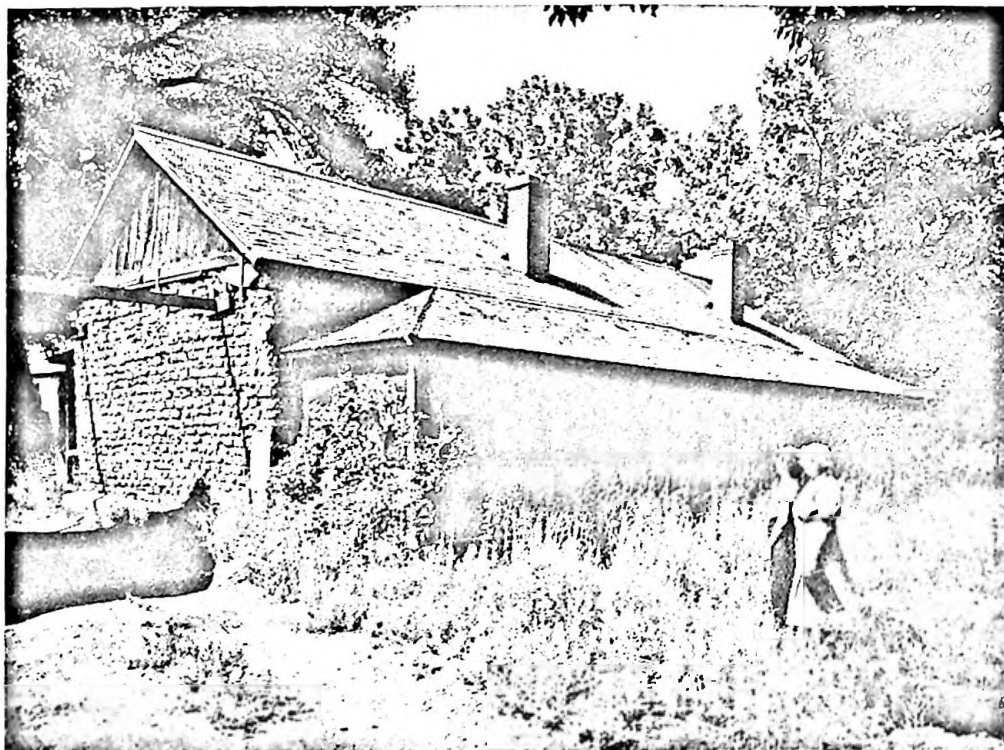
of source material at the Huntington and other excellent libraries, to compile the story of the frontier Christmas. His eyewitness quotations authenticate the events as they happened.

The illustrations by Dr. Charles McLaugh-

(Continued on Page 24)

Colorado Landmark

From the Files of Posseman Otto Roach



Francisco Plaza, LaVeta, Colorado

Early day trading post and fort for protection from Indian raids as well as the ranch headquarters of Colonel John M. Francisco.

(Continued from Page 23)

lin convey the spirit of the celebration, for such as it proved to be in many quarters.

One might form a premature opinion of the title and think that this book is just another resume of extracts from Western Americana. After you have read the first few chapters from the transplantation of the European Christmas to the Noche Buena in California, you will become intrigued with the spirit of such festivities.

The author describes the frontier Christmas of the French, Spanish and American explorers. Lewis and Clark and Pike and Party amid hardships and even on fare of Buffalo meat, passed unforgettable holidays. The Mountain men after furs, living and trading among Indians, had a dangerous Christmas but dried-apple pie compensated for the hazards endured. "Drinkables not Eatables" were more appreciable anyway.

Fights might ensue but Christmas was a merry one for all. They could dream of plum pudding but delicious Western fare of buffalo tongue, fresh venison and Elk meat topped the Eastern luxuries.

The Indians participated and their squaws furnished dance partners.

The following Chapters describe the frontier celebrations. Considerable history of every locality is injected so as to create a background for each setting. The author thus demonstrates his extensive knowledge of the history of the Trans-Mississippi West.

Despite the frivolity Christmas was always a sacred festival on the frontier.

The book is appropriate at this yuletide and one might well wish to review it yearly. A very readable book which your reviewer commends to you.

Philip W. Whiteley, M.D.