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George A. Jackson's Diary, 1858-1859

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[A sketch of the early career of George A. Jackson, pioneer gold discoverer in the Rocky Mountains, was published in the *Western Mountaineer*¹ of Golden, Colorado, on December 14, 1859. Jackson was then living at Golden and was interviewed for the story. This, the earliest and most complete account of Jackson's career, has particular value because of its contemporary character. The first part of the sketch follows:

"George Andrew Jackson, was born in Glasgow, Howard County, Mo., July 25, 1836,² and is consequently 24 years of age. He is in robust health, in stature near six feet, a genial companion, generous and free-hearted. He left his native town April 14, 1853,³ for California, where he arrived after a five months' trip across the plains. Here he remained engaged in mining until the spring of 1857. On the 23d of May of this year he left Sacramento for his home in Missouri, recrossing the plains, in company with seven others. About the first of August he reached his home; he remained here only about six months, when in the spring of '58, he again started on a trip across the plains. From hints thrown out by some mountaineers whose acquaintance he had made, he believed and still believes that gold exists upon Laramie Fork and the Sweetwater. This was before the discovery of gold on Cherry Creek. Jackson arrived at Fort Laramie in the fore part of August, where he remained some two weeks, when he made the acquaintance of several old mountaineers, among whom were Antoine and Nicolas Janis,⁴ and Antoine Lebeau.⁵ On the 27th he started in

¹The file of this paper is in possession of Mr. and Mrs. H. F. Parsons of Golden, who kindly lent it to the State Historical Society for study.

²Jackson's son-in-law, Mark W. Atkins, said that Jackson was born July 24, 1832.—Quoted in J. C. Smiley, *History of Denver* (Denver, 1903), 267.

³This tallies with data given by Jackson's daughter and published in Smiley, *History of Denver*, 268: "When my father left Missouri he was but sixteen years of age—just a mere lad. He joined a party headed by Kit Carson (who was a cousin), who was on his way to California during the first gold excitement." Carson drove a herd of sheep from New Mexico to California in 1853. Our data on the famous scout do not give the names of his helpers on the trip.

⁴The Janis brothers (spelled variously) were well known fur traders of the West. They helped found the pioneer town of Colona (LaPorte) on the Cache la Poudre.

⁵We have found no data regarding Lebeau, unless the following refers to him: LeBean was a trader with the Sioux at Ash Hollow in February, 1848 (Victor, *River of the West*, 438); and a LeBow left the Ebberts party on the way to Oregon (Ebberts' manuscript in the Bancroft Library, University of California). With various spellings rendered for French trappers' names definite identifications is difficult.

company with Lebeau, on a prospecting tour up Laramie Fork, which they followed some eighty miles, but did not even raise the 'color.' When they returned to the fort a report was current that gold had been found on Cherry Creek. They immediately made preparations for the journey, and on the 7th of September, in company with the two brothers Janis, Wm. Scofield,⁶ 'Big Phill,'⁷ and twenty Sioux Indians, started for Cherry Creek. They prospected every creek and branch between Fort Laramie and Vasquez Fork, or Clear Creek. The first gold they found was upon the south bank of St. Vrain's Fork, where they remained some ten days; here they were joined by a party of prospectors from Cherry Creek, Mr. Oaks,⁸ Mr. Graham⁹ and several others. Jackson accompanied Mr. Oaks up the creek some ten or twelve miles, but found no better prospects than where they then were. Oaks and his party getting short of provisions returned to the Platte. It was now getting late, and Jackson and his party thought it expedient to get into winter quarters; they proceeded to the mouth of Thompson's Fork and built themselves cabins, intending to remain through the winter.

"This monotonous life, however, ill-suited the stirring nature of Jackson, on the 26th of December he left the little settlement, and started for Vasquez Fork. . . ."

Then follows a somewhat confused account which in part duplicates that given in the journal. The part of the diary here published was obtained by the State Historical Society of Colorado in 1897 from Mrs. Mark W. Atkins, daughter of Mr. Jackson.^{10]}

⁶We have found no data on Scofield.

⁷This is "Big Phil the Cannibal," about whom we shall publish a separate article soon.

⁸D. C. Oaks was born in Carthage, Maine, April 3, 1825. He joined the gold rush to California in 1849 and after mining a few years returned to Iowa. In the fall of 1858 he again journeyed west, with H. J. Graham and others, reaching the mouth of Cherry Creek on October 10th. He prospected until about the middle of November and then returned to "the States." Next spring he brought out a saw mill and set it up on Plum Creek, south of Denver.

⁹Hiram J. Graham was elected on November 6, 1858, to represent the pioneers of the Pike's Peak country in Washington. He journeyed to the national capital and paid his own expenses while acting as delegate.

¹⁰There has been some little controversy as to whether the journal that follows is a diary or a reminiscence. W. K. Burchinell, who was with Jackson in Ouray County during the winter of 1888-89, says (in a manuscript written in 1922 and which is in the library of the State Historical Society of Colorado) that Jackson wrote the account during the winter of 1888-89 and read parts of it to him then.

W. B. Van Atta, a Representative to the Colorado legislature from San Miguel County, when informed in April, 1923, of Mr. Burchinell's statement, gave evidence in contradiction of it. He contends that the diary was in existence before the winter of 1888-89. "Jackson and his family lived in the town of San Miguel from 1885 to 1887," said Mr. Van Atta, "during which time I was his neighbor and knew him well. I visited at his house and he at mine and we saw much of each other. At the time he was operating the Boomerang Mine for its owners, and his wife and daughter Nina were living with him."

"I very distinctly remember the occasion on which he read the diary to me. It was on a Sunday and I was taking dinner with him when the subject of the gold discovery at the spot where Idaho Springs now stands came up. He told me many of the particulars and then said, 'Why, I have it all down in a book. If you care enough about it I will get the book and read it to you.' He then left the table and going upstairs came back after quite a while bringing with

Dec. 26, 1858. Tom Golden,¹¹ Black Hawk¹² and I left camp today for an Elk hunt. Took the old Ute trail with cart and yoke of cattle. Went into Elk Park¹³ about seven miles S.W. from our old camp on Vasquez Fork.¹⁴ Snowing. Camped at a spring in Quakenasps.



GEORGE A. JACKSON
(Taken about 1880)

Dec. 27. Still snowing. Tom hunting for oxen. Black Hawk

him a much worn and greatly soiled notebook, which probably originally had been yellow in color. This he said was the diary of the trip he had taken when he made the discovery which was the beginning of real mining in Colorado." Manuscript in the library of the State Historical Society.

It is likely that Jackson was merely recopying the diary during the winter of 1888-89, when he was with Burchinell. There is considerable internal evidence in the journal itself which would indicate that it is a diary rather than a reminiscence. The details, the sequence of entries, the afterthoughts, the accuracy of data, tend to mark it as a diary.

¹¹Thomas L. Golden was one of the founders of the town of Golden, which took his name, and of the now extinct town of Golden Gate, at the mouth of Golden Gate Canyon, about a mile north of Golden. The *Rocky Mountain News* of Oct. 3, 1860, tells of Mr. Golden's marriage on Sept. 24th preceding, to Miss Fletcher of Nevada City (near Central City) and says, "The Captain was one of the pioneer projectors of the [Golden] Gate City and is an extra clever fellow."

¹²Black Hawk has not been positively identified. This may have been a nickname for Jim Sanders, squaw man and early trapper, who was with Jackson and Golden at about this time. J. C. Smiley in his *History of Denver*, 263, says it may have been Sanders or may have been a man known as "Black Hawk," who appeared in Denver in 1859 and was subsequently hanged for complicity in a horse stealing organization.

¹³William N. Byers, who attached some explanatory notes to the Jackson journal, identifies Elk Park as present Bergen Park.

¹⁴Vasquez Fork took its name from the old trapper, Louis Vasquez, who is said to have had a fort at its mouth in the early 1830s. The stream, which enters the South Platte a little north of Denver, is now known as Clear Creek.

and myself for elk. I killed one old bull today—no good. Black Hawk killed a fine fat cow. Still snowing.

Dec. 28. Snowing fast, accompanied by high wind. In camp all day.

Dec. 29. Clear. All out hunting today. Tom down the Creek; Black Hawk to the North, and I to the two Blue Mountains,¹⁵ one and a half miles to the west. Tom killed two deer; Black Hawk, one deer and two elk. I got into camp late at night. Saw about 600 elk. Killed five cows and one bull.

Dec. 30. All off for the elk ground of yesterday; Tom and Black Hawk to bring in the meat, and I to follow up the band of elk. Left Tom and Black Hawk butchering the kill of yesterday, and took the elk trail west; followed to brow of mountain looking down on Vasquez Fork. Ran into about six hundred elk; killed one fat cow and camped.

Dec. 31. Jerked elk meat until noon, with intention of going down the mountain to Vasquez Fork. Packed my meat and blankets and started down over fallen timber and through snow four feet deep. Had a H—l of a time before I reached the creek. Went into camp on creek at dark. Dogs and I almost tired out. Made a big fire after supper, and dried my clothing and blankets. Turned in about twelve o'clock and slept good until daylight.

Jan. 1, 1859. Clear day. My supply of States grub short; 2 lbs. bread, 1/2 lb. coffee, 1/2 lb. salt. Plenty of meat for myself and dogs, so here goes for head of the creek. Told Tom I would be back in a week to our old camp above table mountain.¹⁶ Off; good traveling most of the way; killed mountain lion today; made about 8 miles and camped at Mineral Springs¹⁷ near mouth of small creek¹⁸ coming in from south. Snow all gone around the spring. Killed fat sheep, and camped under three cottonwood trees. 1,000 sheep in sight tonight. No scarcity of meat in future for myself or dogs.

Jan. 2. Drum and Kit woke me by low growls at daylight. Sheep all gone. Mt. lion within twenty steps. Pulled my gun from under the blanket and shot too quick, broke his shoulder, but followed up and killed him. Clear, high wind and very cold. In camp all day. Built boughhouse, and eat fat sheep all day. Bread all gone; plenty fat meat; "no wantum bread."

Jan. 3. Still clear and very cold. Sun dogs. Sheep came down again; are very tame; walk up to within one hundred yards

¹⁵Byers' note says: "The 'Old Squaw' and the large mountain to the right of it looking from Denver."

¹⁶Present site of Golden.

¹⁷The Soda Springs at present Idaho Springs.

