

## Colorado Mountain Men\*

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The early trappers and fur traders, who came to be known in the far West as Mountain Men, were the pioneer explorers of Colorado.

It was beaver skins that lured them into the wilds. The high-topped beaver hat, worn in the style centers of the world, caused the demand and the market for skins.

So into the Rockies went brigades of hardy men, braving winter storms, grizzlies, and hostile Blackfeet. For months they lived on a meat diet; in good times it was buffalo rump ribs and venison; in hard times, scrawny mule steaks, Indian dog meat, or stewed rawhide ropes and moccasins.

Once wedded to the wilds and having had the thin veneer of civilization rubbed off, the typical fur gatherer was loath to return to the restrictions of town life. Discovering new lands and opening fresh trails were but part of the day's work, incidental to the business of trapping. Virgin territory was likely to yield the greatest return in pelts, so there was a money reward for trail blazing.

Most of the trappers were young men, strong, hardy, adventure-loving. With their bronzed faces and long hair, it was difficult to distinguish one from another, or all from a band of Indians.

In a fringed buckskin suit, gaily decorated with dyed porcupine quills or bright glass beads, the trapper was proudly dressed. With powder horn, shot pouch, and muzzle-loading rifle he was self

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supporting and independent. In his day, beaver skins were money in the West, and with these hairy banknotes he could buy anything that was for sale.

At the summer rendezvous, the great fair of the wilderness, trappers, Indians, and bourgeois traders gathered in some mountain valley to exchange furs for supplies. Amidst the horse races and foot races, the wrestling bouts, Indian dances, shooting matches, fights, the gambling and drinking, the seasoned fur trapper had his brief holiday of prodigal living. He gloried in the name of Mountain Man.

In this "Reckless Breed of Men" were many types of characters. Perhaps the most picturesque was Old Bill Williams. From Ruxton's excellent description we take an extract: Williams always rode ahead, his body bent over his saddle-horn, across which rested a long heavy rifle, his keen gray eyes peering from under the slouched brim of a flexible felt-hat, black and shining with grease. His buckskin hunting-shirt, bedaubed until it had the appearance of polished leather, hung in folds over his bony carcass; his nether extremities being clothed in pantaloons of the same material. . . . The old coon's face was sharp and thin, a long nose and chin hobnobbing each other; and his head was always bent forward, giving him the appearance of being hump-backed. He appeared to look neither to the right nor left, but, in fact, his little twinkling eye was everywhere. He looked at no one he was addressing, always seeming to be thinking of something else than the subject of his discourse, speaking in a whining, thin, cracked voice, and in a tone that left the hearer in doubt whether he was laughing or crying."<sup>1</sup>

Much has been written about Old Bill. Here is a characterization printed originally in *The Cincinnati Atlas* of 1845 and recently reprinted by Edward Eberstadt & Sons. It was written by David Brown, who met Old Bill and other trappers at the Green River Rendezvous of 1837. The occasion was a party given by Sir William Drummond Stewart in his big tent. About thirty Mountain Men were present. Brown writes:

"Next to Bridger, sat Bill Williams, the Nestor of the trappers. A more heterogeneous compound than this man, it has never been my fortune to meet withal. He was confessedly the best trapper in the mountains; could catch more beaver, and kill more horses, by hard riding, in so doing, than any that had ever set a trap in these waters. He could likewise drink more liquor, venture farther alone in the eager pursuit of game into the neighborhood of dangerous and hostile Indians, spend more money, and spend it quicker

<sup>1</sup>George F. Ruxton, *Life in the Far West* (1951 edition, edited by L. R. Hafen), 112-13.

than any other man. He could likewise swear harder and longer, and coin more queer and awful oaths than any pirate that ever blasphemed under a black flag. . . . He could shoot (so he said) higher and deeper, wider and closer, straighter and crookeder, and more rounding, and more every way than 'ever a son of ---- of them all.' <sup>2</sup>

Old Bill became guide for Fremont on his fourth expedition, seeking a railroad route in 1848. They headed into the high San Juans in the dead of winter. All of the 120 mules froze to death and one by one dropped over like blocks of ice into the snow. One third of the thirty-three men perished in this unsuccessful attempt to cross the Rockies in winter. It was the worst explorers' disaster in Colorado history.

The next spring Old Bill and Benjamin Kern were sent back from Taos to recover the cached equipment. On the trip they were killed by the Indians.<sup>3</sup>

A contrast in trappers is found in the two Smith boys, Jed and Tom. They were not brothers, but both were famous fur men.

Jed, or Jedediah, Smith has been called the knight in buckskin. He came of pioneer New England stock, one of a family of fourteen children. In 1822 he responded to General Ashley's famous call for "enterprising young men" and keelboated up the Missouri River. After the big fight with the Arikaras he led a party to the Crow country of Wyoming and crossed South Pass to the rich beaver haven of Green River.

With two other experienced fur men, Jackson and Sublette, he bought out the Ashley company in 1826, and planned an expansion of the business. He now entered upon a great exploring career from which he emerged as the greatest single explorer of the West.

He opened the first two overland routes to California—from South Pass to Los Angeles and from the San Joaquin back over central Nevada to the Great Salt Lake. He was first over a Pacific Coast land route from San Diego to the Columbia River. He drew the first map delineating the geography of the Central Rockies and the Great Basin.

And in all his travels, through virgin wilderness and rugged terrain, among crude companions and hostile tribes, he remained the Christian gentleman. The rifle and the Bible were equally his reliance. His character is revealed in a letter to his brother, written from the Wind River on Christmas eve, 1829:

"It is that I may be able to help those who stand in need that I face every danger—it is for this, that I Traverse the Mountains

<sup>2</sup>David L. Brown, *Three Years in the Rocky Mountains* (Edward Eberstadt & Sons, 1950), 12-13.

<sup>3</sup>Port Sutler Papers, ms. number 127. (H. E. Huntington Library, San Marino, California).

covered with Eternal snow—it is for this that I pass over the Sandy Plains, in the heat of summer, thirsting for water where I may cool my overheated Body—it is for this that I go for days without eating, and am pretty well satisfied if I can gather a few roots, . . . pray for me My Brother—& may He, before whom not a Sparrow falls, without notice, bring us, in his own good time, Together again . . . let it be the greatest pleasure we enjoy now, . . . when our Parents are in the decline of Life, to smooth the pillow of their age, & as much as in us lies, take from them all cause of Trouble."<sup>4</sup>

The dangers he faced cannot be recounted here. We shall merely note that on his second trip to California the Mojave Indians pounced on him while he was crossing the Colorado River, killed ten of his eighteen men and took his goods and supplies. The survivors had to cross the torrid Mojave desert in August on foot, but they reached California and later rejoined the trapping band he had left there the year before.

From the Sacramento River Smith's reunited party trapped northward toward the Columbia. On the Umpqua River he was again attacked by Indians, and this time only Smith and three men survived from a party of twenty.

Jed Smith retired from the mountain fur trade in 1830 and returned to St. Louis. But the spell of the West was still upon him. He launched into a new career as a wagon caravan trader over the Santa Fe Trail. Upon his first trip westward, in the summer of 1831, while ahead of the company looking for water in the Cimarron Desert cutoff, he was set upon by Comanches and his career ended at the age of thirty-two. Thus perished one of the greatest explorers and noblest characters of the far West.

Of a very different type in most respects, was Tom Smith, to whom I next refer. Tom was born in Kentucky, one of a family of thirteen. His Irish father had fought under General St. Clair in the Indian wars of Old Northwest Territory. Tom learned a bit of writing and cyphering in a little round-log schoolhouse, but he had a fight with the teacher, dropped his slate and headed for the West. In 1823 he joined a caravan to Santa Fe, and the next fall began trapping in western Colorado. After many Indian scrapes on the Gila and Colorado, we find him in North Park, Colorado, in 1827. Here an Indian arrow struck his leg just above the ankle, shattering both bones. When he stepped toward a tree for his rifle the bones stuck in the ground. His companions being unwilling to cut off the leg, Smith called for the cook's butcher knife and cut

<sup>4</sup>J. C. Parish (Ed.), "A Group of Jedediah Strong Smith Documents," in *Annual Publications, Historical Society of Southern California*, XIII (1924-27), 307.

off the muscles at the fracture. Milton Sublette then completed the job. Milton later had a similar experience of his own. Smith objected to having the wound seared with a red hot iron to stop the bleeding, so they wrapped the stub in an old shirt. In twenty-four hours the bleeding had stopped, leaving him almost bloodless. For several days he was carried in a litter swung between two horses.

The party moved westward and went into winter quarters on Green River, where they were joined by a band of Utes. These Indians were grieved at their old friend's loss. They wailed, chanted, chewed up certain roots and spit the juice on the wound. This, Smith later told an interviewer, they "kept up for several days, while the stump gradually healed under the treatment." A wooden leg was now fashioned for his use, and he was thereafter known as Pegleg Smith.<sup>5</sup> He is famous in the literature under this name. He was not especially handicapped by the loss; in fact the pegleg frequently became an effective weapon in a fight.

Smith also earned another name, the "Bald Hornet." Albert Pike tells of Pegleg being attacked by Indians in western Colorado and adds that they found they had "barked up the wrong tree." "The Bald Hornet is not easily frightened," he says, even though he does have a wooden leg.<sup>6</sup>

He continued his trapping and trading and became especially famous as a raider of the horse herds of the missions and ranches of California.

On Bear River in eastern Utah he had a ranch of his own in 1849. I have read a letter he wrote to Brigham Young on June 15, 1849, offering to sell the Mormon leader skins and furs and also some small coin for change.

His fine horses were available for trade to overland emigrants who came by the ranch during the gold rush. Horace Bell, one such emigrant, asked Pegleg how he came to have so many horses.

"Oh I went down into the Spanish country and got them."

"What did they cost you," we inquired.

"They cost me very dearly," he said. "Three of my squaws lost brothers, and one of them a father on that trip, and I came near going under myself . . ."

"How many did you get?" we again queried.

"Only about 3000; the rascals got about half of what we started with away from us, d-m them."<sup>7</sup>

<sup>5</sup>See the series of sketches on the life of Pegleg Smith published in *Hutchings's California Magazine* in 1860-61.

<sup>6</sup>Publications of the Arkansas Historical Association, IV, 91.

<sup>7</sup>Horace Bell, *Reminiscences of a Ranger* (Santa Barbara, 1927), 290.

Pegleg later turned to prospecting in Arizona. The famous, but still lost Pegleg Mine is still being searched for by credulous tenderfeet.

Pegleg's last days were spent near a grogshop in San Francisco, where he died in 1866.

A great number of Mountain Men founded fur trade posts, or forts, in Colorado—Bent's Fort and Fort Pueblo on the Arkansas, Fort Davy Crockett on the Green, Fort Uncompahgre on the Gunnison, and Forts Lupton, Vasquez, Jackson, and St. Vrain on the South Platte. The founders of each of these could be the heroes of interesting anecdotes. We have time for only one here.

We choose Andrew Sublette, one of the founders of Fort Vasquez near present Platteville. He was one of five brothers, all prominent in the western fur trade. The others were William, Milton, Solomon and Pinekney. Andrew first came to notice in 1832 while accompanying his elder brother William's caravan to the summer rendezvous. He successfully "creases" a wild mustang. John B. Wyeth, a journalist of the expedition, describes "creasing."

"It consists in shooting a horse in the neck with a single ball so as to graze his neck bone, and not to cut the pith of it. This stuns the horse and he falls to the ground, but he recovers again, and is as well as ever, all but a little soreness in the neck, which soon gets well. But in his short state of stupefaction, the hunter runs up, and twists a noose around the skin of his nose, and then secures him with a thong of buffalo hide. I do not give it merely as a story related; but I believe it, however improbable it may appear, because I saw it done. I saw an admirable marksman, young Andrew Sublet, fire at a fine horse, and after he fell, treat him in the way I have mentioned; and he brought the horse into camp, and it turned out to be a very fine one."<sup>8</sup>

Andrew Sublette and Louis Vasquez founded Fort Vasquez in 1837. For several years they continued to trade with the Indians for furs and buffalo robes. They usually transported their furs back to Missouri on pack horses or in wagons. But in 1840 they made a mackinaw boat of hand-sawed planks and launched it on the South Platte beside their fort. On this boat they piled 700 buffalo robes and 400 buffalo tongues. The unwieldy craft frequently caught on sand bars, but by dint of much wading, pulling and unloading, the seven men of the crew finally reached St. Louis. It is the first and almost only successful navigation of the South Platte that we have found on record.<sup>9</sup>

<sup>8</sup>R. G. Thwaites (Ed.), *Early Western Travels* (Cleveland, 1905), XXI, 87.

<sup>9</sup>L. R. Hafen, "Mountain Men—Andrew Sublette," in the *Colorado Magazine*, X, 179-84.

In 1844 Andrew was guide to a company that was perhaps the first party of health seekers to come to Colorado. They went to Brown's Hole on the Green River of northwestern Colorado.

In the Mexican War of 1846 Andrew Sublette served as a Captain. He helped select the site of Fort Kearny, Nebraska.

After gold was discovered in California Andrew joined in the rush. In the Los Angeles census of 1850 I found him listed: "A. W. Sublette, age 42, miner, born in Kentucky."

The next year he was out prospecting near Death Valley but soon gave up mining to pursue his favorite sport of grizzly bear hunting.

In the *Los Angeles Star* of October 23, 1852, we read: "That veteran hunter, Captain Sublette, killed a grizzly bear near Cauenga a few days ago. The 'varmint' was of sufficient dimensions to feed a regiment of boarders at the Bella Union Hotel for three or four meals."

The newspaper of May 28, 1853, reported: "Last Wednesday Capt. Andrew Sublette of this city, while on a hunting excursion, on the seacoast, was shockingly bitten and mutilated by a grizzly whom he had wounded." His dog saved him.

The next month the newspaper reports that Captain Sublette has two bear cubs as pets at his place.

In December Sublette was out hunting again. His friend Horace Bell tells the story:

"Andy had only recovered from severe injuries received in an encounter with a bear at Elizabeth Lake when in company with Jim Thompson he went on another bear hunt that was to be his last. Somehow or other he became separated from the party and found a grizzly and shot him, but before he could reload the fierce brute was upon him. Poor Andy! It was his last fight, and gallantly did he maintain his former renown. His faithful dog, *Old Buck*, was with him, and the two fought, Andy with his knife and Old Buck with the weapons furnished by nature, and gained the victory over the mountain king. When Thompson found them the bear lay dead, Andy was insensible and Old Buck, lacerated in a shocking manner, was licking the blood from poor Andy's face. Tenderly were the two, man and dog, brought to the city, and comfortably lodged and cared for . . . For many days the struggle between life and death was fierce . . . Old Buck was as tenderly cared for as was his gallant master . . . Old Buck lay on a nice pallet at the side of Andy's bed. When his master was unconscious the old dog would almost break his heart with piteous subdued moaning, and when Andy in his delirium would imagine himself still fighting the bear and would say 'seize him, Buck,' 'at him, old fellow,'

'we'll get him yet,' and like expressions, Old Buck would raise his forepaw on the side of the bed and would give a bewildering growl. Finally Death came out first best, as he always does, and poor Andy was one of the first to be interred in the Fort Hill cemetery. Old Buck rode in the wagon that took Andy to his last resting place, he and Jim Thompson being chief mourners. About every *gringo* in the place turned out at Andy's funeral, and it is safe to aver that there was not one person who left that graveyard with tearless eyes, on account not of the loss of a gallant man, a friend and Christian neighbor, but for the doleful distress of poor Old Buck, who utterly refused to be comforted and to be removed from his dead master's grave. So there he was left to exhaust his grief, which we all thought he would do in a little while. Twice, and sometimes three times a day, Jim Thompson and other kind-hearted friends would take Buck food and drink, and tried in vain to induce him to leave the grave. The faithful old dog refused to be comforted, refused to eat or drink, and on the third day he died, and was buried at the feet of his dead master."<sup>10</sup>

Of the Mountain Men it can be said: *their trails now are boulevards, their campfire sites are cities.*

Let us see who lit the campfires that became Colorado's two largest cities. The principal fur men who set up tepees at the mouth of Cherry Creek before there was a Denver were Elbridge Gerry, William McGaa, and John S. Smith.

The story of Elbridge Gerry has been published in our *Colorado Magazine* during the past year, so we shall not repeat it here. But let us note that our State Historical Society now has his account books, including the one with the list of trade goods he had supplied to John Smith at the mouth of Cherry Creek just before Denver was founded.

A second Mountain Man who was here before the gold rush and who became one of the founders of Denver, was William McGaa. He was a British subject, presumably Scotch-Irish, and was reportedly of noble blood. He had run away and drifted into the West, about 1839.

When the pioneer prospectors came to the mouth of Cherry Creek, McGaa and John Smith were here with their Indian wives. These two Mountain Men were taken in as partners by the men who organized the first town company at Denver. The first child born here was the son of McGaa, whom he named William Denver McGaa. The child later became a prominent cattleman in the Dakotas.

