

## Letters of S. Newton Pettis, Associate Justice of the Colorado Supreme Court, Written in 1861

PAUL H. GIDDENS\*

S. Newton Pettis was born at Lenox, Ohio, on October 10, 1827. After attending Farming and Jefferson Academies, Ohio, he taught school near his home from 1842 to 1845. During the succeeding two years Pettis read law with Joshua R. Giddings at Jefferson, Ohio, and in 1848 moved to Meadville, Pennsylvania, where he continued to study law with H. L. Richmond until the time of his admission to the bar in 1849 or 1850. Pettis then began the practice of law in Meadville, which he continued throughout his life, except when serving as a judge or a diplomatic representative of the United States abroad. Shortly after his admission to the bar, he formed a law partnership with the Honorable James Thompson, and it lasted until 1857. Appointed counsel for Crawford County, Pennsylvania, in 1856, 1857, and 1858, he ably represented the county in several noted suits. His practice was large and successful.

When Mr. Pettis entered active political life, the old parties were disintegrating and new ones were being formed over questions growing out of the Mexican War, the admission of California to the Union, the fugitive slave law, and the Kansas-Nebraska Bill. Being a native of the Western Reserve, a pupil of Joshua R. Giddings, and attaining his majority in the same year that the party was organized on the Buffalo platform, his sympathies were with the Free Soil party. Armed with facts, figures, and an intense earnestness, he publically discussed the controversial questions of the day with great conviction. In the crucial election of 1860, he was influential and unremitting in his efforts, as a member of both the state and national Republican conventions, to secure the nomination of Andrew G. Curtin as Governor of Pennsylvania and of Abraham Lincoln as President of the United States. It has been said that his patient, tactful, and skillful activity in behalf of Lincoln's nomination was the best work of his political career. In recognition of his legal ability and the fact that he was one of the most zealous and deserving Republicans in Pennsylvania, President Lincoln appointed Mr. Pettis an Associate Justice of the Supreme Court of the Territory of Colorado on March 25, 1861.

In 1862 he resigned his position in Colorado, returned to Meadville, and became very active in raising volunteers and filling quotas for the Union army. Elected in 1866, Judge Pettis served in the Fortieth Congress, but refused a renomination in 1868. Upon the death of the President Judge of the Crawford Judicial District,

\*Dr. Giddens is Associate Professor of History and Political Science at Allegheny College, Meadville, Pennsylvania.—Ed.

Judge Pettis was appointed to that position, remaining on the bench until January, 1878. While on the bench in 1877, at the request of all the Republican Representatives and Senators from Pennsylvania and many other leading Republicans of other states, his nomination for the Peruvian mission was settled and agreed upon by President Hayes and Cabinet, but he was subsequently appointed to Bolivia, where he represented the United States from 1878 to 1880. Returning from his diplomatic mission in 1880, Judge Pettis practiced law successfully in Meadville for a number of years. One of his most important cases was the winning of \$42,000 from the Peruvian government for Victor H. McCord on account of maltreatment. In the early nineties, Judge Pettis formed a law partnership with the Honorable J. D. Agnew in Washington, D. C.; a large portion of their business was in the collection of claims against the government, in which they were fairly successful. On the death of Mr. Agnew, Judge Pettis opened an office in Meadville, but continued the one in Washington. Judge Pettis died on September 18, 1900, in Meadville, Pennsylvania.

Within a few days after receiving his appointment as Associate Justice for Colorado he departed from Meadville for his western post. *En route* and after his arrival in Colorado, he wrote several letters to his friend, Joseph C. Hays, Editor of the Meadville *Crawford Journal*, who, in turn, published a number of them in the paper. These letters follow:

Denver City  
Colorado Territory, June 13, 1861

Friend Hays:—

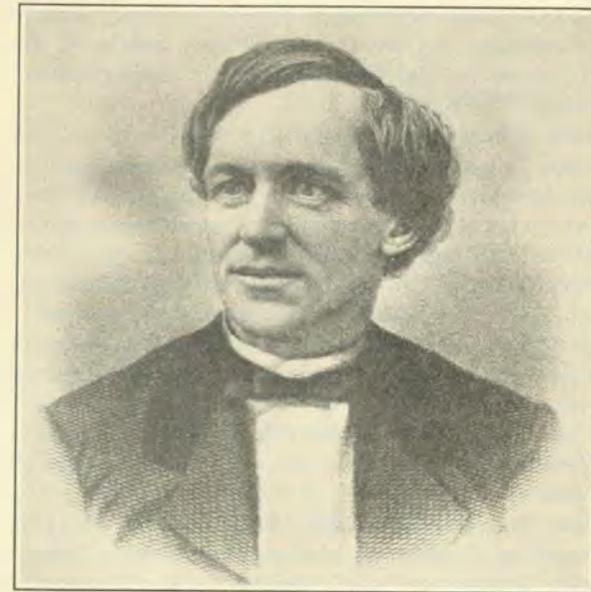
I am at last in the city of the Plains. I left St. Joseph, Missouri, on Thursday morning the 7th inst., in the Denver Express, known, however, as the "Central Overland California & Pikes Peak Express."

After writing to you from that point [letter not published by the newspaper] and before leaving St. Joseph, I gratified my curiosity by visiting the jail in which the noted Capt. Doy was confined at the time his seven friends crossed the river at the hour of midnight and released him. I need not enter into particulars with reference to that transaction as you were made acquainted with them by the gallant Captain himself some months since. The Captain was in St. Joseph the day before I left, but passed, it was said, by another name, for fear of violence being done to his person. I do not think such a precaution was necessary by any means. The loyal sentiment is gaining strength in St. Joseph daily, and I believe will soon be quite as reliable as St. Louis. Even the secession rascal who I informed you by letter from that point offered

<sup>1</sup>*Crawford Journal* (Meadville, Pennsylvania), July 2, 1861.

the indignity to the National emblem that floated from the Post-office building, I am informed, was compelled to leave the town the evening before I left. Had he remained he would have been treated more rudely.

Within a few moments after entering the Express Coach we reached the Missouri, which I think is the river of rivers. Old "Muddy," as they call her in that locality, was evidently taking a high, and her course being very crooked, seemed to be upon more than one "bender." The color of her waters at that point was very much like that of the coffee which you get at Western Hotels, after adding the *milk* which is handed to you in answer to a call



JUDGE S. NEWTON PETTIS

for *cream*. St. Joseph, however, can boast of two living institutions in the way of hotels. The "Pattee" and "Pacific" Houses are models for such a place. Once upon a Ferry Boat we were soon upon the other side of the river and found ourselves upon the soil of Kansas. No sooner had I breathed her air, than did I see the evidences of the wrongs of which her people have complained. Border life presented in every exhibition, its worst features. A neglected field here, a cabin destroyed there, a dwelling abandoned elsewhere, were objects which met my eye until they became familiar. Such monotony was soon relieved by a healthier, more welcome view. My eyes were soon gladdened, not to say dazzled by the sight of a National ensign from the window of a log hut,

containing *every star* and a *long stripe*. It called forth from our passengers a universal shout for the Star Spangled Banner, with a wish that *long may it wave*, which did the hearts of the people who had it in charge great good, if the expression of their countenances were a true index to their souls. This satisfied us all that we were Americans and not rebels. We were six in number and all bound for this city.

As we proceeded the little hills began to disappear, and beautiful plains and table lands take their places. The first spot of importance that we reached was Troy, some 20 miles from St. Joseph and in the Pottowattamie neighborhood. Of the locality you *probably* have some recollection in connection with the outrages perpetrated upon her unoffending people for long, long years and which were tolerated by an administration, which, by the magnitude of its crimes in that respect, was not only crushed out, but its party broken down.

I reached Kinney Kirk, some fifty miles from St. Joseph, for a late dinner. We saw this station with the naked eye plainly six miles before reaching it. Near here I saw for the first time in my life that which was to me really a curiosity; a fence made of turf or sod, with a slight mixture of mud. A spot is first staked off large enough for a field and then a trench dug around it, say four feet in width, and three feet deep. The turf and earth so taken out is thrown into an embankment upon the immediate shoulder or inside bank of such ditch with great care and regularity. From the top of this wall to the bottom of the ditch (which is outside of the field) it is some six feet. With the exception of this kind of a fence not one can be seen, and not a tree in sight as far as the eye can extend.