¹⁸Soda Creek.

of camp and stand and stamp at me and the dogs. Mt. lion killed one within three hundred yards of camp today, and scattered the whole band again. Went up the main creek to another tributary,¹⁹ coming in from the south, a little larger than this one.

Jan. 4. Pleasant day. Made a long tramp today, followed up the Main Fork five miles. Here the main creek forks; each one about the same width; followed up the North Fork²⁰ about three miles; canons and plenty of snow. Got back to camp after dark. Mountain lion stole all my meat today in camp; no supper tonight; D—n him.

Jan. 5. Up before day. Killed a fat sheep and wounded a Mt. lion before sunrise. Eat ribs for breakfast; drank last of my coffee. After breakfast moved up half mile to next creek on south side; made new camp under big fir tree. Good gravel here, looks like it carries gold. Wind has blown snow off the rim but gravel is hard frozen. Panned out two cups; no gold in either.

Jan. 6. Pleasant day. Built big fire on rim rock to thaw the gravel; kept it up all day. Carcajou [Canadian-French corruption of an Indian name of the wolverene] came into camp while I was at fire. Dogs killed him after I broke his back with belt axe; H—l of a fight.

Jan. 7. Clear day. Removed fire embers, and dug into rim on bed rock; panned out eight treaty cups²¹ of dirt, and found nothing but fine colors; ninth cup I got one nugget of coarse gold.²² Feel good tonight. Dogs don't. Drum is lame all over; sewed up gash in his leg tonight—Carcajou no good for dog.

Jan. 8. Pleasant day—well, Tom, old boy, I've got the diggins at last, but can't be back in a week. Dogs can't travel. D—n a carcajou. Dug and panned today until my belt knife was worn out, so I will have to quit or use my skinning knife. I have about a half ounce of gold; so will quit and try and get back in the Spring.

Jan. 9. Filled up the hole with charcoal from the big fire, and built a fire over it. Marked the big fir tree with belt-axe and knife thus: [Here occurs a map of the camp, tree and prospect hole.] Cut the top off a small lodge pole pine on a line from fir tree to hole, 76 steps from big fir tree in a westerly direction. All fixed now; will be off down the creek tomorrow.

Jan. 10. Storming like H—l; high wind and cold. In camp all day. Drum can hardly walk around today.

Jan. 11. Cold; not snowing; still in camp, doctoring my dog today. His leg has swollen until it is as large as my arm above my elbow—"Carcajou no good."

¹⁹Chicago Creek.

²⁰Mr. Byers identifies this as Fall River.

²¹Byers' note explains: "A large coffee cup, or basin, holding about a pint and a half."

²²This is the gold discovery on Chicago Creek, present Idaho Springs. It is commemorated by a monument erected at the site.

Jan. 12. Made a good start down creek on ice today; traveled about five miles and camped. Got balsam and put on Drum's wounds tonight. He is very sore.

Jan. 13. Pleasant day; started late and traveled slow. Made about ten miles and went into camp in a dark canon. Drum is a great deal better tonight; Kit all right.



THE JACKSON MONUMENT AT IDAHO SPRINGS

Jan. 14. Started out early; good going on ice the most of the way; had hard time getting down some Falls today; stopped at noon two hours and whanged up my moccasins; pretty near barefooted. Got out at mouth of canon just at dark, and got down to the old camp and had a good supper of States grub. Tom was getting uneasy—a little. After supper I told him what I had found, and showed him the gold, and we talked, smoked and ate the balance of the night. I could hardly realize I had been away nineteen days.

Jan. 15. Pleasant day. Haven't seen the horses for three days. Tom after them, and I making moccasins. Tom got back with stock all right at noon. Ponies in good order. Snow six inches deep only. Good feed for stock.

Jan. 16. Both making moccasins today. Will start for Trap-

²³This was the camp of the Janis brothers and others, spoken of in the *Western Mountaineer* article.

pers Camp at the mouth of Big Thompson ²³ in a few days, to bring up my mule and apparatus.

Jan. 17. Walked down to old Arrapahoe Village;²⁴ found Marshall Cook,²⁵ Abe Lee,²⁶ Dick Cartwright,²⁷ Sam Curtis,²⁸ Ned Wyncoop,²⁹ Jerry Lewis,³⁰ and about half a dozen more had surveyed off a townsite on the location of the old village.³¹ Marshall Cook is sluicing with two boxes for fine gold on Bar of Vasquez Fork—no good; too fine to save without quicksilver, and not enough to make it pay with it. Black Hawk came up to camp with me.

Jan. 18. Will start for mouth of Thompson tomorrow. Nailed shoes on old Chief today. Black Hawk and I made Hackamore and sinches today.

Jan. 19. Left camp at ten o'clock for the River. Got as far as Arrapahoe Village, and staid all night with the boys. Played poker all night for buckskins. Jerry Lewis got away with the pack.

Jan. 20. Off for Jim Robinson's.³² Ned Wyncoop,³³ Jim

²⁴The Arapahoe Town Company was organized Nov. 29, 1858, with Marshall Cook, President; G. B. Allen, Secretary; and Thomas Golden, Treasurer.—Marshall Cook Manuscript, presented to the State Historical Society of Colorado by Mr. Cook's daughter, Mrs. H. A. Clingenpeel, of Johnstown, Colorado.

²⁵Part of the Marshall Cook Manuscript, mentioned above, was lost before it reached the State Historical Society. The portion that remains gives little biographical data. A letter written by Mr. Cook from Arapahoe City, Feb. 26, 1859, appeared in the *St. Joseph Gazette* of March 29th and in the *Chicago Press-Tribune* of April 2, 1859. It speaks in rather glowing terms of the mining prospects at "Arrapahoe Diggings."

²⁶This is doubtless the Abe Lee who was one of the discoverers of the rich diggings in California Gulch (near later Leadville) in 1860. The *Saguache Chronicle* of Sept. 2, 1876, says that Abe Lee was born in Kent County, England, came to New York in 1851 and to Denver by handcart in 1859; that he was injured at the Phillips Mine at Buckskin Joe in 1862-3; and that he was then (1876) engaged in ranching with his brother Richard on Brown's Creek, Lake County. The Federal census of 1860 (of Arapahoe County, Kansas, original in the State Historical Society of Kansas and a copy in the State Historical Society of Colorado) lists Abram Lee, age 27, as living in California Gulch with Richard Lee and A. Scott. It says that he came from Alabama.

²⁷Cartwright is not listed from the Colorado region in the Federal census of 1860. Nor have we found other mention of him.

²⁸Samuel S. Curtis was a shareholder in the Denver Town Company and is listed for the first assessment, that of Nov. 22, 1858 (Record of the Denver Town Company). He was appointed postmaster of Denver in 1861 and was commissioned a Lieutenant Colonel in the Third Colorado Cavalry during the Civil War. Curtis Street, Denver, is named for him.

²⁹Edward Wanshear Wynkoop was born at Philadelphia, June 19, 1836. He was one of the Lecompton, Kansas, Company, that reached the mouth of Cherry Creek on November 16, 1858. For a sketch of his career written by his son, see the *Collections of the Kansas State Historical Society*, XIII, 71-79. Major Wynkoop died Sept. 11, 1891, and is buried at the National Cemetery at Santa Fe, New Mexico. The State Historical Society of Colorado has an important manuscript history of Colorado (46 typed pages) written by Major Wynkoop in 1876.

³⁰Jerry Lewis, age 28, from Kentucky, was in California Gulch in 1860, according to the 1860 census.

³¹Just what he means by "the old village" is not entirely clear. He may mean the location of the prospecting party of 1834, spoken of by Marshall Cook in the manuscript cited above. Cook says the 100-foot claims he and his companions staked in 1858 tallied with those marked by the piles of rocks of the earlier prospecting party, of which Joel Estes, John Sollars, William Poe and others were members.

³²This may be the same Robinson whom T. J. Farnham met in Brown's Hole of northwestern Colorado in 1839. He was then a trader with the Indians. A. D. Richardson met Jack Robinson at Fort Bridger in 1865. He was a trapper and trader of forty years' experience. He may possibly have been the person spoken of here.

³³Wynkoop speaks of this trip in his manuscript history and says that on the first day out he froze his feet and "would undoubtedly have lost them had it not been for the kind attention he received from a party of hunters who were camped some fifteen miles below our settlement."—Wynkoop manuscript, cited above.

Sanders³⁴ and I made the mouth of St. Vrain, and staid at Noel Simenoe's³⁵ Lodge.

Jan. 21. Went through today; found the old camp all well. Chat. Dubra³⁶ and Antoine Leboa³⁷ have got my mule off after antelope; got back before night; staid all night at old Jim's Lodge.

Jan. 22. Left for Auraria. Old Phil³⁸ with us. He wants my stock to go to [Fort] Laramie for mail. We'll go up [to Auraria-Denver] and see if it will pay to go after mail.

Jan. 23. Staid all night at the mouth of Vasquez with old Teboa [or Leboa] and Neva.³⁹ Niwot⁴⁰ is sick, mountain fever, I think.

Jan. 24. Went to old Jno Smith's⁴¹ and saw Jack Henderson⁴² and Jno Ming,⁴³ who say they would give \$1.00 a letter and 50 cts a paper for all papers directed to any man in camp, also 25 cts each for all papers not over a month old that I would get at Fort Laramie and bring over. So here goes. I want to see old Seth Ward⁴⁴ anyhow.

Jan. 25. Got every mans name in camp today, and left for Table Mts.—Phil and I. Tom wants to go, and wants Phil to stay at our camp until we get back, but Phil wont do it. Packed up

³⁴Sanders, a native of Pennsylvania, was an Indian trader at Fort Laramie when the Pike's Peak excitement occurred. The Elbridge Gerry account books (copies in the State Historical Society of Colorado Library) carry his account for goods in September, 1857. He and his squaw left Denver on November 23, 1858, and went to Fort Laramie for the mail, which they delivered in Denver on January 8th.—*Reminiscences of General William Larimer, etc.*, 135-6.

³⁵Francis Parkman met Simoneau at Fort Laramie in 1846. He was Henry Chatillon's "fast friend, and the only man in the country who could rival him in hunting," according to Parkman (*Oregon Trail*, 95).

³⁶"Chat DeBray" was one of the early traders at Bent's Fort.—*History of the Arkansas Valley, Colorado* (Baskin & Co., 1881), 828. A. D. Richardson, the journalist who visited Denver in 1859, speaks of DuBray as an old trapper who had spent several years among the Arapahoes and spoke their difficult language.—Richardson, *Beyond the Mississippi*, 193.