One of the original streets of Denver was named McGaa. It has had a strange history. In the early 1860s, when McGaa was

<sup>10</sup>Horace Bell, *op. cit.*, 261-62.

drinking to excess, and when the city fathers wanted to honor the great stage coach king, Ben Holladay, and induce him to run his overland coaches through Denver, they changed the name of the street from McGaa to Holladay.

Later, instead of the man disgracing the street, the street, with its redlight cribs, was a disgrace to the man whose name it bore. So the name was again changed; now we know it as Market Street.

A few years ago, the daughter of William McGaa visited me here at the State Museum. She is a fine elderly lady. She wanted to get the street name changed back to McGaa. "As a pioneer of Denver," she said, "I think he deserves that much of the city he helped to found." Her request has not yet been complied with.

John Smith, the other Mountain Man founder of Denver, was apparently the original for Killbuck, one of the two heroes of Ruxton's classic, *Life in the Far West*.<sup>11</sup>

John Simpson Smith was born in Kentucky. After serving an apprenticeship to a tailor in St. Louis he came into the West and lived and traded with the Blackfeet, the Sioux, and finally with the Cheyennes.

He became chief trader for William Bent, went with trade goods, and lived among the Cheyennes. His marriage to a Cheyenne woman gave him an especial advantage in trade. In fact, would-be traders from New Mexico had to pay him tribute before they were permitted to barter in the Cheyenne village.

In 1846 Smith was employed by Thomas Fitzpatrick, first Indian Agent to the Indians of the Upper Arkansas and Platte, as interpreter with the Cheyennes. He served in that capacity at the great Fort Laramie Treaty of 1851.<sup>12</sup> As a master of the Cheyenne and Arapaho languages he furnished Dr. Schoolcraft with a long list of Cheyenne words and their meaning.<sup>13</sup> During the Indian troubles of 1847 Smith was placed in charge of Fort Mann, six miles west of the site of Fort Dodge, Kansas.

Green Russell and the other pioneer prospectors of Colorado found Uncle John Smith with his stock of trade goods, amounting to \$1416.80 (Gerry Account) at the mouth of Cherry Creek in the summer of 1858. Smith was quick to exploit his position and influence with the Indians when the founding of a town was proposed. He and William McGaa became stockholders and officers of the town companies that founded Denver.

Uncle John continued to trade with the Indians and to live with his Cheyenne wife and family. When the soldiers made their

<sup>11</sup>Ruxton, *op. cit.*, 241-44.

<sup>12</sup>L. R. Hafen and W. J. Ghent, *Broken Hand* (Denver, 1931), 197.

<sup>13</sup>H. R. Schoolcraft, *Information Respecting the History, Condition and Prospects of the Indian Tribes of the United States, etc.* (Philadelphia, 1853), III, 446-59.

infamous attack upon the Indians at Sand Creek, Smith was there. The soldiers spared Uncle John, but afterwards murdered his half-breed son.

When the Southern Cheyennes were removed to Indian Territory, Smith went with them and continued as interpreter and trader.



JOHN SIMPSON SMITH  
From a group picture of the Indian  
Delegation photographed at Camp Weld  
(near Denver) in 1864

Smith was employed as guide by Colonel Henry Inman on his military campaign of 1868-69. The old guide shared the Colonel's tent and regaled him with many experiences.

Inman tells of camping in Indian Territory, where they were living on wild turkeys. To vary the diet they bagged a flock of quails. These were "beautifully spitted and broiled on peeled willow twigs." When one was handed to Uncle John he refused it. "Boys," he said, "I don't eat no quail." When urged further the old man continued:

"I don't tech quail; I hain't eat one for more than twenty years. One of the little cusses saved my life once, and I swore right thar and then that I would starve first; and I have kept my oath, though I've seen the time might often sence I could a killed 'em with my quirt, when all I had to chaw on for four days was the soles of a greasy pair of old moccasins.

"Well, boys, it's a good many years ago,—in June, if I don't disremember, 1847. We was a coming in from way up in Cache le Poudre and from Yellowstone Lake, whar we'd been a trapping for two seasons. We was a working our way slowly back to Independence, Missouri, where we was a going to get a new outfit. . . .

"We had went into camp on Pawnee Bottom airy in the afternoon, . . .

"I was out o' my blankets might airy next morning. . . .

"About the time I could see things, I discovered three or four buffalo grazing off on the creek bottom, about a half-mile away, and I started for my rifle, thinking I would examine her.

"Pretty soon I seed Thorp and Boyd crawl out o' their blankets, too, and I called their attention to the buffalo, which was still feeding undisturbed.

"We'd been kind o'scurse of fresh meat for a couple of weeks, —ever since we left the Platte,—except a jackrabbit or cottontail, and I knowed the boys would be wanting to get a quarter or two of a good fat cow, if we could find one in the herd, so that was the reason I pointed 'em out to 'em.

"By the time I'd reached the edge of the bottom, Thorp and Boyd was a crawling on to a young bull way off to the right, and I lit out for a fat cow I seen bunched up with the rest of the herd on the left.

"The grass was mighty tall on some parts of the Arkansas bottom in them days, and I got within easy shooting range without the herd seeing me.

"The buffalo was now between me and Thorp and Boyd, and they was furthest from camp. I could see them over the top of the grass kind o' edging up to the bull, and I kept a crawling on my hands and knees toward the cow, and when I got about a hundred and fifty yards of her, I pulled up my rifle, and drawed a bead.

"Just as I was running my eyes along the bar'l, a darned little quail flew right out from under my feet and lit exactly on my front sight and of course cut off my aim—we didn't shoot reckless in those days; every shot had to tell, or a man was the laughing-stock for a month if he missed his game.

"I shook the little critter off and brought up my rifle again when, durn my skin, if the bird didn't light right on to the same place; at the same time my eyes grow'd kind o' hazy-like and in a minute I didn't know nothing.

"When I come to, the quail was gone, I heerd a couple of rifle shots, and right in front of where the bull had stood and close to Thorp and Boyd, half a dozen Ingins jumped up out o' the tall grass and, firing into the two men, killed Thorp instantly and wounded Boyd.

"He and me got to camp,—keeping off the Injins, who knowed I was loaded,—when we, with the rest of the outfit, drove the red devils away.

"They was Apaches, and the fellow that shot Thorp was a half-breed nigger and Apache. He scalped Thorp and carrd off the whole upper part of his skull with it. He got Thorp's rifle and bullet-pouch too, and his knife.

"We buried Thorp in the bottom there, and some of the party cut their names on the stones that they covered his body with to keep the coyotes from eating up his bones . . .

"You see, boys, if I'd fired into that cow, the devils would a had me before I could a got a patch on my ball— . . .

"Them Injins knowed all that—they knowed I hadn't fired, so they kept a respectable distance. I would a fired, but the quail saved my life by interfering with my sight—and that's the reason I don't eat no quail. I hain't superstitious, but I don't believe they was meant to be eat."<sup>14</sup>

There are many accounts of Tharpe's death, but this is the only explanation given of how Smith escaped.

Colonel Inman also tells us of Smith's close resemblance to Andrew Johnson, President of the United States. He writes that when President Johnson visited St. Louis and was pointed out to Old Jim Bridger, the venerable scout with supreme disgust retorted:

"Hell Bill, you can't fool me! That's old John Smith."

Uncle John Smith and his family lived in Indian Territory until his death on June 29, 1871. At Oklahoma City in 1950 I saw the report of Indian Agent Brinton Darlington and his inventory of Smith's estate:

- 1 Pair of Black Horses
- 1 Set of Double Harness
- 1 Spring Wagon,  
\$250 in currency
- 2 Trunks containing clothing, Jewelry, etc.
- 2 Valises containing clothing, Jewelry, etc.
- 1 Revolving Pistol and Holster
- 1 Old Cook Stove
- 1 Set Dishes

All of which has been given up by his Cheyenne wife, for the benefit of his son, now attending school in the vicinity of Lawrence.<sup>15</sup>

There was a regular colony of Mountain Men at the site of Pueblo some twenty years before the town was founded. I visited descendants of three of these men in San Bernardino, California, in 1951.

<sup>14</sup>Henry Inman, *The Old Santa Fe Trail* (New York, 1897), 300-304.

<sup>15</sup>The original paper was in possession of Claude E. Hensley of Oklahoma City, in April, 1950.

One of the men was Jim Waters. He came west from New York state in 1835 at the age of twenty-two and became a trapper and trader. His biographical sketch, published in a history of San Bernardino County, California, tells of an experience when he and Bill Williams were besieged on the Las Animas River, southern Colorado, by a party of Apaches. "Mr. Waters was severely wounded by a rifle shot in his side. He cut the bullet out on the other side of his body with his butcher knife; after holding the bloody savages at bay for three days, without food, he and 'Old Bill' escaped."<sup>16</sup>

Waters conducted a rather unusual trading trip in 1844. He took a pack train over the Old Spanish Trail to Los Angeles. At San Pedro he chartered a small boat, went down the coast to Lower California and returned with a cargo of abalone shells. These he packed on mules back to the Rockies and traded them to the Indians for beaver skins. These he took east and sold at St. Louis, where he bought supplies and goods, which he carted back to Colorado for trade to the Indians.

In February, 1848, above Bent's Fort, Waters killed Ed. Tharpe over a Mexican girl. This Tharpe was a brother of the one killed while with John Smith in the spring of 1847. In 1849 Waters joined the gold rush to California. Finally he settled in San Bernardino, where he became a wealthy land and cattle owner.

In 1856 he married an English girl. Two of their daughters I visited last year in the big frame house their father built in San Bernardino. He also constructed several business blocks in the city and even built a fine opera house there. He died in 1889.<sup>17</sup>

The Justice of the Peace at San Bernardino who married Waters and the English girl was Waters' old Rocky Mountain trapper companion, John Brown.

Brown was born in Massachusetts in 1817 and came west as a boy. In 1842 he helped build Fort Pueblo, the trading post on the site of present Pueblo, and later settled on Greenhorn Creek, southern Colorado.

When the famous mulatto trapper, Jim Beckwourth, went off on a horse-stealing raid to California and stayed overlong, John Brown married Beckwourth's Spanish wife, Luisa Sandoval. The little daughter of Jim and Luisa, Brown reared as his own daughter. I visited her daughter—a granddaughter of Jim Beckwourth—in San Bernardino in 1951. John Brown, Jr., was born to John Brown and Luisa on Greenhorn Creek, Colorado, in 1847.

<sup>16</sup>John Brown and James Boyd, *History of San Bernardino and Riverside Counties*, II, 676.

<sup>17</sup>*Ibid.*

John Brown moved to California with his family in 1849, and finally settled in San Bernardino, where he was a prominent citizen. I visited his own granddaughter there last year.

In his later years Brown became a leading Spiritualist. His book, *Mediumistic Experiences*, incidentally gives important information about trappers and incidents of the Colorado fur trade. For example, he tells of a trappers' log fort on the Arkansas above Pueblo. He also describes the administering of the trapper's oath. It happened this way.

John Brown's spirit guide visited him in the night, near Pike's Peak, Brown said, and showed him that Jim Waters had arrived at Fort Pueblo, thirty miles away, had brought a white family, some little clay pipes to trade to the Indians, and a horse for Tim Goodale, etc. The next morning Brown told his companions what he had seen, describing everything in detail.

The trappers were not convinced. So it was proposed that Goodale ride to Pueblo to see. So, says Brown, they administered the trapper's oath to Goodale. He put the muzzle of his loaded rifle in his mouth and swore that he would go to Fort Pueblo, and return and tell the truth of what he saw. That is the only account I have seen of the administering of the trapper's oath.

Incidentally, Brown says in his book that Goodale found everything at Pueblo just as he had foretold.

In 1848 John Brown, Lucien Maxwell and other traders made a trip to Taos with their accumulated peltries. Here is the story as afterwards told by Brown's neighbors to Mr. Cragin of Colorado College and reported by Mrs. Dorothy Shaw. "At Apache Creek a band of Utes attacked the party and tried to capture Mrs. Brown who was astride a horse with her little son John in her arms. The men shouted to Mrs. Brown to jump a nearby arroyo and get to the Greenhorn settlement or otherwise they would have to kill her to keep her out of the hands of the Indians. She placed the child at her side, with her arm tightly around its neck and forced her horse to clear the arroyo. The jump was successful and she reached the Greenhorn safely, but she had clasped her child so closely to her that she had wrenched his neck, and ever afterward he carried his head bent forward."<sup>18</sup>

The boy apparently outgrew the neck injury. At least the photographs of him I have seen show no handicap. John Brown, Jr.,

<sup>18</sup>*Colorado Magazine*, XXV, 176-77.

became a prominent citizen of San Bernardino. He taught school for years, practiced law, was Secretary of the Historical Society for many years, and wrote the large *History of San Bernardino County*. In that history, in the biography of John Brown, Jr., is his version of the incident of the Indian attack: "When about a year old he [John Brown, Jr.] experienced an almost miraculous escape from the Apache Indians, and owes his life to the sublime courage of his devoted mother. . . . His father and fellow mountaineers, having accumulated a large quantity of buffalo robes and beaver pelts, concluded to send a pack train to Taos, New Mexico. . . . Mrs. Brown, with her baby boy, accompanied this expedition, and on the way through the mountains they were attacked by a band of Apache Indians, who captured the whole pack train and killed some of the hunters. While fleeing on horseback from these pursuing and desperate warriors, some of the men shouted to Mrs. Brown, 'Throw that child away or the Indians will get you,' but the faithful mother indignantly exclaimed while endeavoring to escape as fast as the fleet horse could run with her, 'Never; when that baby boy is thrown away, I will go with him.' Fortunately, the pursued cavalcade soon reached a deep ravine, where the hunters were safe from the arrows and bullets of the Indians."

A third Mountain Man at Fort Pueblo was Rube Herring. He fought a duel with a man named Beer near Fort Lupton and killed his man. Herring, whom Ruxton met at Pueblo in 1847, figures prominently in Ruxton's great classic on Mountain Men, entitled *Life in the Far West*. Ruxton tells how a band of trappers once found Old Rube Herring alone at the Soda Springs of southern Idaho. The old trapper had had an unusual run of bad luck, so he was at the springs "making medicine" to drive away the hoodoo.

When the sick detachment of the Mormon Battalion in the Mexican War wintered near Fort Pueblo in 1846-47, Herring was there and was converted to Mormonism. But in the spring, when they decided not to hire him as guide for their further journey, Rube threw his *Book of Mormon* into the Arkansas and left the Saints in disgust.

Later Herring settled, along with his old companions Jim Waters and John Brown, in San Bernardino, the California town the Mormons founded in 1851. After the Mormons were called back to Salt Lake by Brigham Young in 1857, Herring became Justice of the Peace of what was left of the town, and even became Superintendent of Schools!

## Genesis of the Colorado-Big Thompson Project

Statement of FRED N. NORCROSS\*

My first activity in water began in 1909 in connection with the Greeley-Poudre Irrigation District "Laramie-Poudre" land development in Weld County and the Greeley Hydro-Electric Power Project incident to it in Larimer County, Colorado. They were known as D. A. Camfield projects. I had been manager of the light company before 1933. It had been taken over, for a time, by a Kansas company. I was not then its manager, but was a landowner in the Greeley-Poudre District and active in the movement to get more water for irrigation and domestic purposes in northern Colorado. I was a member of the Board of Directors of the Chamber of Commerce of Greeley in July, 1933, and was elected president of the Chamber in October of that year.

Northern Colorado farmers had been for some years active in bringing trans-mountain supplies of water into the Cache la Poudre and Thompson valleys. We had been disappointed in the 1922 United States Supreme Court decision which cut down the amount of water originally thought available from the Laramie River for the Greeley-Poudre Irrigation District. The second Wyoming versus Colorado suit was being tried in May, 1933. Our attention was then directed to efforts to get reserved for northern Colorado a supply of water from the North Platte River by transfer into the Laramie through Shipman Park in Colorado, or from Douglas Creek in Wyoming by exchange, and thence into the Poudre. There was contemplation that some of it might be carried by canals from the Poudre down to the Thompson and Boyd Lake, Greeley and Loveland, areas. The Chamber of Commerce of Greeley was taking the lead as representative of the irrigation men seeking this result. The Casper-Alcova Project was being pressed by Wyoming. We had directed our efforts for three or four years prior to 1933 to trying to get reserved, for northern Colorado, a part of the North Platte water in connection with the authorization by Congress of the Casper-Alcova Project which Senator Kendrick was leading. On July 29, 1933, the newspapers announced that Colorado representatives had failed to get the reservation and Congress and the President had approved the Casper-Alcova or Kendrick Project without any reservation of water for trans-mountain diversion in Colorado.

\*This statement by the late Senator Norcross was prepared in October, 1949, at the suggestion and with the aid of Attorney William R. Kelly of Greeley. State Engineer Hinderlider read the manuscript and offered corrections. Inasmuch as Messrs. Norcross and Kelly were prominent in all the early moves that culminated in the famous Colorado-Big Thompson Project they were in a position to give us an authentic historical sketch of the beginnings of Colorado's largest trans-mountain water diversion project. Mr. Kelly supplied us with the manuscript. Senator Norcross died at Greeley on January 27, 1952.—Ed.

