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Isaac Newton Bard Dug Potatoes, Not Gold 1868

Not all tales of old Oro City on the fringe of California Gulch (Leadville) are those of gold mining, grubstaking and striking-it-rich over night. There were pioneers in that part of Colorado in the 1860's who cut hay, sawed wood and dug potatoes and turnips for market. Isaac Newton Bard was one of the toilers who worked for a daily wage and only once, in a period of many weeks, tried his hand at panning gold. H. A. W. Tabor was a neighbor from whom Bard bought milk.

Although Isaac N. Bard, one-time employee of John "Portugee" Phillips of Chugwater, Wyoming, and owner of a road ranch at Little Bear, on the old Cheyenne and Black Hills trail, became one of the well known pioneers of southeastern Wyoming, he spent some months in Colorado Territory prior to establishing his residence in Cheyenne.

Born in Boonville, New York, in 1842, Bard later moved to Iowa and in 1867 obtained work with a construction crew of the then-building Union Pacific Railroad. In December 1867 he asked Dan Casement for a pass to return to Iowa and went back to Polk City to join his wife, Rose.

About seven months later, Bard headed westward again to work for his brother, Andrew Bard, at Oro City, Colorado.

Through the courtesy of the Graduate Department and the Library of Yale University, we print here extracts from the Diary kept by Bard in 1868.—*Editor*.

(Polk City, Iowa) Aug. 12, 1868 Started for Oro City Colorado. Got on the Train at 7 a.m. First village called Tracy. Next Desota. It bids fair to be quite a place. Rode 39 miles on the cars and walked 13 miles. Staid all night at a farm house had supper and Breckfast paid 50c I have a companion by the name of Smith going out to Flemings Contract for grading walked about 15 miles had Diner at L. Besons Tavern Cost 40 Got at Grove City 7 P.M. Stoped at Webs Tavern had Super cost 50c Engaged a ride to Lewis 10 miles further west Mr. Smith my traveling companion stops hear I have to go on alone Goodby Smith

Saturday 15 Got to Lewis little after sunup eat Breckfast out of my Satchel and walked slowly ahead walked 20 miles had Dinner at a stage station 35 walked 2 miles further then engaged a ride to the Bluffs for 1.00 Rode within 2 miles of the Bluffs and staid over night

Sunday, August 16, 1868 Breck 35c Had all the melons I wanted free got in the Bluffs about 10 crossed the Missouri at 12 on the *Lizzie Bayliss* fare 10c I seen John Manchester he has charge of U P Lumber Yard Did not find any letter in the office for me there was two for S. Inoheo went up on Capital Square

Monday 17 Went and seen the employment agency he gave me a piece of card told me to call at the Depot at $\frac{1}{2}$ past 3 P.M. and he would give me Transportation out Got my Tickett to Bushnell Station train started 20 minutes past 4 past a wreck at Fremont a bull struck the train and killed 7 men

August 18, 1868 Slep on the cars Arrived at Bushnel about 2 P.M. Got off the Train ... miles from Sheyenne Did not like the place went to the next Station was offered 3.50 and 5.00 Dollars for cutting 4 foot wood. Walked to the Switch 11 miles further and staid over night it was very cold sleeping

Wednesday 19 Got to ride to Pine Bluffs on the freight and rode from there in on a light waggon Sheyenne looks natural did not get any letter from Andy Bot 3 loaves of Bread and started for Denver Walked 8 miles then hird a ride of a miller rode to Marble Ranch put up for the night

Thursday, August 20, 1868 Started out sun up one week from home. Stopped for dinner at Corstler Pool [Cache la Poudre] it is a very fine stream plenty of fish arrived at the Big Tompson put up for the night there is some very thriving farms near I bought 2# crackers 50 $\frac{1}{2}$ Butter 25¢ $\frac{1}{2}$ Sweet crackers 20¢ Cant find out where Oro¹ is Boufington

Friday 21 had Dinner out left hand² got in Boulder City about 2 P.M. I weighed myself in the mill 139 with out any coat. Got to Boulder City about 3 P.M. Hird to Mr. Wisner to harvest at 3.00 per Day and Board comenst work at 4 Left the rest of my companions at the Colorado House

Saturday, August 22, 1868 Mailed 3 letters to Rose one at Lewis Iowa one at Omaha Nebraska one at Boldier City Colorado Got up with the sun ground one cradle Syth I raked and Bound all Day it was verry warm went up town after super John Wallace and West gone to work on a ranch 2:50 Day

¹ Oro City in Lake County first was called Bough Town. According to Webster D. Anthony's "Journal of a Trip from Denver to Oro City in 1860," *The Colorado Magazine*, Vol. 11, No. 6 (November, 1934), 237, "California Gulch was discovered in May and considerable gold was taken out. Some of the claims are paying well. Sacramento City is now consolidated with another town site below and goes under the name of 'Oro City'... The mining portion of the Gulch is about six miles long." M. Simonin, a Frenchman, who visited California Gulch in 1867 wrote that "Once the sonorous name of Oroville was given to a row of cabins, now in ruins, most of them built of logs and mud, genuine pioneer log houses. The placer mines were very soon exhausted, and with them faded the hopes of the seekers..."

² Left Hand Canyon and Creek were named for Chief Left Hand of the Arapahoes.



ORO CITY, COLORADO, 1867

Sunday 23 Worked all Day in the harvest field Mr. Wisner³ worked with me the wether is very Dry and hot there is a 3rd of the wheat lost on the field we have to wet the straw to make Bands with I shal want this to be a short job it was hot in the sun my neck is sunburnt

Wednesday, August 26, 1868 I bound wheat all Day I intended to start for Oro but Mr. Wisner could not pay me until Friday Some of his Neibors were stealing his plums and we all quit work and went to picking them that suited me very well but it did not last long I think I eat nearly a peck of them.

Thursday 27. Babe died 1/2 past 2. Paid Mrs. Colson 3 Dollars my fare to Boulder City. Had 75cts left. I bound wheat all day. My hands are getting very sore. Tomorrow I start for Oro City again. Six Days tonight I worked for Mr. Asa Wisnor \$18.00. John Sexton is going to Central City tomorrow morn with a load of green corn, melons, plums

Friday, Ausut 28, 1868 Started for Central City 7 A.M. Eat our dinner on top of the Range. I find the air very cool it was Dark when we got to Central Sold \$31.00 worth it then commenst snowing So we Drove in a Barn and put up for the night. Went to the Bakery and had supper Cost 25¢ Seen Mr. Tillney

Saturday 29 Left Central 7 A.M. Met two rather hard cases just before I got to Idaho it was 4 P.M. when I got to Georgetown Went in a Bakery to get supper while there lost my dog consequently I feel quite lonesome now I have 75 miles to go alone

Sunday, August 30, 1868 Left Georgetown earley got to Argentine about 1 A.M. It snowed quite hard met three felows they said the Indians had killed some men in Fair Play a little further on met Lieut Wiman he said the Indians killed 17 men in Montgomery⁴ I went back and staid with him all night or until I heard from the Indians.

Monday 31 Started acrost the mountains from Montezuma with Comadore Deneator⁵ Had dinner at Websters grocerre Indian talk is all the go Started for Junction Ranch got there just sunset Robert Stantering is proprietor knows my brother well I helped him milk also gave him a spur I found on the road

Tuesday, September 1, 1868 Started at 8 A.M. Standering did not charge me anything had a drink out of a Soda Spring

³ Asa Wisner.

⁴ Montgomery, Park County, originally was known as Snow Blind District. The name was changed in 1861.

⁵ "Commodore" Stephen Decatur's real name was said to have been Stephen Decatur Bross. He was born in Sussex County, New Jersey, the second son of Moses and Jane W. Bross. His elder brother was Governor William Bross of Illinois. Stephen Decatur prospected around Georgetown, about Peru and Montezuma, and in 1866-68, represented that mining district in the Colorado Territorial Legislature.

near his Ranch got to Breckenridge at 12 Seen 3 Ute Warriors near Town They startled me some asked for Buiskett got to Pol-lucks Mills just Dusk had a lonesome walk through the woods of about 12 miles

Wednesday 2 Cash on hand \$16.55 Left Polluck before Sunup passed Montgomery about 9 P.M. No signs of life in the place very large mills all idle Got in Mosquito about noon. Had a lunsh cost 30¢ it was first rate crossed the Range Reached Oro at Dark found Andy unloading hay with 4 Ox Team Cash on hand \$16.65

Thursday, September 3, 1868 Andy went to Iowa Gulsh I staid to the house all day Wrote 1 letter to Rose 1 to John Sexton one to Delos Tubbs⁶ It is Rather a lasey Day with me I don't think I would like the life of a Batehlor in the Rockey Mountains this is a place about 300 miners and graders

Friday 4 Went up to the head of California Gulsh with Andy got a load of lumber went over to the Arcansas River I fished in it got three trout they were splendid there was a young fellow called in and offered Andy 20 Dollars to carry him to Fair Play. I would take him but the pony is gone

Saturday, September 5, 1868 My 3d Day in Oro comenst work for Andrew S Bard am to get the going wages witch is 2.50 per Day and Board I was tinkering around the stable all Day fixing it up for hay and winter. Wrote a letter to Rose also got one from her saying the boy is very sick God Bless the little felow I shall never see him talk to his little fists again he will be dead in my next

Sunday 6 Mailed 5 letters this morn went over to the Park to put up hay Loaded one load and put up 2 worked as long as I could see. The man that was cutting boiled my potatoes We camped out had a very nice fire out of Pitch pine. Slep on the ground it Rained some in the night.

Monday September 7, 1868 I am one Day behind time Got Monday down for Sunday I mailed 4 letters this morning and went over to Tennesse Park to put up hay intend to live over there the rest of this week. it Rained some could not doe a grate deale Andy draws one load with one yolk could not find the others

Tuesday 8 Loaded Andy up he started home I took the Pony and went a fishing Caught about 7# and got home before he did I onloaded the hay the Election went Republican about 30 votes the County went 3 votes Republican Rather a clost vote I wish Rose was hear to cook my fish

⁶ Delos Tubbs, a cousin of Bard, then living in Iowa, later came to Wyoming and the two men freighted to the Black Hills. Tubbtown near Newcastle, Wyoming was started by Delos Tubbs.

Wednesday, September 9, 1868 I worked in the Stable this forenoon Andy went after the cattle (oxen) Got back with them just in time for Dinner 1/2 1 P.M. Started for the hay field on the way lost once Andy got loaded just Dark Turned the cattle out also the poney and all staid over night on the field.

Thursday 10 It is now 2 P.M. It is raining I have cralled in a small hay cock until the Shoure is over It is very bad hay wether It rains every 2 hours I went a fishing this forenoon caught 8 trout they would weight 4# I think Guess I will have to go fishing again cant do anything with the hay it is so wet

Friday, September 11 Got one load most home had to leave it in the woods until morning Andy went after it and I got Breckfast and put it overhead Broke the Rake will have to make a new one I caught 2 trout after Andy was loaded They did not bite very good 11 Horses in the Stable.

Saturday 12 Got one load of hay it was after Dark when we got in did not onload it after supper one of the Boys went to the office got our maile Andy got one letter from Rose I also got one stating my little Boy is Dead God bless him. I hope he is in heaven Its the greatest loss I ever had

Sunday, September 13, 1868 Onloaded oure hay it Rained some Borowd a Shirt and pare of Drawers of Andy Cut some wood for the Dutch wooman her man cant work any his leg is cut he got kicked by an Ox while it was Dying and fell on a Butcher nife Andy says he will Die from the affects of it.

Monday 14 Did not get started for the Parke until 9 o'clock had to fix the Rack greece the wagon and so forth lots of work to get ready Andy loaded and Stayde over night with me he thinks I am afraide to stay alone Ide rather have company but then I can stay alone if necessary

Tuesday, September 15, 1868 I was racking hay and puting it up nearley all Day I think there was a Shoure or to During the Day don't Remember now I am quite hardy think I must be gaining 4 ounces a Day I hope it will agree as well with Rose I am ancious for her to come out now that oure Bird is gone where no wone Returns God Bless him

Wednesday 16 Worked half Day for myself think I will put up 5 or 6 Tons of hay for myself in case I live in gulsh and keep a cow this winter dont think I will get one now that my little Boy is gone how I wisht He could have lived he was setch a promising little fellow how his Mother will miss him and how I will to.

Thursday, September 17, 1868 Put 4 loads in oure Stack today and one yesterday makes five all together we intend to put in 4 more then I will try and staek some Try my luck in Colorado it did not Raine any today the first for a long time it genralely sprinkles about 4 times a day on an average I enjoy myself quite well considering

Friday 18 Worked all day for myself Cuting hay it was so wet we could not put any up I mowed all Day Andy went home on the poney got some Bread and Butter I eat easiley a third more now than I did when in the States This climate agrees with me well thus far

Saturday, September 19, 1868 Worked for myself in the forenoon had a late dinner then helped Andy load one load cocked up 20 cocks then went a fishing caught 10 trout it sprinkled every Day but one this week I worked 2 days for myself this week cutting hay did not put up any got 2 letters from Rose one mailed 3 of Sept one 12.

Sunday 20 Staid to Home all day wrote a letter to Rose No. 8 it did not Raine any today it Rained 5 days last week only a little sprinkle every day—just enough to spoyle hay it freeses quite hard every night the grass is geting very poor in Tenassee Park I think I will put up 5 Tons more if I can Mr. John Leahy was hear

Monday, September 21, 1868 Put 2 loads of hay in the Stack and left one on the Waggon did not get it loaded til late it was nine o'clock I think I got very cold then we had to get supper after that it froze very hard during the fore part of the night Oh Dear how I wish I had brought my mitens along with me

Tuesday 22 It comenst snowing at Daylight and continued until noon I worked for myself the snow soon stoped my mowing I then came home cut up a load of wood for the Sick Durchman then wrote Leter No 9 to Rose L. Bard. I wish she was hear tonight God Bless her.

Wednesday, September 23 Andy sold 2000# potatoes got ready and started for Cotenwood after Diner he gets 6 cents a pound for his potatoes Delivered 20 miles above the Gulsh We out not to leave oure hay by any means but I supose he wants the money for me when I go after Rose to Sheyann.

Thursday 24 Staid 6 miles above Cash Creek I got to Cotenwood⁷ about 1 o'clock seen three antalope on my way quite a forrest

⁷After the mining excitement began to die down the pioneers began to leave Oro City and to seek different locations. . . In the spring of 1865, in the first place where the valley began to widen, they squatted in the place where the present town of Buena Vista (formerly called Cottonwood) now stands. Farms were also taken up at Chalk Creek and Browns Creek. . . Grandfather (John McPherson) settled on a tract about where the State Reformatory now stands. . . Arthur Hutchinson, "Pioneer Days in the Upper Arkansas Valley," *The Colorado Magazine*, Vol. 9, No. 5 (September, 1932), 185.

of Cottonwood on what is called Cottonwood Creek it is ritely named I got a lunch at Macphersons Also had supper with him and a good one it was.

Friday, September 25 Plowd out Potatoes with the Oxen and a Shovel Plow Run the Plow through 4 times then did not get them all Mr. Macpherson and Boy helped the ground hear is rather to wet for potatos but I noticed some very fine oats 4 feet Hight, also some very fine turnips Staid all night in Andies Cabin.

Saturday September 26 Ought to have started for the gulsh went and seen the Bridge then went to Chalk Creek Mills had dinner with Mrs. Anderson Andies olde house keeper there is quite an extensive saw and griss mill hear I dont see how setch a country as this can aford it Shurley it dont pay

Sunday, September 27, 1868 Started from Cottonwood about Eight o'clock Rode all day without any Dinner let the Poney eat a little at Junction Ranch Seen the Village or Mining Town of Granite but did not see the lakes [Twin Lakes]. Come in all forty miles. Got home at Dark Did not get any letter from Rose.

Monday 28. Slep in the barn Baked some bread in the morn and started for Tennasee Park it was nearly noon when I got there got about half of my hay up come home again at night could not do more than a half days work Got a letter from Rome for Andy I guess it is from Martha.

Tuesday, September 29 Started Early for the Park mailed a letter to Rose No. 10 Was Raking and Cocking hay all day the wind blowd very hard it was very Difacult to put it up good got home just Dark Andy has not come yet he curtainly has Broke down on the road somewhere I feel rather Lonesome tonight I dread my journey

Wednesday 30 Worked for myself all Day I find my hay is very poor I am sorry now that I did not put it up before I went to Cotenwood It is hardly worth puting up now Andy got home rather late tonight lots of Ute Indians went through Tenassee Park over in to Middle Park

Thursday, October 1 Loaded one load for Andy cut hay the balence of the Day for myself I dont like to work in this kind of a way I dont do anything for myself nor any one else to amount to anything my hay is not good for anything. At least I would sell it very cheap now

Friday 2 Loaded one load and moved it a way for Andy did not do mutch for myself today had to leave the Park Sose I could help him onload before Dark it is very bad hay wether now I lost money by going to Cottonwood and leaving my hay on the ground it is like straw now

Saturday October, 3 I rode the Poney over to the Park put up some of my Hay Seen three Antalope Andy come after a load it comenst raining verrie hard did not get a very large load Seen a Ute he had lost three ponies wanted to know if I had seen them I could hardly understand him helped Andy onload got a letter from Rose

Sunday 4 She is not coming as I intended Well I wont have to start for Sheyanne today never the less I am very mutch disappointed Andy said it was just what he expected The Rase come off between Garber and Tom Star for 3 hundred a side Garber is beet finisht puting up my hay

Monday, October 5, 1868 Andy weight his Potatos 1698 got started for Evins [Evans] Gulsh about noon with 22 hundred more than he can pull acoording to all account I puttered around at a little bit of everything and not mutch of anything partly built a rack for the cattle to eat hay out of it works well

Tuesday 6 Got Mr. Kellsie to help me grind my ax and after I got the Choars done I went to chopping it Rained at night very hard 2 Photographers staide with me all night—they were going to Evins Gulsh to get some picturs of the place. They paid me 12 Shiling for 2 mules to hay over night

Wednesday, October 7, 1868 Did not get to chopping until noon wated to get my pay of Charlie ... for his 4 mules but did not get it for all Wrote 2 letters to Rose No 11 and 12. One to Sheyanne and one to Des Moines. She wants me to come back and keep Tavern with Fred Blasher but I cant see it yet I may when it is to late.

Thursday 8 Went in the woods in good seson this morn Mr. Garber took his stock all out yesterday and I am very glad of it Oneley 2 ponies in last night—one man paid his bill to Garber 1.50 I cut just 25 trees today Dock Burt has one yolk cattle in tonight also Murphy has a pony.

Friday, October 9, 1868 Very plesant Day Tabor's⁸ Cow and Calf went off yesterday now one knows where I miss the milk I have been cuting wood all Day cut about 30 Trees Seen one Indian and Boy Spoke to me but I could not understand him oneley 2 ponies in Barn tonight Garber's Cattle in Coral 6 head.

Saturday 10 Cut wood all Day Andy did not get home Mr. Tabor got back from Denver with three horses got Eight head in the stable now also 4 head of Cattle Got a letter from Rose also

⁸ H.A.W. Tabor owned a small store and boarding house in Oro City. By grubstaking two prospectors, Rische and Hook, in 1878, Tabor "struck it rich" and became one of Colorado's millionaires. During his residence in Oro City, Tabor was assisted by his first wife, Augusta, who had a splendid business head and was thrifty. Later, in 1883 a divorce was granted and Tabor married "Baby" Doe, a beautiful divorcee, much younger than himself.

got a letter from Kansas for Andy Mr. Kelsey starts for Denver in the morning.