³⁷We have found no data regarding Lebeau, unless the following refers to him: LeBeau was a trader with the Sioux at Ash Hollow in February, 1848 (*Victor, River of the West*, 438); and a LeBow left the Ebberts party on the way to Oregon (Ebberts manuscript in the Bancroft Library, University of California. Photostat copy in the library of the State Historical Society of Colorado). With the various spellings rendered for French trappers' names, definite identification is difficult.

³⁸See note 7, above.

³⁹Neva was an Arapaho leader.

⁴⁰Niwot, or Left Hand, was an Arapahoe chief. He spoke English well (Richardson, *op. cit.*, 190). He had been back to "the States" and returned to his people in the fall of 1858 with the Marshall Cook company. See Marshall Cook manuscript, *op. cit.* The town of Niwot, in Boulder County, is named for him.

⁴¹John Simpson Smith was a famous Indian trader, interpreter and a pioneer of Denver. He was born in Frankfort, Kentucky; was apprenticed to a tailor, but soon left to become a western trapper.—Indian Agent Thomas Fitzpatrick's Report of October 19, 1847. He married a sister of Yellow Horse of the Cheyennes. Lewis Garrard spent some weeks in his lodge among the Indians in 1846.—Garrard's *Wah-to-Yah and the Taos Trail*. The Elbridge Gerry account books list the merchandise Smith obtained for trade on the South Platte in 1857 and 1858. His son Jack was killed during the notorious Sand Creek affair of November, 1864.

⁴²Henderson established a ranch on an island in the South Platte some miles below Denver in 1859.

⁴³Ming was a merchant of Denver in 1859.

⁴⁴Ward was an old-time trapper and was at this time trader at Fort Laramie. He had been in Brown's Hole as early as 1839.

grub for the trip and got D. C. Oak's⁴⁵ Henry rifle for Phil, and I take my old Hawkins.⁴⁶

Jan. 26. Left early; fine day; followed the old trail along the base of the mountain and staid with Jack Rand⁴⁷ on St. Vrain.

Jan. 27. Off early; found Antoin and Nick Janiss⁴⁸ with several others at the crossing of Cache a La Poudre. Camped tonight on Box Elder; snowing.

Jan. 28. Started early; still snowing a little. Made about forty miles today, and camped on a tributary of Lodge Pole.

Jan. 29. Cold and clear; off early. Passed a Brule [Sioux] village on Chugwater; Swift Bird and Choka with a hunting party. Hard day's travel. Camped on Chugwater. Phil shot six times at a band of deer, and killed nothing but powder. Henry rifle "no good" for deer; some good for prairie dog.

Jan. 30. Snowing. Got to Deer Creek, and went into camp with Lightner's men.

Jan. 31. Went down to Fort Laramie today; got all the letters I could raise on my list, and about a hundred papers all told. Came back to Deer Creek camp. Left Phil at old Seth's. If he gets drunk, I will leave him.

Feb. 1. In camp all day. Horses on good feed. Phil got back tonight half drunk. Will start back tomorrow. Found Phil's bottle; broke it.

Feb. 2. Got the stock up and ready to start. Phil still asleep. Eat breakfast and woke him up. He wants to go, so had to wait until he had his breakfast. Off in snow storm. Made Swift Bird's village—and camped. Phil as cross as a bear all day.

Feb. 3. Started early; clear and cold; good traveling; made 40 miles and camped after dark at Medicine Trail, south of Divide. Phil's pony came near giving out today.

Feb. 4. Killed a fat doe this morning within 100 yards of the campfire. Staid in camp until noon. Good feed for stock. Off after dinner; made 25 miles and camped at Deer Springs in the foothills.

Feb. 5. Started early; only went as far as Cache a La Poudre; staid with Antoin Janiss. Phil's pony nearly played out; no good.

Feb. 6. Off for St. Vrain; camped on South Fork; killed an antelope. Phil killed two sprig-tailed grouse.

⁴⁵D. C. Oakes' rifle, presumably the one mentioned here, was procured by the State Historical Society of Colorado in 1934, from Oakes' daughter, Mrs. Bennet.

⁴⁶The Hawken rifle, made in St. Louis, was the pride of the frontier. Samuel Hawken was presented a silver trumpet by the Missouri Fire Company at St. Louis on October 20, 1845.—*St. Louis Reveille*, Oct. 22, 1845. S. Hawken, a "son of Uncle Samuel," had a gunshop in Denver in the early 1860s.—*Rocky Mountain News*, May 2, 1860; April 5, 1862.

⁴⁷Jack Rand, a rough and grizzled pioneer, was living on the Muddy, 25 miles west of Hot Sulphur Springs in 1879. He later moved to North Park and finally to Denver.—E. M. Harmon, "The Mail Carrier's Substitute," in *The Trail*, Vol. II, No. 3, p. 17.

⁴⁸This was doubtless the beginning of Colona, or LaPorte.

Feb. 7. Off early; made Jno Smith's lodge, and gave out letters and papers, and collected \$132 for the trip, besides bringing back 10 lbs of powder, 2,000 caps, and 50 lbs. trade bullets, with some extra traps. Gave Phil \$50. He owes Al Garwitch \$100 but won't give him a dollar; wants to save his money and buy whiskey—the old brute.

Feb. 8. Left my mule with Jack Jones,⁴⁹ and went up to camp on Vasquez Fork; found Tom and Black Hawk well and hearty. One letter for Tom; none for B Hawk. His friends are like mine—all dead. Old Chief looks a little like he had had a hard trip; good feed; will be all right in a few days.

Feb. 9. Graining skins today to make coat and pants; got plenty of buckskin needles and saddler's silk now. Lower boys came up from Arrapahoe for mail. They say they will have a big town down there in the Spring; want us to move down. Dont think we will—"No likum town." Will bounce out for head of Vasquez as soon as warm weather comes. No towns for us. Tom is the only man who knows I found gold on head of the creek, and as his mouth is tight as a No. 4 beaver trap, I am not uneasy.

Feb. 10. At work making buckskin. Snowing a little, almost rain.

Feb. 11. Still snowing and raining a little. Snow all gone off south hill sides. Went down to Chicago Company's camp today. Sampson and Horton⁵⁰ came back to camp with me and staid all night. They have the best supply of grub and mining tools of any company in the country. Tom and I have been talking of letting them go in with us and open the mines at the head of the Creek in Spring. Haven't said anything to them yet about it. They are good men and verry anxious to find diggings up in the mountains. Want me to go with them in the Spring, and prospect the streams until we find diggings.

Feb. 12. Still at work at skins. Tom went down to Chicago Company's camp and got a pair of scissiors today. Swapped Bear bacon for scissiors; nice warm day.

Feb. 13. Drum and Kit caught a Buffalo Ranger [a solitary old bull that has been driven out of the herd] this morning and killed him, two hundred yards above the camp; got his skin in the lodge. Smoked deer skins today. Arrapahoes in camp—want to "swap" for sugar; no sugar. Traded 10 lbs. of trade balls for Buffalo robes and bear skins. Niwot has moved up on South Fork

⁴⁹Alias William McGaa, a trader with the Indians, who was taken in as a member of the Denver Town Company. His wife (half Sioux) gave birth to the first child born in Denver, on March 8, 1859.—J. C. Smiley, *History of Denver*, 244.

⁵⁰We have found no further data in reference to these members of the Chicago Company.

of St. Vrain. Neva is with this band. Gave Neva his dinner, and they moved over on north fork of creek to camp.

Feb. 14. Snow is nearly all gone out of the valley; weather warm and fine. Big band of sheep on South Table Mt. Went after them. Tom killed two and I one; all fat. Gave Chicago Company two. Simmons⁵¹ shot four times, but got no sheep. Sampson says he couldn't kill a sheep if he had it tied. Horton, he says, is too lazy to hunt. They have all got good guns and plenty of ammunition, but are poor hunters, I think.

Feb. 15. I cut out a pair of pants for each of us today. Tom wants me to make his too. I wont do it; want to see what kind of a job he will turn off in the tailor business. Lined mine with flour sacks. Tom makes his without lining. Phil and Al Garwitch came into camp today; are going up to Arrapahoe Camp on South Fork of St. Vrain. Phil lost his \$50 first night, Big Wallace⁵² got it all at twenty-one.

Feb. 16. Warm and raining a little. Finished my pants today. Fit like dish rag on pot hooks. Tom got one leg done, and had to rip it out; wrong side of buckskin; cussin now. Got up cattle and hauled load of wood today. Oxen fat enough for beef. Old Jim Beckwith [Beckwourth]⁵³ told us last fall they would starve up here before Spring; missed his guess this time, sure.

Feb. 17. Making Tom's pants today. Tom gone to Jack Jones for my mule. All alone today.

Feb. 18. Still sewing on pants. Green⁵⁴ and Horton came up and took dinner with me. Had a "medicine talk" with them about diggings in the mountains. Say their company will furnish everything if we will find the diggings. Didn't tell them I had found any. Will talk to Tom when he comes back.

Feb. 19. Finished pants today, and went down to Chicago Company's camp; had talk with Sampson and Simmons; all anxious to go into the mountains in the early Spring and find pay diggings.

Feb. 20. Tom got back today with mule and 50 lbs. Mexican onions from old Dick Wootton.⁵⁵ Jim Vincent⁵⁶ came up with him. Jim is going to Cache a La Poudre via Niwot's camp.

Feb. 21. Jim left early for South Fork of St. Vrain. Tom and I have concluded to let the Chicago Company in with us, but wont tell them about the diggings yet awhile, until we know them better. Tom's pants fit better than mine.

⁵¹Unidentified.

⁵²No data found about him.

⁵³For the career of Beckwourth see T. D. Bonner, *The Life and Adventures of James P. Beckwourth*.

⁵⁴Unidentified.

⁵⁵For a biography of Wootton see H. L. Conard, "Uncle Dick" Wootton.

⁵⁶No further data found in reference to him.

Feb. 22. Warm cloudy day; looks like rain; went down to Arrapahoe Village today to see the boys. Marshall Cook has quit sluicing—says it wont pay. Staid all night with Sam Curtis and Ed Wyncoop. Dick Cartwright has gone down to Auraria for grub. Played poker all night with boys. Joe Foster⁵⁷ bagged the game. I lost \$20. Tom is mad.