This was a setback to Northern Colorado hopes and compelled a change in our plan for getting the supplemental water supply. Such a supply was badly needed. We had had a shortage of water for over twenty years for land already under ditches. The shortage was particularly acute beginning with 1929. Farm prices were low. Every bank in the country had been closed by Presidential order in March, 1933, in the financial crisis which was most severe among farmers.

The bringing of water from the Colorado River onto the East Slope by what was known as the "Grand Lake Project" had been discussed from time to time. We knew of surveys and investigations that had been made in that connection as far back as 1905 and that the Reclamation Service had investigated it as late as 1928 to 1930. We realized that now our only hope was the Colorado River and that, although the community had been adverse to asking any federal aid, this project could only be built by federal financing.

July 29, 1933, the day after the announcement of Congressional approval of the Kendrick Project without reservation of any water to Colorado, I was one of a self-constituted water-minded committee that concluded we should at once begin actual initiation of an appropriation and that we had no further hope of getting water by reservations or negotiations with other states, and that we should organize to start surveys looking toward building of the Grand Lake Project. We saw that to do this we probably would have to act through agencies which were qualified by the Federal Government Public Works Administration, that is, local government agencies, as proper applicants for federal projects. Money was very scarce and prompt action was necessary.

L. L. Stimson, W. R. Kelly, and myself went to Charles Hansen and made ourselves a committee to get the project started by a survey and to get the financing of that first survey done by Boards of County Commissioners. They had previously advanced money for investigatory surveys in cooperation with the State Engineer's office, Reclamation authorities, and Army engineers, for supplemental water supplies for this valley. Mr. Hansen was at that time head of all relief agencies of Weld County. He agreed to throw the support of *The Greeley Tribune* behind it. The other three of us next went that day to the Board of County Commissioners of Weld County, who were then William A. Carlson, S. K. Clark, and James Ogilvie, and opened the subject with them. They showed interest, Carlson great interest. We had another meeting with them about a week later, which resulted in calling of a meeting of irrigation leaders at the Greeley Courthouse on August 17.

We had a further big meeting on August 28. In the meantime, O. G. Edwards, as President of the Greeley Chamber of Commerce,

had appointed a "Grand Lake Water Committee" of myself, as chairman, C. G. Carlson of Eaton, Charles Swink of Milliken, Charles Hansen, Frank B. Davis, Attorney William R. Kelly, Claude Carney, Harry W. Farr, all of Greeley, State Representative M. E. Smith of Ault, and County Attorney Thomas A. Nixon. The August 17 meeting called on L. L. Stimson, Weld County engineer, and Burgis Coy of Fort Collins, who was a noted tunnel engineer, as to the feasibility of the project. These declared it was feasible. The irrigation men present, of whom there were a large number, not only the members of our committee, but others, representing Larimer and other counties, were greatly interested. There resulted a conference with the Larimer County Commissioners.

Weld County Commissioners agreed to advance \$2,000 for the survey and Larimer County shortly agreed to advance \$700 more. The Greeley Chamber of Commerce put in some money.

Engineers Coy and Stimson were directed to proceed with the survey. Stimson organized the survey party, headed the field work, and got on the ground September 14, 1933, on the Grand Lake side. Expedition was necessary because the season of deep snow which would prevent surveys was at hand.

These men were directed to run lines for reservoirs and tunnels from Grand Lake. The then informal organization, at first called the Grand Lake Committee, later became Northern Colorado Water Users Association, first as unincorporated, later as an incorporated mutual water association, for the purpose of getting the project under way and getting financing.

Our efforts at first to get federal financing were through the Public Works Administration. On Labor Day, 1933, a preliminary application from the County Commissioners of Weld County to the Colorado P.W.A. was gotten out by Attorneys Kelly and Nixon, and later this was amplified on September 22 by the benefit of the information Engineer L. L. Stimson brought back from the survey.

We had already enlisted the support of State Engineer M. C. Hinderlider, who had been working on attempting to save for Colorado water from the North Platte River for trans-mountain diversion. We early urged on him the assignment of a special engineer to make a report on water supply for presentation to the federal authorities. State Engineer Hinderlider vigorously joined in this effort and at once assigned Engineer Royce J. Tipton, of his office, to do that work. The Tipton engineers proceeded with investigations and reports of water supplies and of works. In December, 1933, they made their report, which included mention of a replacement reservoir to be provided for the West Slope.

In the meantime, speeches were being made through what is now The Northern Colorado Water Conservancy District to groups in Greeley, Eaton, Fort Collins, Loveland, Longmont, Fort Morgan, and Sterling, explaining the project to irrigation interests.

When I was elected president of the Greeley Chamber of Commerce in October, 1933, I retired as Chairman of the Special Grand Lake Project Committee. Charles Hansen was appointed as chairman of the committee, and from that time on Hansen was the leader of the "steering committee." I remained active in continuing the effort to get the works built.

Meetings were begun, and were many, from August, 1933, on, to remove opposition of West Slope interests and to provide necessary storage works which would satisfy them.

Legislation was necessary and took time. The lawyers had this responsibility. We all helped. Measures had to be gotten through Congress to authorize the project and also through the State Legislature. An effort was made first to get an enabling act passed by the Colorado State Legislature at a special session in late 1933. It did not get through, because of failure of our late Senator Charles F. Wheeler's effort to get Governor Ed Johnson to include it in the call. That 1933 session was limited largely to emergency relief measures.

I became secretary of the "Northern Colorado Water Users" to push the project, which association decided to incorporate in the late fall of 1934. We actually did incorporate as a mutual irrigation company early in 1935. From the beginning, there was a definite purpose of proceeding with the project and of making its actual initiation by the September, 1933, survey. We sent Moses E. Smith to Washington with the Tipton report in early February, 1934.

By the middle of the year 1934, it seemed plain that the Public Works Administration was not the proper financing agency for the Project. They informed us that our project involved too long a time.

Negotiations had been going on through Greeley delegations in Denver, West Slope interests, and Washington, largely through the above-named Committee. There were added to the committee, other men who were outstanding in irrigation development in the Poudre, Thompson, lower St. Vrain, and lower South Platte. These were J. M. Dille, a leader in irrigation in the Riverside and Bijou areas at Fort Morgan; Robert J. Wright, who had been managing the North Sterling, Prewitt, and other projects at Sterling; Ed C. Munroe, of the North Poudre; W. E. Letford, T. M. Callahan, and Ray Lanyon, of Longmont; James Stewart of the Platte Valley and Greeley and Loveland systems; R. C. Benson of Loveland; C. M. Rolfson of Julesburg; Ralph McMurray of Fort Collins; Charles

A. Lory, President of the Agricultural College; Governor Johnson; and many others too numerous to mention. State officials and representatives of irrigation systems joined in leading the movement. Town, city, and other leaders joined in the movement for domestic and general community benefits which would result from better water supplies.

State as well as Federal legislation were required.

Because money was so scarce and due to the magnitude of the work involved, it was beyond our funds at that time to pay the then required scale of filing fees to the State Engineer's office. An act was drafted in 1934 by our attorneys and enacted by the Legislature to reduce those fees, so that a maximum fee for any one project was within our means. Actual filing of the map and statement of claim in the State Engineer's office was withheld until after the passage of that act in 1935.

It was known from the start that the cost of this project was so large that it would have to be financed by means which were then being used in California, Washington, Utah, Arizona, New Mexico, and other states; that is, through a Federal agency. In June, 1934, Commissioner of Reclamation, Elwood Mead, in a meeting in Denver arranged at Washington in February, 1934, by Moses Smith for our committee, indicated a favorable attitude toward the project.

In September, 1934, we entered into active negotiations with the representatives of the U. S. Bureau of Reclamation for undertaking the project. These were Ray Walter, then Chief Engineer (he was a former Greeley irrigation engineer); E. B. Debler, head of Project Investigations; and C. O. Harper, who was then Assistant Chief Engineer of the Bureau. Acting on behalf of the sponsors of the project, and our committee, Charles Hansen and Attorneys Kelly and Nixon had further meetings with the above reclamation engineers that fall and reported favorable reception. Hansen, Kelly, and Nixon, at Washington, in May, 1935, laid the matter, with maps, before Senators and Congressmen, Commissioner Mead, and Secretary of Interior Ickes.

We followed with efforts to get an appropriation for surveys by the Bureau of Reclamation; which was authorized in July, 1935. Secretary of the Interior Ickes approved an allocation of \$150,000 for a preliminary engineering investigation of the project. Charles Hansen, president of the Northern Colorado Water Users Association, with our Congressional representatives, were largely responsible for obtaining this initial federal appropriation.

In the meantime, we had employed J. M. Dille, on part-time, as general manager charged with the duty of advancing the project.

He gave it experienced and effective leadership from the start and ever since as secretary-manager of the Water Conservancy District.

Government surveys began in 1935 under the direction of Porter J. Preston, Senior Engineer. Economic surveys were directed by Ralph L. Parshall, of the U.S.D.A., at Fort Collins. These continued through 1936 and were submitted together under date of February 3, 1937, in a report by the Senior Engineer, to the Chief Engineer of the Bureau of Reclamation which was to be submitted to Congress to obtain approval and financing of the project. The West Slope and East Slope stipulations (pages 2-6 Senate Document 80 "Manner of Operation of Project") were added in June, 1937, at Washington, Charles Hansen, Moses E. Smith, and Thomas A. Nixon signing for our Association.

In July, 1937, an appropriation of \$900,000 for construction work was made by the Congress. Senators Adams and Costigan and Congressmen Cummings and Lewis, with Congressman Ed Taylor joining, got it through, with the tenacious urging of a delegation of our Association headed by Charles Hansen.

After a preliminary session of committees from both slopes on January 1 and 2, 1937, West Slope objections were settled by an agreement to construct a "replacement" reservoir on the Western Slope. The reservoir site suggested in the Tipton report, was on the Williams Fork. Our Association had proposed a replacement reservoir to West Slope irrigators at meetings with West Slope representatives in Greeley in the fall of 1934. In 1935 the Green Mountain Reservoir site on Blue River was proposed as the replacement reservoir, with a capacity of 52,000 acre-feet. This capacity was somewhat in excess of what Engineer Tipton and other engineers had agreed would be required to take care of shortages of water on the West Slope in any short-water year caused by our proposed diversions.

As an aid to the repayment ability of the project, through the development of power, the engineers of the Bureau of Reclamation decided that the capacity of the reservoir should be increased to 152,000 acre-feet, and included the feature of the Green Mountain power plant. That reservoir was finished first. Work of construction began in 1938, and the power plant went into operation in 1944, and has ever since been producing large amounts of revenues to the Government.

Legislation was being worked on from 1933 to set up a repayment agency. An Act on a district basis, was passed by the Legislature in 1935. It was not acceptable to the Government as a financing instrumentality since it failed to include a general taxing power. It was based on the pledge of revenues only.

In 1936, Kelly and Nixon, as attorneys for the Water Users Association, and our officers, working with reclamation representatives of the Denver office and Reclamation attorneys J. A. Alexander of Salt Lake City, and Spencer L. Baird of Denver, set about preparing legislation for the creation of a quasi-municipality, which would be acceptable to the Government as the repayment agency for meeting payments for the irrigation and domestic features of the project. These efforts resulted in The Water Conservancy Act, largely based on the California and Utah Metropolitan Water District Acts which had just been enacted and also the Golden Gate Bridge Act. Two bills were drawn, one providing for the creation of the District boundaries by the Legislature without a vote of the taxpayers, the other providing for submitting the formation of the District to a vote of the taxpayers. After much consideration and many meetings of our own officers, and negotiations with other interested parties and whose objections had to be met, the present Act based upon initiation by a taxpayers' petition and election, was the one settled upon. It is the "Water Conservancy Act" which was passed by the 1937 Legislature. This was submitted at once to a test, by a quo warranto suit, in the Colorado Supreme Court, which, in May, 1937, upheld the constitutionality of the Act.

The District was created by petition circulated in May, June, and July, 1937, signed by thousands of taxpayers in the seven counties of the District, parts of Boulder, Weld, Larimer, Logan, Morgan, Sedgwick, and Washington. A hearing thereon created the District by the decree of September 20, 1937, entered in Weld County District Court by Judge Claude C. Coffin. This established the District with its present boundaries of the irrigated lands in Boulder, Larimer, Weld, Morgan, Washington, Logan, and Sedgwick counties.

Drafting of a contract with the Government was proceeded with by our Board and attorneys. That involved extended sessions late in 1937 and early 1938, mostly in Denver, which were concluded in Washington in June, 1937, and culminated in the submission of the construction and repayment contract to the District taxpayers in late May, 1938. In the election following, on June 28, 1938, the voters in the seven counties in the District approved the construction and repayment contract.

The above does not pretend to cover the multitude of meetings which ensued unremittingly from August, 1933, in the various counties of the Eastern Slope, at Denver, in Western Slope counties, and in Washington.

The project was a definite decision from August, 1933. Its features were adjusted to meet the needs for more power production to enable it to meet the repayment requirements of the Reclamation

Act. This objective was joined in not only by irrigation interests, but by domestic and municipal requirements of cities in the District, which are chiefly Greeley, Fort Collins, Loveland and Longmont, to which about 29,000 acre-feet of water were allotted for domestic purposes.

The effort for the additional water supply spread fast. From the fall of 1933 and continuing with great activity new irrigation systems joined in it. Chambers of Commerce and farm organizations pressed it, members of the Board and attorneys for the Association were being continually called to local committee meetings, as well as to meetings elsewhere in the state and in Washington, to explain the proposed enterprise.

Chairman Hansen, Agricultural College President Charles A. Lory, State Senator Moses Smith, and Attorneys Nixon and Kelly, all active, spoke at many meetings, as did Engineers Coy, Stimson, Tipton, State Engineer Hinderlider, and Reclamation Engineers Porter Preston and Mills Bunger and Reclamation Commissioner John C. Page (who succeeded Ray Walter), beside the local committees and Board members. I did some of this speaking myself and was in many meetings with the Association Board members and their attorneys in the formulation of the details of constituting the method of financing the project and of setting up its powers of general taxation and method of water allotment and rates therefor.

Newspapers at Greeley, Eaton, Johnstown, Longmont, Loveland, Fort Collins, Fort Morgan, and Sterling, county agents, and civic organizations joined in the movement and kept it alive. Union Pacific Railroad, Burlington Railroad, Great Western Sugar Company, and other large taxpayers urged its accomplishment and gave financial support to the necessary preliminary expenses to get the construction organized. It was a whole Platte Valley public service. Our Association Board were not the only ones who worked on it. They were representatives of a vast movement of convinced water consumers of the South Platte Valley. We had the duty of keeping it going and getting construction begun. No committee member or Association member drew any pay.

The Northern Colorado Water Users Association has sixty irrigation companies and systems as its shareholders, on a basis of their existing water appropriations. Its first Board of Directors consisted of Charles Hansen, W. E. Letford, T. M. Callahan, R. C. Benson, Moses E. Smith, J. M. Dille, Charles A. Lory, C. M. Rolfson, William A. Carlson, Burgis G. Coy, and Robert J. Wright. They represented every county and irrigation area from Longmont to Julesburg.

The Northern Colorado Water Conservancy District was set up with eleven directors on a similar basis. Its first Board of Directors,

appointed by Judge Coffin, were: Charles Hansen, W. E. Letford, Ray Lanyon, Robert C. Benson, Ed F. Munroe, Ralph W. McMurray, Moses E. Smith, William A. Carlson, J. M. Dille, Robert J. Wright, Charles M. Rolfson. Charles Hansen was its president from the beginning.

I am still secretary of Northern Colorado Water Users Association, but its activities ceased when the contract between the District and the United States for construction and repayment was signed. The appropriations for water initiated on behalf of the District and in the name of The Northern Colorado Water Users Association, were turned over to the United States, holder of the legal title thenceforth until the conclusion of payments required, under the forty-year repayment period.

## Pioneer Canning Industry in Colorado

MARGUERITE FRINK COUNTER\*

We consider Fort Lupton and vicinity the "Garden Spot of Eden," hence I want to tell something of the past history of some of our industries. Inasmuch as I have a one-track mind you would naturally assume that I would give you facts relative to the industry which we represent. The information is the result of interesting bits garnered from old abstracts, newspaper files, interviews with old settlers, and our knowledge of the industry that has come within our personal observations and experiences.

The trials and tribulations of the Canner are many and varied. His program is inflexible once his acreage has been contracted—he must contend with late spring frost, drought, excessive rain, insects, plant disease, fluctuations in abundance or scarcity, and worst of all in this area—HAIL. When atmospheric sounds portend hail I think of the witch scene in Macbeth. As the thunder roars prior to the apparition of the Armed Head, the three Witches chant in unison:

"Double, double toil and trouble  
Fire burn, Cauldron bubble."

As we view the fields laid waste we ponder whether

"To can or not to can. That is the question."