Sunday, October 11, 1868 Wrote a letter to Rose No 13 Also one to Lib Starnes Andy got home about 2 P.M. lost Mr. Burts Cattle Talks of bying them and turning out his Mexicans⁹ Mr. John Laihe was hear for Dinner Bot a head of cabage weighing 13# 1.30 wether is verie warm for this latitude

Monday 12 Andy Bot a yoak of Cattle of Dr. Burt for one hundred and forty Dollars very good Cattle I went over in Lake Park after a load of Mr. Whites hay Broke my wagon Reach crossing a stream in the Park mended it the best I could and loaded after Dark Slep on my load all alone was rather lonesome

2 Months from Home Tuesday, October 13, 1868. Got up at Dawn of Day had to haul out 2 loads to make one Andy come about noon got home onloaded had Diner and fixt the rack found it was to late to go back until morn During the evening there was a man shot in James Holies (Folies or Stolies) Saloon named Jack Chamloy rather a hard character shot by Phillips in the neck Died Instantly

Wednesday 14 Started early for Lake Park got there and one load Drawd out before Andy come he Drawd the next and I got Dinner this is not near as good a place as Tennasse Park to my notion it is very swampy halve to get out to loads to make one I come home afoot Andy drives the Team He thinks I cant Drive

Thursday, October 15 Started for the Park after Breckfast Tennasse Park this time. Intend to camp out all night the Wether holds very good for this seson of the year. A grate many are leaving for the Vallie Business is geting rather Dull I begin to think I will go back to Desmoins this winter and going in with Fred Blasure

Friday 16 Slep under the wagon last night Did [not] rest very well The Oxen keep me awake nearly all night it is very lonesome I went to work very Earley did not stop to get any Breckfast hawled a load before Andy come did not get along very fast had to hawl it so far will finish stacking tomorrow I think

Saturday, October 17 Slep on the hay stack it Thundered and Lightninged During the night very hard found myself covered with 3 inches of snow in the morn went after a load had to shake the snow out of it Seen a cyote while loading the Dog was afraid of him finisht both of oure stacks and halled a load home done well

Sunday 18 Got a letter from Rose also wrote one to her I went down to the Arkansas River did not get any gold but got

⁹ Cattle brought up from Mexico, or Texas.

my feet wet mended my overhalls was at home nearley all day it was warm and plesant Andy talked of going to Colorado Gulsh but did not go because he could not get any horse for me

Monday, October 19, 1868 Went after a load of hay over in Tennasee Park just one more load left forgot to maile Roses letter as I come by the Post Office Bot 4 cents worth of writing paper and envelopes Had visators last night Andy bot him a jackknife lost the Mexican Oxen but found them after awhile Sent 3.00 after my valice to Denver City

Tuesday 20 Andy started with the team I staid and cut some wood for the Dutch Woman I dont no her other name caut up with Andy at my stack loaded then went a prospecting did find the color of gold to reward us had oure Labor for oure pains I rode the Poney home Andy did not get home until after Dark Mr. Fouts called in and borrowed \$5.00 Dollars.

Wednesday, October 21, 1868 I have made bad work today I went over to Tennasee Park Loaded my hay Set fire to the grass and had to run to keep from geting burnt as it was I got badley scorched had my hay stack burn up Lost nearly six tons of hay worth next spring about 200 Dollars thank God nothing worse hapend.

Thursday 22 I went to the upper end of the gulsh to work for the Mosure Boys in the Forenoon Hauled down logs for cribing up a lead After Dinner hauled wood in the worst place I ever worked a team At night I come home Done the Choars Cooked my supper John Laihe stoped with me and staid during the Eve

Friday, October 23 Started again for the Upper Gulsh had my old Luck as usual first broke a Reach then an Ox Bow lost out 2 Kees after Dinner lost Andies Jackknife that he just bot Come home Done the Choars 5 horses in Stable 3 yolk cattle in coral it was rather late when I got supper had to bake

Saturday 24 Hauled house logs for Tom Wells all day with 2 yolk cattle Tom's brother helped me he broke his Ox Bow I bot a new one cost 1.50 hawled one load for the Mosure Boys of wood Had dinner with them did not get hom until after dark the cattle was worne out.

Sunday, October 25 Got a letter from Rose last night wrote her one today No 15 Washed 2 shirts 2 pr socks Done a good deal of work for myself the wether was very splendid and warm I bot a knife for Andy in the place of the one I lost of his It cost a dollar I hope my luck will soon change for the better

Monday 26 I went to halling wood for Mr. Floyde hawled 5 loads During the Day I cut the wood and haul it for three Dollars

a load can cut 10 loads in a day and can hawl seven the wether is splendid and has been for the last 3 weeks I wish Rose was hear now I would build a house for myself.

Tuesday, October 27 I comenst Diging a Seller to put Potatos in it is 12 by 15 Andy went up the gulsh after hay and lumber for Mr. Henderson when he got home he said he hired Mr. Hendersons Sellor [cellar] I guess he will lose my days work Mailed a letter to Rose No. 16 and a good long one to think we will move tomorrow

Wednesday 28 We moved today in John Laihe large house oposite oure barn Mr. Garber used it for a store last summer It is good for nothing but fire wood I was all day cleaning it out Mr. White occupise the house we moved from Andy went after some hay that he bot of Mr. White for 7.00 Dollars Gave up diging seller

Thursday, October 29 Hawled wood all day five to Mr. Floyd one to Mr. Henderson for the use of his seller to store potatos in it comenst snowing about 4 o'clock at dusk there is three inches and snowing yet I think oure good wether is gone for this seson I Earned 18 dollars today I must commence a letter to Rose wonder what she is doing now

Friday 30 Andy started for Cotonwood with the Mexican cattle and Mr. Whites wagon. I fixed the stable in the forenoon and hawled 2 loads of wood for William Heney also 1 for myself I am going up the gulsh tomorrow to get the cattle I had wether is blustering with some snow

Saturday, October 31, 1868 Started up the gulsh carried up some beef for Bernard could not get the cattle shod Thompson had a lame hand went to the mill got 780 feet of lumber for Cap Breece hawled it to his Digings hawled 13 sacks flour from Westons up to Tabors Maile came I wated a long time but Rose neglected me this week

Sunday, November 1 I got a paper last night with a few lines in it saying Stanerd and wife had come to Des Moines also Rose talks of having the Indiana house She acts mighty funny to me I have been getting ready to go to Cotonwood being quite buisey all day. Tabor paid 85¢ Murphy paid 75.

Monday, November 2, 1868 Wrote to Rose No 17 Started for Cotonwood Stopped at the hay ranch Bated the cattle found a good carving knife near the Lake north of Cash Creek got to Cash Creek ½ an hour after dark Seen the Blacksmith he said he would shoe my catle so I staid all night it froze very hard I slep very good

Tuesday 3 Got one yolk of cattle shod by noon nine Dollars a yolk for shewing Started without waiting for Dinner got Down

as far as the frog Pond and stopped for the night it was quite cold and the wind blew very hard I did not take off my boots noticed a number of musk rats in the Pond

November 4, 1868 Started by sun up lost one of the Oxens shoes of it did not stick one day got to Andies cabin by noon turned out the cattle and dug a thousand pounds of turnips for Mr. Foutze staid in Mr. Bailes all night he wants to sell me his Ranch but I dont think I will perches just now.

Thursday 5 Got up quite earley got breckfast took 2 yolk cattle went and loaded about 1700 pounds of Potatos for Mr. Foutze Andy went to look up the Mexican cattle could not find them I then went and found them below McPhersons Charls Sandford staid all night with us

Friday, Nov. 6 Andy started for Oro about 9 o'clock C Sandford went with him I went down to the field and picked up potatoes all day Mr. McPherson wants me to go home and stay with him all night and help him tomorrow I went and had a very pleasant time. I helped him onload his or Andies potatoes Wether is blustering

Saturday 7 Wether is still blustering with a few flakes of snow did not know whether it was best to dig Murphies¹⁰ or not Dug a part load of Turnips it then cleared off and we went at the potatoes Dug about 35 Bushels I then came home went to Frank Loans got a quart of sault had three men, one woman and babe stop with me for the night the litel Babe put me in mind of my on Angel beneath the sod

Sunday, November 8 Passed the day all alone did not see but one man after Mr. Loyal and Wife left I intended to go down the river but could not find the poney I spent the day reading Mores *Rural New Yorker* and Foulers *Phrenological Journal* given me by Mr. McPherson I would like some good companion tonight for company

Monday 9 Wrote to Rose No. 18 then went to Chalk Creek Mills got 2 Dollars worth of Floure met Mr. Macormick coming up to load with potatos I had to come write back I ment to have went and seen about riding in to Denver Stoped at Mr. Maxwells he said he would send me word when he was going in got home at sunset.

Tuesday, November 10, 1868. It is very cold one yolk of cattle come with Charls Nathrops¹¹ teams After a good deal of studeying concluded to load up the potatoes started with them

¹⁰ Irish potatoes.

¹¹ Charles Nachtrieb (also called Nathrop) had a grocery and market in a log building in California Gulch. He also owned a cattle ranch about forty miles down the Arkansas Valley.

about noon with 1800 I hawled 3200 to the seller all amounts to 100.00 Dollars Sent word to Andy to send me 20 dollars as I wanted to go after Rose

Wednesday 11 Went to Andies old cabin got all of his traps and lumber then went after oats seen McPherson he wanted me to help him dig his potatos helped him went over them onst gave me the rest if I would dig them I got about 3 bushels loaded 10 Duson bundles of oats and come home Burried my potatos Mr. Nash and Mat Johnson had posesion I did not like it

Thursday, November 12 Did not get off very earley on account of my visitors Drawd one load of oats and two jags of barley had to go to McK house to get them out They are a shiftless set to manage and lasey at that Maxwell started for Denver I could not get off think now I will start next Monday with the help of God

Friday 13 Got tired of being without butter got the poney and started for Mayhews got 2¾# and some butermilk made some nice bread a hungry Frenchman come along and I give him some I am thrashing oats have no candles am writing this by a pinone fire Mack come after his wagon—was very angrey

Saturday, November 14 Wether is verrie good clear and plesant was Thrashing oats all day tried to finish but could not James Mayhew come along jest dark after some Saleratus I gave him all I had Mr. Mayhale came yesterday to look at Mr. Whites waggon Did not like it

Sunday 15 I started for the Warm Springs got there about one o'clock there was a few flakes of snow flying but that did not stope me from having a bath it was nice and warm got back found Macormic Nash and Walker Sprague hear had supper with them

Monday, November 16 Got up with the morning Star had breckfast before Daylight thrashed part of the day got a paper from Rose saying she would come hunted the Poney and got ready to start for Denver in the morning I pray the Lord to shield me from Danger

Tuesday 17 Started for Sheyenne Got acrost the River before Dawn Stopped for dinner at the edge of the Park Went straight to the Salt Works¹² and in place of cuting off I cut on about 15 miles met 2 teams told me I was on the Canion City Road I struck acrost to the Platt went wrong again Staid with three teams over night from Canion City

Wednesday, November 18 Started before sun up stoped at a farm 10 miles from Fair Play Baited Poney then come to a Tavern beyond Fair Play built a fire on the bluffs to the left Poney

¹² The present James McQuaid ranch in South Park. There salt was manufactured for the mines in great iron evaporating kettles.

seemed sick acted sick last night I wish he was to hom fraid he is going to die on my hands he wont eat his oats went to Dan Maglaughline Ranch and staid cost 1.25.

Thursday 19 Staid for breckfast did not get off until 8 o'clock come today about 35 miles I think camped out near a sawmill Poney was rather tired eats good tonight think I will get to Denver Friday I will try it anyhow I was very lonesome all the evening and did not get to sleep until 12 o'clock very nervous

Friday, November 20 Started before Daylight stoped at Mrs. Curtis for Dinner She would not charge me anything only 20 for food. She is a grate friend of Andies Said she expects him to be her brother in law one time seen Maggie she was very mutch embarest Left my poney at George Crofords 14 miles from Denver West

Saturday 21 Walked 14 miles to Denver arrived at noon sent a message to Rose Cost \$ Got my box at E. Office cost \$11.00 Wrote to Hugh Mayhew Denver & Sheyann Stopped at Mrs. Tynons Boarding house went around town but did not see anyone I knew how I wish Rose was hear but I console myself with the idear that I will soon meet her

Sunday, Nov. 22 Sent a letter by one of the stage pasengers to maile at Sheyanne to Rose wrote another gave the stage driver to get my poney of George Crawford and take to Mrs. Curtis at the Omaha Ranch to care for he Crawford can keep him if he will keep him for his use

Monday 23 Started for Sheyenne at quarter to eight a pasenger on the inside three out—they were a very jovial set and had plenty of whiskey and used it quite freeley got at Camp Collins for super I put on the Boxing Gloves had a good time of it soon on oure way passed Naturel Fort after dark

Tuesday, November 24 Got in Sheyann at ½ past 3 in the morning set in the Rollins House until morning light apeard one of my felow passengers was nocked down by someone in front of the hotel but not robed was cut prety bad did not know who done it nor what it was done for had super and stoped with Judge Slaughter

Wednesday 25 Hired out to work all night but did not worked during the Day don't know what I should do if I couldn't get any work for my money is most gone I get 4 Per Day and 6 for night work I consider good wage beter than I ever got before Went to meet Rose it is strange my Dispatch is not answered.

Thursday, November 26 Worked all day I wish Delos (Tubbs) was hear I would get a team and have him drive it and I would

cut wood on the Black Hills.¹³ I don't know what will become of me all of my plans fails Went to meet Rose at ½ past 4 Lots of Roses but not mine it is hard to work all night.

Friday 27 Felt quite smart so I worked this Forenoon did not work after Dinner on account of meeting Rose She did not come . . .

Saturday, November 28 Felt rather Old concluded not to work this Forenoon went to see Dugan & — I thought they would hang them but they did not took them to Fort Russel I went to work after diner got along well went to the Train to meet Rose but met disapointment guess she has met another man

Sunday 29 After Breckfast started for the Railroad House met Hugh Mayhew he has Bot a team of mules for 65 cords of wood to be Delivered in Shian Went to the Dept did not meet Rose there but met her by chance in the street She had her Ticket for Denver

Monday, November 30, 1868 Worked all day at the well Stoning it up Intended to finish but did not it will take until tomorrow noon. Hired a furnished room in the Galbreath house at 7 per week Paid him 5.00 Borowd some wood of him.

Tuesday, December 1 Worked on the well all Day finished the wall filled in behind with gravail Bot can oysters 1.50 Sundries 2.00 the Wether is mild got my Baggage from the Depot Paid Extra 50 cents for leaving them 24 hours in the Bagage Rooms.

Wednesday, December 2, 1868 Put one hundred Dollars in Kounzies¹⁴ Bank Shian tried to get my Bounty cashed but could not Got 2 cords of wood to saw at Harper's and Housemans. Rented my house of Mr. A. Norton for Ten Dollars a month Rose worked all Day in the Ladies Bazar gets \$10 per week.

Saturday 5 Quite a snow storm last night with high winds it has stoped the trains no maile from the East Earnt \$1.00 Bot sack of floure 3.75 one Broom 75 Beef 40 Wash Dish 75 Bread 20 Wether very cold Snow is drifting very Bad Seen Hugh Mayhew

Sunday, December 6, 1868. Rose was called up before Daylight Mrs. Jones had a little girl I went and seen Hugh Mayhew it is very cold. no trains either way Road is Blocked up with snow I stayed in the house the most of the Day on account of the cold.

Monday 7 Comenst work in the Freight house for W. A. Gorsline 2.50 per day the work has been verie light today 2 men D Coach—In the Eve Rose and I went up town to Mrs. Bambury's there was several shots fired during the evening but no one hurt . . .

¹³ The Laramie Mountains between Cheyenne and Laramie often were called the Black Hills.

¹⁴ Kountze Brothers, pioneer bankers.

(Note: Isaac N. and Rose Bard lived long and useful lives as residents of Wyoming. They adopted eight or more children. Rose Bard was very active in all affairs for the betterment of her community.—*Editor.*)

Colorado's First Survey

By FORBES PARKHILL*

The first government township survey within the present boundaries of Colorado was made in the San Luis Valley early in 1858, the year before the Pikes Peak gold rush brought thousands swarming to the Rockies.

Original field notes of the survey made by A. P. Wilbar, deputy surveyor general [of New Mexico], are now in the files of the Cadastral Engineer, United States Land Office, 365 New Custom House, Denver.

The first permanent settlements in what is now Colorado were made in the lower San Luis Valley following the establishment in 1849 of a settlement on the Costilla River on the Sangre de Cristo Grant, just south of the present Colorado and New Mexico boundary.¹ Early attempts to colonize the area had failed because of Indian raids.

In 1854 Major Lafayette Head, at that time president of the New Mexico Territorial Senate, established a colony of eighty-four families between the San Antonio and La Jara rivers in what now is Conejos County, Colorado.

This second area is the one covered by the 1858 township survey. According to the surveyor's field notes, it contained "numerous Mexican settlements" at the time the discovery of gold led to the birth of Denver.

Besides Guadalupe, the original settlement near the site of the present town of Conejos, settlements shown on survey plats and on early maps included Conejos, Servietta, Brazoso (sp. ?), San Francisco, Canon, Mazeta and San Rafael, all on the Conejos River, and San Antonio on the San Antonio River.

The survey area lies west of the Rio Grande and west of the spot where Capt. Zebulon Pike built his fort in 1807, prior to his capture by Spanish forces. At the time of the survey the old stockade site was within the Territory of New Mexico.

Under a contract with William Pelham, surveyor general, dated March 3, 1858, Wilbar, aided by a crew of six², crossed the

* Forbes Parkhill of Denver, Colorado, son of a pioneer army surgeon, is the author of articles, short stories, books, historical novels, radio scripts and motion pictures. Data for this article was obtained by Mr. Parkhill while doing research on his latest book *The Law Goes West*, (Denver: Sage Books, 1956).

¹ In 1851 the town of San Luis on the Culebra River was begun, and in 1852 and 1853 San Pedro and San Acacio were started. These villages in Costilla County were the first permanent settlements in Colorado.—LeRoy R. Hafen and Ann Hafen, *The Colorado Story* (Denver: The Old West Pub. Co., 1953), 141.

² P. J. Eyre and J. Edgar, chainmen; A. Tapia, axeman; P. Gurule and J. Baca, flagmen; and W. Drew, compassman.



MAJOR LAFAYETTE HEAD
"Corner Man"

present southern boundary of Colorado by running a survey line north along the New Mexico Guide Meridian.

"In this vicinity," he wrote in his notes, "I found Indians encamped, but they were peaceable."

Modern uranium prospectors may find a lead in another notation, "The variation changed here to 4° 45' E. So sudden a perturbation (*sic*) must be caused by some powerful local attraction."

The San Antonio River measured 100 links in width, "but here in consequence of the melting of the snows on the mountains the water spreads out for a quarter of a mile in width. . . . From this point for several miles down the river are settlements made by Mexicans. . . ."

Further notes mentioned the survey continuing "To cultivated land. . . . To a millrace. . . . Set a cottonwood post. . . . Land level, soil rich, bottom land mostly cultivated. Along the river an abundance of cottonwood timber."

Immediately to the north Wilbar reported a level plain—"no trees, no bushes." (Elsewhere in his notes he classifies pinon and cedar as "bushes.")

Turning east, he encountered a lake. "I drive in a stake," he noted, "representing what the corner is. Could not triangulate across in consequence of mud and water; therefore offset. May 17, 1858. No trees, no bushes; marsh grass and flag. The water in the lake several feet; in the marsh about 18 in. to 2 ft. . . . Here ends the marsh and glad to strike dry land again."

The next day he wrote: "To bank of Rio Bravo del Norte (the Rio Grande River). This bayou is about 75 links wide. On the margin of the river are a few cottonwood trees and willow bushes. Land marshy all the way. Could not cross the river on account of high water. The water deep and very swift. Ice in camp this morning."

A few days later he was running a line west of the Guide Meridian. Upon reaching the banks of "a beautiful stream 15 links wide³" he wrote:

"To an Indian trail. Rich bottom soil. Very good grass. No trees except on the creek which is bordered with cottonwood and some small bushes, name unknown.

"From this corner you have a magnificent view of the valley of the Rio del Norte which stretches out in the distance for 40 miles, the outline of which is recognized by the heavy growth of timber upon its banks, and beyond the river lie the majestic Rocky Mountains, the summits of which are white with snow. These snows melting supply the tributaries of the Rio del Norte nearly all the summer.

"This section of the country is the home of savage Indian tribes. The Utahs [Utes] chiefly roam over this vast valley and live by hunting, fishing, and plundering the settlers. They are a ferocious and powerful tribe. Many are now roaming through this valley but pretend to be friendly. *Nous verrons*⁴."