Feb. 23. Came up to camp. Raining today. Both asleep nearly all day. Green came up and woke us about 4 o'clock in the afternoon. Snow is all off the valley and south sides of the mountains. Green says the company wants me to go prospecting with them up in the mountains; "maybe so; go in a little while." Clear night. Tom says he wont go with them. Mad at me for playing poker—just a little mad.

Feb. 24. Nice warm day; ground hogs all out scampering around like summer. Went up the creek to mouth of canon. Brought in our fox traps; no fox. Tom says he is going over to St. Joe Company's camp on Plum Creek. Good fellow, but pouts sometimes; dont want me to go with Chicago Company.

Feb. 25. Cloudy and warm. Tom out after the stock; dont know what he is going to do. Black Hawk came up and we went hunting on Hogback two or three miles south. Met Tom driving up stock; says he is going to St. Jo Company's camp tomorrow. Had "old medicine talk" with him about going into mountains with Chicago Company. He is still swelled up tonight. Dont know how it will end.

Feb. 26. Had long talk with Tom this morning; says he is going to Plum creek; dont know whether he will come back or not—foolish. Packing up his things today. Hope he will get out of the notion by morning. Warm and cloudy today.

Feb. 27. Tom is off today; says he will be back in a week or two, if they dont find gold on head of Cherry Creek. I feel bad and lonely tonight. Loaned Kit to Tom; got Drum with me. Went down to Chicago Company camp today; will start within a week or two, if weather continues good, into the mountains N. W. of camp. Want to go over on Bonita Fork⁵⁸ of St. Vrain. "Maybe so, catchum some gold." Both my horses and mule gone; afraid they followed Tom's horses off; couldn't find them today.

Feb. 28. Found my stock all right on Table Mountain. Cloudy and looks like rain tonight.

March 1. Raining. In camp all day; washing up my clothes and mending them. Made a pair of moccasins afternoon. A slow drizzling rain all day.

⁵⁷No further data found.

⁵⁸W. N. Byers, in his notes to the diary, identifies this as South Boulder Creek.

March 2. Still cloudy. Ned Wyncoop and Sam Curtis came up from Arrapahoe Village and took dinner with me. They want me to go to Laramie with Al Garwitch for mail. I went down to their camp and spent the night playing poker for buckskins; won 20 green hides and 7 dressed ones. Old Phil and Jim Vincent came up to my camp with me today.

March 3. Jim and I went after band of sheep on Table Mountain; killed four sheep and one mountain lion. Old Phil asleep when we got back; nothing cooked; both hot a little; got supper, eat it and threw away all that was left while Phil was asleep. Old brute is too lazy to cook, so went to bed hot at us.

March 4. Still cloudy and warm. Jim and Phil rolled out for Auraria today, and I grained buckskins. Niwot came into lodge while I was getting supper; going to Auraria for medicine for his sick squaw. His camp is on Bonita Fork of St. Vrain. Staid all night with me. I gave him a bottle of Perry Davis' Pain Killer and a chunk of rhubarb root for his squaw and he left this morning for his village.

March 5. Clear and warm; a regular Spring day. Got up my horses and cattle and gave them salt and ashes; all are shedding nicely. Green grass beginning to grow in good shape. Sampson and Horton came up and took dinner with me. We will start for Bonita Fork of St. Vrain tomorrow.

March 6. Left camp at noon. Green, Sampson, Horton, Simmons and I. Camped on North fork⁵⁹ of Vasquez, where it jumps out of the mountains. Good grass. Made about five miles this afternoon.

March 7. Followed the little creek up to the head of the North Fork, then over the mountain through deep snow, and down on Bonita Fork. Found Jack Henderson & Langdon's camp; six men in camp. They have found a little gold, but only float; no good.⁶⁰

[A brief outline of the subsequent career of Mr. Jackson may well be given. After mining at Jackson Diggings for some weeks he sold his claim to the Chicago Company and went to the new town of Golden. In the spring of 1860 he went to the rich region of California Gulch (near present Leadville), where he remained until the following spring, when he returned to his home in Missouri.

He enlisted in the Confederate army, fought under Generals Jackson, Shelby and Bankhead, and attained the rank of Lieutenant-Colonel. Some years after the war he returned to Colorado and again engaged in mining. In 1888 he settled in Ouray County and

⁵⁹Ralston Creek.

⁶⁰The diary ends abruptly at this point.

built a fine residence about five miles below the town of Ouray. He became the promoter of and an owner in a number of mines. His death, which occurred March 13, 1897, resulted from the accidental discharge of a gun which he was pulling from a sled.⁶¹ He had married Miss Belle Hendricks, formerly of Kentucky, and to them was born a daughter, Nina, who passed away in 1931.⁶²

⁶¹Data from Mark W. Atkins, reproduced in Smiley, *History of Denver*, 267. A silver cover for the horn of a saddle was presented to Captain Jackson by thirty of his friends on Christmas, 1895. This interesting piece, duly inscribed, is in the possession of the State Historical Society of Colorado.

⁶²George Jackson Atkins of Bonham, Texas, a grandson of George A. Jackson, supplied this data in a letter of Oct. 10, 1935.

The Constitution of Jefferson Territory

[Jefferson Territory, forerunner of Colorado, was one of those spontaneous Anglo-American governments that sprang without official authorization from American soil. It was based on the spirit of the Mayflower Compact and was similar in origin and form to the "State of Franklin" (Tennessee) and the "State of Deseret" (Utah).

The political measures that preceded it and which resulted in the formation of Jefferson Territory have been traced in a previous number of this magazine.¹ We may reiterate in brief outline. On January 28, 1859, Alexander H. Stephens of Georgia introduced in the House of Representatives a bill, which failed of passage, providing a government for the "Territory of Jefferson." This appears to have been the first application of the name to the region of present Colorado.

On April 15th following, a convention, assembled in Auraria (West Denver), resolved that "owing to the absolute and pressing necessity for an immediate and adequate government for the large population now here and soon to be among us, . . . and believing that a territorial government is not such as our large and peculiarly situated population demands" proposed the creation of the "State of Jefferson." When the constitutional convention met in Denver on June 6th the future of the prospective state was dubious, so that convention adjourned to August 1st to await developments.

Upon reassembling, it decided to submit to a vote of the people the question as to whether a State or a Territorial government be established. In the polling on September 5th the State proposition was defeated. At an election on October 3d delegates were chosen for the constitutional convention. They assembled at Denver on October 10th and in a three-day session drafted and adopted the Constitution which follows. The document was adopted by popular vote on October 24th, and at the same election a full quota of

¹L. R. Hafen, "Steps to Statehood in Colorado," in *Colorado Magazine*, III, 97-111.

Territorial officers, with R. W. Steele as Governor, was chosen. The General Assembly convened at Denver on November 7, 1859, and proceeded with its legislative work. The laws enacted were published, and constitute one of the very rare volumes of Coloradoana—*Provisional Laws and Joint Resolutions passed at the first and called Sessions of the General Assembly of Jefferson Territory, held at Denver City, J. T., November and December, 1859, and January, 1860.* Published by Authority. Omaha, N. T.: Robertson and Clark, Printers, 1860. The Constitution, however, does not appear with the laws, but it was published in the *Rocky Mountain News* of October 20, 1859, from which the following is copied.]

CONSTITUTION OF THE PROVISIONAL GOVERNMENT OF JEFFERSON TERRITORY

Preamble

We the people of the gold region of the Rocky Mountains, grateful [sic] to the Supreme Ruler of the Universe for his blessings, and feeling our dependence upon Him for a continuance of the same; do ordain and establish a free and independent government to continue until such time as the Congress of the United States shall provide a government for us; to be known as the Provisional Government of the Territory of Jefferson; the boundaries whereof to be known as follows:

Commencing at a point where the 37th degree of North latitude, crosses the 102nd degree of west longitude, and running North on said Meridian to the 43d degree of North latitude; thence West on said parallel to the 110th degree of west longitude; thence South on said meridian to the 37th degree of North latitude; thence east on the said parallel to the place of beginning.²

ARTICLE I BILL OF RIGHTS

Section 1. All men are by nature free and independent and have certain inalienable rights among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

Section 2. All political power is inherent in the people. Governments are instituted for the protection, safety and benefit of the people, and they have the right to alter or reform the same whenever the public good may require it.

Section 3. The General Assembly shall make no laws respecting an establishment of religion; nor shall any religious test be re-

²It will be noted that the boundaries comprised not only all of Colorado but liberal strips of present Utah and Wyoming.

quired of any citizen; neither shall any one be required to support any sect or denomination.

Section 4. All laws of a general nature shall be uniform in their operation.

Section 5. No laws shall be passed restraining the liberty of speech, or of the press; but persons shall be held responsible for the abuse of that liberty.

Section 6. In all prosecutions for libel the truth may be given in evidence to the jury, and if it appear that the matter charged as libellous was published with a good intent and for justifiable ends, the party shall be acquitted.

Section 7. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizure shall not be violated; and no warrant shall issue but on probable cause supported by oath or affirmation particularly describing the place to be searched and the matters to be seized.

Section 8. The right of trial by jury shall be guaranteed, but a jury of a less number than twelve may sit in inferior courts.

Section 9. All persons charged with criminal acts shall have the right to a speedy trial by an impartial jury, to be informed of the accusation, to be confronted with witnesses, to have compulsory process for witnesses, and to have the assistance of council [sic].

Section 10. No person shall be held to answer for a criminal offense unless upon the presentment of a grand jury, except in cases cognizable by a Justice of the Peace, or arising in the army.

Section 11. No person shall, after acquittal, be again jeopardized for the same offence.

Section 12. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offences where the proof is evident or the presumption great.

Section 13. The writ of habeas corpus shall not be suspended except in cases where the public good requires it.

Section 14. Excessive bail shall not be required. Excessive fines shall not be imposed, and cruel and unjust punishment shall not be inflicted.

Section 15. Private property shall not be taken for public use except just compensation is given.

Section 16. No person shall be imprisoned for debt on mesne of final process unless in cases of fraud.

Section 17. The people shall have the right of assembly and petition.

Section 18. No bill of attainder or ex post facto law, or laws, impairing the obligation of contract shall ever be passed.

Section 19. Foreigners shall have the same right of property as native born citizens.

ARTICLE II

RIGHT OF SUFFRAGE

Section 1. Every white male citizen of the United States, of the age of twenty-one years, shall be entitled to a vote at all elections held according to law.

Section 2. No person convicted of any infamous crime shall be entitled to the privileges of an elector.