The first place of importance or note on the route after leaving St. Joseph is Marysville, and about 120 miles out. Here we stopped a few moments. It is there that Mr. Williams lives who was chosen Governor of Kansas, under the notorious Lecompton Constitution. I saw him and through the kindness of the Messenger or Conductor introduced to him. He is much such a looking man as Mr. Thomas Clemson. The town was originally settled by South Carolinians, but when nearing it, as far as we could see anything, I could see fluttering beneath a clear sky, the stars and stripes, with an earnest that seemed to indicate and tell of a floating and waiving forever.

Not until crossing her soil, and for more than two days looking out upon the sweetest and fairest face of nature that my eyes ever feasted upon, beholding her green fields north, south, east and west, until my vision was lost in the distance, gazing upon her almost unmeasurable fields of grain, as I was drawn over and through them at the rate of ten miles per hour could I understand

the heart that nerved her people not only to fight with such desperation the great odds, the invader of her soil, but to "bleed" in defence of her possessions. I can now comprehend it all. A man who would not fight and "bleed" for his home in Kansas, for his green and fertile fields, for such hearthstones and firesides as a beneficent Providence has given him—I have at hand no adequate term of reproach to visit him with—it would be worse than flattery to call him a coward. A *nonresistant*, even, would fight for a farm in Kansas, forgetting that he was ever joined to such a faith, or if necessary denying it in *toto*.

In my next I will pay my respects to Nebraska and Colorado generally and Denver in particular.

Truly,

S. Newton Pettis

Tremont House

Denver, June 25, 1861

Friend Hays<sup>2</sup>:—

I fear I am doomed to disappointment here in that which to me is the most desirable, all important—I mean the *climate*. I had fancied in this retreat, a spot not subject to the sudden and unseasonable changes for which our more northern climes are so celebrated, and have been for a few years past. Yesterday the Thermometer stood as 108 in the shade and to-day it is down to 82. The nights however are always cool and pleasant. We are almost daily visited with a gale, or gales of wind—sometimes they are terrific. The soil upon which the city stands is of a sandy nature, and when the wind is high, as in Washington City in Spring time, small sand banks are thrown up in many of the streets. I am now satisfied that the soil of Colorado Territory away from the streams of water that flow through it, is not of that *rich and fertile quality* I had believed it to be before coming here. The *truth is*, that excepting the small, very small proportion of valley land the soil of the territory is not adapted to farming. Irrigation is absolutely necessary to the growing of any crop of grain. The grass as I have told you is of a short bunt quality, of a yellowish color, and growing in small bunches, reminding you perhaps of the spots upon a chequer board. It is proper to say that from the information I have, and which I think is reliable, I am of opinion that the soil generally is well adapted to grazing. The people not only of the Territory generally but of this city particularly have for a long time been suffering from the effects of mob law and violence. It has not been long since the rowdies considered it a "mis-deal" unless they had a dead "man for breakfast." The presence of the government officials has not entirely intimidated these outlaws. I yesterday visited a spot upon one of our principal streets where

<sup>2</sup>Crawford Journal (Meadville, Pennsylvania), July 16, 1861.

the last murder was committed, and but a few evenings since. The blood which marks the spot is still fresh upon the threshold where it was deposited while the victim was in the last agonies of death. I am told that he was the son of kind and indulgent parents. With the exception of a few lines of care upon the brow the face was fair and beautiful. His infancy and childhood passed leaving his heart still pure, but as he approached manhood he turned, little by little, from the path of rectitude and virtue, a fond and living mother prayed and wept over him, his fair young sisters strove by every allurement of affection to win him back, but to no purpose—he at least while in youth received the wages of sin, *Death*.

A. B. Richmond, Esq., should have been sent here in my place. In vacation he could have feasted upon glories that do not even *interest* me. A specimen was a moment since laid upon my table which would make his eye water, indeed I will take it home to him and have him open *out* upon it. It is known as a *pyrate*, the mother of gold.

There is a great field for a competent chemist, and the scientific miner. Gold is found combined with iron, copper, antimony, sulphur and some other minerals, the gold being in such minute particles that it is not always perceptible to the eye, and no process by any means perfect has yet been discovered by which the affinity of these metals may be destroyed and the gold separated. I think A. B. R. would make the discovery if here, or *perish in the attempt*. These quartz mills as they are called I am told are run by men who, until the gold was found here, knew nothing of mining or mechanics, had never operated a steam engine, or made a chemical experiment.

There is another feature in the country which to me at least is novel. For miles after we passed Fort Kearney we observed a white deposit on the surface of the ground which resembles soda. It destroys vegetation and renders the water unfit for use. It is known as an alkaline deposit. In fact the whole country is a study and wonder to the chemist and the geologist. In the mountains every known animal has been found, with a few exceptions, and nature takes on the quaintest shapes and forms that it is possible for the mind to conceive of.

The people of the city for the last year have rejoiced in what they called a People's Government, or Provincial system, which with all its defects has served them an excellent purpose. It provided for the several courts,

1st, A Common Pleas Court for each of the three districts in the city.

2d, A Court of Appeals for the purpose of hearing all cases removed from the Common Pleas, and which possessed exclusive jurisdiction in capital cases.

I was invited this morning to attend the Court of Appeals and sit with Judge Slough during the hearing of a case of some importance. I accepted and was rather pleased with the regularity of all the proceedings.

Before the adoption of the Provincial Government, after *murder* had become more common in the city than horsestealing or petit larceny in old Crawford, the people resolved themselves into a town meeting, nominated and elected a judge, appointed a prosecuting attorney for the occasion, caused the arrest of the offender, assigned the prisoner counsel, empanelled a jury, examined witnesses, in short conducted the trial with all the formalities of courts and when the verdict was returned, if the jury found the accused Guilty, an appeal was taken to the crowd, or rather it was submitted to the spectators and if they approved of the verdict the prisoner was executed in an hour, or perhaps the next morning. It was after this manner that Gordon the great Pike's Peak desperado that figured in the "Police Gazette" about a year ago, was tried and executed here. Mr. Middaugh, formerly of Erie County, now of this city was the executioner at Gordon's request. Mr. M. had followed him into Kansas and arrested him.

On the whole this court is clearly of the opinion that it will never marry the Territory of Colorado.

Truly,  
S. Newton Pettis

Birgen Ranch

Colorado Territory, June 28, '61

Dear Journal<sup>3</sup>:—

I write you for the first time from the top of one of the Rocky Mountains. At an early hour this morning my friend, Gen. Bowen (late Attorney General of Nebraska), called at the Tremont, inviting me to accompany him to the mountains. I accepted, and in five minutes we were swiftly gliding over the plains towards the Rocky Mountain slope at the rate of ten miles per hour. At our approach, a view was presented that was more than grand. By the means of my glass it was magnified if such a thing was possible. Entering the vast region of rocks by the Apex Gulch, we found ourselves winding our way up the summit, over a very smooth turnpike known as the Apex Road. For miles we continued our ride, up, up, up, until we reached the top. Never was a mortal more surprised than I by the view that met my vision. The scene was electrifying, and in a moment I was lost in admiration. I expected to find a rough, rocky road, with craggy surroundings, similar to those which crowd themselves upon you on the heights of the Alleghenies in the old Keystone, but imagine the delight of my surprise, when all around me I saw gentle slopes, find table

<sup>3</sup>Crawford Journal (Meadville, Pennsylvania), July 23, 1861.

lands, green fields, luxuriant vegetation, and what was more astonishing than all, was the road we were travelling which was not only double track, but as smooth and free from stones as the track upon Dunham's Flats. The earth here is not parched as is the soil in the valley, or the plains at the foot of the mountains. Strawberries are all over the fields here in abundance—they are simply delicious.