On June 20 he wrote, "I stopped this correction line at this cor. deeming it impracticable to run it farther, the country becoming very mountainous. This line will embrace all the land along the valley suitable for townshipping west of the Guide Meridian."

³ Probably Gato Creek.

⁴ Translation: "We shall see."

Heading east once more toward the Conejos River he recorded: "Some pinon and cedar bushes. No grass. A small house. Ploughed ground. Enter cottonwoods. . . . No trees near, the timber having been burnt. To river Conejos. Very high water. Triangulate over one shoote (*sic*) of Rio Conejos. First rate soil, grass plentiful. Along up the river are numerous settlements."

Running a line east, Wilbar reached hilly ground, and wrote on June 12: "Stop work for day because of clouds. Mountains. To an old Indian trail. To bank of Rio del Norte. At this point the river rolls through a deep chasm or canon 150 ft. deep, perpendicular sides. The river is about 75 yards wide. This canon continues for 50 or 60 miles south with the course of the river."

Back at the San Antonio River on another township line he noted: "This land is all irrigable. Excellent grass. River about 70 links wide and 4 ft. deep. Runs swift. The river overflows the land. About 1/2 mile west of this cor. is Mexican village. . . . To an acequia. Enter cultivated land, wheat field. A settlement about 5.00 chains e. of this cor. To a sloo [slough] running swift."

Note of June 15: "Land all mountain and not worth anything. Suspended work, clouds obscure sun."

The next day: "Morning of the 16, 3 of my men left me and I was compelled to seek others in a town 12 miles distant, losing one day and 1/2 by the operation. The fear of Indians likely induced the men to leave the party."

To replace the three deserters, he employed Major Lafayette Head as "corner man⁵."

Upon reaching the Conejos River again, Wilbar wrote, "Land worthless. All mountains and canons, very little grass, plenty of rocks and mesquitoses (*sic*). No timber; covered with pinon and cedar bushes."

Later: "We crossed over the Conejos River at a bridge at the settlement of San Francisco. High water in Conejos and Rio La Gata. These rivers are so deep and spread out so much that the men cannot work and I was forced to abandon them."

Wilbar filed his report of the township survey at the surveyor's office at Santa Fe, N. M., July 20, 1858.

⁵ As "corner man," Head was responsible for placing corner stones. Major Head had served as deputy U. S. Marshal; as sheriff of Rio Arriba County, N. M.; as special agent for the Jicarilla Apaches and Capote Utes; as a member of the lower house of the Territorial Legislature of New Mexico; and as a member and presiding officer of the Territorial Senate. The year after his employment on the surveying crew, Head was appointed agent for the Tabequache Utes, a post he held until 1868. The San Luis Valley was included within the boundaries of Colorado when it became a Territory in 1861, and in 1873 Head was elected to the Council (Senate) of the Tenth Territorial Colorado Assembly. In 1875 he was elected a member of the Constitutional Convention. When Colorado gained statehood in 1876, Head was elected lieutenant-governor and presiding officer of the Senate in the First General Assembly. In 1880 he was a delegate to the Republican national convention.

The Excavation of Bent's Fort Otero County, Colorado

By HERBERT W. DICK

Upon acquiring the site of Bent's Old Fort, through a deed from the Daughters of the American Revolution of La Junta in 1953, the State Historical Society desired, if possible, to obtain a better knowledge of the ruins of the old fort in order that plans for future restoration might be pursued. Therefore, a plan was worked out with Trinidad State Junior College, Trinidad, Colorado, by which the excavation of the fort's foundations was made from June 20, 1954, through July 23, 1954, under the technical direction of Dr. Herbert W. Dick of the Anthropology Museum of the college.

All workers participated on a volunteer basis, laboring "in the broiling sun when the official temperature was as high as 106 degrees F." An expedition camp was set up on the north side of the fort in a small triangular plot. It consisted of five tents for the personnel and a tarpaulin strung over a rope ridge for the kitchen. Water was hauled from a farm about one mile distant. Mrs. Martha M. Dick, wife of Herbert W. Dick, with the excellent aid of Mrs. Rosalie Templeton, managed the camp and cooked. Later, Mrs. Dick inked the main map and typed the report of the excavation work.

Dr. Dick says that full credit for the success of the operation is due the following excavators: Messrs. Jerry Bair and Earl Templeton, Denver; Charles Borders and Irven Schick, Trinidad; Robert Drummond, Pueblo; Alvin Parrish, Akron; Bradley White, Boulder, Colorado; and Robert Komerska, Tucson, Arizona.

In his report, Dr. Dick also expresses special thanks to Mr. Harry Reese, then secretary of the La Junta Chamber of Commerce, who arranged business details; Dr. John Johnston, through whose land the expedition passed; Mr. George Cosand, whose advice and knowledge were very helpful; Mr. Joseph B. Roos for the fine aerial photographs, and his skilled pilot, Mr. Al Schedlbauer; Mr. and Mrs. Alec Dorsch, who supplied artesian water; and Mr. Oakley Wade of Las Animas for his keen interest and historical perspective.

Mr. and Mrs. Al Miller, he says, were very helpful in pointing out the stagecoach road to Kit Carson. Mr. Miller also was instrumental in arranging for the back-filling of the site after excavations were completed so that the foundations would be protected. Mr. Don Hamilton of the Citizens Utility Company furnished a small bulldozer and operator to do the back-filling, a job of replacing, in five hours, dirt that took five weeks to excavate.

Dr. Dick also acknowledges the "help of dozens of other persons, both in La Junta and Las Animas, and that of James T. Forrest, former Curator, and Mr. Maurice Frink, present Executive Director, of the State Historical Society."

Because of the limitations of printing space it has been necessary for our editorial staff to condense Dr. Dick's report. Detailed measurement tables of rooms, doorways, fireplaces and adobe bricks have not been included. The scale drawing duplicates most of the data on these. The full report is on file in the State Historical Society, Denver.

As will be noted, some of the measurements reported by Dr. Dick's party are at variance with some of those of Lt. J. W. Abert who recorded that "the walls, as measured on September 8, 1846, were 14 feet high; the bastions, 18 feet. The front gate was 7 feet high and 6½ wide. The east wall measured 137 feet, the north wall, 178."

Some discussion undoubtedly will arise over statements made by some writers in the past relative to the "east gate." According to Dr. Dick's findings, the east gate probably was built during the stagecoach period of the fort's history, as there was no tangible evidence of it connected with findings related to the earliest period.

Although much has been written about Bent's Old Fort, undoubtedly much work can still be done concerning its history. Just when this most famous fort was built apparently is still a matter of discussion. Dr. LeRoy R. Hafen, Historian Emeritus of the State Historical Society of Colorado, made an exhaustive examination of available materials relating to the date of the building of the fort and published an article in *The Colorado Magazine*, Vol. 31, No. 2 (April, 1954), entitled, "When Was Bent's Fort Built?" Dr. Hafen said, in part, "Bent's Fort, the large adobe structure which was the most famous fur trade post of the Southwest, was erected on the north bank of the Arkansas about ten miles northeast of present La Junta, Colorado. . . . Many conflicting statements have been made as to the date of founding of this adobe post, and also regarding one or more stockades said to have been constructed in the region prior to the erection of the adobe fort."

After carefully citing and discussing many references to the beginning of Bent's Fort, Dr. Hafen concluded: "As indicated above, contemporary historical sources on the founding of Bent's Fort are almost non-existent, and far from so definitive as we would like. But unless and until some fugitive contemporary record is happily discovered, we shall have to depend on the extant primary sources, and these indicate that Bent's Fort was built in 1833."

Perhaps a letter which was written by Ceran St. Vrain, which was found by Mrs. Cresswell Taylor, can be considered that "fugitive contemporary record." In the *Bulletin of the Missouri Historical Society*, Saint Louis, Vol. 11, No. 1 (October, 1954), Mrs. Taylor contributed an article, "Charles Bent Has Built a Fort." In this article she quoted a letter written by Ceran St. Vrain, St. Louis, Missouri, July 21, 1847, to Lt. Col. Eneas Mackay, U. S. Army, in which he offered to sell to the government the "establishment known as 'Bent's Fort' on the head waters of the Arkansas River." Wrote St. Vrain: "Bent's Fort was established in 1834 by the late Charles Bent and the undersigned for the purpose of trading with the several tribes of Indians in its vicinity."

Mrs. Taylor also quoted in her article a letter written by William Laidlaw to Pierre Chouteau, under date of January 10, 1834, in which he said in part: "I understand from the Sioux that Charles Bent has built a Fort upon the Arkansas for the purpose of trade with the different bands of Indians. . . ."

Did Laidlaw make an error in using "1834"? Was St. Vrain exact with his date?

So much for historical data at present. We now present our condensation of the technical report made by Dr. Dick and his excellent crew of volunteer assistants.—*Editor*.

INTRODUCTION

Location. The site of Bent's Old Fort is on the north side of the Arkansas River, seven miles east of La Junta, Colorado, in eastern Otero County.¹

The foundations are several hundred yards north and west of the present river channel, and 30 feet above the channel on a terrace of yellow brown clay. Small out-croppings of limey shale were instrumental in protecting this rise of land from being eroded by the river. The river makes a broad turn on the south side of the fort, swinging from an east direction to a northeast direction. At an earlier date the river channel was parallel with the east wall of the fort. Alfalfa fields bound the fort on the west and south side, and grazing pasture bounds it on the east and north. The grazing area is an older part of a river channel. It has the characteristics of formerly being a marsh fed by springs of ground water, according to old timers in the area, and river back-water. The soil is a black mud with much organic material. Much of the meadow is covered with a coarse grass and tamarisk, the latter a recently imported plant.

The Fort, 4,000 feet above sea level, is located on the south side of a broad, U-shaped valley, two miles in width. The valley has been cut by the Arkansas River to a depth of 200 feet. If one knows precisely where to look, a notch can be seen in the sandhills on the north side of the valley. The notch is the deeply eroded groove of the stage road from Kit Carson, and leads to Bent's Fort.

Objectives. The main objectives of the excavation were to outline the foundations of the fort so that an accurate map could be made; to ascertain all details of the occupation of the fort at various periods; to collect, record, and preserve all artifacts found; and to put permanent points of reference for future location of walls and features. If the foundations were now completely destroyed by flood they could be accurately placed in their former position by our survey.

EXCAVATION

Procedure. When we began our excavations no walls remained above the surface. The generalized quadrangle shape of the old fort was evident by the low adobe mounds ranging from one to four feet in height.

Adobe structure excavation is a pleasant type of work, in that rocks are not present to disrupt shoveling and troweling. On the

¹ The following description of the monument land on which the Fort is situated is in the abstract belonging to the State Historical Society: "A part of the SW¼ of Sec. 14 and of the NW¼ of Sec. 23, Twp. 23 S., Rg. 54 W., containing 4.41 acres of land more or less, situate and being in the county of Otero, Colorado."

other hand, sun-dried mud bricks tend to melt if not protected from moisture, and are then difficult to trace.

The north outside wall foundations of Bent's Fort were easily discernible at the tops of the mound. Everywhere else they were covered by a veneer of melted adobe at varying depths. In most instances the veneer was not over six inches in depth.

A wide bladed, flat shovel was used to scrape off the surface of the mound. One-inch cuts were taken until the tops of adobes were exposed. They were then swept with a broom until the edges of the walls could be ascertained. A six-inch pointing trowel was used to excavate downward along the edges of the walls. The wall trenches were 18 inches to 24 inches in width, and were excavated to the first floor level. Excavations below floor level were made where it was deemed necessary.

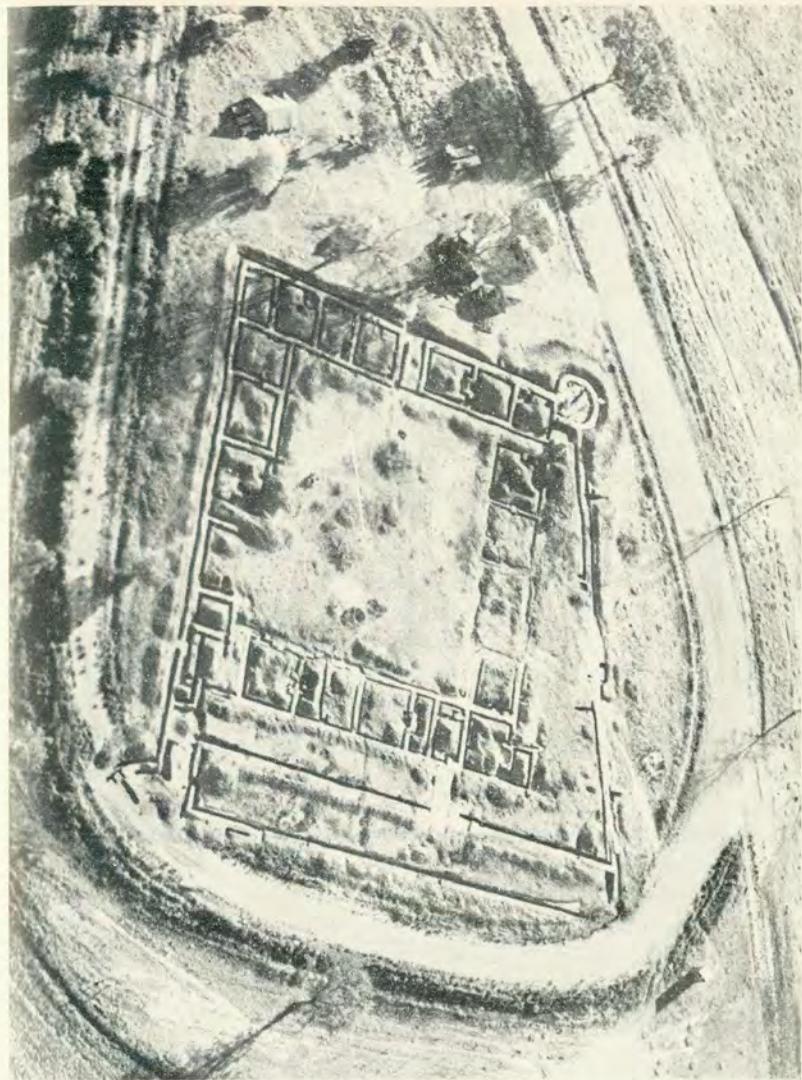
Great care had to be exercised along the walls to preserve bits of plaster that adhered to them. Usually troweling was commenced several inches from the wall. The differential drying of the wall and loose soil, the latter drying more rapidly, separated the two, and the soil could be peeled away without disturbing the wall surface.

The excavation proceeded in the following order: (1) outlining the outside of the quadrangle walls; (2) outlining the north interior rooms; (3) outlining the west interior rooms; (4) outlining the south interior rooms; (5) outlining the east interior rooms; and (6) miscellaneous re-checking of problems.

Exposing the walls served another unintended purpose. The exposed walls had an excellent chance to dry thoroughly after many years of dampness. This re-hardened the adobes so that their future durability has been greatly increased. The loose earth fill in the trenches along the sides of the walls will aid in drainage from the walls. With the much lowered water table in the valley, because of pumping, the walls should retain less moisture than in previous years.

We were extremely fortunate that no rain fell while the walls were exposed. Twelve hours after the back-filling of all trenches, at the end of the season, a heavy three-inch rain fell that could have easily destroyed most of the exposed walls.

Bent's Fort. Bent's Fort can best be described geometrically as a quadrangle—a four-cornered figure. Although the four outside protective walls were of varying lengths and two corners were not right angles, the rooms built inside the protective wall enclosed a rectangular courtyard with all corner angles being right angles. A round structure, a tower, was found at the northeast corner.



AIR VIEW OF EXCAVATION WORK—BENT'S OLD FORT, 1954

extending outward from the junction of the north and east protective walls. A remnant of a tower was uncovered at the southwest corner.

Inside the main walls, foundations of 24 rooms, a large rectangular pit and a well were uncovered. The north and west rooms used the main protective wall as their back wall. The south and east rooms were built away from the main protective wall with a

separate back wall of thinner width. In speaking of the back and front of the rooms, the front is regarded as that part of the building facing the courtyard or plaza.

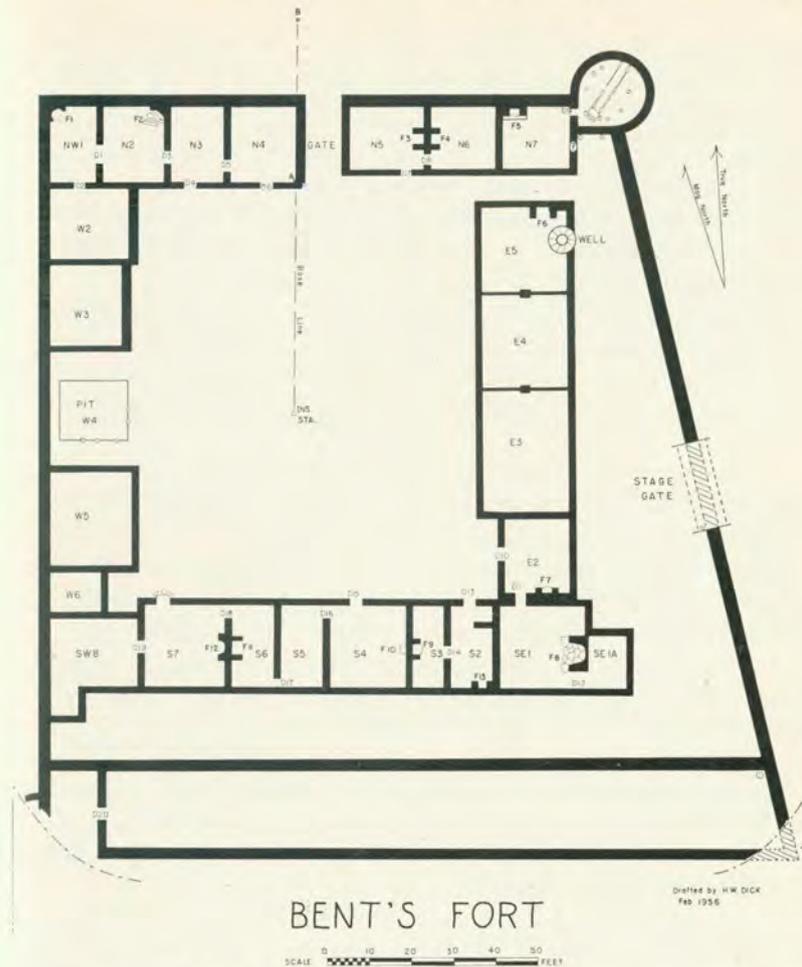
For convenience in recording, each room and the pit was given a number relating it to its position around the court-yard. The rooms located on the north side of the court-yard beginning with the room in the northwest corner are numbered NW1, N2, N3, N4, Bent's Gate, N5, N6, N7 and NE Tower. Those located along the east side of the court-yard, beginning with the southeast corner room and running north, are numbered SE1, SE1a (partitioned area), E2, E3, E4 and E5. Rooms located along the south side of the court-yard, running west from room SE1, are numbered S2, S3, S4, S5, S6 and S7. Rooms located along the west side, running south from room NW1, are W2, W3, W4 (pit), W5, W6, SW8, and SW Tower (destroyed by road around site).

Outside Protective Wall. The two types of walls in the fort can be readily distinguished by their thickness. The outside protective walls are thicker than those used for rooms and partitions.

The outside walls had a thickness of three adobe brick widths. The outside walls have suffered some erosion, reducing the maximum thickness of the walls. It is conjectured that the outside walls were originally close to 3.0 feet thick and that their present variations are caused by weathering while previously exposed.

The outside south protective wall is paralleled by a wall of similar thickness (inside south protective wall), 18.8 feet to the north. These two walls appear to have formed an elongated compartment with the only opening uncovered in the excavation being in the west end, a doorway 3.0 feet in width. It is possible that the foundations have melted down to such an extent that no doorways or gates are discernible in the length of the wall. More exploration is needed in this compartment. It is conjectured that this area might have been roofed and used for bulk storage.

The outside wall measurements do not include the corral walls which are an extension of the east and west walls, according to Lt. J. W. Abert's map (1845-46), owned by Mr. F. Rosenstock, Denver, Colorado. The corral walls extend, according to Abert's map, 150(?) feet beyond the outside south protective wall. The juncture of the walls in the southeast corner and the tower in the southwest corner has been obliterated by a graded road around the fort. The corral walls lie in what is now an alfalfa field, and have probably been destroyed by leveling and plowing. There is still a possibility that a trace of these foundations exists. Most of the corral area lies in private property.