Section 3. All elections by the people shall be by ballot.

ARTICLE III

DISTRIBUTION OF POWERS

Section 1. The power of the Provisional Government of the Territory of Jefferson shall consist of three parts—the Legislative, the Executive and Judicial.

ARTICLE IV

EXECUTIVE

Section 1. The executive officers shall be, a Governor, a Secretary, an Auditor, a Treasurer, an Attorney General, a Superintendent of Public Instruction and Marshall, who shall be elected at the same time as the members of the General Assembly, and shall hold their office for one year, and until successors are elected and qualified.

Section 2. The chief executive power shall be vested in the Governor.

Section 3. He shall see the laws of the Territory faithfully executed.

Section 4. He may require information from the other officers of the executive department relative to the business of their offices.

Section 5. He shall communicate by message to the General Assembly at each regular session, the affairs of the Territory, recommending such action as he may deem necessary.

Section 6. He may, when public good requires, call by proclamation the General Assembly, and in such call, he shall state the object for which the General Assembly is convened, and said body shall take no action on any other subject except those embraced in the call.

Section 7. The Governor may have the pardoning power under such restrictions as the law may provide.

Section 8. The Governor shall have the veto power, and when he shall return any act with his veto and objections, such objections shall be entered at large on the journals of each house, but the Gen-

eral Assembly may pass a vetoed bill by a two-third vote, and it shall become a law the same as if approved by the Governor.

Section 9. Each officer of the executive department shall, at least ten days before each regular session of the general session of the General Assembly, transmit to the Governor a report of the business of his office, which reports, the Governor shall forward to the General Assembly at the earliest convenience.

ARTICLE V

LEGISLATIVE

Section 1. The legislative department shall consist of a Council and House of Representatives, the members of which shall be elected from districts apportioned by this act, who shall be elected on the fourth Monday of October, A. D. 1859, and shall hold their offices for one year.

Section 2. The Council shall consist of eight members, and the House of Representatives of twenty-one members.

Section 3. Each House shall elect its own officers, and prescribe its own rules of proceeding.

Section 4. The legislative power of the General Assembly shall extend to all matters rightfully the subject of legislation; subject to the constitution of the United States.

Section 4 [5]. The General Assembly shall convene at Denver on the first Monday in November, A. D. 1859, and may adjourn to any other suitable place; Provided, the session does not extend to more than forty days, Sundays included.

ARTICLE VI

JUDICIAL

Section 1. The judicial power of the Territory of Jefferson shall be vested in a Supreme Court, a District Court, and such inferior tribunals as may be by law provided.

Section 2. The Supreme Court shall consist of three Judges, one Chief Justice and two Associates, who shall be elected at the same time as the members of the General Assembly, and shall hold their office till their successors shall be elected and qualified.

Section 3. The Supreme Court shall hold a session once in each three months, at the capital of the Territory.

Section 4. Each Judge of the Supreme Court shall hold a District Court once in each month, at a place to be by him selected in the district for which he shall have been elected; Provided, the General Assembly shall apportion said districts.

Section 5. The courts shall determine their own rules of proceedings and appoint their own clerks; Provided, the Clerk of the

Supreme Court shall be elected at the same time as the members of the General Assembly, and shall hold his office one year and until a successor is elected and qualified.

ARTICLE VII

EDUCATION

Section 1. The General Assembly shall provide at its first session for a uniform system of common schools, and for the creation of a school fund, and take such action as shall be for the interest of education in the Territory.

ARTICLE VIII

MISCELLANEOUS

Section 1. The General Assembly shall provide for the expenses of their government.

Section 2. No person shall be eligible to an office under this government who shall not have the qualification of an elector.

Section 3. The duties of all officers not prescribed in this act, shall be fixed by the General Assembly.

Section 4. This instrument shall be submitted to a vote of the people at the election on the fourth Monday of October, 1859. The form of ballots shall be "For Provisional Government," and "Against Provisional Government."

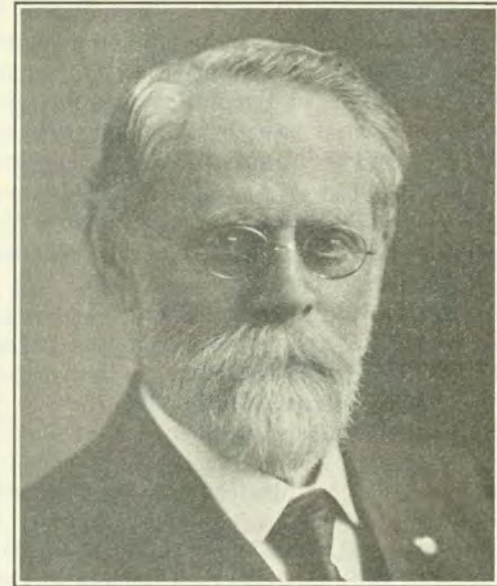
Section 5. The returns of such election shall be made to the President of the Provisional Convention, who, together with four other members of this convention shall constitute a board of canvassers who shall canvass the votes cast within ten days of the day of election, and if it appear that a majority are for Provisional Government, then this act shall be in full force and effect, and said board shall issue certificates of election to the officers elect.

Section 6. Returns of election shall be made in ten days after election.

Section 7. Contracts heretofore entered into are hereby affirmed, as also the official acts of officers, and all elections, and other acts of the people in their sovereign capacity with the officers elect, at such elections are hereby endorsed.

He was born at Lockport, New York, August 3, 1843, and at the age of six years received his first pioneer experience when the family removed to Racine, Wisconsin, where his father built and operated "The Baker House" for a number of years.

In 1857 the family again, answering the call of the frontier, started west. After numerous stops and hardships they arrived in Denver, March 20, 1860.



NATHAN A. BAKER

On arriving, the father took up one hundred and sixty acres of the lowlands, now West Denver, for farming, this land proving to be very fertile. Here was raised some of the finest stock in the country. Also, on this land were fine medicinal springs, later known as Baker's Springs, and marked by "Peace Pipe Chapter" Daughters of the American Revolution by a bronze marker on the east end of the Colfax viaduct.

Seeing the need for schools, Mr. Baker in 1862 opened and operated "The Ferry Street School," enrolling 36 pupils.

In 1865 he was united in marriage to Miss Clarissa Moyn of Venango, Pennsylvania. Mrs. Baker also lived to see and enjoy the development of the pioneer West, passing away at the age of eighty-one years. They are survived by two children, Addison E. Baker and Lily M. Sebben, both residents of Denver.

Life of Nathan A. Baker

LILY M. SEBBEN.*

Nathan Addison Baker was one of those Colorado pioneers who faced the hardships and privations of pioneer life and lived to enjoy the fruits of his former toil, as he had attained the age of ninety-one when called to his final rest on May 27, 1934.

*Mrs. Sebben, the daughter of Mr. Baker, wrote this short sketch at the request of the State Historical Society.—Ed.

Mr. Baker became associated with Wm. N. Byers as office manager of the *Rocky Mountain News* and narrowly escaped with his life when the great flood of 1864 completely swept away the *News* building. With him in the building were John L. Daily, Harry Stafford, Frank Raff and James Oliver.

He served on the Governor's Guards in 1863 and enlisted in Colonel Shoup's Regiment, Co. A, Third Colorado Cavalry.

Having a liking for journalistic work, Mr. Baker issued the first number of his paper, the *Colorado Leader*, July 6, 1867.

Business conditions in Denver not being promising at that time, the printing plant was transported by wagon to Cheyenne, Wyoming, where he published the first Wyoming newspaper, the *Cheyenne Leader*. The first issue of this paper was printed September 19, 1867, and sold for twenty-five cents per copy.

Successful in this venture, he then established two more papers in Wyoming, the *South Pass News* and the *Laramie Sentinel*.

In the spring of 1872 he disposed of his Wyoming interests and returned to Denver, where he established a fish hatchery at Baker's Springs for raising mountain trout, also entered the real estate business during the real estate boom in Denver. Later he was employed in the United States Mint in Denver as calculating expert, where he remained from 1906 to 1921.

Fraternally he was a Mason, member of No. 5 A. F. & A. M. of Denver, Knights Templar No. 1, member of the Order of Mystic Shrine and had been the fifth Master of the first Masonic Lodge of Wyoming. He was a member of Denver Chapter, Sons of the American Revolution, and served on the Board of Directors and as Vice President of the State Historical Society of Colorado.¹

¹Shortly before his death Mr. Baker presented to the Historical Society a copy of the rare and important Pike's Peak guidebook, Byers and Kellom, *A Hand Book to the Gold Fields of Nebraska and Kansas*, etc. (Chicago, 1859).
—Ed.

The Capture of the Allison Gang

FRANK A. HYATT*

Clay Allison was one of the most daring, smartest and hardest-to-get outlaws on the range. He was the leader of three desperadoes, all daring men, who carried guns, knew how to use them and didn't hesitate on the draw. Besides Allison there was Perkins, Watts and Tommy, the Kid, who was only twenty years old. The four of them had the countryside buffaloed.

What with horse stealing, holding up five stage coaches and a daylight holdup of Chama, a little place in New Mexico where

*Mr. Hyatt, famous early sheriff of southern Colorado, wrote this short story in January last. He is now 91 years old and lives in San Bernardino, Calif.

they ran the sheriff out of town, it's no wonder they had the whole range terrorized. Nobody could catch them either. They always had good horses and could shoot straight. That's why they got away so often.

I was on my way to Albuquerque one day. I'd started from home early in the morning without any breakfast. Pretty soon I began to feel kind of hungry, so when I hit a little town up the river away, I tied my horse to the hitchin' rail and went inside a restaurant to eat.

I used to have a kind of weakness for kiddin', so I started to kid the owner. I told him my name was Perkins and that my father was a wealthy stockman.

What with the smokin', bacon an' eggs an' coffee, I began to feel pretty good and was laying it on thick, when in walks Allison and his gang. I knew him the minute I laid eyes on him, but I never made a move.

They came in and sat alongside of me and ordered breakfast. He told me later that if I'd made one move to put my hand below the table edge, even to pick up my napkin, he'd have shot me. I kept on kiddin' the owner, never lettin' on that I knew Allison, and I bluffed Allison sure. He thought I didn't know him, because I was lying so. Finally, real easy like, I paid for my breakfast, and turning my back on the gang, walked out. As soon as I got outside, I ran around and hid in the little stone railroad station and watched for them to come out.