Perhaps in no other industry have so many remarkable machines been developed. To all production, one element is common—i. e. labor. The basic raw material is a small part of the ultimate costs entering into the manufacturing of the finished product. The canner's inventive genius has been able, for the most part, to keep pace with the increases in labor costs, but now we have reached

\*Mrs. Counter is president of the Fort Lupton Canning Company.—Ed.

a saturation point and we cannot hope to retain the present high standard of living unless labor and the fringe benefits are made to realize their responsibilities.

Each one of the hundreds of products in the average store is prepared according to a special process, recipe, or formula as to preparations, time of cook, temperature, pressure, cooling bath, etc. Each production method is to the processor what the wife's favorite recipe is to her—a matter of rightful pride. In 1890 there were relatively few packaged or canned items on the grocer's shelves. One variety of each was the general rule.

Grandma took what she could get. Distribution was pretty strictly local; she bought the kind of groceries her neighbors chose to produce. It was up to grandmother to turn these basic products into appetizing dishes over the coal range. She ground her own coffee; laboriously measured the ingredients for puddings, pancakes, and pies; canned or dried all fruits and vegetables; made catsup, chili sauce, jellies, and jams; baked her bread and beans; rendered her lard and made her soap. Sometimes her results were not excellent—far from uniform. Crackers were right in the barrel where grandma could examine them—if the cat would move over. Pickles and sauerkraut were in barrels—you could sample the quality for yourself. A big twin cheddar cheese was under its glass bell—the groceryman might give you a sample sliver; butter was visible in a wooden tub—a firkin. Practically everything was stored in bins or barrels.

Grandmother bought a pound of this or a pound of that—it might be a "wee bit" stale or dusty, depending on her grocer's turn-over. Now, the processor is not content with keeping up with others, he is constantly on the alert for improvements; greater appetite appeal. We eat mainly with our eyes. We must keep abreast of the changing machinery science; new dietary knowledge; research; knowledge of consumer preferences; keep manufacturing costs down in spite of increased cost of labor, equipment, or raw material. The canner must locate his plant at the production site of the green material, in order that flavor, color, and vitamins may be preserved by getting the raw products in the cans only a few hours from the time they are growing in the fields.

Your plant must be based on good housekeeping technique—must be clean; workers must be properly supervised. Wendell Vincent very capably and thoroughly sees to it that every product is good, safe, and unadulterated—he regulates requirements. The alert and progressive manufacturer is not content to be measured by the "minimum" yard stick, he wants to produce "plus values."

I will review the canneries of northern Colorado in order of their inceptions:

#### KUNER-EMPSON COMPANY

Denver was a vigorous, growing youngster when John G. Kuner arrived in 1864 from Marshalltown, Iowa. Denver was not surrounded, as now, by vegetables of every description. It was primarily a mining town, so John thought that Denver offered inducements for a "Kitchen Cannery" in his home at 10th and Lawrence. He produced pickles, chow-chow, and other like items which were the salads of that period and relieved the monotony of meat, potatoes, gravy, and bread. By 1872 John Kuner's business had grown to the extent that he was able to purchase a modest building at 9th and Lawrence and the business became known as J. C. Kuner and Sons.

About 1880 John sent for his brother Max, who was then living in St. Louis. Max joined John in the business and two years later bought the company and changed the name to the Kuner Pickle Company.

Max Kuner was a lovable, affable, and gregarious gentleman and one of the most striking personalities in the colorful Denver at that time. He was born December 4, 1824, in Lindau, Bavaria. Max began to make his own way at fourteen years of age, when he apprenticed to a watchmaker and later upon examination, received his degree as master of the trade. Max remained a watchmaker for five years, at which time, 1874, he and his three brothers, including John, set sail for America. After fifty-six stormy days on a sailing ship, the four brothers arrived in New Orleans. Max, the ever-provident, had his watchmaking credentials and easily obtained a job.

When the Civil War broke out Max was on his way to success. Business was booming. His sympathies were with the South; he worked in a gun factory at Vicksburg, Mississippi. During the siege of that city, his home and business were wiped out. All of his earthly possessions, except his debts, were gone. He was not discouraged. He settled his affairs and with his usual cheerfulness, courage, and life-long determination not to worry, he moved. Max had a brother in St. Louis, whose son-in-law was in the pickle business. Max went to St. Louis, invested all of his money, and set out to learn the pickle business the hard way. He lost every cent of his investment, but with the experience acquired, he opened a pickle factory in Chicago and made it pay.

When Max arrived in Denver he was in his late fifties, with a wealth of business experience behind him and he plunged into this new venture with his customary enthusiasm.

In 1887 or 1888 the company moved to 22nd and Blake and greatly enlarged its line.

Everybody in the plant loved Max Kuner, the grand old man of Denver, handsome and ever immaculate. Like my father, he wore a white vest and had a fresh flower in his button-hole every day.

Life in the Kuner Pickle Company then was interesting and colorful. City deliveries were made with horse and wagon. Our genial friend, Walter Shull, joined the ranks in September, 1903, first as a barrel-painter, then as delivery boy at \$1.50 per day.

About 1915 the Kuner Pickle Company sold its vinegar business to Fleischman Yeast Company.

The year 1916 marked the close of long negotiations with the town of Brighton for the removal of the Kuner Pickle Company from Denver to Brighton. An agreement had finally been reached—wherein the town of Brighton donated the land for the new factory, augmented by a cash subscription by many civic-minded citizens. Kuners sold their plant at 22nd and Blake and moved to Brighton on May 28, 1917. This same year a contract was negotiated with the H. J. Heinz Company for all cucumbers over and above Kuner's needs. There were several advantages in the move to Brighton—shipping facilities were improved and they were closer to their supply of raw material. The chief benefit was financial, for the sale of the Denver plant and the money received from the citizens of Brighton and the contract with H. J. Heinz all helped.

Within a few years Kuners leased the Barwise factory at Fort Lupton and later purchased the factory in 1925. This was an old Empson plant, established in 1898, and sold to the N. C. Barwise Packing Company in 1908.

During World War I, Kuner, like ourselves, sold a large percentage of their pack to the government at regulated prices.

Max Kuner had five daughters but no sons, so in 1900 he sent for his grandson, Karl Kuner Meyer. Max Kuner, although in his mid-seventies, was still in active control.

In 1905 Emil Meyer joined the Kuner Company as a salesman. Later he became the production manager and he and Karl formed the inseparable team that expanded the company's operations to a position of dominance in the Rocky Mountain region. In 1912 K. K. was promoted to general manager.

When Max Kuner died, March 24, 1913, Karl was elected President and Emil had the responsibility for production. The two brothers worked side by side and formed a most effective team. It was a long hard tug for the ensuing years, but the indomitable will

power of K. K. in directing and managing the business took the company over the hump and they were well on the road to successful expansion.

The purchase of the Empson Packing Company in 1927 was a turning point in the growth of the company. This purchase included Empson's plants at Longmont, Loveland, and Greeley and two experimental farms of 400 and 80 acres respectively.

On April 24, 1935, Kuner purchased the Currie Canning Company in Grand Junction, thus enabling them to add the famous Western Slope peaches and tomatoes to their line of canned foods.

The ability and untiring efforts of the two brothers—Karl and Emil—righted the ship of state after each depression.

In 1941 we were all shocked to hear of the deaths of Emil Meyer and Emil Koster, as the result of an automobile accident. Karl had lost, not only his brother, but his team-mate. They supplemented each other's efforts by their differing temperaments and talents.

Kuner-Empson Company, like ourselves, took an impressive part in supplying food to the government during World War II.

When death called Karl on January 29, 1946, his company lost a great leader and we, his associates, lost a grand friend. He left his company in the best shape in its history and younger hands trained in K. K. policies now carry on.

#### EMPSON PACKING COMPANY

The history of the Empson Packing Company is like a saga. May I touch briefly on the highlights? Business was encouraging but health was discouraging to John Empson, owner of a thriving candy store in Cincinnati. Three times the energetic, wiry man suffered hemorrhages of the lungs. His only child, Lyda Empson (now residing north of Longmont), over his protests called a physician—who promptly ordered his daughter (the only human being to whom he would listen) to take her father to Colorado. Hence, in 1883, he appeared in Denver and promptly established himself as a jobber of candy. Colorado's altitude strengthened him and the indomitable fighter was looking for broader horizons with a future. Denver was too small—only 60,000. He knew, to live, he must continue in Colorado. Some friends suggested the canning business, as Colorado then, as now, produced fine peas, tomatoes, etc.—had good soil, warm days and cool nights just built to tempt the capricious appetites of vegetables. So the aggressive fighter forsook his candy business and arrived in Longmont with his daughter in 1886. He looked badly and admitted that he felt badly. As a result of his usual foresight he decided to spend a year in Estes

Park to regain his health. He lived outdoors, month after month, guided and counseled by the late Enos Mills. As his health improved his old driving urge impelled him to return to Longmont in 1887. He was a born salesman; he convinced the citizens of Longmont that a canning factory was their immediate most pressing need. They were sold on the idea and rallied to his financial assistance and he opened his first cannery—"J. Empson and Daughter."

In 1887 women seldom held important business positions. Empson's natural gift for advertising perhaps prompted this alliance. The Colorado newspapers and trade magazines took up the commercial association of father and daughter and gave the new firm unlimited space. For three years the enterprise rocked along on an uncertain sea. Empson was truly experimenting in an unfamiliar business. The season of 1891 was surprisingly successful. Empson was on his feet and going strong. The pack was jubilantly placed in his warehouse, but his elation was of short duration—a fire destroyed the cannery, warehouse, and contents. Empson personified to the nth degree the excerpt from Edgar Allen Guest's poem, "The harder you're thrown the higher you bounce." Within a year he had assembled new local capital and not only rebuilt his plant but entered upon an expansive program—adding canned fruits to his canned vegetables. Currants thrived in Colorado. Currant jelly was to him closely related to his first love "confectionery." With his ever surprising facets for advertising he joined in the popular clamor against cooking jelly in copper kettles.

Hailing Colorado as the "Silver Queen of the West," he had 4,000 silver dollars melted down and made into an enormous kettle (four feet in diameter and proportionately high) for processing currant jelly. The kettle naturally made first page in scores of newspapers. A convincing legend was inscribed on its side and it made a transcontinental tour for exhibition purposes. True to his expectations he sold huge quantities of his jelly on the strength of this publicity.

About this time the farmers and merchants of Fort Lupton, by popular subscription, had started a cannery there. They gladly sold out their "Dream of Wealth" to Empson in 1898. Thus Empson started the old Lupton cannery in 1898. He canned tomatoes and corn. His contract for peas read "for delivery to Longmont," a distance of only twenty miles by horse and wagon over dirt roads.

Not content with smooth sailing, Empson started a tremendous disturbance in the canning industry. He acquired two farms and planted 150 acres of peas in 1890. This pea acreage required a tremendous expenditure for modern expensive machinery—especially

for "podding." About this time Chisholm-Scott, an eastern machinery manufacturing company, had, after expensive experimenting, evolved a "Podder." The viner knocked out the peas by the impact system. The paddles hit the pod—that compressed the air; the pod broke open but there was sufficient resilience in the air-filled pods to cushion the blow and out fell the peas—theoretically not one of them injured. The first viner would shell peas from the pod as fast as 600 hand shellers could do it—thus doing away with the small armies of uncertain itinerants. It was, in principle and practice, relatively simple, thus it was no longer necessary to operate a pea factory within sight of a large city because of its ability to seasonally supply regiments of laborers to shell the peas by hand.



MRS. E. P. FRINK AND BARRELS OF DILL PICKLES  
Pickles packed by Silver State Packing Company

Empson rented two viners from the Chisholm-Scott Company and demanded that Jack Chisholm personally supervise the erection and construction and explain the machine parts and every feature to his local crew. Chisholm, at Empson's insistence, trained the local crew in making repairs and replacements. Empson with his usual irascibility examined and criticized each part of the viners, thus learning how the parts were manufactured as well as assembled. Empson paid a royalty of nine cents a dozen cans for all peas that passed through the rented Chisholm-Scott viners.

What did this firm see the next year but a rival manufacturer of viner machines made by Empson, which closely resembled and functioned exactly like the Chisholm-Scott product. Empson was certainly "pestiferous." He leased his viners to any reliable canner for a charge of only three cents a dozen cans. Thus Empson became the target of Chisholm-Scott's legal artillery. He needed their

anger to red-hot flame by publicly doubting the legal status of their patents. The battle waged merrily on for years. Court proceedings are notoriously slow and expensive—no viners were available for purchase from any of the several manufacturers but were leased by the canner on a royalty basis.

The infringement suits were finally settled in favor of the Chisholm-Scott Company—but it was a moral victory only—small damages were collected. But the cost of Empson's abusive advertising and defense actions nearly ruined him financially.

During this period of warlike pomp Mr. Empson engaged Luther Burbank, the California plant wizard, to experiment with several varieties of peas—seeking a strain which would mature early and produce the small-sized peas demanded by the trade. Burbank's name appeared for many years on Empson's label.

In 1907 Empson launched another program of expansion and added canneries at Loveland and Greeley and pea-vining stations at Berthoud, Johnstown, Ault, and Mead.

With his usual ability to drive a hard bargain Mr. Empson held off establishing a plant at Greeley until the city had agreed to remit all taxes for a period of ten years, or more (I believe it was twenty years), donate the land, and raise a cash subscription. He insisted that the tax remission in the following years be followed to the letter, although it resulted in many table-pounding protests. He insisted it was a "debt of honor," and won out in any and all discussions.

In 1908 Empson sold his plant at Fort Lupton to N. C. Barwise Packing Company. Wilson Vinson, nephew of N. C. Barwise, became manager.

At a most propitious time—from a seller's standpoint—Mr. Empson disposed of all his canneries in 1920, to a group of Longmont bankers, and took a trip around the world—evidently he did not want to serve as a leaning post for the sure-fire troubles of the operating bankers. Mr. Empson died in 1926.

The purchase by the Kuner Pickle Company of the Empson Packing Company and its numerous plants and two experimental farms in 1927 resulted in the formation of the Kuner-Empson Company—combining Kuner's reputation for high quality with the prestige of the Empson name.

#### COLORADO CONDENSED MILK COMPANY

In 1901 J. B. Radeliff arrived in Fort Lupton with a scheme to build a milk condenser. If the people of the town would support the idea and raise \$30,000.00, he would put up \$5,000.00. The required amount was subscribed and the construction started

August 5, 1901. In a few years the local company was sold to the Mohawk Condensed Milk Company.

In 1910 the "Johnstown Improvement Club" decided to prove to the Lupton Condensed Milk Company that there was enough milk around Johnstown to warrant a condenser. The Mohawk Company took over the idea and constructed the plant—I believe the Johnstown citizens donated the land. The plant was completed and opened for business December 24, 1910, by the Mohawk Company.

In 1910 the Colorado Condensed Milk Company bought the Laramie County Condensed Milk Company, at Loveland. It had been operated by a group of farmers for several years but not very successfully.

In 1921 the Carnation Company bought the Colorado Condensed Milk Company factories. The Mohawk and Colorado companies thus both became subsidiaries of the Carnation Company.

In 1901 the price of milk was from 80c to \$1.30 per hundred pounds—depending on the test. I believe the price of the Northern Colorado Dairy, of Brighton, at this time is \$5.46 per hundred for 4 per cent milk. George Funk, of Fort Lupton, remembers delivering milk to my father's creamery in 1897 for 65c per hundred—irrespective of the butterfat content. A Babcock Cream Tester came into this area about this time as the well was too handy and some farmers increased their yield by the addition of H<sub>2</sub>O.

This industry was one of Fort Lupton's best assets because of its year-round payroll to the farmers and the company employees. We all deeply deplored the closing of the plant in February, 1950.

#### FORT LUPTON CANNING COMPANY

My father, the late O. E. Frink, and my mother, Mrs. E. P. Frink, and family moved from Denver to Fort Lupton in 1895. My father had a wholesale commission house, two meat markets in Denver, and several creameries in outlying towns. The panic of 1893 wiped out his business; he made repeated efforts to stage a comeback but in June, 1895, decided to move his family to Fort Lupton. My father stayed in Denver several months to wind up his affairs and my mother had charge of the Fort Lupton creamery.

After occupying this rented, farmer-owned building for two years they bought the Bendell Creamery in May, 1897. Here, my father conducted a creamery and cheese factory.

In 1904, with his usual wisdom and courage, he decided to start a canning factory in connection with his creamery. The necessary additions to the creamery buildings were made, second hand canning machinery gathered from here and yon, together

with such new machinery as was needed and father, with no experience, started the Silver State Canning and Produce Company. He canned tomatoes, catsup, and corn, adding gradually snap beans, peas, pickles, pumpkin, and squash.

Inasmuch as my brother Clarence (now deceased) was married and established in the dairy business when my father started the cannery, I, his next "Son," became his man Friday during school vacations. In 1907, due to the illness of my father, I took his place as a delegate to the first Canner's Convention. It was held in Buffalo, New York. I was the only female delegate.

The Silver State Canning and Produce Company grew like the proverbial Topsy. My father made many experiments in lima beans, asparagus, strawberries, spinach, and succotash. At the time of his death in 1916 he was planning on a cherry pack as he had planted a large cherry orchard on one of his farms.