The length of the north protective wall from the northwest corner to its junction with the northeast tower is 122.4 feet. Projecting this wall in an imaginary extension through the northeast tower to its junction with the east wall, we get 132.5 feet, 4.5 less than Abert's measurement on the Rosenstock map. It is through the center of the north wall that Bent's original gate opened. The opening is 8.1 feet wide, with room N4 on the west side and room N5 on the east side. The east wall of the gate is 1.7 feet in thickness, and the west wall of the gate is 1.9 feet in thickness. This difference is probably due to differential weathering.

The east wall from its junction with the northeast tower to the junction with the inner south wall is 150.0 feet. The estimated

length to its junction with the outer south wall is 168.8 feet, which can be regarded as the total length of the wall, not including the corral wall. An opening in the east wall, 65.0 feet from the juncture of the east wall with the northeast tower, appears to be a gate with a prepared surface and several posts placed in position for a gate. The gate, difficult to trace, appears to have been about 22.0 feet in width. It is conjectured that this was placed here after the fort was reoccupied after Bent's abandonment. This will be discussed in greater detail later.

The outer south wall from the southeast corner to its estimated junction with the southwest tower is about 170.0 feet. Because both south corners have been ravaged by road building, it is impossible to figure the exact length. The inner south wall measures 159.2 feet.

The west wall, from the right-angle northwest corner to the junction with a single adobe remaining in the southwest tower, is 150.0 feet.

The highest remaining portion of the outside wall is about 4.5 feet near the junction of the tower wall with the north wall. Along portions of the east wall the depth was 0.5 feet.

The Rooms. Four sets of rooms form a quadrangle surrounding a court-yard. The north-south length of the quadrangle is 98.0 feet. The east-west width is 82.0 feet.

The best preserved rooms are those on the north side. The rooms on the east side are almost obliterated; only a smoothed adobe floor remains to mark their presence. All of the rooms show careful planning in that they are uniform in width and arrangement around the court-yard.

Mr. Louis Swink, 94 years old (1954), of Swink, Colorado, visited the fort while it was being excavated in June, 1954. He had some information concerning the fort, but was very cautious in all of his statements about the placement of various features in the fort. His statements, however, were proven to be correct after excavation. He stated that at the age of 14 he visited the fort in 1874 with a cowboy named Charlie Todd, while both were on a round-up in the region. Mr. Swink remembers the fort as being occupied by some soldiers. He states that there were gates in the east and south sides, and the north gate had been closed. He remembers that the west and north sides were in repair, and most of the people lived in the north rooms. He remembered the towers and that they had loop holes in the top. He could remember no rooms along the south side at that time. He also spoke of the fort being used in later times as a cattle corral of sorts, and previous to that being used by a stage company.

North Rooms. The walls of the north rooms facing the court-yard and the partition walls measured 1.6 feet in width. The room walls on either side of the gate measured almost 2.0 feet.

The doorway between rooms N2 and N3 had been sealed by adobes, and a wooden door sill was still in place. The doorway between rooms NW1 and W2 had been sealed and plastered over in room NW1.

Most of the rooms contained fragments of plaster with a white-wash covering. A one-half inch thick patch of mud plaster covered with a three-eighths inch coating of white plaster was found in the southwest corner of room N2.

Excavations in the southeast corner of room N3 revealed three fairly distinct periods of occupation.

Interpretation	Surface
1954	2 inches—recent earth wash of disintegrated adobe.
Cattle period	7 inches—Manure, cow bones mixed with adobe.
	3½ inches—Adobe fill (washed)
Stagecoach period	2 inches—Remains of wooden floor—square nails in place around wall. (Later floor.)
	12½ inches—Adobe fill.
Bent's period	2 inches—Packed adobe floor. (Bent's original floor.)
	Native soil—Yellow limey clay.

A circular pit 22 inches in diameter, containing charcoal and pieces of iron slag, had been excavated in fill in N3, 7½ inches above Bent's floor and 3½ inches into the yellow limey clay below Bent's floor. It is conjectured that someone had built a small forge for temporary work after Bent's abandonment and before the succeeding occupation. Inasmuch as there was no shattering of the adjoining walls or ground around the pit, it is unlikely that the pit was formed by an explosive.

The good condition of the north rooms indicates that they were occupied long after Bent abandoned the site. Remains of wooden flooring above what is conjectured as being Bent's adobe floor appear in rooms W2, N2, N3, N4, N5, N6 and the northeast tower.

East Rooms. The east set of rooms, four in number, presents some of the most interesting data for the site. All show evidences of burning. Mounding is completely lacking in the central sector of this tier of rooms. The area was compacted by automobiles entering the quadrangle from the east travelling to the granite marker located near the northeast tower and facing southwest. The walls of rooms E3, E4 and the north end of E2 are almost completely obliterated. These rooms were traced by following the edges of the fire-baked adobe floors. The floors and walls have been baked by an extreme heat, probably from burning roofs. It is probable that the northeast tower roof was destroyed by conflagration at the same time. The floor of the tower was covered with burned cottonwood timbers and roofing debris 1.0 feet in depth.

Room E4 is partitioned on the north and south from rooms E3 and E5, respectively, by very narrow walls 0.8 feet in thickness. Remains of pilasters are present in the center of both the north and south walls. It is possible that these walls were placed here during Bent's occupation subsequent to the original building of these rooms and that rooms E3, E4 and E5 originally formed a single large room.

It is most likely that these rooms were Bent's trading compartments. Numerous trade beads were thoroughly embedded throughout the clay floors with the main concentration in rooms E3 and E4. A gun flint was found embedded in the floor of room E4.

Stage Gate. At some period after the abandonment of the fort, it is conjectured, the east rooms were razed and the material thrown into the abandoned pit on the west side of the quadrangle. In the trash of pit level IV, burned adobes, charcoal and fire-baked plaster similar to remnants in rooms E3 and E4 were found. It is conjectured that these rooms were leveled to allow passage of vehicles into the quadrangle through a gate in the east outside wall. A gate opening 22.0 feet in width was constructed after Bent's abandonment of the fort.

The Well. A water well was found in the east side of room E5. It was probably a later addition. Part of the excavated east rim was found to have been cut through the east wall. The well was constructed with meticulous care. The edges are sharply defined. The excavation for the well was 6.0 feet in diameter. Flat limestone slabs were carefully fitted without mortar to form a round, excellently executed orifice, 2.0 feet in diameter in the center of the circular excavation. No part of the well structure

projected above the floor of the room. The well had been filled with trash and the opening covered with limestone slabs.

The well was cleaned by our crew to a depth of 13 feet, at which depth water seepage stopped further progress. Because of the lack of work space, this work was accomplished by hand without the use of an instrument larger than a six-inch pointing trowel. Bits of metal, tin cans, wood and bones were found in the first four feet. The lower excavations produced bits of iron wagon parts, and hundreds of animal bones, mostly sheep, with occasional cattle, dog, and cat bones. At the 12.0 foot level, bones diminished greatly in number. A single whole cow skull was found at the 13.0 foot level. With further cleaning and flushing, it is possible that this well can still be used.

Evidence indicates the well was placed here after the room was destroyed. A subsequent break in the original wall and inside plaster of the room, plus the lack of any burned remains in the well, lends credence to this opinion.

Because so little wall height remained, no doorways have been found in rooms E2, E3 or E4; nor fireplaces in rooms E3 or E4.

In a partially conjectural historical reconstruction of these rooms, derived from excavation evidence, the story is as follows: The rooms were originally constructed in accordance with a basic plan. They functioned as trade rooms during Bent's occupation. At the time of his abandonment of the site, they were burned and possibly explosive charges were used, although there is no direct evidence for this. The destruction included the northeast tower. Another group, upon occupying the site after Bent's abandonment, constructed a gate through the central part of the outside east wall (possibly partially destroyed by Bent), and, in making a stage or wagon road into the quadrangle, used the debris of the damaged east rooms to fill the storage pit (W4) on the west side. The well was constructed after Bent's abandonment. The tower shows reconstruction also. Stratigraphic cross-sections of the pit (W4), the NE tower and room N3, indicate a hiatus of unknown length between Bent's abandonment and the second occupancy. Little effort towards reconstruction or preservation was evident in the site in the sporadic third occupancy period. After abandonment by the second group of occupants, the fort gradually fell into complete disrepair. Photographs taken between 1900 and 1910 show some walls standing to a height of five feet. There is some question as to whether the well construction falls into the second or the third occupancy period.

South Rooms. Nine rooms are included in this series. The rooms were easily traced as far as room S7, after which point the rooms had been largely destroyed. Imprints of wagon wheels appear in the almost non-existent north walls of rooms S6 and S7, indicating that in some late period a road might have led through the fort at this point.

The east wall of room SE1 formed the backwall of the largest fireplace (F8) in the site. It is possible that room SE1 served as a kitchen. Broken porcelain dishes were scattered around the fireplace. Room SE1A may have been a pantry. All rooms but S5 contained fireplaces.

Room S2 contains a short partition running east-west. In the small space between the partition and the north wall, there were the bottom iron hoops of a wooden barrel, and a large earthenware jug. A hand-wrought iron axe was found in the center of the barrel hoops. The wood no longer remained. This partitioned area might have been a water storage unit or an inside commode.

The wall plaster and color washes on the walls of these rooms were quite spectacular. As an example, the walls of rooms S6 and S7 had been covered with no less than six separate colored coatings from 1/16 to 1/36 of an inch thick. Three colors were most used, white, red and yellow. The white is a gypsum plaster; the yellow, limonite or yellow ochre; and the red, hematite or iron oxide. In most instances the preceding color was covered with a thin veneer of adobe before the next coat of color was applied.

An indentation through the north wall in the northwest corner of room S7 probably represents the remains of the basal portion of a chimney for second-story rooms.

The south rooms show no evidence of burning.

West Rooms. The walls of the west rooms were almost impossible to trace south of the pit (W4). Excavations in the southwest corner were some of the last to be made in the site.

The lack of doorways except through the north wall into room NW1 is not easily explained. Perhaps the walls had disintegrated to the point where doorways could not be found, or it is conjectured that these rooms were used for storage, with access only through the ceilings by ladders or stairs from upper story rooms. The presence of a pit that was possibly used for cold storage lends credence to the storage use. Other factors to be considered in these conjectures are the lack of colored plasters on the walls and lack of fireplaces. It is possible that room W2 may have been used as a living unit in conjunction with room NW1.

Whether the storage pit was constructed during the Bent period or at some later time will have to be considered in the light of the following stratigraphic information:

Present	Surface	
Hiatus	Compacted adobe—washed in material. No artifacts, no ash	0.7'
Cattle period	Manure—(humus)	0.3'
Hiatus	Compacted adobe—occasional artifact	0.4'
Stagecoach period	Loosely compacted debris. Iron (in great quantity) numerous mule shoes, several ox shoes, occasional horse shoes, nails. Adobe blocks, burned adobe and white plaster.	1.6'
Hiatus	Glass Dead cattle, articulated Wood, charcoal—Slag and gravel	
Bent level	Compacted—yellow clay soil. cave-in from upper sides of pit. Occasional dark (humus) adobe block, charcoal Occasional piece of metal. Floor (sack impressions)	2.0'

The rectangular pit, about one-half excavated, contains a story if it can be interpreted correctly. Large posts about six inches in diameter, probably four to a side, half of their diameter placed into the yellow native-soil walls, were used to hold up a roof. The only remains of posts were molds in the walls. Two posts appear to have been placed near the center of the east wall. It is probable that some type of entrance was constructed on the east side.

The problem was to determine if the pit was first excavated by Bent or during some later occupation. The interpretation we have placed on it conforms rather favorably with the stratigraphy of room N3, already given, and of the northeast tower.

It is conjectured that the pit was excavated sometime during Bent's occupation. The excavated earth had been disposed of, as no mounding was present around the edges. Sometime during the latter part of Bent's occupation or after the abandonment of the fort, the pit structure disintegrated, and became partially filled. The occupation of a new group, presumably the stagecoach people, used the pit as a place for convenient refuse disposal, probably dumping into it some of the room debris from the east rooms

destroyed by Bent. The material appears to have been placed in the pit during the operation of constructing the east gate and the roadway through the east rooms into the court-yard. A period of abandonment is again indicated. The increasing use of the fort for cattle is noted by the layer of manure. This is covered by a relatively recent layer of adobe.

There are no evidences of burning in any of the west rooms.

Although eyewitness accounts are often suspect, it is pertinent to mention Mr. Charles L. Seeley's account of the Bent's Fort occupation in his publication, *Pioneer Days in the Arkansas Valley in Southern Colorado and History of Bent's Fort*, 1932, p. 20. His statement agrees rather favorably with the excavated evidence.

"There is one curious thing about this story of the blowing up of Bent's Fort, namely, that none of the old time cattlemen and early settlers who came in after Bent moved out ever believed it. The fort was still standing when they came, and was used for many years as a stage station until the arrival of the railroad. I have talked with a good many early settlers, and the most plausible version of the story I can get is that Bent wanted to destroy any powder remaining at the fort, whether his own or stored there by the government, to keep it out of the way of the Indians and Mexicans. It is probable the powder was stored in a single room surrounded by thick adobe walls. It is probable that Bent set afire a fuse to touch it off and an explosion followed, but the damage was small, being confined to the four walls of the magazine. As there was nothing to burn, the fire could not spread very far. To the extent Colonel Bent was concerned, the old fort might as well have been destroyed, for we have no record that he ever used it again. We do know that the fort stood after being abandoned by Bent for 20 years or more with but little change. When finally abandoned as a stage station, the elements in the form of wind and weather soon wrought havoc with the structure and it went down fast. The walls were still standing when I saw the place in 1877, at which time the cattlemen were using it as a corral."

Northeast Tower. A single circular structure, possibly representing the foundations of the guard tower that stands out so prominently in descriptions, models and drawings of Bent's Fort, was found to be one of the best preserved features of the fort. A similar tower placed diagonally across the compound in the southwest corner, according to records, could not be found. The modern road-way placed around the site seems to have destroyed all but a single adobe block. We will have to limit our discussion to the single tower.

The inside diameter of the northeast tower measured 16.0 feet. The walls, 2.2 feet in width, are slightly smaller in width than the other exterior walls. A trench, 0.8 feet in width and 0.8 feet in depth, runs east-north-east through the center of the floor. The sides of the trench were partially lined with flat limestone blocks. A rectangular block of limestone covered the southwest end of the trench. The length of the trench, stopping short of the southwest

corner, was 15.7 feet. It extends to the northeast wall. Neither end could be traced through the walls. The purpose for this trench is not known. It is possible that it served as a courtyard drain, with the southwest end having been filled sometime after Bent's occupation. This feature had been filled with debris from the burned tower roof, and had never been cleaned out. We also considered the possibility that it might have been used as a well drain, but there was no evidence for this.

The tower shows definite evidence of burning. The floor was covered with a layer of charred cottonwood beams to a depth of 0.6 to 0.8 feet. Charred bark still adhered to some of the timbers.

The stratigraphy of the tower is as follows:

Surface	
Stagecoach period	Sterile adobe fill (wooden floor) 2.0'
	Small adobe blocks 0.3'
	Sterile adobe fill 0.6'
Bent's Period	Charcoal (adobe floor) 0.6'

Miscellaneous Features.

South Corridor. Problems exist concerning the purpose of the corridor 15.0 feet south of the court-yard rooms. Here is a space 18.0 feet in width and 160.0 feet long, enclosed by two thick walls running in an east-west direction. Both walls butt against the east outer protective wall and at the west end are joined by a wall containing a doorway entrance (D20) into the southwest corner. No doorways appeared in the walls along their entire length.

Fireplaces. The 13 fireplaces found can be divided into two types: 1. wall fireplaces (11),—those having the jambs at right angles to the back of the hearth; 2. corner fireplaces (2),—those with the hearth placed diagonally across the right angle formed by the junction of two room walls.

Cattle Period Posts. A number of vertical posts, not placed on the main map of this report were found in the southwest corner in and around rooms W5 and W6. The posts are of juniper and average about 0.5 foot in diameter. They were placed to form a solid wall, each touching the other. They are thought to be of the cattle period, manure being quite thick among them. A double set of juniper posts was placed immediately south of room S2. Inasmuch as these posts were placed in the tops of and between adobe walls, it is probable that the walls had long been in ruin when this feature, possibly a loading chute, was constructed.

Corral. In museum models and some publication drawings, the south corridor area described above has often been erroneously depicted as the Bent's Fort corral. The corridor area is depicted on Rosenstock's Abert map of 1845-46, and also south beyond this a walled compound with what appears to be a wide gate in the east wall near the northeast corner. This latter feature was probably Bent's corral. On Abert's map near the southwest corner is the figure "150?", possibly indicating the southward extension of the corral. The east and west walls are continuations of the outside protective walls that surround the buildings. Bent's corral area is now a privately owned alfalfa field. Although we did not have time to run test trenches, it is possible that fragments of the corral walls might be found near the northeast edge of the field. This area appears to be least disturbed.

SUMMARY

The main objectives of this report are concerned with outline excavation and mapping the features uncovered in Bent's Fort. Interpretation and conjecture have been based upon the facts at hand. With the full excavation of the site, additional information will be forthcoming. Important areas requiring additional work are the space between the east rooms and the east protective wall; the area between the south rooms and the south corridor; the south corridor itself; the southwest tower; the court-yard for porch or veranda posts; and trenching for the corral walls.—(Although the foundations might be all but missing, subtle soil changes could provide evidence for this feature.)

The evidence is that there were three occupations of the fort in the following order: (1) Bent's period, (2) Stagecoach period, and (3) Cattlemen period. In terms of structure changes, the following stages can be listed: (1) Initial building, (2) Renovation, and (3) Deterioration. To project the future, it would not be amiss from the museum standpoint to have exhibits concerning all three phases.

The main damage to the fort at the time of Bent's abandonment was the destruction of all the east rooms and the northeast tower. All show destruction at least by fire, with the consequent reconstruction being limited to a wooden floor over debris in the tower, the excavation of a well in room E5, and the removal of the wall debris from rooms E3 and E4.

The rooms on the north, west, and south, with the exception of the pit (W4), appear to have been used for some time after Bent's abandonment.

Matthias Klaiber, Physician and Minister

By KATHLEEN BRUYN*

Matthias Klaiber, who in his dual role of physician and Methodist Episcopal minister rendered vital service to Colorado pioneers, died long before Albert Schweitzer formulated his philosophy of *Reverence for Life*; nevertheless, his own life-pattern seems to have been based on an instinctive understanding of it. Like Schweitzer, he was convinced that his abilities should be placed at the disposal of all living creatures. As a doctor, he devoted himself to combating disease and comforting infirmity. As a minister of the Gospel, he dedicated himself to helping others find faith, courage and the joy of fellowship.

Born in the little Swabian village of Hausen ob Verena, August 31, 1831, Matthias Klaiber first learned the trade of stone masonry, then turned his attention to medicine, probably due to the influence of an uncle who was an army surgeon. He was thus admirably equipped for pioneer life when he emigrated to the United States in his twenty-first year.

Although medical science had not made the gargantuan strides it achieved in the first half of the 20th Century, it was surprisingly advanced. The stage of progress is easier to appreciate if it be remembered that Dr. Klaiber's contemporaries included such men as Lord Lister, Louis Pasteur, Jean Charcot, S. Weir Mitchell, Rudolf Virchow and Robert Koch, the last-named of whom discovered the tubercle bacillus in 1882. Matthias himself was somewhat in advance of his time in sensing the intimate linkage of physical, mental and emotional factors in his patients' illnesses—the connection upon which is predicated the present-day psychosomatic analysis of many disorders. Moreover, because he genuinely loved people, he was able to reach them, to inspire the confidence which any doctor knows is half the battle.

Arriving in America, he settled first in Cuyahoga County, Ohio, where he soon integrated himself into the life of the community. His income came mainly from his masonry, for although he soon acquired patients, most of them were poor, and he could

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MATTHIAS KLAIBER

not bring himself to demand payment for the care they needed so badly, and could so ill afford. He never put this scruple into words, but it was evident he felt his medical skill was a God-given means of serving others. No one in his family could remember that he ever sent a bill for professional care.