By and by out comes Allison, followed by the rest. They jumped on their horses and after tearing up and down the streets for a while, headed for Albuquerque. I hurried out then. I needed a good horse and another man, so when I met a Mexican with a couple of good looking horses, I stopped and offered him fifty dollars if he would come with me and bring his horses. He wouldn't do it so I raised it to one hundred dollars and he agreed. I sent a telegram to Albuquerque to my men, "Come meet me with good men and horses. Allison gang coming on same side of river as Albuquerque." Then the Mexican and I left.

We followed the gang, but didn't try to catch up with them. I had told the Mexican that it was a gang that had killed some Mexican in New Mexico, and he was anxious to catch up with them. He'd keep thumping himself on the chest and saying "Mucho-bravo" and "Want to hurry." But I said "No."

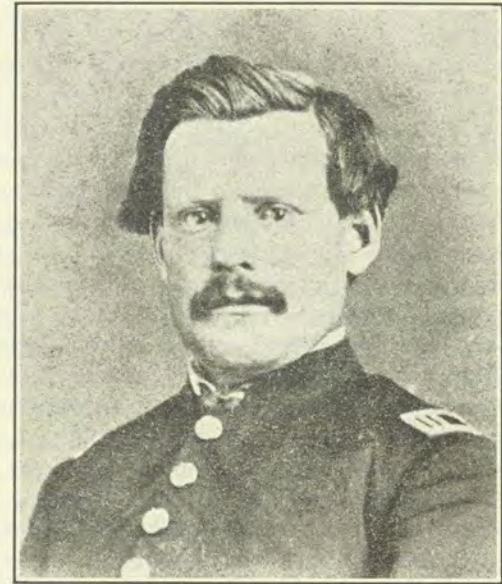
Once the outlaws stopped at a little town to water their horses. The Mexican and I had to keep on going. If we had passed right by them then Allison would have got wise sure, so we found a little road through a bean field where they couldn't see us. When we got to Albuquerque, I got my men together. Then I got a fellow

by the name of Grant, a livery stable man, to go over to the place where Allison and his gang were staying. Grant got to talking to them over the bar and told Allison he had a string of horses he was going to take to Lincoln for the races and that he was going to do some betting. The gang loved good horses, so playing on their weakness, Grant told them to come over with him to the stable and see the string. Allison said they couldn't come as they each had a couple of six-shooters buckled on them, but Grant said "Button your coat and nobody will see them." So they came.

I was hiding in the haymow and my men were hiding in the mangers. When the gang got inside, I stood up and, with a gun in each hand, yelled "Hands up" at them. Quick as a flash Allison's hands dropped to his guns, but as his coat was buttoned over them he was too late. Then my men jumped out and we had them. When they came up for trial the judge gave each of them thirty-seven years, but they were free again in less than a decade.

There was \$1,000 reward on Allison and \$250 on each of the others, but I gave part of it to the men who helped me.

of slavery than he could possibly accomplish by a continuation of border warfare in Kansas and Missouri. He told Soule that he thanked the Dow party for their plan and work for his delivery but that the cause was greater than the man, that life was only an incident in the great struggle for human liberty. Soule returned to Kansas taking the pony relay back at Brown's suggestion. Brown was later hanged at Harper's Ferry.



CAPT. SILAS S. SOULE

Captain Silas S. Soule, a Pioneer Martyr

C. A. PRENTICE*

Captain Soule's father, Amasa Soule, was sent out to Kansas as an agent of the Emigrant Aid Society of Boston in the spring or early summer of 1854. He took up a homestead on Coal Creek, about ten miles south of what was afterwards the town of Lawrence, and established the first "Underground Railroad" station in the then Territory of Kansas. He was at the head of the operations of this work for Kansas, Missouri and Arkansas. Silas, his second son and the subject of this sketch, was at that time a boy of ten or twelve years. He was raised in a very active abolitionist atmosphere and before the Civil War started, while yet in his 'teens, he became an active Jayhawker and was one of the members of the "Dow" band comprising twelve men, pledged to the cause of John Brown of Osawatimie when Brown was condemned to hang at Harper's Ferry, Virginia.

These twelve men formed a plan to rescue John Brown. They established a pony relay extending from Osawatimie to Harper's Ferry and Silas Soule was chosen to make personal contact with John Brown and arrange for his rescue. He established the contact but Brown did not approve of the plan of rescue and contended that his execution would do more to bring about the abolition

On one occasion Dow, the leader of this band, was arrested and placed in the county jail at Liberty, Missouri, on a charge of "Jayhawking," that was stealing slaves and transporting them by the "Underground Railroad" to Canada and thus freeing them. The "Dow band," disguised as a band of Missouri officers, presented themselves to the sheriff at Liberty to deliver a prisoner. Silas Soule was the prisoner. He was handcuffed but the lock on the cuff was purposely uncaught. He was taken to the bull pen of the jail where Dow was confined. When the jail door was opened he knocked out the sheriff with his handcuff and took the jail keys away from him and then locked the sheriff in Dow's place, took Dow out of the jail and the band rode "Hell for Leather" back to Kansas and were in DeSoto, Kansas, before daybreak. Their headquarters at DeSoto was in the basement or cellar of a home of Mr. Hadley, a mill and elevator man. (This was the father of Herbert

*Mr. Prentice, a member of the Historical Society from Denver, has made a number of contributions to the Society.—Ed.

S. Hadley who was afterward elected Attorney General and then Governor of Missouri, the same Hadley who drew up the constitutional amendment to the Colorado constitution for the building of the Moffat Tunnel).

At the commencement of the Civil War Captain Soule enlisted as private in the first contingent of enlistments in the Federal Army at Lawrence. He was very shortly after his enlistment, at the personal request of Kit Carson (who was a friend of his father and who had repeatedly stayed at his home on Coal Creek) transferred and became a member of Carson's scouts with headquarters at Raton, New Mexico, and he was successively Sergeant, then Second Lieutenant, then Lieutenant of Carson's Company of Scouts. When the scout service was extended and Kit Carson became Major, and Soule was transferred to the First Colorado Cavalry he became Captain of Company D of the famous "Chivington" regiment, the First Colorado Cavalry. His top sergeant was Sam Dorsey, who died in Denver some five or six years ago. Dorsey was for a great many years a police officer in Denver and in his later years a trusted employee in the claim department of the Denver Tramway Company. He told me many incidents in the personal life of Captain Soule with whom he was very congenial and a close friend.

Captain Soule was a great favorite with the men of his own company. He was at one time playing a game of cards in his quarters with his sergeant and some of the other men of his command when one of the players asked for a chew of tobacco. It seemed that no one present had any chewing tobacco, so Captain Soule offered a bet of a dollar that he would get a plug of tobacco off of the next man that passed by on the road. The next man that passed was evidently a prospector, a tall gangling man leading a pack animal. Soule, sauntering out on the road, accosted him and accompanied him a piece down the road. In about ten minutes Soule returned to the game, chewing tobacco. He resumed the game and in a moment or two he reached in his hip pocket, drew out a full plug of tobacco and passed it around. He met the stranger, borrowed a chew of tobacco, told a total stranger a funny story and so completely entranced him that he forgot that he had loaned his tobacco and that Soule had pocketed the plug and returned to camp. The bet was promptly paid. On another occasion a member of his command, who was largely given to telling big tales of his prowess as a hunter and fisherman, told a story of shooting a porcupine. Soule joined the conversation and before the story was completed the teller had changed the game from a porcupine to first a wolf, then a mountain lion, then a bear and wound up with a tiger hunt in India. Then Soule made him admit, amid a roar

of laughter, that the nearest the story teller had been to India was Indiana.

Soule on one occasion walked from near La Junta to Lawrence, Kansas, and returned in the dead of winter, to see his mother. He explained to the folks at home that the Indians were quiet, there was nothing to do, so he got a furlough, walked 550 miles, stayed over night and returned to his army duties. Though badly frost-bitten on the way east, the weather turned warm on his return trip and he suffered no ill effects from the trip. On this trip home Captain Soule started to ride horseback home but his mount became lame and he concluded to make the trip on foot.

Later the Indians committed several raids and atrocities and the military authorities became cognizant of it. Colonel Chivington ordered an attack on the Indians who were located on Sand Creek southeast of Denver. His military order was to attack without quarter and kill all Indians including squaws and papooses. He was commonly quoted as saying in his order, "Nits make Lice." Captain Soule refused to give his men the order, but read the order to his company making the comment that the order was contrary to military law and contrary to the principles of civilized warfare. General Henry ordered an army investigation into the Sand Creek engagement, which investigation was held partly in Denver and continued at Fort Lyons. General Henry declared Denver to be under martial law and Chivington was later tried by a military court. General Henry appointed Captain Soule as Provost Marshal. The feeling was pretty high and two or three attempts were made on Soule's life. On the night of the 23rd of April, 1865, a drunken brawl was started at Lawrence and "G" Street, four or five shots were fired. Soule, in company with his bride returning from a theater, heard shots and hurried towards the sound. He was met with a pistol shot that entered his cheek and ranged upward through the brain killing him almost instantly. He left a bride of but a few weeks. The spot where he was shot is about where Daniels and Fisher's store is now located. He was buried with military honors from St. Johns Church. The Reverend H. H. Hitchins preached the funeral sermon. He said in part: "It is of Captain Soule as a soldier that I may say something without fear of encroaching upon that sacred private memory that belongs alone to his widow, his mother and his friends. It is from the testimony of others that I must speak. By his commanding officers I am told that he was a good soldier, and how much does that one short adjective involve? It involves all that can be said of a soldier. It implies that he had no fear of work, of fatigue, of suffering, of danger, of death. And was it not so? Did he not in the darkness of the night, almost at the midnight hour, go out to dis-

charge his duty as commander of the Provost Guard of this city? Did he not go when he had every reason to believe that the alarm which called him out was only to decoy him into danger? Did he not go when he knew positively that his life was threatened, and that weeks ago five shots had been sent at him with deadly intent? Did he not go, feeling so certain that his doom was sealed, that he took farewell of his young wife, telling her what she must do in case he returned no more alive?

"Yes; and there is the spirit of the soldier and the good soldier, too; he did his duty in the midst of danger, did his duty in the face of death, and fell by the assassin's hand."

Captain Soule was one of a great galaxy of pioneer spirits, who builded the foundation of our state. Such men as Kit Carson, General Blount, General Henry, Colonel Cody and numerous other men of strong convictions, honesty of purpose, physically and morally brave, men who laid a firm foundation in the Territorial life, for the future of a great State and it is to these pioneers, that we owe a debt of gratitude for the moral strength and fortitude, that we have today.