Many people are here to-day. It is the county seat, and the Supreme Court for this judicial district sits here and is now in session. The Chief Justice under the Provisional Government, now here presiding, was originally of the State of Ohio. I know him. Gen. Bowen is a sort of Lion among the attorneys, and I must tell you of a little passage at arms between him and an unsophisticated sharper who was the *party* opposed to the General's client. It became necessary for the General to come down heavily upon the practice of drinking and gambling, and although the General had a few moments before indulged and imbibed, his bursts of indignation against the vile practice was happy and *virtuous*, and decidedly good—*very fine*. After he had concluded the eccentric individual arose in anything else than a calm and dignified manner, remarking, "Jeneral, I understand, indeed I am credibly informed that you are a candidate for Congress. To you I wish to say that from the tener (tenor) of your remarks and the *natur* of your discourse, I *konclude* that you are opposed to both drinking and gambling, and if *so be* you are opposed to drinking and gambling, you will get *nary* vote in our precincts!" Is it necessary to add that the house *came down*?

But once more of the sweetness of this particular spot, and the mountain scenery on the north, west and south. I wish I had a pencil to paint, or a pen that could portray the beauties, the wonders by which I am this moment surrounded. It would afford me great satisfaction if I could upon paper realize to your readers, one-half of the glories of nature that on every side seem staring me in the face. Of the atmosphere what shall I say? Such air I never inhaled before—so bracing, so invigorating. Trout streams abound here in great numbers.

The gentleman for whom this spot was named is one of the Judges of the court, and owns a farm of three thousand acres in a body. The miners in 1859 held a convention, and resolved to protect him in all time to come provided he would keep and protect their cattle and stock for the year, and as he lived up to his contract they declare they will abide by their covenant. I forgot to say that on our way here, we stopped at a house of entertainment situated upon a valley spot of ground, beneath a wildwood bower. There in that seclusion, had nature manifested a neatness and beauty of arrangement peculiar only to herself, and displayed

alone by infinite creative wisdom. An attempt upon the part of man to improve or beautify the spot, would be idle presumption, and only result in scarring the handiwork of Nature's God. My friend called for some refreshments and we were immediately shown into an adjoining room which I will call a dining-room. There we found a table supplied with apple pies, good wheat bread, sweet butter, apple-sauce, fried cakes, nice cream, and a few other articles which it is unnecessary to mention. The feast was one which I enjoyed very much. Upon leaving I was surprised by finding the bill to be only twenty-five cents apiece, but a moment's reflection accounted for the entire reasonableness of the charge. The General, my comrade, owns the turnpike, and kissing in this country as well as all others is a matter of favor. I think of giving our mutual friend, Mason, of the *Courier*, a *price current* this week, and if I do you can learn something of Colorado prices. When we leave this place we return to Denver by another road, passing through Golden City. From there I will finish my letter. Good night.

Golden City, June 29.

My friend and I reached this city this evening for an early tea. The interest which I felt on my way here from the county seat was unchanged, while the scene that attended our pathway, was as changeable and changing as life's own journey itself. Upon our way we had shade, sunshine, rain, and sunshine again, all in the space of *ten minutes*.

From an eminence and elevation that commands Denver, although in the distance, I brought it to me by my glass, and in the operation was furnished with a view, with an out-spread as fine I know as ever nature tendered to her wildest and most enthusiastic admirer. There, from an elevation of one mile above the city, did I become, as it were, dizzy, in a wondrous survey of that beneath or below—of the splendor of a bright, clear mountain, sunset, which I do not propose to show my weakness in attempting to describe. I wish my friend, Miss Lydia Davis, could witness one, and then would I love to hear her talk of the whole beds and fields of variagated flowers and roses which seem to be thrown out upon the surface, by the sun's dazzling, brilliant, yet modest good night.

By the road which we reached this city, which is near the foot of the mountain, the descent was by no means as gradual as we would have found by the road we passed up on. In more than one place that we found ourselves obliged to pass down upon, if there had been any way of getting around, I should have called them precipices, but as we had to take our chance getting over them, they must be dignified in a description, and called roads or perhaps *high-ways*. The General, in one instance led the horses and

I hitched the halter strap to the hind axle of the buggy, and prevented it from *dropping* down upon the team.

I have not had time to search out the beauties of this city, but am told that it possesses its curiosities as well as the surrounding towns. This much I can say, that within sixty rods of the Miner's Hotel, from which I write, is an abrupt elevation of rock six hundred feet high. The last two hundred feet fronting the hotel is almost perpendicular. On the north of the elevation and separated by a gulch, may be seen a brother monster, but with less regularity of proportions. I am told that on top of this is a pond of water, covering some three or four acres of ground. I am not prepared to *believe* this until I *see* it, although from my informant's character I do not for a moment doubt the correctness of the statement.

Here I had the pleasure of meeting Mr. Carter, a brother of my friend Carter well known to Cussewago, and Crawford county politics. Mr. C. is an influential man here and enjoys the entire confidence of his fellow citizens.

Denver, Friday Eve.—Home again, and between the excitement and exercise attendant upon my trip or excursion, I feel pretty weary. A sleep, I trust, will give me relief; and I hope to rise after a good night's rest with sufficient strength and an inclination to resume, at no distant day, my limited explorations in some other mountain passes.

Remember me kindly to my friends and believe me,

Yours Truly,  
S. Newton Pettis

Mount Vernon, Colorado Territory  
July 10, 1861

Friend Hays<sup>4</sup>:—

I reached this place this evening in time for an early tea. The night is very tempting and this very flourishing little spot presents a fine appearance slumbering in her beautiful valley. The moon has sunk behind the mountains yet the azure dome of heaven is studded with innumerable stars glittering like diamonds on the brow of night. The Pine forests on the north-west are on fire, lighting up the whole scene with a grandure perfectly striking. Near by, it looks as if the mountains were lit up by great watch-fires, while in the distance they look like beacons jetting out from the rugged sides.

Farmers in the neighborhood are in good spirits and prognosticate much for the fertility of this young territory. I hope they may live to realize their fondest hopes in this particular. The hills and valleys of Mount Vernon's surroundings are fairly carpeted with flowers, their fragrance and beauty delighting the

<sup>4</sup>Crawford Journal (Meadville, Pennsylvania), July 30, 1861.

senses of the traveler and sojourner, and in their transitory loveliness reminding one of the mutability of earthly things. They also furnish another lesson, the presence of an all wise Creator's hand, and we turn with reverence from nature to the great architect of earth and heaven.

Freedom in Colorado is not yet extinct, the sun of her political horizon is as with you in the States obscured by the passing cloud. Her people are for Independence still, freedom of thought and speech is their birthright, and it will not be shackled by the chains of slavery or tyranny. In view of the troubles that agitate the mother land, none but a Union spirit is cultivated by the better portion of the people of the Territory. Politics is hardly upon the carpet in Colorado, and may God deliver us from the bitterness of antagonistic feeling that has for years past raged in the States. There can be no excuse for pandering to passion here now. The consequences of political lunacy are not desired for a moment.

Indians are in camp a little way from this point and in sight. They are simply stopping over night. They will move forward in the morning. The bow and arrow has given place to the pioneer with his axe, and aggressive civilization has usurped the throne of receding barbarism. The tree of liberty planted upon the soil of Plymouth, has spread its genial shade with its starry emblem waving proudly over them, millions of freemen unite their voices in song and prayer for their whole country. Though War now spreads its ghastly form over this fair land of ours, though treason has arrayed *brother* against *brother*, and seeks to rob us of our blood-bought inheritance, still let ours be the prayer of the patriot. May our country soon be restored to its unity, our flag to its place on every rampart, and the angel of peace visit us and restore perfect harmony throughout our borders. Good night. I will conclude in the morning.

Denver, Thursday, July 11.

I reached the city this morning after a pleasant ride of an hour and a half or two hours. We have to-day been blessed with one of those old fashioned invigorating rain storms which make the earth laugh for joy. The rain came down bountifully, continuing to fall for nearly an hour. The gratifying results seem every where apparent. The dusty leaves assumed their emerald hues, the grass shoots upward with new life, and our streets no longer raise a dust with every passing zephyr. I trust this welcome shower is only the first of a series which shall prove a blessing and delight to the husbandman.