It was during this early period that Matthias Klaiber met Mary Gluntz, who like him was an emigrant from Germany. They were ideally suited. In 1854, they were married.

In 1856, something happened to alter the course of their lives. They went to what in those days was called a "preaching" and there heard one of the most eloquent evangelists of the day, the Rev. J. C. Klein. He made such a profound impression on Dr. Klaiber that as soon as he could, he joined the Methodist Episcopal church in Portsmouth, Ohio.

When, subsequently, the Klaibers moved to Independence, Ohio, the doctor was distressed to discover that there was no Methodist group there. He promptly affiliated himself with the Evangelical, which was most closely allied to it.

A deep, fervent piety had always been an essential part of Matthias Klaiber's character. Until now, this had manifested itself largely through solicitude for his fellows. Now he realized that he wanted an active role as proselytizer, and he took steps to acquire the formal training required. In 1857, he was ordained as a minister. As an Evangelical preacher he served successively in Warrenton, Ind., Mount Carmel, Carmi and Vandalia, Ill., twice in Louisville, Ky., and in Cincinnati, Dayton and Indianapolis.

Illustrative of his mode of operation was an incident reported in an old Vandalia [Illinois] newspaper¹ and preserved in the archives of the Klaiber family in Denver. Vandalia, it will be remembered, was always malaria country—it was there that Abraham Lincoln had a severe attack of it at the outset of his legal career.

The newspaper account, written in German and in the first person, said:

"My memory harks back to the years 1864 and 1865. We were living in Shelby County, Ill., near the Vandalia Mission. It was a rainy fall season and fever ran rife through the town. Practically every home had its share of victims. Quinine, then the universal remedy for all malaria-type fevers, had proved ineffectual against the foe. In our own household, we had bought a supply and given everyone liberal doses of it. After a few days, the fever would break and we would think the worst was over. But our relief was always short-lived. All too soon, it would return in much more virulent form. Brother Matthias Klaiber and Brother Wessler were assigned to the Mission.

"One evening, after a particularly depressing day, Brother Klaiber came to the house where my parents lived. He shook hands cordially with us all, introduced himself and said he was there to serve the parish in every possible way.

"While he was talking, his physician's eye had noted our sorry condition. He asked a few questions, apparently more to confirm an opinion that anything else, then went out to his buggy. He returned almost immediately with a well-worn medicine case. From its contents he prepared a concoction which he gave us, with instructions to take it at stated intervals. Then he knelt on the floor and prayed earnestly for our spiritual and physical health. The prayer ended, he spoke reassuringly to us. Then he left. Mother said he could well be an angel in disguise and Father heartily agreed."

There was no mention in this account of any remuneration being asked or offered. Years after Dr. Klaiber's death, it happened repeatedly that one of his sons, casually revealing his identity, would receive an enthusiastic greeting.

"So you're Doc Klaiber's son! Well, you're welcome to just about anything in this place. I could never begin to repay the kindness he showed me years ago, when I was sick and poor!"

¹ Report in German-language newspaper by Wilhelm Jonas. Date unknown.

Prosperous merchants and other businessmen, not only in Denver, but in the many other places where Dr. Klaiber had spent time, so unanimously displayed sentiments of this kind, that the family learned, as it never had from him, how far-reaching was his sphere of influence.

Eventually, the doctor found himself in worse straits than most of his patients. He contracted tuberculosis, or as it was then called, "phthisis".

In Dr. Klaiber's day, artificial pneumothorax had not been tried in the United States, thoracoplasty was not dreamed of and antibiotics were unknown. The most advanced medical authorities of the 1870's advocated daily exercise out of doors, sternly forbade sedentary indoor occupations, believed in the efficacy of cod-liver oil, alcohol and standard tonics—chiefly those containing iron.

The well-thumbed volumes in Dr. Klaiber's medical library included, for example, such pronouncements as this, by Dr. Henry Hartshorne,² professor of Hygiene in the University of Pennsylvania:

"There has been discovered, as yet, no specific to arrest tuberculosis. But cod-liver oil and alcohol, and, in lesser potency, iron, quinine and other tonics, in a certain number of cases do manifest an important conservative and restorative influence; and palliation of symptoms, as pain, cough, loss of rest, may help comfort the patient. My confidence in the frequent value of cod-liver oil is based chiefly upon observation. Three individuals in one family, for example, under my care, notwithstanding a well-marked family tendency (shown by the previous death by phthisis of three sisters, their mother and uncle) recovered from incipient consumption under the use of oil. Other cases, much more commonly, have life prolonged by it..."

A widely used *Formulary* of that period described fourteen preparations for use in phthisis. More than half were demulcent, tonic, conducive to expectoration or simply nutritious. Creosote and myrrh figured heavily in several. One interesting electuary contained Peruvian bark, jquirity, cetaceum (a fatty substance from the head of the sperm whale), powdered mushrooms, confectio of roses, syrup of yarrow and opium extract.

In the light of present-day knowledge, Dr. Hartshorne's quite typical recommendations appear unduly optimistic, but if it be remembered that in many places, as late as the 1930's, "fresh air and plenty of sun" were advocated, the therapy of the late 19th Century does not suffer unduly by comparison.

Like all good doctors of whatever era, Dr. Klaiber supplemented theory with logic based upon shrewd observation and practical experience. He knew the pattern of caseous tuberculosis,

² Henry Hartshorne, A.M., M.D. *Essentials of the Principles and Practices of Medicine*. (Philadelphia: Henry C. Lea, 1874)

was aware that in its progress it frequently affected some part of the body other than the point of origin—in his case, the lungs. So when hoarseness became chronic and increasingly persistent, he realized that it would be merely a question of time before his vocal cords would be seriously impaired.

It was after long and careful scrutiny of his throat one morning that he told his wife the grim truth. Secondary infection had definitely set in. As usual, he was outwardly unperturbed. Preaching would soon become impossible, but with care and in a more salubrious climate than that of Kentucky, where they were then living, he should have years enough ahead of him to raise the children. It was, however, advisable that they move to a drier climate without further delay.

Mary Klaiber showed the stuff of which she was made. Her children could remember no murmur, no railing against Fate. On the contrary, she seems to have drawn from the spring of her high courage more than the usual amount of laughter and high spirits. They looked forward to the journey to Denver as capital adventure.

In 1878, twenty-five miles an hour was breakneck speed for a train to make and the youngsters thrilled every mile of the way. They arrived in Denver on a crisp February morning, surprised to find themselves in a flourishing city. Somehow, they had expected near-wilderness.

Dr. Klaiber's first concern was to find living quarters for his family, then office space for himself. The family was sizeable, even without the eldest boy, Christian, who was at that time living with an aunt in California. Mary, the oldest, was already a young lady. Benjamin was about fifteen, Jacob, Joseph and Gustav were all younger. Ben's twin had died; so had another Joseph.

It was a lively, cheerful little group. Dr. Klaiber found a house in the 2100 block on Stout Street. There was only one other house there, occupied by George Turner, Denver's first expressman, whose slogan read:

"The world moves and so does Turner."

Not far away lived George Tritch, an astute hardware merchant who later acquired a monopoly on wire nails. He and Dr. Klaiber became cronies, and it was the latter who urged him to buy a carload of nails, foreseeing that the building boom resulting from the rush to Leadville would provide a ready market. Due to the discovery of rich silver-bearing lead carbonate ores in the Leadville district, fortune hunters were rushing in there by the hundreds.

Dr. Klaiber obtained an office over Conrad Frick's shoe store at 370 Larimer Street, and listed himself as "M. Klaiber, Deutscher Arzt" (German Doctor)³.

Now it happened that Conrad Frick was one of three men who had taken the initiative in securing a German Methodist Episcopal church in Denver. As early as 1866, he, Frederick Gamer and Henry Rietze had asked help in establishing a German Mission, but it was not until the Quincy Conference of 1872 that Bishop Gilbert Haven, who was presiding, authorized the Rev. Philip Kuhl ("Papa Kuhl") to do so.⁴ Dr. Klaiber, discovering that there was no Evangelical group in Denver, was overjoyed to find this German Methodist Episcopal community and quickly affiliated himself with it.

He little dreamed that his arrival would be regarded as a Godsend to this parish, but so it was. The church had had difficult beginnings. Without a building of any kind or a parsonage, the parishioners and their respective pastors made shift as best they could. The first Board of Trustees consisted of Gov. John Evans, S. H. Elbert, John P. Fink, Conrad Frick, Henry Rietze and F. L. Hahn. By the time Colorado was admitted to statehood in 1876, the church had 65 members, had managed to acquire land at Eighteenth and Arapahoe Streets and had erected a building valued at approximately \$14,000.⁵ "Papa" Kuhl was succeeded by the Rev. F. G. Leist, whose term expired in 1878. Gladly, though not without misgivings bred by his own poor health, Dr. Klaiber accepted also the responsibilities of pastor of the German Methodist Episcopal Church and moved his family to the parsonage at 288 Eighteenth Street.

With what zeal he labored at his twofold duties may be imagined. To him, "the brotherhood of man" was no empty phrase, but a working creed, a motivation for everything he did. His patients' families were as well known to him as his own. He was particularly fond of children and frequently exercised great ingenuity in indulging them without seeming to do so. After their arrival in Denver, he and Mary had two more, Amelia, who died in childhood, and Martha, who subsequently became Mrs. John L. Fischer.

Illustrative of Dr. Klaiber's kindly strategems is a story his descendants love to tell. Denver's salubrious climate attracted many outstandingly able persons who were physically ill. One of

³ Oral information from J. M. Klaiber of Denver, one of two surviving sons of Dr. Matthias Klaiber. (The other son, Gustav Klaiber, lives in Lyons, Colo.)

⁴ Otto Kriege, Gustav Becker, Matthaus Herrmann and C. L. Koerner. *Souvenir der West Deutschen Konferenz der Bischoeflichen Methodistenkirche* (Cincinnati: Jennings and Graham, 1906), 144.

⁵ *Ibid.*

these was Matthias Klaiber's old friend and former patient, Dr. William H. Buechtel, who because of a severe respiratory ailment had left his native Indiana and settled in Colorado in 1871. He owned a ranch near the Continental Divide and by 1875 had adopted the practice of wintering in Denver.

Dr. Buechtel's wife was the daughter of P. T. Barnum of circus fame. The two physicians, meeting again after a lapse of years, were on the most cordial terms. Quite naturally, Dr. Klaiber was given a complimentary family ticket to the *Greatest Show on Earth*.

So when, one summer day, the big top went up on Lawrence Street, between Seventeenth and Eighteenth, Dr. Klaiber took his dignified way there, followed by several of his sons—and each boy's best friend. Studiously neglecting to glance behind him, Dr. Klaiber handed the doorman his ticket. The latter's beady eyes took swift count, noting a certain similarity in ages.

"All your family?" he questioned, openly skeptical.

Still looking straight ahead, Dr. Klaiber gravely assented.

The parsonage adjoining the church at Eighteenth and Arapahoe was clearly too small for so many Klaibers. The Board approved an addition, and all hands helped with the remodeling. Hospitable neighbors made room for all the youngsters but Joe, who slept in the house with his father. Necessarily, doors and windows were not only unlocked but open. A burglar seized the opportunity to improve his economic status.

On his way to the office next morning, Dr. Klaiber encountered young Dr. Otto Cranston, who shared Dr. George Treat's office diagonally across the street. The three were on excellent terms and were in the habit of good-naturedly chaffing with one another. As Dr. Cranston approached, Dr. Klaiber pulled a long face.

"I was robbed last night!" he announced.

Cranston was all sympathy.

"Did you lose much?"

"Everything I had," Dr. Klaiber assured him sadly.

Cranston's hand was already in his pocket.

"How much money did you lose?" he pressed.

"Fifty cents!" chuckled Dr. Klaiber.

With a perfectly straight face, Dr. Cranston handed him a dollar.

The practical welfare of his patients was invariably Dr. Klaiber's first concern. Many who rushed to Leadville were physically

unable to stand the combination of high altitude and rigorous exertion. An alarming number became pneumonia victims, and many contracted other pulmonary diseases. Removal to a lower altitude was imperative, and they would be conveyed to Denver by way of Turkey Creek and given all possible care, generally at the county hospital. Physically impaired and in many cases almost penniless, they constituted a potential burden on Denver taxpayers. So an arrangement was worked out whereby the railroads would allow them reduced fares to their points of origin, provided a physician would certify to their need. Dr. Klaiber and his colleagues were thus able to render vital service to many an unfortunate.

In a pioneer community such as Denver was at that time, it was undoubtedly easier to provide for an individual's over-all welfare than it would be in the same city today. Everyone knew everyone else, for one thing. So it not infrequently happened that job-finding was the final step in treating a man and helping him to get on a sound footing. Years after Dr. Klaiber's death, a man who had been thus helped called upon members of his family living in Denver to tell them his own experience.

He recalled that as a comparative stranger in Denver, he became seriously ill. Being of German descent and Protestant religious affiliation, he turned, naturally, to the German Methodist Church and was advised by one of the parishioners to seek out the Reverend Matthias Klaiber, who would be able to minister to both his physical and spiritual needs. Early one cold, stormy night, he made his way to the office over Frick's store. He was exhausted, partly from illness, partly because, without a job, his funds were too slim to permit of proper eating. When he reached Dr. Klaiber's office, it was locked.

He remembered nothing after that until he emerged from the blackness of unconsciousness to find a stocky figure bending attentively over him. He saw a bearded, fine-featured face, then found himself looking into the kindest eyes he had ever seen in his life. He was lying on a couch in a scantily furnished office. Dr. Klaiber, returning from late house calls, had found him lying on the floor in the hall outside, had half-dragged, half carried him in, and was treating him. When he was able to describe his unfortunate situation, the doctor told him not to worry, that he would look after him until he was on his feet again. He was as good as his word. Moreover, when health had been restored, the doctor found him a job in John Ammen's flourishing *City Elite Laundry*, on Blake Street.

Quite apart from the Leadville boom and its influence upon Denver's prosperity, the year 1879 was memorable. It brought the "Queen City" its first postal carrier service and its first telephone system. It also marked the erection of the Roman Catholic Sacred Heart Church, at 2760 Larimer Street.⁶

William N. Byers, publisher of the pioneer newspaper, the *Rocky Mountain News*, was appointed postmaster in the spring. He lost no time in correcting a situation which had long caused Denver residents inconvenience and discomfort. Up until then, all mail had to be picked up at the general delivery window of the postoffice, with the result that long queues of impatient people stretched far out into the street. By mid-summer, Byers had established regular mail routes and hired six letter carriers to walk them.⁷

Frederick Vaille had begun preparations for a telephone communications system late in 1878, and by the following year was assured of at least one hundred sixty-one subscribers. An office and master switchboard were installed in the same building where Dr. Klaiber had his office, lines were run and on February 24, 1879, the city rejoiced in a new sound—that of ringing telephones.⁸

Under the energetic leadership of the Right Rev. Joseph Protectus Machebeuf, into whose charge Archbishop Lamy had given the so-called "Pike's Peak region," the Jesuit mission mentioned above became a reality. Bishop Machebeuf was a tireless worker and a man of extremely engaging personality, and he had friends the length and breadth of his territory. Like the famous "Snow Shoe" Methodist Episcopal missionary, Father John L. Dyer, Dr. Klaiber held Bishop Machebeuf in the highest esteem. He seems to have contributed a modest sum towards the Sacred Heart building fund on behalf of his parish.

As a matter of fact, the Larimer Street Jesuit mission was built during a period remarkable for mutual aid among the various denominations of the city. The leaders of the community were well aware of the desirability of religious activity because it improved the general moral tone and was conducive to good citizenship. It is a matter of record that Bishop Ames, for example, once offered \$1,000 as an incentive to church-building and that Gov. John Evans more than doubled this.⁹

⁶ Records of the Sacred Heart Church and cornerstone of same.

⁷ Jerome C. Smiley. *History of Denver* (Denver: *Denver Times* 1901), 465.

⁸ LeRoy R. Hafen and Ann W. Hafen. *The Colorado Story* (Denver: Old West Publishing Co., 1953), 370.

⁹ Peter Winne, "Historical Gleanings," in *The Trail*, Vol. 8, No. 5, (October 1915), 6.

By 1879, Denver had a water and a gas works, streetcar service, a telegraph system and astonishingly good theatre. Partly because of its salubrious climate, partly for other reasons, Denver became a Mecca for some of the most eminent doctors in the country. Two years before Dr. Klaiber's arrival on the scene, Dr. Charles L. Denison, serving as Colorado delegate to the International Medical Congress in Philadelphia, had presented a brilliant paper, "The Influence of High Altitudes on the Progress of Phthisis," and he was even then reading proofs on his analytical study of high altitudes with relation to the arrestation of chronic pulmonary diseases. It was Dr. Denison who in 1882 gave a detailed description of Robert Koch's epochal experimentation, at a meeting of the Colorado State Medical Society.

Dr. Richard G. Buckingham, who had settled in Denver in 1863, was co-organizer with Dr. Arnold Stedman of the Denver Medical Society, formed in 1871. Charter members included Dr. William R. Whitehead, veteran of the Crimea, who was a nationally recognized authority on asthma; Dr. H. A. Lemen, whose views on the nature of tuberculosis did not at all accord with Koch's findings; Dr. Denison, Dr. H. K. Steele. Dr. Frederick Jones Bancroft, who had served as an army surgeon during the Civil War, was highly active. He was first president of the Colorado State Historical and Natural History Society, and, during the year Dr. Klaiber reached Denver, president of the State Board of Health. Dr. Buchtel and Dr. W. W. Anderson were practicing in Denver, attracted by the hope of regaining their health. Capable, cultured Dr. John Elsner had brought with him something of Vienna's *Gemütlichkeit*, and his home was a rendezvous for musicians and men of letters. His father was a political refugee who had led student insurgents in the Kossuth Rebellion.

The appalling Chinese Riot of October 31, 1880 revealed to Dr. Klaiber how thoroughly he had instilled in his children the humanitarian spirit which guided him. The parsonage was on Eighteenth Street. Concentrated in the area bounded by Sixteenth and Eighteenth and Wazee and Blake Streets—a matter of only a few blocks' distance—were two hundred thirty-eight Chinese, many of whom, according to the historian, Jerome C. Smiley,¹⁰ were engaged in the laundry business. They were, generally speaking, peaceable citizens, who troubled no one and asked only to be left to their own pursuits. They had begun infiltrating into Denver in 1870, soon after the completion of the Denver Pacific Railroad.

¹⁰ Jerome C. Smiley, *History of Denver*, 471-473.

Smiley has noted two versions of the cause of the riot, and has given credence to the one stating that inebriated railroad hands, with their last pay still in their pockets, descended upon a saloon on Wazee Street, near the corner of Sixteenth. There two Chinese were playing pool. The laborers started rough-house and in the ensuing melee, one of the Orientals was struck over the head with a billiard cue. The other allegedly drew a revolver and fired at the hooligans, but missed his aim.

Immediately the hue and cry went up: a "Chink" had tried to kill a white man!

This triggered a race riot. An ugly mob collected, bent on annihilating every Chinese in town, innocent or guilty. It was precisely the same psychology as that of a Southern lynching mob. The Klaiber boys and a friend, Jim Moncrieff, horrified by the savagery displayed on all sides, smuggled two fleeing Chinese into Moncrieff's barn and hid them in the hay.

The mob caught one poor old fellow and hanged him in front of the Markham Hotel. White-faced, the boys raced home. Not until the next day did they take their mothers into their confidence. Meantime, the terrified Orientals remained hidden in the hay, without food or drink. Mary Klaiber and Jim Moncrieff's mother hurriedly cooked up some nourishing food and the boys spirited it into the barn.

Actually, the danger had been over since late the previous evening. Some of the more courageous citizens, led by David Cook, had put an end to the man-hunt and most of the Chinese were rounded up and put in the city jail overnight, for their own protection. Characteristically, Dr. Klaiber made no comment, but his gaze, when it rested on his sons, was both thoughtful and contented.