When the Templetons reached Indian country they camped and waited until a hundred emigrants had assembled for the trip across the plains. With a captain elected by popular vote, the wagon train pulled away from civilization. At night the lumbering whitetops were drawn into a circle, a night herder grazed the oxen on nearby hills and each emigrant started his cooking fire by the side of his wagon. In the morning the cattle were corraled in the rude circle, yoked, chained to the wagons and the slow march continued.

On the evening of the first Saturday in the Indian country Father Templeton did not join the circle of wagons, but pulled to one side and camped. The next morning when the night herder brought in the cattle the captain came to the Templeton wagon. "Your steers are penned, Templeton," he said. "Everybody is waiting for you."

"We don't travel on Sunday," said the Scotchman.

"Oh, yes, you do," said the captain. "This is Indian country and I'm going to get every man across it alive."

"I am not afraid of the Indians. We'll catch up with you in a couple of days. The Lord will protect us."

The captain went off in a huff, talked to the other emigrants and they all came back with a rope.

"When father saw the rope," says Mr. Templeton reminiscently, "'Blame your sides' if he didn't decide to travel on Sunday. In the early days when a man wouldn't do what the crowd wanted it was usual to bring a rope and convince him."

After following the South Platte route they crossed the divide and traveled down the valley of the Fountain to Colorado City, where they arrived on July 1, 1862. One of the Templeton steers went lame on the plains and "Old Polly," the milk cow, held up his side of the yoke for the last part of the trip.

"We spent our first Fourth of July in Colorado on a picnic at Soda Springs," says Mr. Templeton. "They call it Manitou Springs now."

Father Templeton helped organize the first Methodist Church in Colorado City. He was a class leader. The family spent the first winter on the Beaver Ranch on Fountain Creek and it was a six-mile drive behind the oxen to church every Sunday.

"We used our leaders, Buck and Bright, leggy trotting steers, for church, social and pleasure trips," Mr. Templeton recalls. "Many a time I have taken mother visiting behind them. She would sit on a quilt in the back of the wagon and I would stand on my knees at the front and drive."

In the spring of 1863 the Templetons moved to town, living where the slaughter house is now. Mr. Templeton, Senior, opened

A Pioneer of the Eastern and Western Slopes

As told by HENRY TEMPLETON to J. MONAGHAN*

Henry Templeton was born near Rochester, New York, in 1856. When he was one year old, his father and mother moved to a prairie farm in Illinois, a hundred miles south of Chicago. When the Civil War broke out Henry's father tried to enlist. He was not in the best of health and when he extended his arm for the recruiting physician to feel his pulse, the doctor said, "Templeton, you can serve your country best by taking care of your wife and family."

He sold his farm and started for the West in a covered wagon pulled by three yoke of oxen. The wagon carried Henry's mother, her babies, groceries, furniture and the machinery for a flour mill. On the endgate of the wagon was a chicken coop. When a halt for the night was called where the roadside grass was good, the door of the coop was opened. The hens picked around the camp until sundown, then flew back to their coop to roost. Little Henry, now grown to big Henry, also remembers that they had a cat with kittens on the trip, and fifty cattle that the six-year-old boy helped drive part of the day. "You see," says Mr. Templeton, "I come by my cowpunching naturally."

*Mr. Templeton lives in Maybell, Colorado, today. This interview was obtained by Mr. Monaghan while working on the Historical Society's C. W. A. Project in 1934.—Ed.

a rock quarry and was soon the father of the first flour mill, and of the first baby girl born in El Paso County. This baby girl is now known as Mrs. J. S. Arthur, Colorado Avenue, West Colorado Springs. "A little boy was born east of the Fountain just four days ahead of my sister," says Mr. Templeton.

The pioneer school term in Colorado City lasted but three months each winter. "The nine months vacation," says Mr. Templeton, "was long enough to let us forget all we learned in the three."

"I was out on the plains herding cattle," he continues, "when my schoolmates, the Robins children, were killed and scalped by the Indians. It was luck that the Indians did not find me. One of those children's scalps was taken off to the ears. The little corpses were 'laid out' in a log cabin that is erroneously pointed out as the first capitol of Colorado. In the days that followed the funeral, we kids were huddled in the stockade at Colorado City."

"As a boy I had one other narrow escape from Indians. When riding up a gulch in the mountains one day, I saw some Utes on the hillside above me. As soon as they saw that I had discovered them they yelled and ran their horses down the mountainside to the trail behind me. I whipped my horse up the gulch, straight away from home but the only way I could go. The Indians followed me at full speed and the distance between us was closing.

"My trail crossed a gulch through a thicket dense enough to hide a horseman. The low limbs were woven above the creek bed on both sides of the trail. I lay on my horse's neck to prevent being scraped off, and ducked down the gulch like a gopher going into a hole. The Indians swept past before they noticed I had dodged them. When they came back they found my tracks headed toward home."

Mr. Templeton says that the first high school opened in Colorado Springs in 1870 in a building where the Elks Club now stands. Professor Parker, a consumptive, was the principal. Henry entered this school with the intention of studying medicine and becoming a doctor. Between school hours Henry helped his father support the family, which, including himself and parents, now numbered ten. In summer the boy had a job herding the town milk cows on the surrounding range. "Each evening I used to put Dr. Strickley's cow in his gate instead of the public corral," says Mr. Templeton. "In return for this favor he gave me the freedom of his office, where I could study his charts and skeleton. This gave me an advantage over the boys in school who had more time for study than I had."

Dr. Strickley had been a surgeon in the Southern army and contact with a man of his knowledge and experience was a medical course in itself. However, the growing boy saw that he was not going to have time to complete his course at the high school so he went to Professor Parker and asked if it would be possible to organize a special class for the boys who could forge ahead of the average students.

"Young man," said the principal. "I hate to break ambition but it is impossible to make another class."

The disappointed students hired a teacher and opened the private Wide Field School, south of Colorado Springs. "Our teacher," says Mr. Templeton, "was a German with his face shaved smooth and a long beard hanging from his throat and ears. I remember he used to say, 'Students, your next lesson will be as far as you can go in this book.' We covered two years work in the first six months. There was a girl, Pearl Gaines, in the class, who was smarter than I was and I used to dig to beat her. I was baching and did not have a watch so made it a rule to study every night until the eleven o'clock train came in. It generally did not come until four o'clock in the morning but I never quit until it did."

When Leadville boomed in 1879 Father Templeton started a freight line from Colorado Springs and his twenty-three-year-old son Henry helped him. They teamed over Ute Pass, through South Park and over Weston Pass to Leadville. After winter set in the freighters took the longer route down Trout Creek and up the Arkansas. While engaged in this business Henry Templeton met his future wife, a St. Louis girl of German descent, just returned from completing her education in the Fatherland. Attracted by the healthful climate, her city-bred family had recently moved to Colorado Springs. The girl's education in the way of the West began immediately after her marriage to the young pioneer.

The bearded teamsters who slept by their wagons on the open ground between the rail-head and Leadville had many strange bed-fellows. When Henry Templeton came home from his first trip he left his red underwear on the porch. His wife did not understand such a proceeding until she brought his garments into the house where the kitchen heat made them start to crawl away.

The life of a freighter was not satisfactory, so the newly married couple moved to Leadville, where Mr. Templeton spent the next three years working under ground. The last year of this employment he was put in charge of a shift at the Robert E. Lee Mine, "not because I was a better miner than the other men," says Mr. Templeton, "but because I was always ready for work

seven days in the week and was never drunk in that slaughter-house of morals."

Mr. Templeton left Leadville to take charge of a cattle ranch owned by an Englishman named Thornton and his wife moved from the roaring mining camp to a ranch in Manitou Park.

There is an unwritten law forbidding a foreman to run cattle on his employer's range so Henry Templeton invested his savings in horses. While freighting was in its hey-day draft animals brought from \$80 to \$150 a head, says Mr. Templeton. But good things do not last.

As the Pikes Peak range became overstocked, loco weed played havoc with the horse herds. Mr. Templeton found his hundred and fifty horses becoming profitless and began looking for a range free from the detested weed.

With the collapse of the mining excitement men were leaving every summer for the open ranges of northwestern Colorado. Henry wrote his brother Will, who was running Ingersoll & Alley's cow outfit on the Pecos in New Mexico, about this new Promised Land. His brother Cassius in Colorado Springs wanted to join the proposed expedition. The three brothers made ready, as their father had done before them, for a long trek to a new country. Before leaving, Henry visited his old friend Dr. Strickley, who gave him an assortment of medicines "to take to that reservation country on Bear River." The country did not turn out to be as unhealthy as the old doctor had anticipated, for Mr. Templeton had many of the original bottles of drugs in his possession when interviewed fifty years later.

Mr. Templeton's wife was in poor health and it was decided to leave her behind until a suitable home could be built in the new country. With these arrangements completed the three brothers rounded up their horses and set out for the Western Slope.

"I drove the bed and grub-wagon," says Mr. Templeton. "Will and 'Cash' drove the horse herd. We crossed South Park to Hamilton Pass—they don't use that pass much any more. From Breckenridge we drove down the Blue, crossed the Grand at the Long Ford, six miles above Kremmling, then over the Gore to Egeria Park, Twenty-mile Park and Hayden on Bear River."

The brothers drove down Bear River to the sand hills in the lower country, where the horses were turned loose on the natural upland grasses in the summer of 1884. "My brother Will and I have been partners ever since," states Mr. Templeton. "I don't mean that we have never had disagreements but we've stayed partners and still speak."

The first winter in the new country Henry Templeton built a fourteen by sixteen-foot cabin out of cedar logs, laid horizontally.

During the long winter evenings the brothers jotted down necessities they would purchase in the spring when Henry planned to make the tedious drive to the railroad to meet his wife.

On the 28th day of March, 1885, Henry Templeton, accompanied by a neighbor, George Banks, set out with teams and wagons for the Union Pacific railroad at Rawlins, Wyoming. These trips to town were made once a year by the early settlers.

When they arrived they found Mrs. Templeton waiting for them with a new baby girl suffering with croup. The delicate city-bred girl had served her apprenticeship in a mining camp and a cow ranch. Now, under these adverse conditions, she set out on a hundred and twenty-five-mile overland journey across the desert.