A war party of Arapahoes arrived in the city about noon to-day from the South Park, bringing with them eight Ute prisoners and a half dozen scalps. The particulars of the fight which produced these results, I cannot learn, but judging from the demon-

strations made by the Arapahoes, I am inclined to believe that it was quite a mix. The prisoners are subjected to all sorts of indignities from their captors, but the former seem to submit with good grace to the fortunes of war. I understand that a grand pow-wow is to be held near here to-night when the scalp dance and other elegant pantomimic performances will be gone through with. I have a taste or curiosity rather to gratify and shall endeavor to obtain admission to the charmed circle.

Since writing the above I have gratified that curiosity, and the gratification will answer me a life time. The capture consisted of five squaws, and three infant children. One of the squaws was the wife of a Ute Chief, who was killed in the conflict. Her features were more than interesting, she was pretty. Her child about two years old was a little darling. The indignities heaped upon this woman is a disgrace to this people who are civilized. She was made to dance around the scalp of her husband and companion. Two other squaws were in great agony in consequence of the murdering of their infant children in coldness and barbarity—so great was their anguish that they would neither eat or be comforted. This one scene of the kind is sufficient for me, it was wilder than a dream, and sadder than a death.

The Indian Agent of the Government is much at fault in this matter. The whole eight captives could have been bought for eight horses, and yet he has [not] closed the contract and they may leave here and kill the whole number, or in fact even kill them within the limits of this very city. If a person had purchased them and returned them to the Utes he could have made a little fortune, a friend of mine was negotiating for them when the Indian agent interfered to prevent it and did prevent the consummation of the matter.

The Supreme Court of the Territory will be organized soon. Very soon after I arrived here, the other judges not being in the Territory, I procured a place in the store of a St. Louis acquaintance for my young companion Mr. D. C. Herrington. He is faithful and steady and by his constant attention to business has won the entire confidence of his employer.

The clerk's fees for this place, and at Central City, will be from three thousand five hundred dollars to four thousand dollars per year. It is the best office in the Territory.

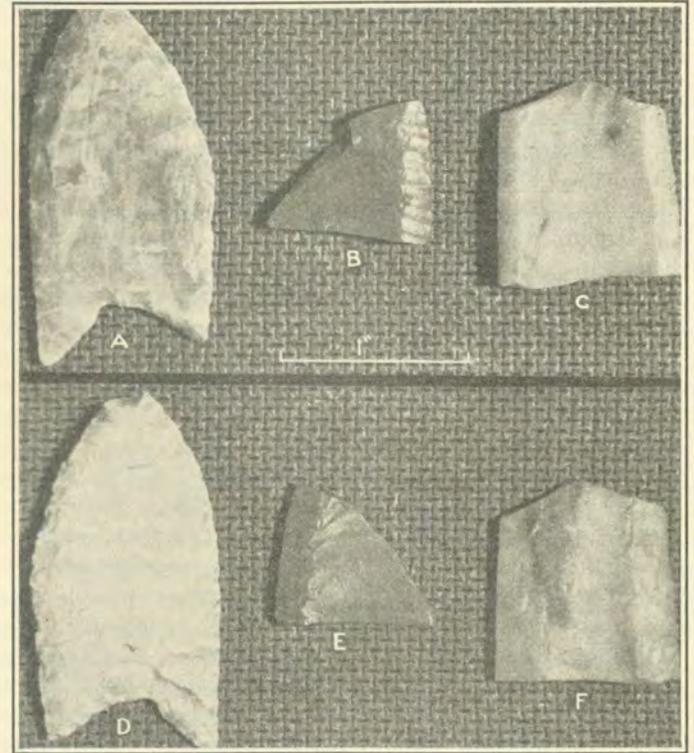
Remember me to all.

Yours Truly  
S. Newton Pettis

## Comparison of a Blade with Two Folsom Fragments

VICTOR F. LOTRICH

The past few years have seen a great interest devoted to the picking up of thousands of arrowheads, spear points, scrapers, knives, etc., by numerous local collectors over the State of Colorado. The cyclonic winds sifting the plowed sod, especially the sandy areas, have exposed these stone artifacts to the eye. But due to the sifting process, and the lack of data by the collectors, all the artifacts are jumbled, mixed together, and placed on a common



NEPESTA POINT (A and D)  
FOLSOM FRAGMENTS (B, C, E, and F)

level, and all chronology by stratification is lost. We do, however, recognize the well-defined and well-developed types, such as the Folsom and Yuma points. Knives, scrapers, etc., while they may bear resemblances to known "complexes," are not readily distinguished, and we cannot definitely place them in a category with any scientific basis, at least at the present time. Nevertheless,

in the thousands of artifacts in these collections there are no doubt many which need to be described, as from their general characteristics they may have bearing, either as forerunners or as decadent products, of the well-developed types recognized as such. One such specimen is described in this article.

The blade illustrated herewith (figure A and reverse side, figure D) was picked up in an eroded field, from which the upper layer of sand had been completely blown away, about nine miles north of Nepesta, Colorado. This blade displays some characteristics of the Folsom fragments (figures B and C, and the reverse sides E and F). The point is  $1\frac{1}{8}$  inches long and one inch wide, and is heavily coated with patina upon one side, and has a light coat on the other.

The fragment, figure B, was picked up from a sandstone ledge, lodged in a waterhole. The ledge dips into the canyon of the St. Charles River in the vicinity of Goodpasture, Colorado. The fragment, figure C, was found thirty miles north of Fowler, Colorado, in a sand blow-out.

These fragments show the fine, delicate workmanship of the "Folsom Complex." The longitudinal, or channel grooves, are extremely wide. In figures B, C, and E, the groove measures, in each instance, three-fourths of an inch at the point of extreme width of the fragments. The fragments, themselves, measure one inch. The lateral ridges are one-eighth of an inch wide. On the reverse side of figure C, in figure F, the channel groove measures only one-half of an inch. Both fragments show the exquisite marginal retouching.

In place of a single channel groove, figure A has three longitudinal grooves running almost to the tip. These were not taken off as a continuous flake but as a result of several flakings. Upon the reverse side, figure D, there are two grooves running up about one-third of the blade. At the tip there is a groove running toward the base, while the rest of the face is as it originally was as a spall. The marginal retouching is not as fine as on the fragments shown, it being more irregular, notably as to the size of the flakes taken off. Toward the tip the blade is three-sixteenths of an inch thick, from which ridge it slopes to the extreme tip and to the base.

While we may not say this is a specimen of the "Folsom Complex," we may assume this point to be of antiquity. It is, in fact, closely related to the "Folsom Complex" because of the general resemblance; that is, its parallel edges and deeply concave constricted base; its somewhat similar technique, particularly as to the longitudinal flaking; the marginal retouching; and its coat of patina.

The flaking of the point, figure A, was done for the purpose of thinning the blade, and the work done here may have been a

step in the evolution toward the thin point of the Folsom man. On the other hand, it may well be a backward step, and the blade be an end product of an art that was to be lost.

Now, due to the different types of fluted points, and the various degrees of similarity, a great deal of confusion has been created in lumping all the forms under the general terms of "Folsom" or "Yuma" points. Upon the recommendation of various authorities, we propose the name of "Nepesta Point" for the type (Figure A), thereby, keeping in mind the locality where the blade was found. In doing this we believe the type will later fall, logically, in the proper chronology, which no doubt will be disclosed by future investigations.

## Diary of a Pike's Peak Gold Seeker of 1860<sup>1</sup>

With Notes by HARRY E. PRATT

Tuesday, May 29th [1860]. Mostly fair; some spits of snow. H. out prospecting all morn; self at tent, washing, baking, and etc. Man named Kennedy mortally shot this morn; dispute about claim. Stampeders returning this eve from Quartz Run Gulch; report it full of from 3 to 20 feet snow; all staked out already, and not likely to be workable for 2 months. Report it also as discharging into Blue; they cross the Arkansas and the crest of the Snowy Range to reach it. Snow on our north hill much melted today.