Bland imperturbability amounted to a well-developed technique. He employed it on Mary, whose frugality was such that she even measured with a precise hand the coffee beans she ground daily in the old-fashioned coffee mill. He would contrive to pass her, accidentally jostling her arm, so that an extra supply fell into the mill.

"Now we'll have good coffee," he would announce, turning upon her his most engaging smile.

Once, too, the boys smuggled a puppy into the house and hid him under the cook-stove. Dr. Klaiber, coming in late that afternoon, cold and tired, opened the oven door and stretched out his feet to the warmth issuing from it. The boys watched him anxiously. Presently he let his feet rest on the floor, so that they

were slightly under the stove. His face assumed an enigmatic expression. Nothing was said for some minutes. Then, suddenly, he swooped down and drew forth the little dog, which had evidently been licking his toes.

With the pup in his arms, he walked to the door, opened it and looked out. A flurry of snow blew in.

"You'd better find the pup a box," he remarked.

Boy-fashion, they became slightly weary of the pup after its novelty wore off. It became a one-man dog—Matthias Klaiber's.

Dr. Klaiber—Pastor Klaiber—gave himself no rest. And eventually this constant strain on his strength took its toll. By the time he was made a supernumerary of the church in 1881, he was performing his tasks by sheer will-power. He acquired some farmland at First Creek, some twelve miles east of Denver and bought sixty-five head of cattle.

But the venture was foredoomed. Drouth reduced natural pasturage to a dangerously low level, and as a consequence the price of feed soared to impossible heights. Then the cattle contracted the disease they called "black leg," and it became grim routine to count the dead animals in the morning. His own health steadily declined.

Notwithstanding all this, he and Mary maintained their cheerful, courageous attitude. To her dying day—and she lived to be well over ninety—Mary Klaiber kept the gift of whole-hearted laughter, which is the outward and visible sign of high courage. What her indomitable spirit must have meant to her husband during those closing years at First Creek can only be imagined.

In 1884, Pastor Klaiber was retired. On October 14, 1885, he died and was buried in the old Riverside Cemetery. Succeeding clergymen, summing up his career, unconsciously wrote a fitting epitaph:

"He was a faithful and diligent worker, patient in adversity and serene in death. After many years of travail, the weary pilgrim rests in the Lord."

Pioneer Hotels and Summer Resorts West of Fort Collins

By JESSIE L. CLARK*

I recall as a child that most of the Fort Collins families planned at least two weeks of vacation in the mountains each summer. Some went "camping out" and others took advantage of the many summer resorts west and a little north of Fort Collins. This was an ideal way really to enjoy a vacation, and we spent many happy days at the various resorts, including Zimmerman's cabins, Zimmerman's later, lovely Keystone Hotel, the Rustic, Cherokee Park and Halligan's Resort. Of course, we stopped en route for dinner at Livermore or at the Forks Hotel, depending on which route we were following,—to the South Fork or the North Fork of the Cache la Poudre river.

Zimmerman's Hotel. The first time I remember going to Zimmerman's there were cabins for sleeping and a small home of the Zimmerman family where we ate our meals. The John Zimmerman family came from Switzerland to Colorado settling first in the Chambers Lake district. In 1884 the family, consisting of John Zimmerman, his wife, two sons, Ed and Casper, and two daughters, Eda and Agnes, moved to the banks of the Cache la Poudre, where with crude tools Mr. Zimmerman managed to build several cabins. My parents, Mr. and Mrs. J. A. C. Kissock, were among those who were at the opening of this resort.

Later we stayed at the large three-storied brick hotel, built by the Zimmermans in 1896. The family did most of the building themselves, even to making the bricks. There were forty rooms, most of which were filled in the summers. A great many easterners came and many spent the entire summer. All of the Zimmerman family were talented musicians, and in the evenings they often formed an orchestra for the dances.

In addition to being musical, both of the girls were talented painters, and many of their lovely oil paintings of their beloved mountains were hung on the walls of the hotel. This hotel was among the first summer resorts in the area to have running hot and cold water in the bedrooms and several bath rooms.

In those days the Cache la Poudre was loaded with trout, and we always had them for at least one meal every day. The *Home*

* Mrs. Jessie L. Clark, Regional Vice President of the State Historical Society for Region 2, contributed an article entitled, "Pioneer Hotels of Larimer County," to *The Colorado Magazine*, Vol. 31, No. 2 (April, 1954), 128-136. The readers of this article on Summer Resorts will undoubtedly enjoy referring to the 1954 article.—*Editor.*

post office was at Zimmerman's Hotel for many years, until the hotel was destroyed for a fishing project several years ago.

Rustic Hotel. A few miles south of Zimmerman's at the foot of Pingree Hill, S. S. Stewart built the log two-storied hotel and named it the Rustic. That was in 1881. We spent one delightful vacation there, and I remember that everyone told us that there were no rattlesnakes above the Rustic, although a number were found just below it.

In those early days the stage from Fort Collins to Zimmerman's or the Rustic went over Pingree Hill, then a narrow road with huge boulders, deep ravines and steep climbs. I often had the drivers let me out and I walked either up or down that road, which had so few turnouts. There were always four to six horses hitched to the stage, depending on the load. The horses were changed first at the Ayres' place just out of Owl Canyon, then at Livermore or the Forks, depending on their route; again, half way to their destination from either of these points.

I remember we often stopped at Billy Batterson's, Peter Olson's, or the McNey ranch. We left Fort Collins at six o'clock in the morning and arrived at the Rustic or Zimmerman's about six in the evening.

Mr. and Mrs. John McNabb took over the Rustic in 1885. Their daughter, Mrs. Stella Christiansen, told me that in the early days the Pingree Hill road was a toll road, and fifty cents was collected for every team and wagon and twenty-five cents for a single buggy. She was born at Pinkhampton, a town near Walden, no longer in existence.

Clarks Hotel. There was a Clarks Hotel built on Cameron Pass in 1881 to accommodate miners or prospectors, as at that time a mining boom was on in North Park, when gold, zinc and other valuable minerals were discovered. There were three mining camps: Manhattan, north of the Rustic, and a little east; Lulu, named for an old friend of mine, Lulu Burnett; and Teller, farther north.

Halligan Resort. Mr. and Mrs. Daniel M. Halligan moved to the Livermore country in 1882 and took up the ranch where they later had a summer resort. It was on the North Fork of the Cache la Poudre. Mrs. Halligan, the former Mary Roberts, was a sister of Robert O. Roberts, pioneer of the Livermore district and former proprietor of the Fisk and Forks hotels. Two of Mr. Roberts' sons, George and Ernest, still ranch on the acreage which their father took up in 1881. Another son, Charles, is over 90 and lives in Fort Collins. Mr. Halligan was born in 1830 in Dublin, Ireland.

A. D. Cornelison, father of Victor Alford Cornelison, head of the department of journalism at Colorado Woman's College in Denver, drove the stage to the Halligan resort and also carried the mail for many years. His daughter, Mrs. John R. Mason, lives in Fort Collins. Many times Mr. Cornelison took our family to Halligan's on the stage.

Cherokee Park. Cherokee Park was the summer resort of Mr. and Mrs. William Campton and the first hotel was built in 1886. This hotel burned down. Another, the one I remember, was built in 1895. This was a very large, two-storied log hotel with office, sitting room, office, huge dining room and kitchen besides the living quarters for the family. Upstairs were bedrooms. There were ten or twelve cabins which accommodated four to six persons. We generally had one of the latter.

All of the meals were eaten in the hotel as there were no cooking facilities in the cabins. There were large swings for the children and a dance hall, round in shape, also of logs. Mrs. Campton was called "Aunt Phoebe" and Mr. Campton, "Uncle Bill" by every one. The beautiful mountain flowers were around all of these resorts, and each day I went out and brought in bouquets for the dining tables. How well I remember the huge platters of trout! The river ran within a few feet of the back door of the hotel. We children could always go to the kitchen and get handouts if we got hungry between meals. There was always plenty of cream, and I mean *cream*, milk and buttermilk for us, too.

Forks Hotel. The Forks Hotel was built in 1875 at the fork in the road which led to the north and south fork of the Cache la Poudre river. It did a thriving business as it was on a direct line to Laramie, Wyoming. Russell Fisk built a store on his ranch in the Livermore country in 1871 and was the first postmaster in that part of the country. The building also was used as a hotel, and Mrs. Fisk was the first school teacher there. Mr. Fisk had purchased the claim taken up by A. Livernash and Stephen Moore in 1863 and built a cabin on it. In 1874, Robert O. Roberts and family arrived in Livermore and he ran the Fisk Hotel a year, then built the Forks Hotel. Besides being a place for travelers to stop for meals and overnight, it was a vacation place for many who spent a week or more there.

To my friends and to the late Ansel Watrous who wrote the *History of Larimer County*, I am thankful for some of the preceding information relative to the above summer resorts.

Regional Minorities and the Woman Suffrage Struggle

By WILLIAM B. FAHERTY

(William B. Faherty, S. J., Ph.D., Associate Professor of History at Regis College, Denver, states that while engaged in research on the woman suffrage struggles in the various states, he noticed an interesting phenomenon in the writings of suffragette leaders which received no mention in most general histories of the movement, namely, the blaming of minorities for suffrage defeats in various states. In no instance, according to Father Faherty, did he find substantiation for these charges. One of the most interesting to him was the charge that the "Mexicans in the Southern counties" were responsible for the defeat of the 1877 woman suffrage campaign in Colorado. This charge, he says, was first made by Susan B. Anthony, then repeated by others.

(According to Father Faherty, investigation of the "Proceedings of the Constitutional Convention of Colorado" showed that other considerations precluded the acceptance of woman suffrage by the framers of the Constitution. Chief among these was the desire to keep down controversial issues so that the Constitution might be ratified before the end of the Centennial year, 1876.

("Investigation of the records of the suffrage vote of 1877," says Father Faherty, "showed that the proposal was defeated by such a large majority that the Mexican vote (which, as a matter of fact, was heavily against suffrage) had little if any effect on the outcome."

(Father Faherty is the author of a book entitled, *The Destiny of Modern Woman* (Newman, 1950) and articles in *The Wisconsin Magazine of History*, *Mid-America* and the *Kansas Historical Quarterly*. His book-length manuscript, *American Woman's Rights and Wrongs* is now in the hands of a prospective publisher.)—*Editor*.

Buoyed up by their unexpected victory in the Territory of Wyoming in 1869, the militant suffragettes hoped that Wyoming's neighbors would follow her excellent example. When the woman suffrage proposal was rejected in one after another of these states, the suffragettes cast about for a scapegoat. They found one in "minority groups."

This stain on the Feminist battle-flag bobbed up intermittently in the original speeches and writings of the militants, but has received little mention in recent studies of the suffrage struggle. It is an interesting phase in American social history.

The suffragettes ascribed their Nebraska defeat in 1882 to the vote of the German immigrant.¹ In the South Dakota vote of 1890, they blamed foreigners in general, beginning with the Russians,² and going on to the Poles and Scandinavians. They even claimed that on at least one occasion they were made to take second place to those "red-skinned foreigners," the Sioux.³

In Colorado the suffragists did not know whom to hold responsible at first for their initial defeats. Some blamed the Germans, others the Catholics, and still others the Negroes.

The Colorado Woman Suffrage Association, however, exonerated all three groups. "Some of our warmest friends are among the intelligent Germans who have been citizens for many years," a columnist for the Association wrote one week after the voting, "as a matter of history not a few prominent Catholics voted to approve suffrage last Tuesday, and with respect to the Colored men, they have many of them declared . . . that they ought to forbear opposition to the emancipation of women from their political disabilities."⁴

The suffragettes had to seek a scapegoat elsewhere. Shortly before the next woman suffrage effort in Colorado, it became evident that they had found one. When Mrs. H. S. Stansbury, Vice President of the Colorado State Suffrage Association, asked help in the 1893 campaign, suffragette leader, Susan B. Anthony inquired of Mrs. Stansbury if she had "converted all those Mexicans out of the Southern counties."⁵ Shortly thereafter, Miss Anthony came out more explicitly in another letter, blaming the Mexicans for the previous failure.⁶

In her study, *Equal Suffrage*, published in 1909, Helen Sumner reiterated the allegation: "The Mexican vote was supposed to have been largely responsible for this result."⁷

In neither Nebraska nor South Dakota do the election statistics give any indication of the validity of the scapegoat allegation of the suffragettes. The evidence in Colorado is much clearer, the story more interesting, and the subject of greater concern to members of this Society.

Before an analysis of the Colorado picture, a brief look at certain wider aspects of the suffrage struggle might put the local facts in focus. The organized Feminist movement in America grew out of the interest of a group of American ladies, many of them Quakers, in the cause of the Negro slave. At the end of the Civil War, the suffragettes' staunchest friends among the men abolitionists, Sumner, Garrison, Phillips and Frederick Douglass, took the wise position that Negro suffrage would have to come first, and woman suffrage later. The majority of Feminists, under the leadership of Lucy Stone and Lucretia Mott, agreed with this strategy. Mrs. Elizabeth Cady Stanton, Susan B. Anthony and

¹ *Daily Rocky Mountain News*, Oct. 7, 1877, p. 1.

² Quoted in Wilbur F. Stone, *History of Colorado*, Vol. 4 (Chicago: The Clarke Publishing Co., 1918), 693.

³ Quoted in E. C. Stanton, *et alii*, *op. cit.*, IV, 317.

⁴ Helen Sumner, *Equal Suffrage*, (New York: Harper and Brothers, Publishers, 1909), p. 15.

¹ Carrie Chapman Catt and Nettie Rogers Shuler, *Woman Suffrage and Politics*, (New York: Charles Scribner's Sons, 1923), p. 112.

² *Ibid.*, p. 117.

³ Elizabeth Cady Stanton, Susan B. Anthony and others, *The History of Woman Suffrage*, (Rochester: Charles Mann, 1887), II, 687.

a small group of intransigents, on the other hand, were not willing to back the extension of the franchise, unless it included women.

When the Negro suffrage amendment became a part of the Constitution, the split in the Feminist battle-line was not spliced. Still irked at their erstwhile male companions, Mrs. Mott and Miss Anthony excluded men from their organization, the National Woman Suffrage Association, which concentrated on the national congress. Lucy Stone, assisted by her husband Henry Blackwell, felt that the national government would pay little attention to their requests until a bloc of states pointed the way. Their organization, the American Woman Suffrage Association, consequently aimed at legislation on the state level and included all those interested in woman suffrage, not merely the ladies.

As the centennial of the Declaration of Independence drew near, this latter group looked to the approaching admission of Colorado as a happy augury. They advanced a "free-women-on-the-anniversary-of-men's-freedom" plea. Nor were these women taking a shot in the dark. Interest in woman suffrage was not a novelty at the foot of the Rockies. In his message to the legislature in January 1870, Territorial Governor Edward M. McCook had recommended an extension of the franchise to women, urging that Colorado adopt it while it still faced ridicule elsewhere. "The logic of progressive civilization," he stated, "leads to the inevitable result of universal suffrage."⁸

Lucy Stone entered the Colorado campaign with a letter from Boston in January, 1876: "A hundred years are gone," she wrote, "and the people of the civilized world stop to pay special honor to the memory of men who declared that 'taxation without representation is tyranny'; that 'the consent of the governed is the basis of just government.' These two great principles wait to be applied to women. . . ."

"No part of the new Constitution of Colorado in this Centennial Year, can be more appropriate, or have more historic credit, a hundred years hence, than the part which shall secure to women the right to a voice in making the laws they will have to obey, and in the amount and use of taxes they will have to pay."⁹

From the vantage point of eighty years, the wisdom and foresight of Lucy Stone need little encomium.

The Executive Committee of the Woman Suffrage Association of Missouri wrote to the Constitutional Convention of Colorado in a similar vein, hoping that "in the New Constitution, about which cluster so many auspicious auguries, women may be remem-

⁸ *Daily Rocky Mountain News*, Jan. 4, 1870, p. 1, col. 6.

⁹ *Denver Daily Times*, Jan. 11, 1876, p. 4, col. 2.

bered."¹⁰ Within Colorado the proponents of woman suffrage were equally busy. At a meeting in Unity Church in Denver, they formed a Territorial Woman's Suffrage Society. Lucy Stone's letter was read, along with messages from Governor Thayer and Judge Kingman of Wyoming, acknowledging the beneficial results of woman suffrage in the Territory to the north. A committee of the Suffrage Society soon appeared before the Constitutional Convention to present the women's hopes.¹¹

Within the Constitutional Convention, Judge H. P. H. Bromwell took the lead in the attempt to give the vote to women. He presented a petition from one hundred citizens of Denver¹² and served on the Committee on Rights of Suffrage and Elections. When the majority of the committee refused to recommend woman suffrage, he and a Mexican-American member from southern Colorado, Agapeta Vigil, signed a minority report asking the extension of the franchise to women. This excellent statement in favor of suffrage contained all the usual arguments, plus one not generally used, namely, rivalry with the English. If our country did not act soon, the Report stated, "England will yet beat the United States to the goal of Universal Suffrage."¹³

Mr. Vigil, the lone supporter of Judge Bromwell on the committee, and one of three Mexican-American members of the Convention, spoke only Spanish and participated in the business at hand through an interpreter. When he was urged by his chief to follow the party line against woman suffrage, he replied that he knew what the ladies asked was all right and he would vote for it.¹⁴

Though not successful in their attempt to have woman suffrage directly incorporated in the Constitution, the proponents were able to amend Section Two of the part of the Constitution dealing with Suffrage and Elections which called for an extension of suffrage after submission to the people for a majority vote at a general election.

The amended section read as follows: "The General Assembly shall at the first session thereof, and may at any subsequent session, enact laws to extend the right of suffrage to women of lawful age. . . ."¹⁵

Many reasons conspired to withhold suffrage from the women of Colorado for a time. The framers of the Constitution were most anxious that the Constitution be ratified before the end of the year so that Colorado could bear the honored title: The Centennial State.

¹⁰ *Proceedings of the Constitutional Convention . . . for the State of Colorado*, (Denver: The Smith-Brooks Press, 1907), p. 112.

¹¹ *Daily Rocky Mountain News*, Jan. 13, 1876, p. 4 c. 2.

¹² *Proceedings*, etc., p. 165.

¹³ *Ibid.*, p. 270.

¹⁴ *Stanton et alii*, *op. cit.*, III, 719.

¹⁵ *Proceedings*, etc., p. 583.

Thus there was a limit to the number of people whose interest could be flouted. Already the list of aggrieved was great: people beyond the metropolitan area who were jealous of Denver, farmers who thought that the tax system favored mining interests, Catholics who thought the school fund arrangement discriminatory, and the financially fearful who thought that a state government would be too expensive for a region so sparsely settled and so little developed. The framers did not want to add another controversial question. One of the participants in the Constitutional Convention, Mr. E. T. Wells of Arapahoe County summarized the feelings: "Many of its (the Constitution's) provisions might have been framed in a wiser spirit, but for fear of its rejection."¹⁶

The suffragists, however, could take hope from the realization that the issue would be put squarely before the people. The First General Assembly adopted a resolution calling for such a vote. The date was set for Oct. 2, 1877.

The arguments advanced on both sides in the suffrage struggle in Colorado reduplicated previous efforts in other states, and presaged all struggles to come. Lucy Stone came to the Centennial State to join Judge Bromwell and Judge Kingman of Wyoming as chief speakers in support of suffrage.¹⁷

Their opponents who gained most notoriety were two clergymen. A Protestant minister, the Reverend Mr. Bliss, employed his pulpit on successive Sundays to rebut the suffragette arguments, and on election day entered into an unfortunate altercation with Miss Stone at a polling place.¹⁸ The Rt. Reverend Joseph P. Machebeuf, later to be the first Catholic Bishop of Denver, launched an outspoken attack on "the class of women who are leaders of those pretended woman's rights."¹⁹ So well were Bishop Machebeuf's words received that he was asked to repeat the talk later to another full church.

As the time for the election approached, the suffrage question had to contend as top news of the day with a mummified body said to have been found near Golden or Pueblo. This petrified "missing link," described as having a "caudal appendage,"—that is, a tail,—came to be called "the Muldoon."²⁰ The *Daily Rocky Mountain News* instanced this as the latest example of popular interest in humbug, but continued to give "The Muldoon" plenty of newspaper.