Thus a small enterprise grew, expanded, and became of vital interest to the community—not only to the farmers but to the large number of town people to whom it gave employment.

The labels used were many and varied, such as: OVERLAND, NATIONAL, RUBY, SEAL, BABY, FORT LUPTON.

The tomatoes, as now, were peeled at a specified price per pail. The beans were not snipped at the blossom end. I still contend that, as with asparagus tips, the bean tip is the tenderest part of the bean. We had no commercial snippers at that time so beans were snipped by hand in the factory. Sometimes two hundred women or more were so employed.

In 1910 father conceived the idea of driving an ox team to and from the depot to load canned goods—thus advertising his Overland Brand. His first team were twin Holsteins—enormous black and white oxen. Later a pair of beautiful yellow buckskin oxen were driven, also by "bit" and reins rather than by the usual "Gee" and "Haw" commands. The special harness was made by the Heiser Harness Company of Denver, probably the only harness of this type ever made. This ox team made quite a hit at the stock show where it was always entered.

I had the pleasure one year of driving the ox team around the stock show arena, as the usual driver, Farmer Johnnie Burns, was not available. The pair of yellow oxen was sold in 1917, after my father's death. Their combined weight was over 2,800 pounds.

The first Tomato Day was sponsored by my father in 1908. With his usual enthusiasm and generosity he furnished the menu—two steers roasted in the factory retorts, hundreds and hundreds of buttered ears of corn, over a thousand buttered rolls containing barbecued beef, tomatoes, dill pickles, coffee, and a generous wedge

of pumpkin pie to all comers—with no charge. We had a glorious time—foot races, girl and boy horse races, broncho riding, sack races, wrestling, greased pig (father furnished the pig), and a big dance in the evening. The crowd was made up mostly of Fort Lupton people from the surrounding small towns, augmented by people from Denver—special trains—no buses and very few cars. Lupton then had nine trains daily—both ways. Did we have one grand time!



TOMATO DAY AT FORT LUPTON

The Japanese residents and friends added greatly to the enjoyment of the occasion, as their performances were entirely different and novel. Among the stunts were:

*Jujitsu*, which as you know is a method of defence and offense without weapons—depending upon the strength, agility and training of the contenders.

*Kendo*—a breath-taking sight in which the contenders wear metal masks with heavily padded tops and an armor of split bamboo on the chests and hips. Points were scored for certain areas reached; some areas were forbidden, with a heavy penalty for infringement. The weapons were lance-like poles, about eight or ten feet long. The resounding whacks as they hit each other's heads made the spectators shudder. The participants might be teams or individuals matched.

*Naganata*—a fencing contest between teams of women. Their lance was about 6 feet long with a curved hook at the end. The object was to disarm the opponent by snatching her wand.

*Yari*—sometimes called sword-jitsu. The participants were men and it was more of a fencing bout, with lances 3½ feet long—blunt-spear tipped.

On November 12, 1916, the community was shocked to hear

of the sudden death of the town benefactor from heart attack. My father's kindly humor and Yankee individualism had endeared him not only to his Fort Lupton friends, but also to his business associates. He was always referred to as "O. E." Although he had never enjoyed robust health, his humor was always uppermost no matter where or when you met him. My father was a true Yankee with a story for every occasion and many pithy sayings.

His kindly deeds were many and varied and usually carried out in his own inimitable, original manner—no one but the recipient knowing of the help. There was no discrimination; race, creed, or color were treated alike. At the time of my father's death his interests were many and varied—interlaced throughout the entire community. Needless to say his wide expansion at times made the skating dangerous (but always exciting). The ultimate success of most of his promotions justified his visions.

My mother was father's partner in all their enterprises, aiding him by her untiring efforts and close companionship. She still lives in the home place which was built in 1900. She will soon be 94 years of age.

For three years previous to father's death, Mr. W.N.W. Blayney, of Denver, had acted as his broker—thus Mr. Blayney was more or less familiar with the business. On February 1, 1917, Mr. Blayney organized a new company known as the Fort Lupton Canning Company, with Mr. Blayney as President and myself as Secretary-Treasurer, and O. A. Carlson as manager. The new company leased the factory site, buildings and equipment from my mother.

In 1922 stoop labor was induced by the Fort Morgan Canning Company to snip beans in the field—this did not disturb the growing plant. This method of picking the beans increased the yield for the farmers and reduced the costs of the processor as it eliminated the small army of women snippers in the factory—children, mothers and grandmothers.

On the death of Mr. W.N.W. Blayney in 1936, I became President.

The Fort Lupton Canning Company purchased the plant from Mrs. Frink, my mother, in September, 1941, and has replaced all of the buildings and added the latest machinery. It is considered one of the most modern plants in the industry.

Mr. O. A. Carlson, our vice-president, has given continuous service in the cannery since 1904. When his son Van Kelsey Carlson, and my son, Ben F. Counter, returned from service in World War II, we gladly abdicated our thrones and passed the scepter to the boys to direct our policies. Their cannery service-record covers many years as both had worked every summer vacation since 12 years of age and on a year-round basis after finishing college.

## The Founding of Ault

DEAN F. KRAKEL\*

One of the important factors that indirectly led to the founding of the town of Ault, was the construction of the Denver Pacific Railroad through the region. The south-bound workers reached the present site of the town on November 11, 1869.

Another significant factor in the background was the cattle industry. In the period between 1865 and 1895 cattle covered the vast plains area. At this time the old Weld County (embracing all of northeast Colorado) became a cattle range and the Ault area lay within the heart of choice grazing lands.

During the early years of the industry, cattle with an assortment of brands were to be found on Ault grass. Perhaps the first were those of John Hiff, commonly called the Cattle King of Colorado. No doubt stock from Captain Maynard's Meadow Springs ranch also picked over the area, as did steers from Abner Loomis' ranch near Camp Collins. Up from the South Platte came cattle bearing Jared L. Brush's "JB" brand, Asa Sterling's reversed "S", that of Bruce Johnson, and many others.

The first to commence big cattle operations in the community were the Wyatt brothers, Dave, Moss, and Lou.<sup>1</sup> In 1885 they established their famed "33" ranch four miles east of where Ault was to be. Later, with Governor Benjamin Eaton they established the Eaton Land & Cattle Company. They dealt solely in Texas stock.

The Wyatt brothers alone were responsible for laying the foundations of Ault. It all came about in this way: As they (the Wyatts) began taking their cattle into Eaton for shipment—Eaton being the only shipping point between Greeley and Cheyenne at this time—they ran into difficulties. Steers were often lost in the drive, frequently some were stolen, and occasionally a critter would go "wild" and cause damage to a farmer's property—and the damage had to be paid for. The brothers reluctantly tolerated the situation for three years, when they conceived the idea that it would be much more satisfactory if they had a shipping point along the railroad, four miles west of their ranch house. Neighboring stock-

\*Mr. Krakel, who received an M. A. Degree in History from the University of Denver, was employed at the Colorado State Museum in 1951-52. He is now Archivist at the University of Wyoming, Laramie.—Ed.

<sup>1</sup>In the colorful story of Ault, one of the most interesting chapters could be devoted to the Wyatt brothers. They were wholesome God-fearing men, and their wives were accomplished, Christian women. The brothers were strong supporters of law and order in the early days of Weld County history. Lou was deputy sheriff in 1876, and later became a detective for the Wyoming Stock Growers Association. Dave was County Sheriff in 1874-75. In addition to peace officer roles and stockmen interests, they were active in irrigation developments. Moss, Dave, and Lou Wyatt were typical of the pioneer stock that helped lay the foundations of the Ault community.

men supported the idea, as did Governor Eaton. Soon construction was started on a small fly switch and trackage with a ten-car capacity. A V-shaped fence and stock-loading chute were also constructed. The Wyatts contributed to the preparing of a roadbed for the track. The project was completed in time for fall roundup shipments.



ALEXANDER AULT, FOR WHOM THE TOWN  
WAS NAMED

The new siding was first named McAllister, in honor of a very able Denver-Pacific land official. Perhaps more suitable would have been the name Wyatt. In 1889 the name of the year-old siding was changed to Burgdorf, in commemoration of Charles W. Burgdorf, a popular roadmaster who died of injuries received in an accident near Pierce Station, located four miles north.

Thus the early 1890s found the siding community north of Eaton prospering; however, to be reckoned with were "Sod Busters," with their windmills and wire—they were contesting the cattlemen's domain.

Tremendous strides in both dry and irrigation farming were being made. The foundations for the present irrigation system had been laid in the 1880s. The Eaton Ditch, one mile south of the siding, had been completed in 1881 by Benjamin Eaton & Company. The fertile soil responded to the snow water; crop yields were phenomenal. However, to the north and east cattle raising was being carried on in an unrestricted manner.

Among the first to "break sod" in the community was Mr. A. F. Riddle, with the help of Mrs. Will Rowe—west of town. Young Ben Wykert, working for Richard Carroll, Sr., plowed up the sod of part of the section that was to include Main Street. Both back-breaking events took place in the spring of 1890. Each successive spring saw an increasing number of new families in the Burgdorf country.<sup>2</sup>

Among the settlers of the early nineties was John Hayden, who established his farm on the section running north of present day Ault and constructed a large, comfortable ranch house (the present mortuary building). The large house and windmill were the only visible landmarks in the vicinity for many years. The second to move into the community was Mr. and Mrs. Bernard G. Tormey. Mr. Tormey farmed the land west of the railroad tracks, south of where Main Street was to be.

Wheat became the principal crop in the new country—the potato era was almost a decade away. Thus the transition of Ault from a "cow pasture" to a farming area was on.

The stage was set for prosperity—new men in a new country with a growing world market! However, before the mid mark of the year 1893 had passed, the scene changed. The nation was suddenly plunged into a panic and depression; the coinage of silver became the hub around which the tangled economic affairs revolved. This condition gave rise to the Populist Party and the fiery William Jennings Bryan. In some parts of the West the railroads were said to have been unfair in business transactions. The abuse locally, as stated, was that Denver wheat buyers would not pay market price for "Ault Wheat." They knew that the local farmers were heavily mortgaged and without grain storage facilities, and would be forced to sell their wheat at a loss. The community was further plagued by drouth conditions. Thus within a short time many of the heavily mortgaged farms were in danger of falling into hands of receivers.

<sup>2</sup>A list of settlers coming into the Siding area in the pre-town era of the "nineties" would include: Joe and Sam Newell, Fred and Herman Grafe, Oscar and Albert Payne, O. G. White, Charles Weber, J. D. Mathison, John Hayden, Albert Larson, Henry Mead, George Haynes, C. Veden, John Rienks, T. C. Wilson, Antone and Albert Andersen, August and Philip Molander, James Boyd, Albert Nichols, the Morris sisters, E. G. Huff, George Weber, and Irvin King.

Something had to be done! The desperate farmers turned to Mr. Alexander Ault,<sup>3</sup> who by his fairness and keen business ability, became the community "savior." Mr. Ault, a former grain buyer for the J. K. Mullen Company, knowing the community well realized the seriousness of the situation. He established relations with the St. Louis, Missouri, grain buying firm of Norton & Company as a market. Farmers were eager to cooperate. A set of platform scales to be used in weighing the wheat were installed (in 1894) near the railroad tracks. Mr. B. C. Tormey assisted the buyer in construction and the placing of the scales. The Payne brothers, Oscar and Albert, frequently operated the scales.

The new community hummed with activity and a wave of optimism swept the northern part of the Eaton country.

The methodical Mr. Ault kept a diary most of his life. From these valuable journals one can gain an insight to the wheat buying activities in the community at this time, as the following entries indicate:

Thursday, November 12, 1896. I started down to the switch (Burgdorf) about 9 a.m. I went to Wyatt's and bought William's wheat, \$1.05, and then went to Eaton and talked with Mullen on the phone.

Friday, November 20, 1896. I sent Winton to Burgdorf. Hayden was selling at Eaton.

Monday, November 23, 1896. I went to Burgdorf. Went to Eaton. Sold Denis, Hayden's wheat. Will take Payne's weights. Had two cars set in. I think wheat will go to \$1.25. Hayden's wheat was \$1.10.

By finding a fair market for their wheat, many of the debt-ridden farmers were pulled through the lean years. Once on their own feet they were ever grateful to Mr. Ault, and out of this gratitude came a new name for the community.

The siding country experienced almost a decade of growth before it received the advantages of mail and store facilities. These were to be gained with the coming of R. L. Pence and family.

In the fall of 1897, R. Lincoln Pence (in somewhat poor health) with his family—Mrs. Pence, Robert, Pansy and Burr—moved from the State of Illinois to Wyoming and then to Denver.

Arrived at the Colorado capital, the family stayed at the home of Mr. Pence's brother, K. A. Pence. While in Denver inquiries were made as to where one might find a desirable location for a general merchandise store. It was recommended that the new country of Eaton be investigated.

<sup>3</sup>Alexander Ault was a native of Ohio, and was a grain buyer and miller by trade. He operated a flour mill in the state of his birth until 1883. Mr. Ault, with his family then moved to Colorado, settling in Fort Collins. In the early 1890s he acquired in the Ault community 800 acres, which he later sold. Among those buying land from Mr. Ault were Sam and Joe Newell, prominent Ault farmers. In later years Mr. Ault operated a hardware store in Fort Collins, but continued his grain buying. During his lifetime he was regarded as one of the most capable and respected men in Northern Colorado.

Responding to the information, all the possessions of the Pence family were loaded onto two wagons in preparation for the trip. Mr. Pence, driving the first wagon, his small son Robert the second, departed, leaving Mrs. Pence and two smaller children to follow by train if a site was found.

Slowly the pair made their way north, through Brighton, Fort Lupton, Platteville, Greeley, and on to Eaton. Apparently Mr. Pence liked Eaton, but he found the merchants there "solid" against the opening of another merchandise store. All pointed north to Burgdorf Siding. Mr. Pence heeded the advice.



R. L. PENCE'S STORE AT AULT IN 1898  
This was the first business building erected on the site of present-day Ault.  
Courtesy of Mr. Robert Pence, Burley, Idaho.

After viewing some plowed and some unplowed land, the father and son, both tired, arrived at the Siding. A sign, dirty from train smoke, told them they had arrived at their destination.

Perhaps the first attraction in the community was the beautiful panoramic view of the snow-capped Rockies. At Burgdorf, Mr. Pence found the soil rich, the air clean, and the people friendly; so he concluded to stay.

On December 22, 1897, a section was cut out of a fence surrounding some of John Hayden's farm, to provide room for a tent. A board shack was constructed the following day, and Mrs. Pence and two small children arrived just before noon on the 24th of December. The tent and board shack served as their first home, until a home-store building could be built.

In describing their first night and the following day in the community (these being Christmas Eve and Christmas Day), Mrs. Homer Bridges, the former Pansy Pence, wrote:

Mr. and Mrs. Pence were Christians, and had taught their children of the Christ Child, and of his birth declaring "Peace on Earth"; though they knew little of the peace and satisfaction that would follow. But all knew of the plans and each child visioned peace, joy, and comfort in this new move.

That evening a wind came up and by morning there was plenty of snow. To the east, about one-half mile, the Payne brothers lived on a farm. One of them had a wife, and the Pence family was entertained at Christmas dinner in a warm house. That evening they returned to the tent and shack, the next day Mrs. Pence and Pansy were sick, and the following day a doctor was called from Eaton. . . .

New Year's Day, 1898, saw all five of the family well and working on their new two story store building. The structure was completed on the first of February. On the 15th of that month the first shipment of goods arrived and three days later the store was opened for business.

Upon arrival Mr. Pence had begun circulating a petition to secure a Post Office. The paper was readily signed by those in the community; a Mr. Rasmus Jensen was the first to sign the request. The petition with the desired number of signatures was sent to the Post Office Department. However, the Washington authorities were somewhat hesitant to act, perhaps they felt the settlement was only temporary. After almost sixty days of anxiety, Mr. Pence received word that the request had been granted, providing a proper name was selected by the petitioners, and a postmaster appointed.

In compliance with the first of the government stipulations, a general meeting was held to choose a name. The discussion was apparently lively, some felt the name Burgdorf would do, others said that name was too long and they could attach no importance to it. Numerous other names were mentioned, perhaps the name Pence, with the modest merchant refusing to hear of it. Finally the name Ault was suggested and it was added that this name would also serve as a tribute to Mr. Alexander Ault, wheat buyer. The farmers were quick to nod their approval. Thus in mid-March, 1898, the community received its third and final name.

In recognition of the second of the government requirements, Mrs. Pence was appointed Postmistress, and the office was to be set up in their store. The reason for her receiving the position instead of Mr. Pence, was that they were not sure at the time that their store would support a family of five. If Mr. Pence had been the "PM" and the store failed, he would have been obligated by virtue of his contract with the Post Office Department to remain in Ault, unable to leave the community in search of work to supple-

ment their income. In this event it would have taken considerable time for official action; dissolving the Post Office at Ault, and subsequently releasing Mr. Pence.