Wednesday, 30th. Cloudy. Mostly detained at camp preparing to have H. leave for Grave's in the morning. By night pretty well concluded not to go. Auction today just below us of dissolving company; span of mules, harness and wagon brought \$171; cover \$4.50; bacon 50c, 59c, 48c per lb.; syrup \$3.87½ per gallon and etc.

Thursday, 31st. Rather cloudy, but pleasant. Self and H. worked on Moore's claim with him; self all day, H. part of it. Lost my butcher knife. Another auction today, did not attend it.

Friday, June 1st, 1860. Cold and windy. Went up some 2 miles to express office; found no mail in since Monday week. P. M. ditched a very little on claim; helped Moore on his claim and came home with the blues. Heard that Lincoln was nominated for President. Saw first violets today, butter cups seen several days ago.

Saturday, June 2nd. Fair. Helped Moore on cabin in morn; P. M. again preparing for H's trip to Graves'. Learned nomination of Yates for Governor today [Richard Yates, Governor of Illinois, 1861-65.]

Sunday, 3rd. Fair but cool, heavy frost every morning. Lay at camp most of day. In P. M. attended funeral of R. W. Bay of Mercer Co., Ills., who died this morn of consumption.

Monday, 4th. Cloudy. Went prospecting with H. and Haller, to Frying Pan Gulch. Packed one mule and saddled another; mule took the pack very kindly, but after reaching the valley, got away, kicked off pack and ran away; was recovered in ½ hour and again took pack easily. Forded two large branches of river, both very swift, but with foot logs; passed ranche with fair grass on right bank of river, passed low hill and entered gulch, which opens into small valley with good grass, where we camped. Went up gulch twice, last time to recorder's office. Found all the claims taken and all recorded except some flat claims. Gulch prospects well, and coarse gold; several parties at work; one \$6.25 piece

<sup>1</sup>Continued from the last issue and concluded in this. At the point where we resume the story, Edward J. Lewis, author of the diary, is at California Gulch, predecessor of Leadville, Colorado.

pure, has been found. Fried meat on stick before fire, and slept well in lodge covered with blankets, with fire in front.

Tuesday, 5th. Some 2 inches snow this morn on ground, also snowing at intervals during forenoon. Went several miles up river, and looked at 2 or 3 gulches, but found no good gold prospects. In one valley, found heavy growth of blue grass and some wild oats. At dinner at 10 A. M. and returned to Cal. Gulch. Did some baking this P. M.

Wednesday, 6th. Fair. H. and partner waiting for McKee to return from Tarryall; he returned in evening. I began ditching our claim this P. M.

Thursday, 7th. Fair. H. and friends got off at about 10 A. M. after which I baked and made soup. In P. M. ditching again. E. Moore and 2 partners took \$5.06 out of Haldeman claim with sluices in about 2 hours today. Men on Patch claim showed me about \$20; result of 2 men's work 2 days, as I understood.

Friday, 8th. Fair. Engaged ditching; took dinner with me.

Saturday, 9th. Snow squalls and high wind in eve. Ditching all day. Baked this eve. Jack Rees has sold claim 38 for \$1,200; with good team and wagon paid down.

Sunday, 10th. Snow squalls during much of day. Engaged mostly in washing clothes and etc.

Monday, 11th. Frequent snow squalls; ice in morning as usual. Visited Iowa Gulch this morn; good looking gulch, but scarcely anyone there, and recorders all missing. Returned in P. M. Saw four deer in morn. Succeeded well in steering a course thro' the woods. Some excitement about Patch claims in our gulch today.

Tuesday, June 12th. Fair. In morn hunted for Recorder of lower district Iowa Gulch and made some search for Patch claims, without success; then baked and made soup. In P. M. worked on ditch. Messrs. North arrived today. Bacon gave out this morn?

Wednesday, 13th. Fair. Ditching in morn. In P. M. attended miners' meeting at Recorder's office, several hundred present; decidedly disorderly. In eve visited Anderson's, they think they made \$10 or \$12 today. Some 14 Ute Indians visited gulch today; some 150 reported camped on river below. Boiled some rice today.

Thursday, 14th. Fair. Partly wrote a letter this morn. In P. M. ditching.

Friday, 15th. Fair. In morn, I and Tom Rees fixed limits of our gulch claims and staked some Patch claims adjoining. In P. M. wrote long letter to Sarah, and one to K. H. Fell. Stary's party returned from over range this morn, with discouraging reports; no gold, but warm country and good grass. Jack Rees also returned.

Saturday, June 16th. Fair. Ditching in morn. In P. M. some excitement about great fire in the woods to the west; many men staying at home to watch their wagons. Fought the fire a little at a point  $\frac{1}{2}$  mile or so from home, then baked. 12 Utes visited gulch today.

Sunday, 17th. Fair, but very smoky from forest fires. Washed self and clothes, baked and took a walk up to park on mountain, obtaining a fine view. though much obscured by smoke.

Monday, 18th. Fair. Ramsey started for Denver this morn; also Jack Rees for Gregory. Ditching all day; got ditch marked all the way through. Great fire along the south side of gulch today; some men moved out, but no cabins appeared to be burnt.

Tuesday, 19th. Ditching in morn. Graves and party arrived this morn; spent the P. M. with them. They gave me the first news of Herr's election in Bloomington [H. S. Herr elected Mayor].

Wednesday, 20th. Fair. Ditching in morn and part of P. M. Washed 2 pans; only got slight color. Joe Price arrived this morning. A number of Grove's party went to newly found Tennessee Gulch.

Thursday, 21st. Fair, but with high wind. Baked this morn; in P. M. finished ditch to present practicable depth up to edge of slough, although detained a good deal by a fire which swept south side of gulch and burnt Moore's cabin. Graves' party returned, report good looking gulch, but all taken up. Drake, Paul and Jordan started this eve for a months trip over the range.

Friday, June 22nd. Cloudy; raining some in eve. In morn extended ditch up to line of my claim. In P. M. made soup, walked up with Linus [Graves] to Recorder's office of upper district; baked etc.

Saturday, June 23rd. Fair in morn, some rain in P. M. In morn, walked up mountain with Linus, and came down gulch to north where some men were sinking a deep shaft; much iron ore on surface. P. M. baked again. Eve, called at Anderson's.

Sunday, 24th. Attended church at Miller's in morn. Boiled last of rice for dinner. Some rain in evening.

Monday, 25th. Baked and made soup in morn. In P. M. worked a little on claim. Some rain in P. M. Enoch arrived in eve, via Colorado [City], having left Denver Saturday eve week. He brought me 3 letters and Sunday papers.

Tuesday, 26th. Quite a rain in P. M. Linus and Oliver left for home again this P. M. Spent the day mostly in reading news.

Wednesday, 27th. E. and self digging on cross ditch in morn. Heavy rain with hail in P. M., lasting into the night. Called at Anderson's met Mr. Sparks of Bloomington and staked two bank claims.

Thursday, 28th. Rain and hail just at noon; mostly fair in P. M. Working on claims in morn; P. M. baked and etc. Notified proprietor of claim 129 this morn to ditch his claim.

Friday, June 29th. Fair in morn, shower in P. M. Doing nothing today. Jack Rees, John and Peter Pitsch, Mr. Hill and Linus Graves, arrived this evening. They report that they met Davis and Mr. Fell last Sunday near Golden City. Eve, called at Anderson's; their boys report 27c per pan in Tennessee Gulch.

Saturday, June 30th. Rain late in P. M. and at night. Rode over with Wm. Anderson to Tennessee Gulch in buggy this morn. Excellent grass and many flowers at mouth of gulch, and much and varied vegetation on mountains. Good prospects of gold in gulch; yield in cross ditch on "N° 3 below," 15c per pan. Eve, traced singular flow of rocks nearly to its source, and saw a deer.

Sunday, July 1st, 1860. Quite cold last night and ice and icicles this morn. Went up gulch this morn to fork. Jumped Patch claim 18 above, West side, but found could not record it today. Concluded to stay till morning. Spent most of P. M. down gulch with pony; self and Mr. A. [Anderson] staying in bough house during rain, which fell steadily for a good while. Bought a pie for supper.