¹⁶ E. T. Wells, "State Constitutional Convention," in *Legislative, Historical and Biographical Compendium of Colorado*, p. 168.

¹⁷ *Daily Rocky Mountain News*, Sept. 30, 1877, p. 4, col. 4; Oct. 2, 1877, p. 1, col. 1; Oct. 3, 1877, p. 1, col. 1.

¹⁸ *Ibid.*, Oct. 3, 1877, p. 1, col. 1; the complete story from Lucy Stone's viewpoint appeared in the same paper, Oct. 9, 1877, p. 2, col. 2.

¹⁹ *Woman's Suffrage. A Lecture Delivered in the Catholic Church of Denver, Colo.*, by Rt. Rev. J. P. Machebeuf-Vicar Apostolic of Colorado, Feb. 6, 1877. (Denver: Tribune Steam Printing House, 1877), p. 6.

²⁰ *Daily Rocky Mountain News*, Sept. 30, 1877, p. 4, col. 3-4.

Finally the date of the election arrived. Returns came in very slowly in those days, but it was soon evident that the citizens of Colorado had rejected woman suffrage by a vote of two to one. Final tabulations showed 6,612 voters approving suffrage, and 14,053 against it.

What of the vote of "The Mexicans in those Southern counties," which Susan B. Anthony was to designate the cause of the defeat? The heavily Spanish counties of the South, such as Costilla, Conejos, Huerfano, and Las Animas did, it is true, give larger percentages against the female franchise than other areas. Only one out of 184 voters in Conejos County favored woman suffrage, for instance, while one out of three did so in Jefferson County. But every county in the state voted against suffrage, Boulder County excepted. And even Boulder had more voting opponents of suffrage than any southern county except Las Animas.²¹

In what counties besides the four mentioned above was the Mexican-American population strong? The Census for 1870 showed Colorado with a population of 39,864,²² of whom 8,333 [of all ages] were born in the Territory of New Mexico.²³ These were concentrated in Las Animas (3,339), Conejos (1,473), Huerfano (1,442), Costilla (1,137), Pueblo (569), Saguache (130) and Bent (96).

So even if all those who voted were presumed to be of Mexican-American background in these southern counties, the total negative vote would be only 3,261, less than one-fourth of the 14,053 who opposed suffrage, and less than half of the 7,441 margin by which suffrage was defeated. Even if all these voters had supported woman suffrage, the motion would still have been defeated.

To make doubly sure that all Spanish-Americans are included, the counties of Custer, LaPlata, Rio Grande and San Juan might be added. The final tabulation would be only 4,878.²⁴ Almost ten thousand opponents of woman suffrage in the Colorado election of 1877 were not "Mexicans in the Southern counties." . . .

The suffrage story in Colorado in 1876-77, in conclusion, was quite similar to the story elsewhere. The arguments advanced on both sides were generally the same; the defeated suffragettes sought a scapegoat as they did elsewhere. The statistics do not, however, as the suffragettes did, blame the Spanish Americans for this failure.

²¹ *Election, Women's Suffrage. Amendments, 1877.* In the State Archives of the State Historical Society of Colorado. The top counties in negative vote were: 1) Arapahoe, 2048 against; 2) Gilpin, 1025; 3) Las Animas, 985; 4) Boulder, 804; 5) Pueblo 793; 6) Clear Creek 787; 7) Huerfano, 637; 8) Jefferson, 582; 9) Hinsdale, 571; 10) Weld, 562.

²² *The Statistics of the Population of the United States.* Ninth Census, Vol. 1. (Washington Printing Office, 1872) p. 3.

²³ *Ibid.*, p. 347.

²⁴ *Election, etc.*

A Soldier With Pike Tried for Murder

FOREWORD

By HARVEY L. CARTER*

When Captain Zebulon Montgomery Pike¹ was taken into custody by the Spaniards on February 26, 1807, at the stockade which he had erected on the Conejos River, he was escorted with six of his men to Santa Fe, New Mexico, to be questioned by Governor Alencaster. They were then conducted, together with the unofficial surgeon of the expedition, Dr. John Robinson, to Chihuahua for further questioning by Governor Salcedo. Finally, they were escorted across Texas by Lieutenant Malgares, and delivered to the American fort at Nachitoches, Louisiana, where they arrived on July 1, 1807.

Of Pike's remaining men, two, Jackson and Carter, stayed at the Conejos stockade, awaiting the return of Sergeant William Meek and Private Theodore Miller, who on February 16, 1807, had volunteered to re-cross the Sangre de Cristo Range in order to get Smith and Vasquez, who were at the Cañon City stockade, and to bring in Sparks and Dougherty, who had remained in the Sangre de Cristo mountains with frozen feet. These eight men were also taken to Santa Fe, arriving after Pike's departure. They, too, were sent on to Chihuahua. On May 4, 1807, at the village of Carrizal, on the way to Chihuahua, Sergeant Meek quarreled with Theodore Miller, both men having been drinking brandy, and Meek killed Miller with a saber.

A trial was held in Carrizal and a subsequent one in Chihuahua and the case was eventually referred to the Council of the Indies. Meek was detained longer than the rest of Pike's men, who arrived in Louisiana in November, 1808. At the time of their return, the New Orleans *Courier* stated that Meek had "nobly taken the life of one of the party, who attempted by an insinuation to inculcate the motives of the expedition."

This statement has been taken, by those who suspect that Pike was a spy employed by General James Wilkinson and Aaron Burr for purposes of their own, to be evidence in support of their suspicion that Pike was guilty of complicity in the Burr Conspiracy.

* Dr. Harvey L. Carter, Chairman of the Department of History of Colorado College, Colorado Springs, Colorado, persuaded Professor Dane Kemp Roberts of the Colorado College faculty, to translate from the Spanish, records from the trial of Sergeant Meek, one of Pike's men, which we present as a contribution to the Pike Sesquicentennial this year, through the courtesy of Dr. Carter.

Dr. Carter recently completed the writing of a booklet entitled, *Zebulon Montgomery Pike: Pathfinder and Patriot*. He also is the editor of a brochure just published by the Pikes Peak Historical Society called *The Pikes Peak Region: A Sesquicentennial History*.—Editor.

¹ When Zebulon Montgomery Pike started on his western expedition which took him to what is now Colorado, he held the rank of lieutenant. On August 12, 1806 while he was in the West, he was advanced to the rank of Captain.

It was in order to determine whether there was anything in the record of the testimony taken at Meek's trials which actually supported this view that Professor Dane Roberts undertook the translation of the document in which the testimony was set forth.

The task was a tedious one because of the difficulty in reading the Spanish script. The record is more than sixty pages in length and consequently only the complete transcript of the Carrizal inquiry is published here. The later testimony is summarized.

As a result of this translation, it is clear that there is absolutely no reference made to Pike's supposed connection with Burr nor any statement which impugns the motives of the expedition, by Miller or any one else. The charges that have been brought against Pike by various historians must rest entirely upon suspicion because of his association with General Wilkinson, there being no evidence to support them now, any more than there was at the time of Pike's expedition.

It is unfortunate that Zebulon Montgomery Pike's reputation should have been clouded by this guilt by association for one hundred and fifty years. It is hoped that the publication of Professor Roberts' translation of the document which has been cited against Pike will aid in clearing his name of what has thus far been a suspicion without any factual foundation. It has already been ably demonstrated by the late Professor Archer B. Hulbert, on the basis of Pike's own maps, that he mistook both the Arkansas and the Rio Grande for the Red River and that he was, therefore, actually lost in Spanish territory rather than having invaded it deliberately. Since President Thomas Jefferson had no difficulty in believing Pike at the time, and saw no reason for linking him with Burr, there seems no good reason for later generations to condemn Pike, unless positive evidence can be produced. Such positive evidence is definitely not to be found in the Meek case, which appears, from the record, to have been a case of alcoholic insubordination on the part of Theodore Miller, and overly drastic punishment on the part of William Meek.

Theodore Miller was the most reliable of Pike's men. He had been chosen by Pike for the most arduous tasks and had volunteered for other duty equally arduous. He alone had accompanied Pike on the mid-winter dash from Lake Cass to Leech Lake when they sought the source of the Mississippi. He, with two others, had been with Pike when the attempt was made to climb Pike's Peak. He and one other had gone up the Arkansas River to the farthest point attained by Pike in his search for the sources of that stream. He volunteered to go with Meek to re-cross the Sangre de Cristos and bring in the four men who had been left behind.

Miller's death at the hands of Meek, and the inquiry made into the case by the Spanish authorities, has, for these reasons, an interest upon its own merits as a murder trial, in addition to the fact that it contributes to the clearing of Pike's reputation by failing to furnish any evidence of his connection with the Burr affair.

(Note: An examination of various source materials shows that historians were not informed concerning the facts of the murder of Miller. In fact, it appears that Pike himself was not aware of the murder a year after it had happened. According to a document in the War Records Division of the National Archives, recorded May 3, 1808, signed by Z. M. Pike, Captain, he (Pike) states that the entire group of eight men returned to the United States. Although the translation of the trial of William Meek gives much information not previously available to American students, there still are a number of unanswered questions. For instance,—What disposition did the Council of the Indies make of Meek's case? When did Meek return to the "States"? Was W. Eugene Hollon mistaken in *The Lost Pathfinder: Zebulon Montgomery Pike*, in giving on pages 166-168 the return of the second party as November 20, 1809, instead of 1808? And too, how and why could "mermellon" have precipitated such a murderous fight? According to Dr. Carter, "There are other Spanish documents in the Library of Congress which probably contain the eventual disposition of the case but they have not been translated here, and so far as I know, nothing has appeared in print on this point.")—*Editor*.

Archivo Historico Nacional, Madrid, Estado,
legajos, 5548, No. 69

Translation From Spanish of The Trial of William Meek

By DANE KEMP ROBERTS

(The numbers on the translation are the page numbers. The translation, which was a laborious process, was made from a microfilm obtained from a photostat of the original record in the Library of Congress. The original record itself is in Madrid.—H.L.C.)

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Copy of the trial brought against William Meek, Sergeant of the army of the United States of America, for the homicide inflicted upon the person of Theodore Miller, soldier of the same army, on the afternoon of the 4th day of May, 1807.

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Of sound mind and body, the Sergeant of this Company, Juan Olguin, just as he (Wm. Meek), of the same rank among the Anglo-Americans arrived today at this Presidio in transit to Chihuahua, who, having killed one of the soldiers of his own nation and now finds himself a criminal imprisoned by my order in a jail on this military base, will proceed immediately to receive the corresponding testimonies, and to examine personally the type and position of the wound inflicted on the body of the dead man in

order that there not be lacking the information any essential detail, and let it be conducted with all possible brevity. You will place the findings in my hands so that I may pass them on to those of the Commanding General along with the criminal—God keep Your Grace—Carrizal, May 4th, 1807—Valentin Moreno, Senor don Miguel Ortiz.

[The following paragraph is concerned with the appointment of don Miguel Lamelas as Court Recorder, or Scribe.]

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Immediately the aforementioned Fiscal Judge, after having solicited some intelligent person who might examine the body and determine the type and quality of the wounds and not finding anyone who might be capable of doing it, was able to make the examination by himself with the assistance of two witnesses, and in order that it be a legal act, the said gentlemen signed with me, the present Scribe—Ortiz—Miguel Lamelas.

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Immediately the same Fiscal Judge had the only wound which was found on the body in the chest over the left teat examined as to state, width, and penetration by means of a rifle ramrod for lack of any other instrument, and this step taken in the presence of Pablo Servantes, he received from him an oath which he swore by God our Lord and the sign of the Holy Cross to speak the truth in whatever might be asked of him—asked that he recount what he observed and saw at the time of making the examination of the cadaver and of the wound which was found in it, he said that finding himself present at the time of making the inspection of the cadaver by the Judge before whom he is testifying it is clear to him that in that body was found a wound penetrating over the left teat into which, having introduced a rifle ramrod, he saw that it penetrated obliquely up to underneath the armpit.

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Immediately the aforementioned Fiscal Judge had Juan Arroyo raise his hand in presence of the present Scribe and asked: "Do you swear to God and by this sign of the Cross to speak the truth about whatever might be asked of you," and he said: "Yes, I swear." Asked his name and position and that he tell what he observed at the time of examining the wound which was found on the cadaver of an Anglo-American soldier, he said that his name is Juan Arroyo, that he is an old soldier assigned to the Company at Carrizal and that finding himself present at the time that the Judge before whom he is testifying went to examine the wound that was found on the cadaver of an Anglo-American soldier, he saw that having introduced in that (wound) the point of a ramrod, the wound extended obliquely from above the left teat to under-

neath the right armpit where the instrument which caused it did not protrude and that it penetrated directly one "sesma"² towards the shoulder and that it was determined that it was caused by a sharp arm and that the indicated wound caused the death for the aforementioned reasons; that he has no more to add; that what he said is the truth by the oath made. He signed and ratified it, knowing what the testimony was. He said he was 30 years of age, and because he did not know how to write, he made the sign of the Cross and said señor [gentleman] signed it with me, the present Scribe—Miguel Ortiz—Sign of the Cross—before me, Miguel Lamelas.

—629—

Par. 1. In the Presidio of Carrizal on May 9, 1807, the same Fiscal Judge had Juan Olguin, Sergeant of the Company at Carrizal, appear before him and before me, the present Scribe, and made him raise his right hand. Asked his name, office, and if he knows William Meek and if he knows where he is, he said that his name is Juan Olguin, that he is a Sergeant of the Company at Carrizal, that he knows William Meek as a Sergeant of the Anglo-American army, and that he is in the prison of the Company quarters of the Presidio. Asked if he knows the cause of the imprisonment of Meek, he said that he knows that the latter is a prisoner for having killed Theodore Miller, a soldier of the same Anglo-American army. Asked if he knows the day, hour, motives, and place where he killed him, the people who may know about the affair and who witnessed the death, instrument, and manner in which this was done, and that he tell all that happened in the death, he said that on the fourth day of the current month, the sun having entered the door of the house of don Ramon Valledor³ of the business establishment of this Presidio, and the testifying witness going towards his quarters on horseback, he observed that Sergeant Meek and the soldier Miller were in heated argument; whereupon he, Olguin, asked the former what the trouble was and Meek replied with signs and gestures (for he did not understand the language) that it was nothing. Nevertheless, persuaded that the argument could become serious, he asked Meek in conversation, and in a friendly way, for the sabre which the latter was wearing suspended from a belt, intending to disarm him, fearful of a misfortune, but in spite of this precaution, and notwithstanding that Meek gave the sabre to him, the latter returned to where Theodore Miller was in the company of two companions of his, and that suddenly he made them so angry that a brawl ensued, and Meek struck the soldier Miller in the head and scratched his face. The Corporal of his same nation and troop, Jeremiah Jackson,

² A "sesma" is the eighth part of a vara, a Spanish measure of 0.835 of a meter.

³ Don Ramon Valledor was the owner of the store.

and Patrick Smith intervened to separate them, but failing to, Meek hastened towards the witness and seized the rein of his horse, apparently in a friendly manner, then seized the sabre which he, Olguin, had fastened in front of him between the saddle horn and himself, and in spite of the fact that the horse became frightened, being a bit nervous of disposition, Meek succeeded in unsheathing the sabre as the horse shied, cutting the hand of the witness as he did it. Because the horse was difficult to calm, the witness did not see the scene which occurred in the death, but afterwards, he approached the people who were there and saw Miller already bleeding profusely and showing signs of dying, which in effect he did. Olguin took the sabre from Meek and ordered the people who were there to conduct Meek to the guard house. Meanwhile, Olguin went to the Commandant to report the occurrence, and to inform him that he had had the criminal placed under guard and shackled; that he knew not of the motives involved in this chimera, but inferred that it resulted from the effects of drinking, although Meek showed few signs of drunkenness as demonstrated by the smell of his breath. He said that the persons who witnessed the scene were Pedro Montoy, a soldier of his Company, Xavier Leon of the Fronteras Company, German Ledesma, don Miguel Armendariz, Miguel Echaguivel of the Company of San Elecanio, and Santiago Montes. He said that he had no more to add nor note, that what he said was the truth by the oath he had made, and he affirmed and ratified his testimony after it was read to him. He said that he is 43 years of age and signed the testimony with the Judge and before me, the present Scribe—Miguel Ortiz—Juan Olguin—before me, Miguel Lamelas.

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Par 1. In the aforementioned Presidio, the same day, month and year, the same Fiscal Judge had Jeremiah Jackson, of the Anabaptist religion, and Corporal of the Army of the United States, appear before him and don Benito Antonio Vasquez⁴, the interpreter, and before me, the present Scribe, and received from him an oath which he made by God our Lord and by what he believes in the Holy Bible, under which oath he offered to speak the truth about whatever he might know and whatever might be asked him. In addition, he said that he would reply, as faithful to his religion, in all that might be necessary. Asked his name, rank, if he knows William Meek, if he knows where the latter is, he said that his name is Jeremiah Jackson, Corporal of the First Company of the First Battalion of the First Infantry Regiment of the Army of the United States; that he knows William Meek

⁴ Don Benito Antonio Vasquez, of the United States, accompanying the expedition of Lt. Zebulon Montgomery Pike, was duly appointed to serve at the trial as interpreter to facilitate the recording of the testimony of the American soldiers who witnessed the slaying.

as First Sergeant of the same Corps, and that the latter is in the Guard House of the military establishment. Asked about the trial and the death inflicted upon Theodore Miller, if he knows about the day, hour, weapon, and location where the death was incurred, the persons who witnessed it, and that he relate all that he might know about the affair, he said that on the afternoon of the 4th day of the current month, the sun down, he heard Sergeant Meek say to the soldier Miller, of the same nation, that he, Miller, had stolen a little "mermellon"⁵ from him, and the latter having answered that this was false and that rather he, Meek, had stolen from Lieutenant Pike what he maintained he was missing. Whereupon, and with this motive, Meek delivered a fisticuff in the face of Miller, and the latter returned the blow in the same manner, at which time the testifying witness separated them by placing himself between the two in order to mediate in the argument. Miller then sat down and Meek went off with the witness towards the door of the Guard House of the Presidio where the former remained, while the latter went somewhere else until he heard it said about four or five minutes later that the Anglo-American soldier had killed one of his soldiers, and that going outside to see for certain, he saw that already they were bringing the cadaver. He said that he has nothing more to add nor anything to delete, that what he said is the truth by the oath made. After his testimony was read to him he affirmed and ratified it. He said he was 29 years of age and affixed his signature with that of the Judge and before me, the present Scribe—Jeremiah Jackson—Miguel Ortiz—before me, Miguel Lamelas.

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Par. 1. In the same Presidio, the same day, month and year, the same Fiscal Judge had Patrick Smith, the sixth witness in this trial, of Apostolic Roman Catholic religion, appear before him, and whom, before me the present Scribe, and before the interpreter, don Benito Antonio Vasquez, he had raise his right hand and asked: "Do you swear by God and by the Sign of the Holy Cross to speak the truth about what I am going to interrogate you?" said: "Surely." Asked his name, rank, if he knows William Meek, if he knows where the latter is, he said that his name is Patrick Smith, that he is a soldier of the First Company of the First Battalion of the First Regiment of the Army of the United States, that he knows William Meek as First Sergeant of his same Company and that he is in the Guard House of this Presidio. Asked about this trial and the death inflicted upon Theodore Miller, the day, hour, weapon, place, and way in which it all took place,

⁵ The word "mermellon" is American Spanish for "vermellon," meaning vermilion, a substance for coloring. Espinosa, *Estudios, sobre el español de Nuevo Mexico*, I, par. 119, 2 (and note 1).

persons who may have information about it, and that he relate all that happened in the affair, he said that on the afternoon of the 4th day of the current month, the sun already set, he heard Sergeant Meek say to the soldier Miller, of his same nation, that he had stolen a little of his "mermellon" and that the latter, having answered that it was false, and that rather, he, Meek, had stolen from Lieutenant Pike that which he maintained he was missing, Meek, with this motive, delivered a blow which struck Miller in the face, and the latter returned the blow at Meek. As a result of this the witness, in the company of Jeremiah Jackson, separated them by placing himself between the two in order to mediate in a friendly manner, which, in effect, was accomplished; and Miller remained seated on a well belonging to the house, while Meek went off with the aforementioned Jeremiah Jackson. The witness saw that Meek was calmed down and so entered the neighboring house from where he saw Meek running precipitously with a sabre in his hand. Whereupon the witness peered out the door and heard Meek say to Miller: "*This is the way American Sergeants punish their soldiers,*" and he delivered him a sabre thrust in the chest without further ado and he did not give Miller time to say any other word than to say three times: "I am dead," whereupon he expired and Sergeant Meek gave up his sabre, ordering the witness to remain with the body in his care, which he did until they took Meek off to the Guard House at which time, taking the cadaver on his shoulders and aided by two Spaniards, he took it to the Headquarters which had been pointed out to them in this Presidio. Asked if Meek and Miller hated each other or bore each other ill will, he said that he knows that as a result of a verbal difference which the former had with the latter in Santa Fe, New Mexico, the former always guarded in his heart a certain hate for the latter, upon whom he took vengeance by killing him in this Presidio. He said that he has nothing to add nor delete, that what he said is the truth by the oath made. His testimony having been read to him he signed it and ratified it. He said he is 30 years of age. The interpreter, having been asked if he has translated faithfully and legally into English the questions that were put to the witnesses, and into Castillian their answers, and if he affirms and ratifies all under the oath that he has given, said that he has translated the questions faithfully and legally in both languages just as he did in the two previous testimonies and which he affirms and ratifies under the oath made. The interpreter and the witnesses signed their names together with the Fiscal Judge and the present Scribe—Miguel Ortiz—Patrick Smith—Benito Antonio Vasquez—before me, Miguel Lamelas.