With the successful fulfillment of the postal requirements the new town of Ault was listed on the schedules of trains between Cheyenne and Denver. All in the community anticipated the first "Ault mail." The date of the momentous occasion was set for March 29, 1898. On this day a small crowd assembled around the boxcar depot, and witnessed the tossing off of the first mail to Postmistress Pence.

Mid-summer, 1898, established Mr. Pence's undertaking as more than just an experiment. The Post Office, General Merchandise store, and Depot became the core around which the embryonic community revolved. Machinery and building materials were unloaded at the siding, and in the fall shipments of wheat and potatoes were billed out by the carload. Potatoes were becoming an increasingly important crop.

Prosperity brought two new establishments in this summer of '98; both were blacksmith shops. The first was that of one Joe Richards, opened for business in July; the second was by Patrick Hoff, a few weeks later. Increasing demands prompted Mr. Pence to add coal, lumber, and grains to his list of commodities for sale.

This year of the Spanish-American War saw many newcomers filtering into the "Big Spud" country. Among them were Mr. and Mrs. William Fry, Mr. Charles Fry, and the Washer brothers, Bill and George. Mr. E. A. Coney became employed by Mr. Pence in his store. The Hensley's moved into the community, living one mile south of the settlement.

Albert Allison moved into town in 1899, opening up the first hardware store. He became one of the community's most vigorous citizens. In 1904 he sold this place of business to Mr. J. A. Belcher. Another family coming in this year was that of M. C. Todd, who had farmed northeast of town for some time prior to this.

Mr. and Mrs. Max Osterle were among the first to marry from the community. Both were of "Ault" pioneer stock. Mrs. Osterle was the former Julia Haynes, of northwest Ault. The newlyweds left the community in 1899, but returned three years later and have since resided in the town.

Early in the winter of 1900, Mr. and Mrs. Hiram England moved to the community from Missouri. The Englands had made the trip via team and wagon. Upon arrival they found no living quarters available, and so Mr. England set about building a house,

and this was the first permanent residence constructed in Ault.<sup>4</sup> It is also said the Englands' baby was the first born in the town. This, however, excludes the rural area; for Mr. Robert Alkire, Sr., is said to have been one of the first babies born in the community west of Ault.

In March (1900) the telephone company began the setting of poles and stringing of wire in and about the community. The first wires were run west out of Ault, and the Herman Grafe farm was the first to receive rural telephone service.

In the fall of 1900, the little "Berg" was hit by a severe typhoid epidemic. The closest doctor, at that time, was in Eaton, and he was too busy caring for typhoid victims there to come north. The only person having medical training of any kind was Mrs. R. L. Pence; soon she was working day and night caring for the fever victims. Almost singly she broke the epidemic, and for this work she has frequently been called the "Mother of Ault."

Among those coming to Ault in this year were: Frank and John Rienks, Edward Gafner, Irvin King, Mr. and Mrs. Chauncy Fry. Messrs. Gafner and King, not long in the community, opened a meat market; while Mr. Fry had a hand in building many of the substantial buildings. Mr. Rienks farmed west of town for a number of years before moving into town.

In 1901 a section of present day Ault, north of Main Street and west of the railroad tracks, was surveyed and platted by John Hayden. Streets and additions were named. Present-day Main Street growth started from the north side of the survey, which was a section line. The south side of Main Street, owned by Mrs. Clara Curtis, was apparently "tied up" legally, and building construction was delayed some time. However, late 1901 saw both sides of the street occupied. A more extensive survey was made in 1904, including the land south of Main and east of the railroad.

Business establishments coming at this time were the F. H. Gilerest Lumber Company. This "yard" was operated by Mr. Dan Miller, H. H. Cline, and J. W. Tollefsen, and supplied a large portion of the materials for some of Ault's pioneer buildings. Another ol' business man and life-long resident of Ault was William T. Miller. His first enterprise in the new town was a cigar store; later he expanded to a general merchandise store, and perhaps was the first competitor of Mr. Pence. The third general store in town was that of Mr. R. D. Padget. A native of England, Mr. Padget

<sup>4</sup>This house, built by the Englands, is located one block north of the First National Bank Building. It was the first built in the town, excluding the John Hayden Ranch home, which was the first built on the site of Ault, and is still standing. The second house in Ault was built by Mr. Pence and is located one block north of the Farmer's National Bank.

came to Ault in 1901. He operated his store in Ault for over thirty years, and lived to the ripe old age of ninety-two.

The memorable year 1902 saw the completion of Ault's first school building. The structure was heartily welcomed, for prior to this time local children had to walk out of town to attend the White School, located near the present-day Magnes Anderson farm, a distance of one mile and a quarter. The once-handsome red brick structure is presently used as a warehouse by the Weller Lumber Company. Building materials for the new school were purchased from the E. G. Steele Lumber Company, another pioneer establishment.

The building was completed in time for the fall school term. Benjamin F. Brown was the first superintendent; he had one assistant. Only the first eight grades were taught at this time. Mr. Chauncy Fry was the first janitor of the building. Pupils were cautioned not to race their horses and buggies on the school grounds; violators were punished.

The year 1902 also brought Dr. Andersen, Ault's pioneer doctor, to the community. He was annually confronted with typhoid epidemics. He was typical of the so-called "horse and buggy" doctors, of an era gone by. Dr. Andersen frequently traveled distances of more than fifteen miles to attend a patient.

In an interview a few years ago, the doctor admitted that in his forty years' service in the community he had probably delivered between 1,200 and 1,300 babies. He further stated that he had watched his first Ault "babies" grow up, marry, and then had brought their offsprings into the world.

Few in the Ault community have rendered more service or were as colorful as Dr. Andersen. Fond memories of "Doc" recall him and his little black derby hat, his brisk ways, starched collars, and well-shined shoes. Most vivid in memory was his accent, ringing of the "old world." Polite and unassuming, Doctor Andersen played an important role in the formative years of Ault, Colorado, U.S.A.

The construction of several larger buildings and the establishment of many facilities came in 1903. In this year Ault was first listed in the State of Colorado Business Directory.

The list of Ault enterprises begun in 1903 includes the following: the Colorado Milling and Elevator Company in this year put up their large yellow building just east of the railroad tracks. The Rothchild Produce Company began doing business in Ault. Mr. E. G. Steele, prominent life-long northern Colorado lumberman, opened up a yard this year. The stockyards were enlarged to meet shipping demands. *The Ault Record*, published in Eaton, made its

appearance, and was circulated throughout the community, via the post office. The paper made pleas for a new depot, better roads, and many other things needed in the community. The one-sheet edition contained local news, notice of births, of deaths, farm sales, weather reports, etc. Livery barns were started by Jack Teague and John Rodgers; and Jack Blake became one of the first draymen in town. A local pride was the new beet dump constructed in this year—located north of town some distance. A new merchant was George Galber, opening a general merchandise store. W. J. Henderson started his harness shop in this year, and also performed the duties of Justice of the Peace. Mr. C. G. Leeper began drayman work; in 1905 he was elected Marshal, to fill the vacancy left by Hiram England's resignation.

As 1903 closed, Ault was substantially established and known throughout the state for its "rugged-newness" and large crop yields. It had a school, many business houses, a number of residences, and an energetic population of over 200. However, its needs were many.

The big year 1904 brought many fulfillments, including political unity. In a decade, plus six years, after the seed of community growth was planted, Ault became of "voting age"—recognizable by incorporation.

The Ault of both yesterday and today had and still has a well-defined and capitalized rural atmosphere. With this heritage of agricultural know-how, combined with a willingness to "get in the harness," the Ault community, quiet and unassuming, annually contributes a mountain of food to the "Bread Basket" of Colorado.

## "Queen Ann" of Brown's Park\*

ANN BASSETT WILLIS

Hi Bernard, manager for the Haley Two Bar cattle outfit, with ranches near Craig, Colorado, bought the Ben Majors and Sainsbury Ranches on the lower Snake River, thirty miles from Brown's Park. Soon after the transfers of the ranches, several thousand head of Two Bar cattle were driven into Routt County and turned on summer range. The intent of Haley to occupy all of the summer and winter range of the county was clearly demonstrated. There were hundreds of miles of range outside of the Park, yet we with our small herds located in the west end of the natural drift, and with less snow and plenty of feed were again in danger of becoming overrun by the big herds of cattle owned by non-residents.

\*Continued from the October issue and concluded in this.—Ed.

Bernard visited the Park in October of 1898 to submit a proposition to the cattle owners on the Colorado side of the line. A tall, fair-complexioned man, he could adopt a most convincing manner. He plausibly suggested that they form a Cattle Association for "protection" against the large bands of sheep that could so easily invade the winter range, from Utah and Wyoming. The men of the neighborhood listened with growing favor, and accepted his plan, for it seemed reasonable; but the women (myself included) could too well remember the conflicts and trouble of other attempts to fraternize with big cattle companies, and doubted such a plan could work to our advantage. The locating on Snake River and the herds of cattle on the way did not reassure us.

The women were supported in their belief by Harry Hoy. The men far outnumbered the women and the organization was adopted with every male cattle owner joining, with the exception of Hoy. The women and Hoy fought on and would not become members of the organization until a compromise was effected, when it was agreed that our neighbors engaged in the sheep business were to continue to graze their flocks in Colorado.

These neighbors, Willis Rouff, Charles Sparks and Frank Goodman, had small flocks, were home owners and would have been ruined financially if forced to move their sheep out of the state at that time. Their outfits only, were allowed to graze sheep on the ranges of Routt County. Sheep were forbidden elsewhere in the county by the "law unto themselves, the cattle kings."

Up to the time of Bernard's buying the Snake River ranches for the Two Bar, no cattle belonging to that outfit had crossed the divide into Brown's Park. They had not fully stocked the range, and found winter feed near the ranches at Lay Creek. Hi Bernard, whose ability to judge cattle and ranges was perhaps unsurpassed, saw the benefit to be derived by complete control of the entire open range between the Utah line on the west, Wyoming on the north, and east to Hahn's Peak; comprising an area of hundreds of square miles of cow range. Brown's Park cattle owners had only a few thousand head of cattle but held by right of range custom of that period, one of the finest winter ranges in the West. These cow men and women could contribute nothing to the large herds, and they would not yield and become absorbed, because they were prosperous and deeply rooted in a business they understood. They presented a different problem from the upper Routt County settlers where conditions were not so favorable, due to deep snow, long winters, and the necessity of growing and feeding hay.

The lower country with its mild winters offered an ideal set-up. Cattle could winter on the open range at no expense save labor,

provided of course the local occupants could be shoved off the ranches and range that happened to lie in the path of the spreading herds. The over-stocking of the range caused a heavy drift of cattle west of Snake River and brought up the question of range division.

Mat Rash was President of the Brown's Park Cattle Association. He was an ex-Texas Ranger and a nephew of Davy Crockett. He had come to Wyoming from Acton, Hood County, Texas, as "trail boss" of a herd of cattle delivered to the Middlesex Company in 1882. He became range manager for the "G" outfit, which



BROWN'S PARK COWMEN ON A ROUND-UP  
Eb. Bassett, fifth from left, leading "circle"

belonged to the Middlesex, and later went to the Circle K, in the same capacity. Rash continued there, employed by Tim Kinney, until his cattle business was changed to sheep. Mat was a number one cow man and was given financial backing by Kinney, to branch out into the cattle business for himself. He soon established a solid bank credit and frequently negotiated loans of large sums of money through the Rock Springs banks. He bought and sold cattle in three states, Wyoming, Colorado, and Utah. Rash had a wide circle of friends, who held great respect for his word, regarding his character above reproach.

Representing our Park Cattle Association, he interviewed Hi Bernard in the matter of establishing a boundary line between Snake River and Brown's Park. This resulted in an agreement between Bernard and Rash to the effect, that the hills known as the divide, a range of limestone about half way between Snake River and the Vermillion, extending north and south from the Escalante Hills to Douglas Mountain, was to be the western boundary for the Two Bar, and the eastern extension for the Brown's Park cattle. The arrangement was acceptable to all concerned.

There were no fences, so it was necessary to ride the Boon Trail and Douglas Mesa to check the drift of cattle and spread them over the range. The Brown's Park cattle men "pitched" a temporary camp on the divide and carried on this line riding during the winter of 1898 and '99.

Billy Sautell, a cow puncher, employed by the Two Bar, was the line rider representing Haley and his manager Hi Bernard. By this method, the situation was under control.

When the spring round-up was conducted, few strays were found on either side of the divide. Such a logical solution to the problem appeared highly satisfactory—on the surface. The drift control had proved far too efficient to please the Two Bar, or to serve their purpose. But the agreement had been made and Bernard could not back out creditably. The range division was exactly as he had approved. Yet the plan was completely cutting off any advance towards the range to the west, coveted by the Two Bar. Then Bernard comprehended that the agreement had raised a more formidable barrier than he had counted on. And advantages he had anticipated failed to materialize.

Up to that time nothing had seriously blocked the flood of Two Bar cattle. All obstacles had been successfully removed. Facing failure of the original plan, the old Johnson County, Wyoming, order for "Extermination" of the obstacle, was put into practice. There was hired secretly one who would strike, kill, and leave no sign. One who would not hesitate to shoot down friend or foe, man, woman, or child for pay. In Tom Horn was found this killer, a murderer, lusting for blood money. And the case required prompt action. Soon a stranger rode into Brown's Park, a man seeking a new home amid pleasant surroundings. Sometime later a mysterious bunch of cattle were seen in the Park, bearing an unfamiliar brand, the VD connected.

It was not unusual for strangers to come investigating the possibilities of a home. They were made welcome, given the desired information and their sincerity taken for granted, the settlers had no reason to be doubtful or suspicious of visitors and were not in the sanctified business of sorting the good from the bad. Counting on this susceptibility, "James Hicks" arrived in the Park representing himself as a ranchman from New Mexico in search of a location for a small ranch. He was put up as a guest at the home of Mat Rash, where every courtesy was extended to assist him in the selection of a suitable investment. He was invited to attend the round-up. But it soon became evident that he was not a cow hand, so he was given the job of cooking.

The round-up was in full swing when I came home from school and joined in the work. I did not take kindly to the new cook. His bragging that he had been a great Indian fighter, his boastful, descriptive accounts of the human slaughter he had accomplished single-handed, were exceedingly obnoxious to me. I emphasized this point with vehemence in several heated arguments.

Mat Rash attempted to iron out the discord and remarked, "most all the big Indian battles were fought around the campfire as men smoked and talked." Hicks was not so complacent. He seemed to recognize the "Indian sign" as unfavorable to his interests, and with a flimsy excuse to Mat Rash, he removed his carcass from the round-up. And that was the one and only time I saw Tom Horn, alias James Hicks.

But an eye-witness is still living, who happened to be at the Two Bar ranch at the time "Mr. Hicks" quit the round-up. This witness declares that a man rode in at early evening and was served a late supper. He held some confidential talk with the ranch authorities. A string of horses were caught and he rode away, with no comments being offered on either his coming or going. A short time afterwards those witnesses saw the same man, recognized him as the late and rather mysterious visitor to the Two Bar, and then learned that he was Tom Horn.

When he left the Dutch ovens to grow cold, "Mr. Hicks" said that he was going on a short journey, "to look the country over." His movements were not regarded as important by people busied with their routine ranch work. He could travel over the neighborhood without hindrance or question.

In June, 1899, twenty-one head of young cattle branded VD connected strayed from the north and lodged among a band of Tom Davenport's sheep in Willow Creek Canyon. Joe Davenport looked the cattle over and saw from the brand that they did not belong locally, the VD was new to this particular range. He let the cattle pass through the sheep herd and they drifted down the canyon. Before leaving camp for the Davenport ranch, Joe instructed the Mexican herder to get the names of any one inquiring about cattle, and to tell them to see Joe Davenport about such stock. When he returned to the sheep camp he was told by the herder that Charley Ward had been there to ask about cattle, and said that a bunch of his had strayed from Clay Basin.

Ward was a person of doubtful reputation who had owned nothing but a saddle and pack horse during the few years he had been in or around Brown's Park. He was not a cow puncher and his interest in cattle, or his suddenly becoming a cow man was a decidedly unusual condition. Joe would investigate. He would

contact Sam Bassett and Mat Rash in the matter of Ward's owning cattle. Joe came to the Bassett ranch for that purpose. The men he wished to consult with were on the mountain. Learning this, Joe told me of Ward's visit and statement that he owned cattle which had strayed. The "lost" cattle struck a bright spark of interest. "Those strays did not get into this country by themselves," I declared, positively, "Ward stole them, and probably from some place in Utah, since they are headed that way, probably trying to get back to their home range. Yip-pee! I've got a wonderful idea!" I exclaimed. "The poor cattle are homesick, let's give 'em a leg over the river. The girls (I referred to my city guests) aren't being properly trained in roping. We will demonstrate on those VD cattle."

Joe Davenport wasn't enthusiastic about my impulsive plan. Nor did he view the situation from my angle. But my determination over-ruled his reluctance to take such action.

"Don't stand there, looking at me," I told him, "drag it to the pasture and run in a fresh string, so Aunty Thompson and father won't get their heads together and decide 'Ann's up to something again,' I'll round up the girls."