Monday, 2nd. Cold in morn, slight sprinkle of rain in P. M. Restaked claim quite early this morn, and recorded it. Returned to California by 3 P. M. Went up to see our bank claims; found one stake gone, and claims overlapped by claims since taken.

Tuesday, 3rd. Fair all day. Prospected our bank claims some 3 feet down, without results. Notified stake driver to stake them. Made soup and mush.

Wednesday, July 4. Fine all day. Baked the last of our flour, made *soup mush*, washed self and clothes and made mush for supper. A celebration was to have been held this morning in front of Haldeman's saloon, but did not come off until P. M. when the Declaration was read by Hr. Muth, and a speech delivered by some one to a very small audience as I hear. A good deal of drinking and gambling tonight, and a dance in a dirty gambling shop up street.

Thursday, 5th. Fair. Walked down gulch this morn. Nobody now at work below claim 60, and no washing has been done below 80; at 75 a ditch has been dug almost across gulch, and abandoned. No ditching done yet on 129. P. M. did nothing.

Friday, 6th. Walked over to Tennessee Gulch this morn. Met company of 3 on the branch of Arkansas. Found Wm. Eberlin working on his claim, helped him ditch during P. M. (after miners meeting to denounce formation of new district below), messed and slept with him. Fair all day.

Saturday, 7th. I and Eberlin sunk hole some 5 ft. on my

claim, and washed three pans without finding color. P. M. helped take some boulders out of his ditch, and then he and I walked back to California Gulch. Day fair and warm.

Sunday, 8th. News this morn just as I got up of rich diggings within some 30 miles over range. Bought some provisions and in about an hour started thither on foot and with a pack in company with L. Graves, Milner ahead on pony. At bridge over Arkansas, George Barrow, a Mr. Smith and another man overtook us, one of them with a pony. Struck into woods, dined on a large creek at foot of a steep hill, entered the gulch and passed to the left of a sharp mountain which is visible from bridge; crossed the creek twice and a large tributary once, and camped for the night on latter at perhaps 6 P. M. Camped under a tree probably 20 miles from home. Many flowers on this way, some new. Rain at intervals in P. M. and at night.

Monday, July 9th. Rain at intervals during the day. Continued up gulch and crossed a rocky divide to a branch of Lake Fork of Arkansas which we followed nearly west down some very steep descents to the Fork. There the majority voted to follow a trail *down* the creek, against *my* wish. Went down some 3 miles, stream turning south and turning more south west. Met 2 men with pony returning from over range, on whose report we turned back. Barrow and Graves party ascended pass about a mile above this, where the 2 men had been up, but came down. Ascended creek to extreme head of principal fork (left hand ascending) perhaps 3 miles above where we first struck it; found it heading in quite a basin and turning back on itself in a curious way. Climbed to the summit of the Range, over a rocky and steep route, probably never travelled before. Found a steep precipice of loose rock beyond, and a perfect chaos of mountains as far as the eye could reach. Scrambled down again, passing over a huge snow bank in which I sprained my right leg, and descended another branch to Lake Fork nearly opposite our first gulch; quite a little lake of ice and melted snow at head of this branch. A furious hail storm came on while we were passing this lake the wind tossing and breaking the ice violently. Finding we had completely lost the way, we decided to go home, and so ascended our gulch some  $\frac{1}{2}$  mile and camped under tree, building big fire. Rain fell briskly from dark until near midnight. Suppose we were full 30 miles from home today.

Tuesday, July 10th. Rain at times during day and night. Continued up to divide, and descended former trail. My leg became quite lame after some 2 hours travel, and after dinner I requested company to go on and leave me, which they did. After crossing creek kept too much East and struck Arkansas valley about a mile below bridge; followed up to bridge, got some milk

and ate supper, and arrived at home about dark; leg feeling better but very tired. Found Davis and Henry and Mr. Fell here and heard very interesting account of their trip.

Wednesday, 11th. Sprinkle of rain in P. M. Staid at home all day, resting and dividing and settling up with Mr. Fell. Eve, up town a little while.

Thursday, 12th. Rain in P. M. Enoch and Davis out prospecting, self and Henry at home, inquiring prices of provisions and tools etc. Decided to sell out our stock, the other three being decidedly in favor of it, and self only hesitating.

Friday, 13th. Rain and hail about noon. Self, Davis and Fell busy all day in moving goods to tent on street, enquiring prices, selling etc. Davis mostly attending store. Enoch prospecting. Sales today \$26.80.

Saturday, July 14th. Heavy frost this morn. Very slight sprinkle of rain this P. M. Drake returned today from over the range, having made no discovery, but seen good indications. Story and others went out last night. Enoch and Milner and others this evening. Read today the proceedings of the Baltimore Convention. Sales today \$73.65.

Sunday, 15th. Rainy a good deal of day, quite hard rain in P. M. Tending store most of day while Davis and Fell went to McNeal's ranch to see about trading mules for horses. Day's sales \$16.95.

Monday, 16th. Some rain today as usual. Did little or nothing. Day's sales \$34.30. Much excitement in town tonight over the death of a man who was shot today near the mouth of Iowa gulch, by the procurement of a boy of 18 called the Texas Ranger, who had seduced the victim's wife. Efforts were made to arrest the Ranger, but he escaped.

Tuesday, 17th. Slight rain in P. M. Trying to trade wagon and mules today and got on track of what seems a chance. Day's sales \$9.40. George Anderson returned from over the Range and reports the diggings there a humbug. He met our boys last evening on the summit of the Range.

Wednesday, 18th. Some rain. Traded our wheel mules, wagon and harness to Mr. Smith of Wisconsin for a span of horses, harness and light wagon, giving \$10. boot. Davis and I first visiting McNeal's ranche to see the horses, on which trip I waded both branches of the river. Church tonight up town and a M. E. Church organized with some 15 members. Day's sales only \$3.85.

Thursday, 19th. Considerable rain about noon. Enoch and his party returned today, having discovered only that the much vaunted gulches are a humbug. Sales \$5.57 $\frac{1}{2}$ .

Friday, 20th. Some rain. Moved tent to old camp; a house

being about to go up on its present site. In evening divided goods of Co. with Enoch.

Saturday, 21st. Rain at frequent intervals during day, interfering greatly with our and Mr. Fell's auction. Things went low. Nearly sold out by night. Took dinner and supper at Haller's. Henry and Moore left this morn for Denver.

Sunday, 22nd. Smart hail about noon. Busy all day making various preparations for leaving, settling with Mr. Fell and among ourselves etc.

Monday, July 23rd. Some rain near noon and a sprinkle in P. M. Finished preparations and left California Gulch for the States early in P. M. Billy Downey accompanied us, with Murphy and Joe Price with him. Drove to ranche at ford of river, some 12 miles and camped for night, cooking in house. David and Thos. Fell are with me; Enoch remains in the gulch. Plenty of snow in sight yet on the mountains. Met Linus Graves here.

Tuesday, July 24th. Rain most of P. M. and in eve. Thomas Fell and Graves went up to California Gulch this morn with the wagon and Grave's mules. Davis and I remained camped at the ford. Washed self and clothes. John Babbitt joined us at night, to go to Denver. Considerable of a rush homeward from the new humbug gulches on this side of the range, which they say are *great* humbugs.

Wednesday, July 25th. Rain about noon and at intervals during P. M. and eve. John Rees joined us this morn, and we started with 6 in company, and with 2 of Rees' mules saddled. At foot of first sand hills our horses proved badly false, and we had to hitch the mules in advance. Dined at toll gate in gulch. In P. M. stalled very badly on a steep rocky hill, and had to get 2 yoke of oxen to pull us up. Gulch not very steep after this. Got over divide about 5 P. M. and camped a few miles below, after descending a couple of very steep hills and ascending one where we got a yoke of oxen to haul our horses up. Some snow on summit of the range, off the road, and a little lake just below. Many wild roses seen today. Journey probably 15 miles or more.