"You might say there were no roads in the country," says Mr. Templeton, "just trails and ruts through the sagebrush. The first house we came to was John Iron's place on Snake River. He had the Baggs postoffice, a saloon and store all under one roof. This settlement was not half way to our new home. Days later we drove up to my cabin on the banks of Bear River. It had no door and no window; a fireplace on the west side was our cook stove. There were two bunks built into the side of the cabin. Where the feet of the bunks came together I had fixed three logs to separate them. When we had a guest, and we had one often, he slept in one of those bunks. 'Well, Girl,' I said, 'Here's home!'

"Her heart fell. There was no road back to Rawlins. The cactus was thick. I stole her shoes and she had to stay."

The horses had given little trouble during the winter but with the coming of green grass it is a horse's instinct to return to the place of its birth. The brothers were gone from daylight to dark trying to keep their horses from straying from their new range. Whenever horse tracks were found pointing back to Colorado Springs, Henry galloped after them until the horses were found. At such times Mrs. Templeton stayed at the cabin alone for two or three days.

During the next ten years Mr. Templeton was constantly in the saddle. He had no more schooling, but he subscribed for medical publications and kept posted on the changes and discoveries in medicine. He treated a great many of the early settlers on Bear River and brought over fifty babies into the world, but as his stock increased he did less and less in the practice of medicine.

When the cowboys, aided by the militia, expelled the Indians from their old hunting grounds in the upper country in 1887, the Templetons, located in the lower country, were not affected by the disturbance. But when the Indians were expelled from the lower country ten years later, Mr. Templeton witnessed the fight and is the only white man living today who took part in the conflict.

In the nineties the game laws were being enforced for the first time, and the settlers objected to being limited in their killing of game while the Indians still killed deer by hundreds. Had the Utes confined themselves to the deer it would not have been so bad but the settlers believed, with foundation, that the Indians did not scruple against killing a fat steer now and then.

For several years the game warden had been urged to make an example of the red men. In the fall of 1897 a newly appointed warden named Wilcox deputized nine men and set out for Indian hunting grounds. The posse rode to Templeton's ranch on Bear River and Wilcox said, "Mr. Templeton, I have come to deputize you to go with us. You are friendly with the Indians and I want you to talk to them, tell them that we must arrest one or two of their hunters, take them before a justice of the peace, and have their agent come from the reservation to pay their fine. After the agent has done that perhaps he will keep them on their reservation."

"I know you have the authority to deputize me," said Mr. Templeton, "but there is one thing that I am going to tell you. My wife has a weak heart and if she is afraid for me to go I am not going, authority or no authority."

"We don't want to fight the Indians," said Wilcox. "We want you to go along so there will be no fighting. Let me speak to your wife."

Mrs. Templeton said: "I don't see why Henry should not go if he is going as a peacemaker." So the men set out.

Wilcox was the leader, says Mr. Templeton. In the posse was Charles McCormick, Ed Brotherton, Jack White, Al Shaw, Miles Overholtz, Amos Bennett, E. B. Thompson, Tom Armstrong, one man Mr. Templeton cannot remember, and himself; eleven in all.

The Indians were camped two miles below the present lower bridge on Snake River, on a terrace in the cedars west of the river bank. As the posse approached the camp Mr. Templeton said to Wilcox, "If you do not want to have any trouble leave your men here in the brush along the river while you and I go to the camp and talk to the Indians."

When the two men arrived at the camp it was deserted except for a few squaws, but Indian hunters, in twos and threes, started to arrive immediately.

The posse tired of waiting in the brush and came out into the open where they practiced running races and jumping. Some Indians, headed for camp, saw them and fled. The posse headed them off, capturing a chieftain named Star, while the rest of the hunters galloped into camp very much excited. Wilcox and Templeton rode back to the posse to see what had started the excitement. The

red prisoner was trembling. Mr. Templeton said, "What's the matter, Star?"

"They got my gun," said the red man.

Mr. Templeton said to Jack White, "Give him back his gun."

"Why do that," said Jack. "He might kill some of us."

"Look here. There is one of him and eleven of us. It's a pity if we're afraid to let him have his gun."

When his gun was returned Mr. Templeton said, "Now one of you boys roll him a cigarette. If we are going to talk to this Indian we don't want to scare him."

The possemen were riding toward the Ute camp during this conversation. When they arrived Mr. Templeton said, "Star, me your friend! We no hurt you. Just take you to justice of peace. Make agent pay your fine."

Star replied: "No! Me no go! Me fight!"

"Well, Wilcox," said Templeton, "that settles it."

"Surround the camp," ordered Wilcox. "You with short guns come with me."

Jack White was an adept with a pistol and looking for a chance to use it. He dismounted, handed his bridle reins to Henry Templeton and with a few others armed with pistols they followed the warden into the Indian camp.

In the melee that followed Mr. Templeton does not know exactly what happened. He remembers that the wardens lifted Star on to his horse and that the red man slid off on the other side. The wardens lifted him back again and were tying him to the saddle when another Indian, Shinarroff fired. (Shinarroff is Ute for God, probably something to do with Medicine-man.) Mr. Templeton says that Colorow's squaw was holding a big pistol in both hands, aiming at Wilcox, when Shinarroff's ball, missing the warden, broke one of her arms and pierced the flesh in the other.

Instantly everything was confusion, punctuated with the vicious snap of rifles and the boom of heavy pistols. Mr. Templeton's mount took fright, the half broken horse belonging to Jack White tried desperately to break away. With two frantic horses plunging through the brush and cedars on the steep hillside Mr. Templeton was too busy to see any of the subsequent fight.

When the shooting was over three Indians were lying dead in the camp and Star was still a prisoner. Mr. Templeton admits that one of the possemen pumped all the cartridges out of his gun without firing a single shot but he does not want to be unkind enough to mention the name of this doughty fighter.

As the prisoner was marched away between two horsemen he suddenly ducked under one of the horse's necks and ran down

the steep slope through the cedars. Many shots were fired but the fugitive escaped.

As the possemen returned to the Vaughn Ranch on Bear River they met Mr. Coombs, a traveling salesman from Kansas City, who was being driven from Brown's Park to Craig by a man named Gable. The entire party slept fifteen in a bed that night—just lay on the floor with covering over them. The men took turns standing guard outside the ranch house. In the middle of the night they were aroused by a volley and the sound of horses' hoofs running around the cabin. There was a scramble in the dark for guns.

"It's just the guard. He emptied his gun at an owl!"

The thunder of horses' hoofs was from the startled saddle animals.

In the morning two cowboys, Cy Bailey and Charles McCormick, set out for White and upper Bear Rivers to warn the settlers. Tom Armstrong, Jack White and Gable rode west to Lily Park to warn the Lowells and Goodwins. Mr. Templeton loaned Gable his "Little G" horse and saddle for the trip. The women and children belonging to the settlers in the lower country were loaded into wagons and sent east to Lay. The husband of a young wife with a new born baby came to Mr. Templeton: "I don't believe she is strong enough to make the trip."

"Young man," said the pioneer doctor, "jolting in a farm wagon won't hurt her as much as the worry of staying down here. Put all your quilts in the bottom of the wagon. I will go along and treat her in case of hemorrhage."

As soon as the women were taken to Lay many of the men returned to the lower country to guard their homes and livestock.

Jack White and Tom Armstrong who had ridden away to warn the Lily Park settlers, returned to the Vaughn ranch in the middle of the night, footsore and frightened. They did not know what had become of Gable. Their trail to Lily Park led back through the country where the Indians had camped. When they passed the north end of Cross Mountain some Indians saw them coming, hid in a gulch and fired on them. At the first volley White and Armstrong lost their horses and saddles and took to the rocks and cedars a-foot. They walked and hid all day and half the night. This novel form of locomotion in high-heeled boots was a curse to cowboys. The fright and exposure deranged Armstrong's brain and he never recovered. White died of typhoid fever before spring. Neither of the men knew what had become of Gable. In a day of two the "Little G" horse appeared at Templeton's ranch, sweat caked and saddleless. "Poor Gable," said Mr. Templeton, "They got him."

It was several days before the ranchmen found out what had

happened. When the Indians fired their volley, Gable, thinking Armstrong and White were killed, raced up Snake River to Thompson's ranch.

"Gable said my 'Little G' horse couldn't run at all, just jumped up and down. The Indians had fast horses yet they never caught him," said Mr. Templeton. "Do you call that 'jumping up and down'?"

At Thompson's ranch was an outlaw saddle horse that Gable could not have ridden under ordinary circumstances but today he saddled him and flew—not to the Two Bar ranch six miles away where many cowboys offered ample protection—but to his home in Brown's Park, thirty miles away, where he arrived in less than two hours. His spent horse, unsaddled, walked across the alfalfa field to the creek, drank and died.

An Indian bullet had gone through the cantle of Mr. Templeton's saddle. The bullet hole is plainly visible today. That saddle, still in service, was made for Mr. Templeton in Colorado Springs in 1883.

A cowboy who was on lower Bear River at the time has made the laconic remark: "That bullet didn't come nowhere near Gable. The Utes should have aimed at the horse's ears to hit that man."

When Sheriff Neiman heard about the disturbance he recruited a hundred men and hurried to the lower country. It was feared that the Indians would go to the reservation and return with reinforcements seeking revenge.

Before the winter was over both the State and Federal governments sent a galaxy of titled investigators to the scene of the conflict. These gentlemen called on Mr. Templeton to guide them to the site of the Indian camp. The snow was deep and it was slow, hard going. Mr. Templeton remembers that Senator C. E. Noble of Colorado Springs said, "I was flattered when the Governor called me on the phone and asked me to be a member of this investigating committee. The Governor explained that there was no salary connected with the trip and that I should go out of patriotism."

As the patriot's supply of spirits, liquid and psychic, became exhausted in the deep snow, he remarked to Mr. Templeton, "Now that I'm here I wonder whether I'm a patriot or a dampfool."

The Federal Government appointed Elisha Reynolds to investigate the affair in behalf of the Indians. After taking testimony and examining the ground, the committee told Mr. Templeton that the cowboys were completely exonerated. Having returned from a long ride across the snow-locked desert the judges and senators

ate supper at the Templeton ranch and spent the long winter evening popping corn on the kitchen stove.

Little Mrs. Templeton, who fifty years ago was given but one year to live in "that reservation country on Bear River" is still spry and active as a girl. Her eyes twinkle in happy memory of Elisha Reynolds with his big hand reaching, before his turn, into the brimming popcorn bowl.