I did. And away we galloped, to stretch our hard-twist ropes in what I believed to be a worthy cause. We found the cattle about four miles west of the Davenport Ranch, near Green River. The river was bank full and over-flowing. There the girls tried their skill at roping big game in the open.

We spent the night at the Davenport ranch, and hurried back to the cattle for more entertainment. It was great sport to watch them swim Green River at the old Parsons ford, and see them land in good shape on the west bank near the deserted Parsons ranch, and over the Utah line.

After that swimming stunt, the cattle disappeared from Brown's Park, not one of them ever straying back. Nor was Ward seen afterward. He departed, where and how was never made known. Since he was obviously in league with Horn and Horn's backers, it is supposed Ward was "expunged" as a result of that association.

The girls and I went gaily off to the city to school that fall forgetting about the stray stock incident. As cow technicians we had blundered, for the cattle had not come from Utah. In mid winter Joe Davenport wrote me and said, "The VD cattle are in the picture again. Mat Rash has been notified that cattle of such description and brand were stolen on upper Snake River near Baggs, Wyoming, and they were traced to Vermillion Canyon." In the letter Joe asked if he should tell Mat Rash what we knew about the VD cattle? My answer was, "NO, and do not so much as imply to Sam Bassett

or Mat Rash, that we ever heard of that stuff. If you do it will be 'chaps' for us.'

It was evident we were in bad for failing to give the information when Joe discovered the cattle. I had intervened and now months had passed since the VD cattle were crossed over the river and gone in the opposite direction from where they belonged. My "wonderful idea" was giving off echoes! The situation was grave indeed. Our next move was to confide in Buffalo Jack—we could trust him to keep a secret—we made a clean confession of our guilt, and asked his advice (it was our fixed habit not to seek his counsel until mired to the neck by some of our many imbecilities). Buffalo Jack admonished us for such petty mischief, but saw no foundation for great anxiety. He reasoned that it would not help matters to say anything at that time, for the cattle were branded, they could not be lost. They would show up sometime, and would then be reported. But who could have visioned the cloud of dust those innocent cow brutes were destined to kick up?

The owner of the VD cattle was not a member of the "inner circle" and was not told of the circumstances surrounding the disappearance of his cattle, therefore, he was chiefly concerned about their whereabouts. He had written to well-known cattle men in various parts of the country, explaining his loss, asking them to be on the lookout for his stock. Mat Rash received one of such letters, and he was making every effort to get some trace of the cattle. He did not think of his guest, Mr. Hicks, as a suspect, nor of his being involved in the missing cattle. Mat Rash had no suspicion I had fallen into a trap by crossing the VD cattle over the river.

To promote his criminal purpose Tom Horn, assisted by his spawn Ward, had stolen the VD cattle at Baggs, Wyoming, and smuggled them over the winter range to Clay Basin. He reported to the Snake River association that he had detected the theft, and incriminated several Brown's Park cattlemen, among them Jim Mac Knight and Mat Rash. It had been Horn's intention to sell the stolen cattle to a butcher in Rock Springs.

While Horn was in Rock Springs to negotiate the sale, Ward had carelessly permitted the cattle to get away. When Horn returned from his trip, he assumed a manner of indifference and made no close inquiry. On learning that Mat Rash was investigating the whereabouts of the VD cattle, he was undisturbed. No suspicion had been cast at Horn.

Rash failed in his efforts to locate the cattle, and there the matter rested, to add up later. The fact was revealed several years afterward, that Horn suspected Ward of having outwitted him in the disposal of the cattle. This partly upset his double-barreled

scheme, which was to sell the cattle at a profit to himself, and fasten the crime upon the Brown's Parkers. He would then murder for an additional sum of money, the men he had accused of the theft. The scheme worked out, in part. Within a short time Mat Rash was found dead in his summer cabin, from gun shots fired at close range. He had been shot in the back by Tom Horn, the stranger he had befriended.

A few weeks later Isam Dart, a negro, was shot and killed. Fired on from ambush, when he was walking from Mac Knight's mountain cabin in the very early morning, Horn undoubtedly mistook him for Mac Knight.

Another mistake of Horn's similar to the shooting of Isam Dart, was his killing of Willie Nichols in place of the boy's father, for whom he was lying in wait. Horn was concealed in the brush near a gate, Winchester cocked, ready to shoot at Willie's father. The boy came to the gate and Horn fired, killing him instantly. He sneaked off, unseen. There were no eye-witnesses to this crime.

The Nichols family lived in Wyoming, and were not so far from the law officers as we, in Brown's Park. The murdered boy's father immediately contacted the law, and Joe La Fores, a deputy United States Marshal, was eventually assigned to the case. He very cleverly trapped Horn into a confession of his guilt, and arrested him for murder. Bail was refused, and Horn was forced to languish in jail, awaiting for his release by the men who employed him. But such help was not forthcoming, these men were well-satisfied to permit "justice to take its course." They intended to bump Horn off when he had done his work for them. The "Power Policy" behind Horn's diabolical deeds, were baseborn creatures, existing by greed and intolerance. His arrest was a hazard to their safety, and from among their kind, a committee of decoys were appointed, and a "song service" arranged for the purpose of keeping Horn's morale up, and his mouth shut, while he was in prison.

Horn was not allowed to talk with anyone but his "friends." Several of the songsters were constantly in attendance, reassuring him by promises of a perfectly arranged last minute escape from the gallows. They escorted him to his final necking, and with great satisfaction saw him kick out his miserable life. They were saved from a like fate. Many of Horn's gilded friends have crossed the bar, and "'Tis a consummation devoutly to be wished" that Satan has joined the "hit-and-git" buddies together, with a firm dally-welter.

Horn's arrest was primarily brought about by vital information voluntarily given by two girls in the red light district, one in Cheyenne, and one in Rawlins. The girls reported Horn's boasting

of murders he had committed. His talk of miserable intrigues contemplated and the means and methods he had planned for the extermination of his intended victims, who had been marked for death.

One of the girls, known only as Mert, took a letter from Horn's pocket and delivered it to the law. Soon after his arrest, this girl was found in a "hack" with her tongue split. This was one of the methods employed by Horn's confederates to give out warning against any recurrent offenses that would incriminate their jackal, with the possible danger of establishing some connection between Horn and themselves. Great credit is due those girls, classed as social outcasts, who were inspired by a sense of honor to offer testimony that jeopardized their lives. At such risk to themselves, they were instrumental in bringing to justice a most vicious criminal.

The incomprehensible murder of men in Brown's Park caused bewilderment and confusion, everybody was trying to solve the mystery, and getting nowhere. We did not know that James Hicks was Tom Horn, not until his arrest for the killing of Willie Nichols. I characterized Hicks as one capable of such a foul deed, from his revelation of Indian killings. My arguments were not much use, for there was no foundation to justify the crime. I kept on talking, however, and almost talked myself into becoming another one of his victims. Horn did not like my talk. It nagged him until he slipped back into the park, to take a pot shot at me.

Three months after the murder of Mat Rash and Isam Dart a man came creeping up to the house on the Bassett ranch. He took advantage of a dark night when a strong wind was blowing and rain was splattering against the building with noisy force. He hugged the wall and stepped over the yard fence where he could walk on the grass and avoid the sound of his boot heels on the stone walk. A small shaft of light guided him to the front door of the living room—the door where the latch-string no longer hung outside in that old traditional sign of welcome, expressing friendliness and good will since the first white man came to the West. In Brown's Park things had changed with the turn of a tragic few months. This night the latch-string was pulled inside, leaving a whang hole an inch in circumference where the lamp light from within streaked through.

I sat at a table in the living room playing solitaire. Four young boys, Carl Blair, Gail Downing, and my brothers George and Eb Bassett, were lunching in the adjoining kitchen. Suddenly the night was shattered by blasts of gunfire. Two bullets came splintering through the door, imbedding themselves in the opposite wall,

less than six inches from where I had been seated. There could be not the slightest doubt for whom these bullets were intended. I dropped to the floor and rolled under the table. The boys doused the lamp and jumped to a side window, to shoot out into the night in the direction the gunfire had come.

We remained in the darkened house and speculated on why our shepherd dog had not given the alarm of a night prowler's approach; he did not bark all during the night, which was most unusual. That faithful old watch dog never barked again, he had been strangled to death by the spiteful marauder.

Fearful of being clipped by shots from ambush we stayed in the house under cover until eleven o'clock the next day, when two ranchmen, Pete Lowe and Harry Hindle, drove up to the corral in a wagon. We called to them to watch out for gun snipers. They crouched down in the wagon box, and drove on to the house. When we told them of the night's happenings they helped us in making a search of the surrounding hills. We found a man's boot tracks in the mud and leading to a hill overlooking the house. A horse had been tied there for several hours, the horse ridden away on the jump traveling in an easterly direction, all intervening wire fences having been cut for him to pass through.

Eb Bassett and Carl Blair rode to Zenobia Basin where they were joined by Will Morgan and my brother Sam. The four of them followed the horse tracks of the would-be killer over the sand hills to the L7 ranch fifty miles from Brown's Park. There they found a very tired horse near the corral and indications that a fresh horse had been ridden away, toward Baggs, Wyoming. In the little village of Baggs they lost all trace of the horse and rider.

The boys could get no information there and they were twenty-four hours behind the fleeing horseman, so they returned to the Bassett ranch. We held a council and J. S. Hoy advised me to go at once to Cheyenne, Wyoming, and explain to Governor Chatterton the meager circumstantial evidence we had to connect James Hicks, or Tom Horn, with the murders in our section of the country. And especially with the bullets that had been fired, to land so perilously close to my head.

Interviewing Governors was not in my line, but this was no time for super-sensitiveness. I was entirely unconscious of any breach of formalities, when I stalked into the Governor's private office disregarding protesting secretaries and clerks. But I lost control of my nerve very suddenly when the Governor looked at me expressing annoyance over the violent agitation I had caused in the outer office.

I could only look at him in confusion. Dismissing the secretaries, he asked me to sit down and explain why I had made this breathless intrusion. I dropped into a chair but it was hard to find my voice. However, Governor Chatterton proved to be a sympathetic individual and he listened to my story with deepening interest. Only a few hours had elapsed since he had been told similar stories by some Wyoming ranchmen. He assured me at the end of our interview that he would take immediate steps to find the relentless killer roaming our country.

He faithfully kept that word. Governor Chatterton took his official obligations seriously and within a few hours had Deputy United States Marshal Joe La Fores on the job.

Thirty-five years after the Tom Horn murder trial, Charles Kelly wrote a book, *Outlaw Trail*. Mr. Kelly did not attend that trial, but he places his personal stamp of approval upon Horn's activities and pits his judgment against that of selected and sworn jurymen. The jurymen Kelly superficially passes off as "nesters" were twelve men of the city of Cheyenne, charged with the duty of sitting through a lengthy court proceedings and hearing all of the evidence presented for both sides of the case. They heard the examination of testimony as given by the witnesses and the judge's final instructions to the jury.

After all these years, Kelly questions the integrity of the men who had the stamina to weigh all the evidence in the balance and mete out just punishment to the *self-acknowledged murderer*, Tom Horn.

Mr. Kelly reopens the case of the people of the state of Wyoming versus Tom Horn, and tries the case all over again. With himself acting as judge and jury, he acquits Horn, and thereby lends encouragement to the criminal-minded.

The Horn killings were for the sole purpose of intimidating the settlers, and to force them to abandon the range. Range invasion was stubbornly resisted by the Brown's Parkers and consequently, we were attacked from every angle. Rumors were circulated to the effect that not only were we cattle thieves ourselves, but we harbored outlaws and criminals from other states; that in general the park was a refuge for no-accounts to carry on their cussedness. It was the old game of giving a dog a bad name and then go gunning for him, a method strictly in line with the mean practices followed by some of the big cattle organizations. Not all cattle owners on the large scale were of that stripe. Many of them were human, the live-and-let-live fellows. By their true quality and principle they prospered and made money, while the Two Bar and its various managers went down and out. This Two Bar outfit has been charged

with and is probably guilty of every crime from murder to sheep killings. They contributed practically nothing to the support of the counties their enormous outfit took over. It was impossible for county officials to make even a guess at the number of cattle and horses assessable. Tally records of branding were not available. Such control of a county has never done anything substantial toward the building of schools, or roads, or otherwise improving a section. Money invested in a business of great magnitude, under such conditions is not calculated for the betterment of any country. It is purely an investment, the proceeds of which are not spent locally, but greedily hoarded in some distant city. Reams of paper have been written upon, telling hectic tales of rustlers gaining wealth at the expense of the numerous herds of cattle roaming over the West.

Maybe they did. My experience proves a different point. I lived there in that wide, lonely, primitive cattle range country. I lived under frontier conditions. I rode those old round-ups for months at a time, for many, many years. And I became the wife of Hi Bernard (one of the West's most noted managers of two of the biggest outfits in Wyoming and Colorado), a man who had carried on in that capacity for thirty years, in complete control of range activities. From my own experiences and observation, then from him, I learned that the grasping cattle barons of those early days were the biggest cattle thieves of all time.

It was hoped that these methods would "clean out" and finally dispose of the "small" outfits, owned by the men and women who had dared intrude on the open public domain, where every American citizen was given a hundred and sixty acres of their own selection to live upon.

All over our western frontier people had to fight for their rights to hold on, and most of us gave a good account of ourselves, with very little comfort to the enemy. The Tom Horn methods were new to us, but stepped up the tempo, and changed minute men to "split seconds," for not a single one of us wanted to be caught off balance with the consequences of a bullet in the back.

Shadow boxing with bullets is not exactly a glittering adventure anywhere. Not even with our weapons of that day. Our old smoke wagons only let go of one piece of lead at a time, in fact most misunderstandings were settled in that offhand manner. It was the accepted practice, however, for each participant to be given an equal start on the trigger squeeze.

Combat duty did not predominate over the scene. There were many tranquil prosperous years to enjoy. It was a privilege to live in a new free land, where real democracy existed in a wholesome

atmosphere, where people were accepted on their individual merits, and background or great wealth had small importance. The person and the underlying of their composition was all that counted. Equal opportunity for development on all sides in an uncluttered America, before collectivism got a stranglehold on the nation. Americanism is an "ism issue" to be remembered with gratitude and pleasure.

All of the publicized ad-libbing about how "Hi Bernard drove the rustlers out of Brown's Park" is pure twaddle. When Bernard had served a specific purpose, the king-pins of power deserted him, and some of the early settlers of the park gave him a home. In retrospect, Hi was a thoughtful husband, a friend to children, and a gentleman under any circumstances.

It is beyond natural faculties to understand why the human mind is so often beguiled by its own dementia. How it becomes caught in the dragnet of emotion, and views a situation through the marked spectacles of Vested Interests. Those interests who keep their own powder for further sneak hostilities. In this case Hi Bernard was no exception. Like many otherwise intelligent men, he swallowed the bait and the hook was inescapable. Too late, he understood the nature of his enchainment and stoically faced the results of his blind reckoning.

Lest we forget, *The greatest of them all is Charity.*

Elbert Bassett maintained a free home at the old Bassett Ranch, a spot where the birds and the beasts, homeless, travel-wearied mankind, all found a refuge, food and shelter, given in kindness and without reservation.

I am glad that my brother "Eb" took Hi Bernard there, when the sands of his life were running low.

The Two Bar outfit, under range management of Bill Patten, considering themselves rolling juggernauts, refused to pay the negligible grazing fee requested by the United States forest department. They could not bribe the forester, nor deceive him by false counts of cattle, so they attempted to slay the regulations of control set up by the government order, thereby forcing the foresters to count all cattle grazing on the National Reserve. This act of justice, in counting the cattle was resented by Ora Haley, who flatly refused assistance to the forest department. Progress of the necessary round-up, was retarded by every imaginable means. The foreman on the range scattered cattle over wide areas adjacent to the forest, knowing they would drift into the reserve from many places. There were no fences to protect this National Reserve, and the rounding up, holding and counting of so many thousands of cattle on an open range, is an undertaking of colossal proportions.

The three largest outfits using the range were the Sevens, owned by the Pierce Rief Company; the Two Circle Bar, owned by the Carey Brothers; and the Two Bar, owned by Ora Haley. Each presented a different problem to the Forest Service. The Pierce Rief Company (the Sevens) co-operated in every way. The Carey Brothers (the Two Circle Bar) offered passive resistance, and Ora Haley (the Two Bar) presented a front of determined resistance, a front of total opposition.

The Two Bar outfit even resorted to the extreme measure of stampeding a herd rounded up and ready to count. The rounding up had been accomplished by much grilling labor, and a great expense, by the Forest Department. Haley met his first defeat when he tangled with the Forest Service.

The Two Bar foreman, Bill Patten, had persistently kept up a moving row in a long range effort to over-run the beef cow country in parts of three states, to keep it free and open for the Two Bars, and nobody else. When twenty-five thousand cattle were being held on the bed ground the last night before they were to be counted and turned on the Forest Reserve, he left the roundup camp giving a flim-flam excuse. He slunk back at midnight with a few rocks in a tin can to toss at an alert old cow and snap her into action. And he carefully timed his movements when the night guard was trotting around in the other direction.