Thursday, 26th. Fair in morn. Left camp at 7 A. M. and in about 4 miles passed 2nd. toll gate and entered the [South] Park. Gulch not steep this morn and road very good. Passed a train of 27 ox wagons, 6 yoke each, bound to California Gulch with provisions. Road in the Park quite good this morn, and our horses did pretty well, although they were alone. Rees and Linus having left us with the mules at the gate. Scenery fine in the Park. Camped at 11 on a small stream in company with some Georgians and others bound for Gregory. It is called 25 miles from the 2nd. gate to Cal. Gulch and about the same to Hamilton. Left somewhat after 1 P. M. and proceeded over good road but thru a heavy

rain which lasted most of the afternoon. Crossed the Platte in some 6 miles by a deep ford, the river being high. Camped rather late, on a good creek and with fair grass, with wood not far off. Horses balked some on the last hill, but were persuaded to go on. Journey today at least 25 miles, course mostly north east.

Friday, 27th. Left camp after 7 A. M. and proceeded over a somewhat hilly but not difficult road some 5 or 6 miles to Tarryall, which we reached at about 9½ A. M. Here are two towns, Hamilton and Tarryall\* of some 25 houses each, situated respectively on the left and right banks of a small branch of the Platte, Tarryall Creek which is easily fordable, and crossed by a foot log. In Tarryall there are a number of very neat hewed log houses, two of them 2 story. The diggings are some 2 miles up the streams and the Blue diggings 12 or 15 miles over the range. It is called 60 to 75 miles to Denver. Left in an hour or so, and in 2 or 3 miles passed a very bad slue and a considerable creek, crossed a hill and at 4 or 5 miles camped for noon on a small stream, where a Minnesota Republican with his family is starting a ranche. Good pasture here. In P. M. soon left the Park, ascended the mountains by easy grades for a long way, and at 12 miles from Tarryall passed a house on the summit, and then descended for several miles a gulch, passing another toll gate and fording a large branch of the Platte, and camped in a little park in a grove of cottonwoods, having made from 20 to 25 miles today. Two other teams camped near us.

Saturday, July 28th. Left camp at about 7, and continued down the Platte, crossing it several times and passing over much very rough and muddy road. Great variety of flowers along the route. Camped for noon at a deep ford of the river. Horses stalled very badly once in morn, and again early in P. M.; also once in P. M. at a really difficult crossing of a stream, and once near the top of a hill just as a tremendous rain came on. Road hilly but mostly rather good in P. M. Camped at night at lower ford of Platte, in a pretty valley with good grass. Several other teams near. Distance today about 22 miles.

Sunday, 29th. Left at 6:40. Had a long ascent of at least 2 miles on a part of which our horses stalled, but presently went on. This was in leaving the Platte valley and bearing to the left or north. Road hilly but mostly of easy grade and very good this morn; good grass along it and several ranches built. Halted at 10½ to feed, horses seeming quite tired. Started again about noon, but got only a mile or so when a tire of the forward wheel broke, and also the springs got out of shape. Stopped and unloaded and repaired damages. Passing some pretty rough road, and the June-

\*For an account of these two ghost towns, see the *Colorado Magazine*, X, 137-143.—Ed.

tion of the Gregory road, we passed over a long hill and camped for the night in a pleasant valley,  $1\frac{1}{2}$  miles from Junction, near where a saw mill is being built by Stevens, Whitaker & Co. of Chicago. Excellent grass here. Distance today 18 or 19 miles. It is called 18 miles from the lower ford of Platte to the Junction, and about 26 thence to Denver. One or two slight sprinkles of rain this P. M.

Monday, July 30th. Left camp rather late. Road this morn rather good and mostly down hill, but with some considerable ascents. Passed in some 5 miles a sawmill in operation and another being built, then ascended a long mountain, and from its top obtained a glorious view of Denver, the Great Plains, the windings of the Platte, Cherry, Plum, Clear and other creeks. Descended this last of the mountains by a long winding and steep but tolerably smooth road, passed the toll gate (called 15 miles from Denver) and camped for noon about a mile beyond, near a good spring, in the town of Bradford.\* Here seem to be one stone and one frame house finished, an unfinished frame and three unfinished log houses. Some curious rocks, reddish and fantastically shaped and somewhat like heads of statues; others in walls and piles resembling those about Colorado City. Our first 5 miles this morn were waterless, but the whole way was carpeted with flowers. At Bradford was a thistle bearing a large white flower. Continued on after a rest of  $1\frac{1}{2}$  hours, forded Bear Creek, which was muddy and swollen. Horse quite lame and went very slowly. About sundown reached an upper bridge over Platte, but found it gone. Went some  $1\frac{1}{2}$  miles around to 2nd bridge, met Ramsey and camped in Denver under some fine cottonwoods with H. Fell, Moore and others. Slept out of doors, fine moonlight night. Took supper at Iowa House, charge 40c.

Tuesday, July 31st. Day fair and very warm. Attended auction this morn; some things sold very low, especially carpenter's tools. A pair of fine calf boots sold for \$5.00; leather do \$4.00; span matched sorrel mules \$231; roan mare 4 yrs. old \$46; bay pony much used up \$31; bay horse, 7 yrs. old and looking like a good farmhorse \$64.50. Great excitement in town about noon; a party having attacked the News office and one of them fired a shot through it; the latter then fled on a horse, crossed and re-crossed the river and came back into town, and was shot down at Bradford's corner with a gun loaded with buckshot. He died during the P. M. An accomplice, Carrol Wood was arrested by the people, and held under a strong guard during the night. Threats were said to be uttered, that the gamblers would burn the town

\*He had crossed Bradford Hill, over a road now long abandoned. The old stone house, with "Bradford" carved over the door, still stands. See the article on "The Old Bradford Hill Road," in the *Colorado Magazine*, XIII, 204-210.—Ed.

tonight, and numerous guards were set; among the rest a kind of one at our camp. A boat was building today for some of our party to descend the river home.

August 1, 1860: Wednesday. Very warm in morn; heavy rain in P. M. with violent wind which blew down our tent. Mr. [Thomas] Fell, Henry [Fell], Moore, Babbit and one passenger left early in P. M. on their long voyage.<sup>2</sup> Davis and one of the boat builders going a few miles with them. Sold our gold dust today at \$15.50 and \$16, and at a heavy loss, some \$30, in cleaning. Settled up and divided our property. I have but \$22.85 left in coin, a draft on N. York for \$25.00 and my interest in the team, tent, etc. Graves and Adolph arrived here last evening en route for home. Swam in the river yesterday morn; rather cold and very strong current, but not deep.

Thursday, August 2nd. Quite warm in morn, heavy rain in P. M. and cool at night. An assay of some ore brought by Graves from over the Range having yielded today 3 grs. gold and 6 grs. silver to an ounce of rock, he determined to return thither again, and I resolved to go with him, leaving our horses a week or 2 to recruit. Made some preparations. Got our wagon mended. Three more boats started down the Platte this P. M. Carrol Wood's trial was finished this eve, and he was banished from town, and took the Santa Fe road with some of his friends.

Friday, 3rd. No rain today, but strong and cool wind in P. M. Another boat or two went down the river today. Walked around town considerably, but did very little else. Baked morn and eve. Adolph got away this eve, with a 4 horse team. Ramsay goes tomorrow.

Saturday, 4th. Started at  $6\frac{1}{2}$  A. M. for the mountains with Graves. Rode slowly to Bradford, reaching the hotel at the spring at about  $11\frac{1}{2}$  A. M. Quite warm. A little rain just before reaching the town, and some more afterwards. A man whom we suppose to be a spy on our movements overtook us here, also two other men who are known to Mr. Graves. Took dinner at hotel for 75c. In P. M. proceeded to the Junction, got a good supper and camped for the night. The spy rode on two or three miles but came back and spent the night here.