CONFESSION OF THE CRIMINAL

Par. 1. In the aforementioned Presidio, the same day, month and year, the Fiscal Judge deemed that a sufficient number of witnesses had already been examined and ordered that the trial proceed to the confession of the criminal for which he went to the Guard House of this Presidio where he, the criminal, was, and before me the present Scribe I received from him his oath which he made by God our Lord and by what he prays from the Sacred Bible, under which oath he offered to speak the truth about whatever he might know and whatever might be asked him, and it being about his name, age, country, religion and rank, he said that his name is William Meek, age 24, a native of Pennsylvania, of the Presbyterian religion, that he is a First Sergeant of the First Company of the First Battalion of the First Infantry Regiment of the United States of America. Asked if he knows why he has been made prisoner, he said through the interpreter, that he knows he is a prisoner for having killed Theodore Miller, a soldier of his same army, with whom, in the company of a Corporal and two other soldiers, he arrived yesterday at this Presidio in transit to the city of Chihuahua. Asked what day and what hour and for what reason he killed the soldier, Theodore Miller, he said that it was yesterday, the 4th of May, the sun having set, that he killed Theodore Miller because, having ordered him to retire to his quarters for being drunk on brandy, the latter attacked him striking him in the chest and again in the head in such a way that with great difficulty he was able to extricate himself or separate himself from him. Asked how he can say that Miller was the one who struck the blows when it is clear from certain facts that the defendant was the one who delivered the blows to Miller, because the latter had presented himself to him with his hands together at which time the defendant approached a "metate"⁶ which was hanging in the same shed where they were, and not being able to break it, he asked the owner of a neighboring store for a knife, and the owner, not having loaned it to him, entered his store, and the defendant then administered some buffets and kicks to Miller, who in order to defend himself, grasped him by the tie, in which act intervened not only the Corporal of his same nation, Jeremiah Jackson, but also some other Spaniards. He said that it is true that in the store the defendant first struck Miller as a result of the fact that the latter had told him that he could not handcuff him, but that if he did, he would kill him, at which words the defendant struck him, having suffered his insubordination before, and that Miller deliv-

⁶ A "metate" is a stone used to grind corn.

ered the aforementioned blows. Asked who were present when Miller struck him, as he says, in the store of the owner of it, he said the owner, the soldier of his own nation, Patrick Smith, and some other Spaniards who were outside, were present when Miller delivered the blows inside the store, but that he does not know if any of them saw the incident when Miller struck him the aforementioned blow. Cross-examined as to how he can say that Miller struck him inside the house when after they left it the defendant remained seated in the doorway without taking precautions or vengeance until the former, his hands placed together, approached him, he said that he did not take revenge against Miller but rather tried with others to carry him off to Headquarters and that, being unable to achieve this, the defendant went out and sat down at the side of the doorway on a well until Miller came out telling him to tie him up and the rest of the aforementioned words. Asked if he does not know that one can not kill anyone except in self-defense and that in all civilized nations like his own, laws apply for the punishment of subordinates who offend their superiors, especially in the militia, and could he, with this knowledge, kill Miller, considering it within his power and right to act in order that he be punished in conformance with his ordinances, he said that according to his ordinances the penalty that soldiers receive, who by threat or deed offend any Sergeant and officer, are deprived of their lives, death being administered by the one offended, and that, using this right which the military law gives him, he proceeded in the punishment of Miller applying to him the penalty of the ordinance. Cross-examined as to why, if it is true that by his military laws the superior must inflict death on the subordinate who by threat or deed offends him, did he not deprive Miller of life when, as he had stated, the latter struck him in the chest and head inside the store, he said that it was because he did not have his sabre and consequently nothing to kill him with. Again cross-examined as to why he could not avail himself of his sabre when Miller came out with his hands joined in order that he might tie him up, and why did he go in haste to avail himself of his weapon which was in the power of another, after the defendant had struck and kicked him, he said that when Miller raised his hand against him inside the store, he received it without anger and did not try to seek his sabre in order to take his life, and that he therefore went outside the store followed by Miller who told him that he might order him shackled, but that if he did it, he would kill him, at which words, the defendant, angered, struck him and went to search for his sabre, not with the intention of killing him but rather of punishing him with it, and to frighten him, not knowing

if Miller had with him his knife. Asked to explain the manner in which he availed himself of his sabre, and where he had it, for so quickly did he find it, in order to kill Miller, he said that a Spanish Sergeant who was on horseback had it and having asked him for it, and he not wanting to give it to him, he took it by force from him, which he achieved, unsheathing the sabre, facilitated by the resistance with which the Spanish Sergeant opposed him, and in spite of him, the defendant was able to avail himself of the weapon. Asked what he did then when he saw himself with the sabre in his power, he said that immediately he went to where Miller was in order to punish him, administering to him some blows with the flat of the sabre. Asked what position Miller was in when the defendant came up to him, that is to say, facing him, or with his back to him so that he might defend himself, he said that his head was turned in the direction whence the defendant was coming and that he was watching all that the former did to avail himself of his sabre and go with it towards Miller. Cross-examined as to how Miller could face him when it is clear from these facts that as soon as the defendant separated himself from the former, the latter went to the nearby house to ask for a little water, and that when he had just finished drinking it, and had returned the glass, having his back turned towards the plaza and his head in the doorway of the house, the defendant arrived and dealt him quickly a blow on the shoulder, and successively and violently another which he aimed at Miller's head, and Miller recovered, raising his arms and starting to turn his body around in order to see who was attacking him, but before executing the turn the defendant ran him through with a sabre thrust with which he took Miller's life. He said that it is untrue that he delivered a blow against the turned back of Miller, but rather that the first he delivered, finding himself facing him, against the right shoulder; that he does not remember because of the head that he had if he delivered a second, but indeed it is certain that Miller raised his arms in order to avoid the blow, but ever advancing upon the defendant who kept telling him to stop, because if he did not he would kill him, and Miller, paying him no heed, cast himself on the defendant who did what he said he would. Asked how he could stab Miller from the front when the circumstances, penetration and direction of the wound show clearly that it was received in the same way as the witnesses say, that is at the time of turning around in order to see who was attacking him, since the indicated wound, if it had been inflicted from the front, would penetrate up to the shoulder taking a straight direction,

and from the inspection which was made of it in the body, one sees clearly that its rectitude was only the eighth part of a meter long, and its obliquity that of a third of a meter penetrating from the left teat up to just below the armpit, he said that the reason that the direction of the wound was not straight but rather oblique was because of the proximity of the defendant and Miller, so closely did Miller press him, that he had to put his arms down at his side in order to wound him, and that this was the reason for the wound taking that direction and not as supposed that upon Miller's turning about it was inflicted. Asked if sometime before this incident there had been any other involving Miller, he said he is a long way from having had any falling out with Miller, that rather he loved him like a brother. Cross-examined as to how he can deny having had a previous altercation with Miller when there are witnesses in sight who swear that in Santa Fe, New Mexico, they had one, he said that it is untrue that they had one in Santa Fe, and that rather he knew that Miller was speaking ill of the defendant so that in that city one day Miller flayed him with words to which he, Meek, paid no heed, since, as he said before, he loved him like a brother, and that Miller recognized this after two days and came to beg his pardon, and that those words of abuse which he had used on him were the effect of too much brandy that he had imbibed. Asked if he has some other thing to add in defense of the murder inflicted upon Miller, he said that he has nothing at all to add, and that what he said is the truth before God, and after his confession was read to him he affirms and ratifies it under the oath taken. The interpreter, asked if he has translated faithfully and legally into English the questions which were put to the criminal, and into Castillian the answers of the latter, and if he affirms and ratifies it under the oath which he has given, said that the questions as well as the answers which the confession of the criminal contains, he has translated faithfully and legally into one and the other language, which he affirms and ratifies under the oath taken; and the criminal and the interpreter signed their names with said Fiscal Judge and the present Scribe—Miguel Ortiz—William Meek—Benito Antonio Vasquez—before me, Miguel Lamelas—on the very same day of the same month and year the Fiscal Judge, in this trial, don Miguel Ortiz, in view of the preceding confession of William Meek, in which it results that Theodore Miller struck some blows in the house of don Ramon Valledor in the presence of the latter and of Patrick Smith, ordered this information be recorded and in order that it be constituted as legal the said Judge signed it and I the notary Scribe swear to it—Ortiz—Miguel Lamelas.

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Immediately don Ramon Valledor, 4th witness in this summary and one of those cited by William Meek in his confession, appeared for the second time before said Fiscal Judge and the present Scribe, whom the Judge had raise his right hand and asked: "Do you swear by God and by this Sign of the Cross to speak the truth concerning the point on which I am going to interrogate you?" He said: "Yes, I swear." And having read to him the passages to which William Meek swears, that inside his house and in the presence of the witness, Miller delivered him blows, and asked about the contents of it, he said that in his house he neither saw nor observed that Miller delivered blows to Meek and that there was any altercation until the deed of the death in the environs of the house was perpetrated by the latter against the former. This he affirms and ratifies under the oath made and he signed his name with said Judge and the present Scribe—Miguel Ortiz—Ramon Gonzalez Valledor—before me, Miguel Lamelas.

Immediately Patrick Smith, the sixth witness in this summary cited by William Meek in his confession, appeared before the Judge, the interpreter, and the present Scribe, for the second time, and the Judge had him raise his right hand and asked: "Do you swear by God and by this Sign of the Cross to speak the truth about the point on which I am going to interrogate you," he said: "Yes, I swear." And having read to him the passage in which Meek swears that Theodore Miller delivered him a blow in the chest and another in the face in the house of don Ramon Valledor in the presence of the witness, and asked about the contents of it, he said that he did not see Miller strike Meek at all inside the house where they were, having witnessed from the beginning to the end the quarrel between the two, because he had been with them throughout the incident, and to this he swears and ratifies under the oath made, and he signed with said Judge and the present Scribe—Miguel Ortiz—Patrick Smith—Benito Antonio Vasquez—before me, Miguel Lamelas.

On said day, month and year the aforementioned Fiscal Judge decreed that the sabre with its scabbard and straps in their present condition and belonging to the prisoner, William Meek, be handed over to his immediate subordinate, the Corporal of his nation and army, Jeremiah Jackson, in order that he take this weapon and hand it over to the commanding officer of his unit, Lt. Zebulon Montgomery Pike, and in order that it be made manifest legally he gave him to know the contents of this (trial) through the interpreter. They signed it with said Judge and the present Scribe—Jeremiah Jackson—Miguel Ortiz—Benito Antonio Vasquez—Miguel Lamelas.

In the aforementioned Presidio, same day, month and year the Fiscal Judge, finding this summary concluded completely to the extent that has been possible, due to the absence of a surgeon and the rest with respect to the circumstances because of the inadequate language possessed by the interpreter to translate into Castillian, decreed that the original copy of the investigation be handed over to the Commanding Inspector General of the Provinces, and so that it may be made manifest in legality said Judge signed it with me, the present Scribe—Ortiz—Miguel Lamelas.

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Par. 4. Judgment. The state of this case demands that it be substantiated by the customary judicial decrees delineated by the Royal Ordinance of Government up to its conclusion, and that in this state it be remitted to the Supreme Government for the pronouncement of judgment that it may merit. It is what the Interine Auditor, your servant, esteems opportune. Nevertheless you will resolve all that may be to your superior will. Chihuahua, May 17, 1807.—Minjares.

Note: In the following Decree it was stated that the witnesses and the criminal together with the summary would be transferred to the City of Chihuahua, May 18, 1807, in conformance with the judgment, or opinion, of the Auditor of Interine Government. On May 27, 1807, it was decreed by don Ignacio Minjares, commissioned to conduct further the investigation, that the trial be suspended pending the arrival and appearance of the witnesses and the criminal. On May 6, 1807, the Commandant of the Presidio at Carrizal ordered the transfer of witnesses and the prisoner who was to be under heavy guard by an escort composed of his own men commanded by the corporal, Jeremiah Jackson. In a decree of June 19, 1807, don Ignacio Minjares, commissioned Judge in the trial, ordered that the trial resume with the appearance of witnesses confronting each other as necessary and with re-examination of the evidence.

In the re-examination of the testimony as given a second time in the trial in Chihuahua, the Sergeant, Juan Olguin, added only the comment that both Meek and Miller appeared to be under the influence of liquor, but did not appear to be drunk. Don Ramon Valledor, the merchant of the Presidio store, added nothing to his previous testimony with the exception that both men appeared to him to be under the influence of brandy, but in complete cognizance of their actions. Don Jose Miguel Armandariz, schoolmaster, neither added to nor deleted from his previous testimony, saying that he was not close enough to the two men to note by evidence of their breath the state of their inebriation. German Ledesma, another witness, reiterated the testimony of the aforementioned, and in a like manner did Jeremiah Jackson. Patrick Smith testified that both Meek and Miller had been drinking, but that Miller was more under the influence of liquor. He testified that both men were in complete cognizance of their actions.

At the insistence of William Meek and upon the recommendation of don Benito Antonio Vasquez, the interpreter, a new interpreter was assigned to the case due to the feeling that don Benito Antonio Vasquez was inadequate and inept in trans-

lating the two languages. The new interpreter appointed by Miguel Villalba, presiding Judge, was Esteban Rechart (Steven Rechart?).

The testimony of William Meek in the second trial remained essentially the same as in the preliminary investigations except for minor changes. Meek testified that he had tried to put Miller under arrest in the store because he was creating a disturbance being under the influence of liquor, that the latter became insubordinate, requiring that Meek avail himself of a weapon in order to threaten him into submission to the arrest. Miller was so belligerent and insubordinate that Meek, after availing himself of the sabre taken from the Spanish Sergeant, Juan Olguin, was forced to run him through. In the reference to the military ordinances which gave him the right to administer the penalty of death to a subordinate should the incident warrant it, he reiterated his claim that such ordinances existed in his army.

Patrick Smith testified that he did not witness the blows supposedly delivered by Miller to Meek, but suggested that the occurrence was possible. He also testified that in the quarrel sustained by the two men in Santa Fe some time previous to the fatal occurrence, Meek had received much abuse from Miller, but protected him from punishment excusing him because of his drunkenness. Jeremiah Jackson added to his previous testimony that Miller had, in effect, delivered the blows to Meek as Meek claimed. He stated that Meek on previous occasions had protected Miller who always became insubordinate and bellicose when drunk. The testimony of Jacob Carter, John Sparks (?), Benito Antonio Vasquez, of upper Louisiana and who claimed to be a French interpreter, gave Meek the advantage of character testimony, for all claimed that Miller on many previous occasions had been prone to violence and insubordination when drunk, and that Meek had always protected him, demonstrating that he bore him no ill-will, and that in the fatal incident in which Miller met his death the latter was quite inebriated, although Meek also had been drinking somewhat. Thomas Dougherty had not witnessed the incident, but gave the same character references concerning the two men as those given by the aforementioned soldiers.

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Testimony of William Meek. . . . Asked for what motive he took the life of Miller, he said that having left the store he observed that Miller was in an altercation with the owner of it, and availing himself of the authority of a Sergeant, designated by the Commanding Officer to be in charge of his troops, he ordered Miller to withdraw to Headquarters to interrupt the altercation as well as for the reason that he was inebriated. Miller refused to obey him under the pretext that there, Meek was no longer in command over them, because they were now under the command of the Spanish Government. Meek said that he would prove that the Commanding Officer of the whole expedition repeated to him his authority to govern his soldiers. . . . Asked what words preceded the quarrel between the two, he (Meek) said that he had argued that the deceased should retire to Headquarters, that he should not have so much of a right to be anywhere he wished. . . . Asked if before this incident there had been another altercation with Miller he

said that before he always got on well with him. Nevertheless he was somewhat defective in his obligations, as his companions might testify. . . .

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Par. 2. Confession of the criminal. In the city of Chihuahua on the 21st of November, 1807, William Meek being present, I, the commissioned Judge, through the interpreter, received from him his oath by God our Lord and by what he believes in the Holy Bible to speak the truth about what he may know, and about that which might be asked him, first concerning his name, surname, country, state, age, office and religion, and he said that his name is as aforementioned, that he is a native of the province of Pennsylvania, bachelor, 25 years of age, rank First Sergeant. . . . Asked, after his testimony was read to him, if it is the same as he has given it in this trial and if he has anything to add to or delete from it, he said that it is the same as he has given, that as such he knows it to be, and that he ratifies that he has nothing to add nor delete. And asked why he now calls himself William instead of Julian⁷ as stated in his testimony given at the Presidio of Carrizal, he said that this proper name indicated that the mistake must have been made at the time by the interpreter, Vasquez, who does not possess with intelligence a knowledge of his own tongue, and for which reason he asked that the trial be suspended until [an] intelligent interpreter could be assigned, and for which reason he also asked that again his preparatory testimony be received from him. Asked, and being cross-examined, about the implications which result between the two testimonies which he has given, the first given at the Presidio of Carrizal, lawfully on the 10th of the current month, and the second in this city on the 2nd of the current month, he said that such implications are caused by the lack of intelligence on the part of the interpreter Vasquez, for which reason he revokes entirely the testimony that he gave in the Presidio of Carrizal, and that he only wants that the testimony given in this city be accepted and valid. Asked and cross-examined as to why he insisted on trying to arrest him (Miller) when it was told to him that he no longer had command over him because all were under the Spanish Government, he said, that although it is certain that they already were in the territory of Spain, he never believed that for this occurrence his authority as Sergeant ceased over his soldiers; and moreso when the Lieutenant of his party in a personal letter which in proper time he will present (as evidence) repeated its authorization, and that neither did any of the Spanish military officers notify him of the cessation of his authority over his troops.

⁷ Meek had been called Julian Meek in the previous testimony according to the manuscript. In the translation the translator preferred to change this equivocation to read "William Meek."

Asked and cross-examined as to why he wanted to cut the rope which he had mentioned in the 10th question of his previous testimony, and for what reason he asked for a knife in a shop, he said, that the object was to cut said rope in order to tie up Miller with it in order to carry him off to the Headquarters so that he would not injure him. Asked why he did not continue on in this same consideration instead of precipitating himself to take the life of Miller, he said that as he has already declared, that was not his intention, and that the tenacity of his offensive resistance to the authority of the witness moved him to only punish him with a few blows with the flats of his sword as he did at the beginning, until Miller, himself, plunging on top of him with the gesture to seize him, impaled himself, which would not have happened if Miller, as he ought to have, had fled. And although they put other questions to him and more questions about the fact and deed, he said that he would refer to his previous testimony and this confession for what he has said, and ratifying it and his oath, he signed with me and those in attendance upon my Court, to which I swear—Ignacio Minjares—William Meek—in attendance—Nepomuceno Orcasitas—in attendance—Miguel Villalba.

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