What did Patten care for a few mangled and dead cowboys, or for cattle killed and crippled by the run of a herd of that size in a head-on rampage, as they rushed over rocks and heavy, down timber. Some of the Two Bars would escape and get into the reserve uncounted. It would teach the stubborn Forest Supervisor, Harry Ratliff, a lesson, providing he survived the death race of the stampeded cattle.

Ratliff and his rangers were camped with the cowboys near the bedded herd of cattle that night. A stampede might be an easy way to put the kibosh on the Forest Service and discourage the troublesome forester, Ratliff, who had refused to be dominated, and who insisted upon serving the Forest Department instead of becoming a tool for the Two Bar outfit.

Fortunately the great herd of cattle ran away from the camp and no one was killed. The cowboys gathered on high ground in the grey morning to roll Bull Durham cigarettes and decide what was to be done about attempting a new start, to round up the cattle. They soon found that Ratliff and his rangers were right there with them. The "tender feet" Government employees were boys that could take it rough, and they had the intelligence to map out a course to handle the situation. Harry Ratliff called into counsel

the Seven and Two Circle Bar men and had cowboys stationed along the forest boundary to keep any cattle from crossing the line. Other riders made a sweeping circle and bunched the cattle near the line to be counted across by the Forest Rangers.

The Two Bar riders continued to pass up cattle that should have been driven to the bunch ground. That was stopped when a Seven or a Two Circle Bar cowboy rode circle with each Two Bar man. Very few of those cattle entered the Forest Reserve without being tallied by the rangers. The effective manner in which the work was carried out was a big surprise to the Two Bar foreman, Patten. He could see how he was being outmaneuvered and he changed his tactics.

Patten went to Ratliff and threatened disastrous counterblasts if he insisted upon interfering in the Two Bar's range affairs. At that point of the argument Patten found that he had made a serious mistake. Ratliff did not become frightened and run away, he called Patten's hand. He sternly dished out a program that left Patten speechless, white with fury.

Patten had taken too many things for granted. If he had informed himself about the background of Ratliff and his assistants he would have learned that they were frontier bred and born, that they had been handling cattle on the range when he was hoeing cotton on a farm in North Carolina.

Shortly after the stampeded herd of cattle were tallied onto the Forest Reserve and drifted to various parts of the range within the reserve, supervisor Ratliff found fresh tracks of cattle where another herd had been more recently driven over the boundary line, without having been counted by him or his rangers. Shod horse tracks crisscrossing behind the cattle tracks, proved conclusively that the herd had been driven by men on horseback to the line. The riders had then turned back to retreat whence they had come. Ratliff and his men soon found the cattle on the reserve, most of them Two Bars. They were scattered over the range and some of them taken about fifty miles to another part of the same National grazing grounds.

Patten hung around out of sight and spotted the movement of the cattle by the rangers. He hurried away to circulate reports among other cattlemen and in general over the country far and wide, that Ratliff was stealing cattle and smuggling them off to markets. The cattle were on the reserve, under the supervision of the forester, and Ratliff was acting within his rights, protecting the forest by spreading them over different parts of the range.

Before Ratliff entered the forest service he had bought a fine breeding stallion from a ranchman in the vicinity of Craig, Colo-

rado. When he joined the forest service he wanted to sell the horse. He contacted the original owner who had an interest in the animal and got his verbal consent to the transfer of the contract. Shortly thereafter Ratliff was arrested for selling mortgaged property, and placed under a stiff bond by a local Justice of the Peace, to await his hearing in the district court.

Bill Patten played his cards with the ranchman, a Two Bar employee, and influenced him to prefer the charge against Ratliff to annoy and harass him.

Chief Forester Gifford Pinchot sent an investigator to the scene. What the investigation disclosed of problems facing their representatives on the Routt National Forest was a revelation to Mr. Pinchot.

The horse case against Ratliff came to trial and the Forest Department sent an attorney to defend him. The plaintiff became inarticulate and could not remember anything he had formerly said. The transaction regarding the sale of the horse was declared legal and the case was dismissed. Harry Ratliff left the court room and went at once to Baggs, Wyoming, in answer to a telephone call from one of his rangers.

Baggs is located on the Colorado-Wyoming state line and is also near the National Forest Boundary where surveying was in progress.

At that time there were several large steer outfits owned by Denver commission firms, using the range around Baggs. The largest of them was the reversed Figure Fours brand, of several thousand head and managed by Wiff Wilson. Charley Ayers also ran a good-sized herd of company steers on the same range. All of the stockmen in the district were vitally interested in the success or failure of the Routt National Forest Reserve.

If the Forest Department gained control there would be supervised grazing on the summer range, and sheep permits issued. The cattlemen had kept sheep off the range by force. Large piles of bleaching bones of sheep in different places were mute evidence of the ruthless method in practice to hold the range, exclusively for themselves. At different times a daring sheepman had crossed into the forbidden land, to his sorrow. Hundreds of sheep were run over cliffs, run down and shot, or clubbed to death, by men working for the cattle interests they represented. Upon several occasions the sheep herders were murdered.

Forest control meant regulation in the number of livestock permitted to graze within the boundaries. Any bona-fide citizen owning livestock in the vicinity of the forest would be entitled to a grazing permit and the small owners of livestock would get an

allotment equally as valid as the large owners. This equitable division of range would cut a big chunk from the cake of the overlords, and last but not least, there would be a small fee of a few cents per head charged for the grazing privilege.

When Ratliff arrived in Baggs he was met by his chief assistant, Chas. Morell, who informed him that Bob Meldrum, a notorious gunman, had come to Baggs and was appointed Town Marshal. Meldrum's background as a killer could be traced to different mining camps in the West. He was known as a professional strike breaker and while he was serving in that capacity he had stacked up several killings to his discredit.

Survey work was going ahead rapidly with Ratliff in charge. He was sighting through his telescope when a gunshot exploded from ambush and his transit fell to the ground. One leg of the tripod had been shot away. He armed himself and his helpers and continued surveying. Toward evening Ratliff and Morell took their pack horses to Baggs for camp supplies. They were leading their horses into the livery barn when town marshal Meldrum approached and demanded their guns. They refused to give them up to him. Meldrum made a move for his shoulder holster, but before he could draw he was looking into the muzzle of a Colts forty-five held by Ratliff. This unexpected move completely nonplussed the marshal, his killer instinct vanished for the moment. Meldrum stared dazedly as Ratliff removed the gun from its holster, shoved it under the waist band of his own pants, and walked away. That was Meldrum's last open attempt to intimidate the foresters, his next move was against the stockmen who were not in sympathy with him nor with the aggressive element that appointed him.

Bob Temple, an old time cowman who lived in the outskirts of Baggs, had been outspoken against Meldrum's appointment as marshal. One of Meldrum's friends shot Temple at a time when there was not a witness present but Meldrum, and that bare-faced murder was checked off as self-defense.

Another high-handed outrage was the killing of George Wooley's sheep, at night, by a crowd of masked men. Wooley owned considerable ranch property south of Craig, Colorado, and his sheep were grazed entirely on private ground. Chick Bowen, a well-known cowboy, was working for Wooley at the time the sheep were killed and it was rumored that he recognized some of the ruthless mob.

Chick was not the sucker type nor a blow-off kind. He could not be bought off by the Meldrum gang, consequently he was listed as being dangerous to their interests. He moved to Baggs and went to cowpunching for the Salsbury boys, two young men favorable to range control by the Forest Service.

Chick was a jolly, friendly boy with a sense of humor. Riding into town one day, he met a friend, and as they were standing on the sidewalk he laughed at some joke that passed between them. Meldrum rushed up to Chick and charged him with creating a disturbance. The words were scarcely out of his mouth when he shot three bullets squarely into Chick's body, killing him almost on the instant.

Meldrum served a short sentence in the Wyoming Penitentiary for the murder of Chick Bowen and received a pardon. He then located in Walleot, Wyoming, and started a small saddle and harness shop. Soon after Meldrum set up shop a Miss Brown came to Walleot. She was a fine looking young lady just out to see the West and enjoy horseback riding. Western saddles intrigued her and she made frequent visits to Meldrum's place of business. The townspeople were not surprised to see her and Meldrum ride away together, one afternoon, toward Saratoga Springs. Several hours later Miss Brown returned alone. She paid her hotel bill and went away that evening. A note left in her room stated simply that she was Miss Bowen, a sister of Chick Bowen.

Meldrum was found out in the hills with his head bashed up by the butt end of a shot-loaded quirt. The local authorities made no effort to locate his assailant nor to apprehend "Miss Brown."

Bulldozing and murder failed to overthrow the United States Forest Service and the Two Bar outfit concentrated on areas outside of the forest boundaries.

The success of those pioneering in the establishment of the National Forests and the winning of supervision regardless of the many heart-breaking trials of the foresters and rangers put to the test, lent needed encouragement to small stock owners and ranchmen. The common people being overrun and struggling to live under adverse conditions, welcomed forest control with its legal protection.

We owe a great debt of gratitude to Gifford Pinchot, our first Chief Forester and the father of our National Forest system, for the preservation of our scattered western forests of life-giving pines.

The mountains surrounding Brown's Park were forest areas and the residents adjacent were eager to have them incorporated into a National Reserve.

I attended the University of Arizona at Tucson especially to take a course in forestry and with the definite intention of becoming a ranger on that isolated section. I qualified a hundred per cent. When my application was submitted for approval, Secretary of Agriculture Wilson became adamant, and I was rejected. Not for lack of qualification or ability to do the work efficiently, but because the law read "a male applicant."

For the slapdash reason that I happened to be a female, I was

forced to withdraw my application. I am still protesting the law.

Finis was written on the story of the flagrant old Two Bar outfit that had survived a half century. Now it is only a memory.

In a country where thousands of cattle once dotted the range over endless miles, the present inhabitants have grown wool on their teeth from being forced to eat mutton.

My reactions to the trek of dry farmers with their wire fences and plows, stampeding to Brown's Park and Douglas Mountain, were bitterish. I could see no background among dirt farmers to make up an essence of romance. But they were there for good or evil, seeking and possessing every available spot. Their rights could not be denied. But I could get away and out of vision of the bloodless destruction of my precious native haunts. I would avoid being smothered by fences, and the digging up, where every sage brush, gulch and rock had a meaning of its own, and each blade of grass or scrubby cedar was a symphony. I could make effective my escape. If I had to be hedged in by people I would go away to the crowded cities, to mingle with the human herd and study them from the sidelines, for I had no desire to become a part of their affairs. All I asked of life was to be perpetually let alone, to go my way undisturbed. To Brown's Park and its hills and valleys (the only thing I had ever selfishly loved) I bade goodbye.

Many years went by before I returned to my "sacred cow," Brown's Park. I was lured by curiosity, as people will go back in mental morbidity to view the ravishing and despoliation by human hands. I was surprised to find so many pretty little homes tucked away in the hills. Just puncturing the landscape here and there, yielding fine dividends to their owners, a friendly folk who make up our traditional rural life in America.

Brown's Park brought back a poignant yearning to dash away and drive an avalanche of Two Bar cattle back across the divide. Then I would awaken from my dream to discover that I had been peeping into a past that cannot return. Live Two Bar cattle are conspicuously absent. The winds have buried all the dead ones.

Those round-up days are over. And so are most of the old knee-sprung, saddle-marked cowboys "over"—over there.

"Out yonder in the corral is the horse you used to ride.

The heart of him's gone with you, pard, across the great divide."

Right now I have an unfinished job to do here, keeping Pegasus shod for the brave and valiant boys way out there on circle, to settle a little argument they did not start. But they have the guts and gumption to finish it. Many descendants of the Brown's Park pioneers are units in those mighty military, navy, and air forces and they can be depended upon to give out as the occasion demands.

## Proposed Jesuit Colleges at Conejos and Pueblo

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One of the most difficult problems facing William Gilpin after his appointment as Governor of the Territory of Colorado was that of establishing friendly relations with the Spanish-speaking people in the southern part of his jurisdiction. One of the best ways of winning their favor seemed to be to obtain some priests for the region. He wrote to Father DeSmet at St. Louis about the matter. Father DeSmet forwarded the letter to Father Gasparri at Albuquerque, because the region involved was within the area assigned to the New Mexico-Colorado Mission.<sup>1</sup>

Father Gasparri wrote to Governor Gilpin asking for a map of the area he wished the Jesuits to serve. On August 24, 1871, Bishop Machebeuf wrote to Father Gasparri urging him to accept the parish of Conejos.<sup>2</sup> On December 9, 1871, Father Salvador Personé arrived at Conejos to establish the first Jesuit mission in Colorado.<sup>3</sup>

When Bishop Machebeuf had asked Father Gasparri to accept the parish of Conejos, he was not thinking merely of a parish; he was also dreaming of a college. He wrote on June 22, 1871:

In the San Luis Valley, 200 miles south of Denver, we have two parishes, and another will be formed as soon as I have a priest for it. A rich English company which owns 40,000 acres of land in the valley has offered me ground for a college under the direction of the Jesuit Fathers, two of whom are already in charge of missions there. I shall meet the Superior there this time and make final arrangements, and when the college is built I shall give them charge of the entire valley, which is cut off from the rest of the territory by high mountains.<sup>4</sup>

The Jesuits were first given charge of the entire San Luis Valley, but lack of men made effective work impossible. In 1879 Bishop Machebeuf established a parish at Carnero, and placed Father Brinker in charge of it.<sup>5</sup> In 1888 the Jesuits were again given charge of the valley and continued to serve it from Conejos and Del Norte until the disbanding of the mission. The Sisters of Loretto came in 1877, and their school served the children of the

<sup>1</sup>The New Mexico-Colorado Mission was founded in 1867 and embraced New Mexico, Colorado, and Western Texas. This territory was under the charge of the Neapolitan Province until the Mission was dissolved in 1919 and the area divided between the present Missouri and New Orleans provinces.

<sup>2</sup>F. M. Troy, "Historia Societatis Jesu in Novo Mexico et Colorado. (Ms. n.d., 140pp., Regis College Archives, Denver), 47.

<sup>3</sup>"Diario de la Parroquia de Nuestra Señora de Guadalupe, Conejos, Colo." (Ms., 9v., 1871-1920, Regis College Archives, Denver), 1.

<sup>4</sup>W. J. Howlett, *Life of the Rt. Rev. Joseph P. Machebeuf, D.D.*, (Pueblo, 1908), 371.

<sup>5</sup>*Revista Católica*, V (May 24, 1879), 245.

valley. There is no record in the Conejos diaries of any attempt to open a college there in 1872, or at any other time. The Jesuit College at Conejos remained the "Dream College" of Bishop Machebeuf.

The dream of a college in the San Luis Valley failed to materialize; the hope of a college in Pueblo had slightly more success. The first priest to take up his residence in Pueblo was Father Charles M. Pinto, S.J. He came in October, 1872, and his residence was a little room in the house of Captain J. J. Lambert.<sup>6</sup> The first church was built in 1873, and called Saint Ignatius Church. Father Howlett writes concerning the church and residence:

The first church was built in 1873. It was a brick structure at the corner of Thirteenth and West Streets. A little later a two story brick house was built at the rear of the church and connected with it. This was to serve as a residence, and as a beginning of a future college. The Church was called St. Ignatius Church. A boy's school was started in it but not more than thirty pupils could be gathered together and the school was given up.<sup>7</sup>

The church and residence at St. Ignatius were completely destroyed by fire in October, 1882, and all the records of the early years of the parish were lost.<sup>8</sup> Father Tommasini's summary of the first years of St. Ignatius and St. Patrick's parishes contains no record of an attempt to open a school in Pueblo.<sup>9</sup> Father Troy, however, states that Father A. Montenarelli conducted a parochial school in Pueblo from September, 1877, until the close of 1878, when he was assigned to another parish. After the departure of Father Montenarelli there was no one in the Jesuit community in Pueblo capable of teaching the school, nor were there sufficient funds to enable them to hire a teacher.<sup>10</sup> The Sisters of Loretto came in 1875, and their school took over the task of serving the children of the city.<sup>11</sup>

These two incidents are significant in so far as they show the continual efforts of both Bishop Machebeuf and the Jesuits to provide an educational institution of college grade for Colorado. Despite all the good will and untiring labor, lack of men and money continually hindered the good that might otherwise have been done. The ambition of both was realized in the opening of Sacred Heart College, Morrison, the forerunner of Regis College, Denver.

<sup>6</sup>W. J. Howlett, "History of the Diocese of Denver" (Ms., n.d., Chancery Office, Diocese of Denver), 19.

<sup>7</sup>*Ibid.*

<sup>8</sup>*Revista Catolica*, VIII (Oct. 21, 1882), 494.

<sup>9</sup>"Diary of St. Ignatius and St. Patrick Parishes" (Ms., 7v., 1872-1924, Regis College Archives), I.

<sup>10</sup>Troy, *op. cit.*, 95.

<sup>11</sup>Sister M. Lilliana Owens, "History of the Sisters of Loretto in the Transmississippi West" (Ms., 1935, Saint Louis University), 256.