Sunday, 5th. Fair and warm. After some hunting for our horses, got breakfast & left at 6:40 A. M. At 11 A. M. stopped and got 2 quarts milk and made a bread and milk dinner at the unfinished house this side of the divide leading to Platte: then crossed the divide, forded the river and camped for noon at about 12:00. Met Smith of Cal. Gulch in descending to the river. Resumed our journey at about 4 P. M. after some vain search for my lost saddle

<sup>2</sup>This voyage down the South Platte was soon discontinued and the land route resumed. The road was thronged with returning miners.

blanket—forded the river three times more and camped for the night in company with an ox team, on poor grass, some 8 to 10 miles below Lake station. No rain today, but quite cold wind in evening. Slept under a tree.

Monday, 6th. Left at about 5 A. M. without breakfast, rode till 8 A. M., then stopped at Lake, took breakfast and allowed the horses to graze until about 10; then rode on to Hamilton, reaching it at about 2 P. M. Got some milk and ate some bread. Went up town and saw a young grizzly bear, a young swift or medicine wolf, much resembling a fox, and 2 fawns; also saw a young elk at the place where we stopped. Remained all night at a Mr. Hunt's and took meals there. Horses pasturing in a dismal swamp of large extent, east of the town. Both Tarryall and Hamilton seem almost utterly lifeless; even the gamblers are leaving.

Tuesday, 7th. Left at 7:20 A. M. and proceeded Northward up a long gulch of easy grade. Passed Tarryall Diggings, where much work has been and a good deal is still being done. Almost at the head of the Creek passed a sawmill, evidently propelled by water. Ascended the main divide by a generally easy grade, and entered Utah Territory,\* then descended a very long way, down a branch of Blue River, and reached Breckenridge at about 12½ o'clock. Distance from Hamilton about 15 miles, and the summit not far from half way. Many handsome spruce and hemlock trees in the gulch well down on the Pacific slope. Some 20 log houses in the immediate town itself and some others a little above, and also scattered back in the woods along the diggings. The river has been turned here, and much digging done in the vacated bed: a good deal of washing is still being done there. There was a sharp frost this morning, and skims of ice on the pools as we passed Tarryall Diggings: much snow visible on the range as we crossed. Took dinner and supper and slept at a Dutch eating house; very good cooking.

Wednesday, Aug. 8th. Fair: some frost in morn. Left at about 7 A. M. and proceeded up Blue river some 12 miles in a southwest course then ascended the mountains some distance on the right hand (left bank of a branch of the Blue) and camped. Visited the supposed silverlead in company with two men whom we found here, Messrs. Patterson & Bridge. Got some specimens. Camped for the night under some spruces, and built a camp fire. Fare for supper, fresh beef half roasted on a stick, cold tongue, bread and water. A flake of *snow*, not quite hard enough for hail, fell on my book while making this entry. We are here in a very wild place, not far below the summit of the range, and with snow in sight. Very fair grass here.

\*The eastern boundary of Utah was at the continental divide until the following year, when Colorado Territory was created.—Ed.

Thursday, Aug. 9th. Fair. Spent the day in exploring the mountain sides. Found track of blossom rock in divers places, but little or none of the ore visible except at the discovery. Scholkoff and several others came on the ground today.

Friday, 10th. Fair. Visited the lead again this morn. Three or four claims were staked off by discoverers, and some by others. I staked one for self and one for Davis, but with no great confidence in their value. Numerous other persons on the ground this morn. In P. M. climbed quite a distance up the range, S. W. of the lead, tracing the blossom rock quite a distance, but finding none of the ore. Quite a number of new arrivals today: some 14 in our camp, and others at the foot of the mountain.

Saturday, 11th. Fine. More arrivals this morn. Saw a star very plainly at 11 A. M. near the zenith and about in the track of the sun. The miner's meeting convened at about 1 P. M. in the woods by the discovery. Some 125 present. Much confusion existed throughout, and there was some hard talk, but everything seemed to be arranged nearly satisfactorily at last. Some 43 claims were unrepresented, and about 79 persons having no claims were allowed to draw for Halves of these. I drew the south half of 39 north.

Sunday, 12th. Left at noon, and went down to Breckenridge, keeping on the left bank of the river until near the town, then fording it at a point in the diggings where the crossing was quite rough, after passing a ditch just above, in which my pony fell down. Put up at Mr. Cook's Hotel and had capital fare, served up by Mrs. Cook and her sister.

Monday, August 13th. Fair in morn, heavy rain about noon, and another towards evening. Quite cold last night, and frost reported this morn. At noon our ponies were missing from the corral, and it was found that we got them in the wrong enclosure last night, and they had probably been turned out. Found them after some search, and started at 1¾ P. M. Crossed the divide at 4½ P. M. with rain clouds forming along the mountains behind and below us; and reached Tarryall Diggings in good season, and put up at Mr. Davis's. Slept in a berth in a good cabin, and had excellent fare, including pie, stewed fruit etc.

Tuesday, 14th. Showery. Left rather late, after quite a hunt for our horses, and after leaving with Messrs. Patterson powers of attorney to represent our claims and Mr. Fell's Travelled to Hamilton down the right bank of creek; arrived there at 11 A. M. and stopped to get our horses shod behind. Took dinner at the Illinois House. Left at 1½ P. M. In crossing the Park, passed for an hour or so through a solid storm of rain and hail. This storm was snow on the higher peaks, and many of them were quite whitened over with it. Arrived at the Lake House at 4½ P. M. and put up

for the night. The chief landlord was out hunting, on a high peak north of here, from which Denver is visible. He says it snowed hard up there.

Wednesday, August 15th. A smart frost this morn, and a skim of ice. Left at 6:50 A. M. and rode to an unoccupied cabin between the deep and lower fords of Platte; there stopped to dine on cake and water, at 11 $\frac{3}{4}$ , having travelled at a good pace, and made probably 20 miles. Gathered some flowers, and saw a humming bird. Some rain at and after 11 A. M. Resumed our journey at 1:05 P. M. and somewhat before 6 reached a ranche 6 miles short of the Junction, having made some 34 miles today. Everybody is talking about the silver leads, and wanting specimens.

Thursday, 16th. Fine morning. Left at 5 A. M. and rode to the Junction to breakfast. Resumed our way at near 8 o'clock. Met Harry McKee just on the hill, who said he saw Enoch in Denver yesterday. Reached Pleasant Valley Ranche a mile below Bradford, at about noon, got a good dinner and remained until about 4 P. M., being detained an hour by a smart rain. Ascended the east hill of the valley, and got some specimens of limestone. Learned that gypsum and grindstones are manufactured in this valley. After a slow ride reached Denver at near 9 P. M. and stopped at the St. Louis Bakery, near the printing offices.

Friday, 17th. Fair in morn; windy and cloudy in P. M. Learned by a note in the P. O. and by inquiry at the old camp, that Davis and Enoch are at Jones Ranche near town, on the river. Went there after visiting the P. O. and express office. Spent the day at the ranche. Bathed in the river, and changed and mended clothes. Baked in eve.

Saturday, August 18th. Fair and warm in morn; violent wind and a little rain in P. M.; afterwards cloudy. Davis and I purchased our provisions this morn; after which I browned the coffee (10 lbs.) and the others of the party went to grinding it. Baked in evening.

Sunday, 19th. Washed some clothes this morn. In P. M. wrote to Pantagraph, Alice and A. A. Fair in morn; high wind in P. M.

Monday, August 20th. Clear and warm in morn. Struck our tent this morning and drove up town; loaded in our provisions and at 9:20 A. M. after making some further purchases and repairs, bid adieu to Denver and drove out on the bluff road, homeward bound.<sup>3</sup>

[Inasmuch as the return trip was down the Platte, along the route of the outward journey, it contains little new material and we have not reproduced it here.—Ed.]

[Sept. 28] . . . Left again in a little less than an hour, and drove on to Bloomington. Found County Fair in full opera-

tion, and nearly ready to close, this being the last day. Met some three individuals whom I knew, but no one knew or recognized me until I met Henry and Mrs. Fell, near their home. Stopped at J. W. Fell's at a little after 3 P. M. Just five cents of money left. And so ends my Pike's Peak trip.

<sup>3</sup>The party consisted of E. J. Lewis, his nephew Enoch Lewis, W. O. Davis and Linus Graves. They had a light wagon with a pair of horses, also three extra horses for riding.