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# "His Turbulent Excellency," Alexander Cummings, Governor of Colorado Territory, 1865-1867

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The villain of Colorado's territorial history is Alexander Cummings, newspaperman, government agent, soldier and Governor of the Territory of Colorado from October, 1865, to April, 1867. Of the Cummings administration "there are few pleasant memories;"[1] Cummings was "most unpopular;"[2] he was "by nature and everything else as unfit for a Governor as any man that ever lived;"[3] he was "a man who failed to inspire the people with confidence;"[4] he was a "striking instance" of the bad appointments frequently made in the territories;[5] he was "stiff-necked, obstinate, willful, and craftily able; an Aaron Burr in fertility of resource; . . . pig-headed and dictatorial to the last degree;"[6] his career in Colorado was "of such a character as to cause the people of the Territory little desire to remember anything about him."[7]

But even the devil has his due, and, except for Albert B. Sanford's suggestion that under different circumstances "his turbulent Excellency"[8] might have become "one of the territory's popular governors,"[9] it has not been paid to Alexander Cummings.

Born in 1810 in Williamsport, Pennsylvania,[10] Cummings became a printer and soon entered the newspaper business in Phila-

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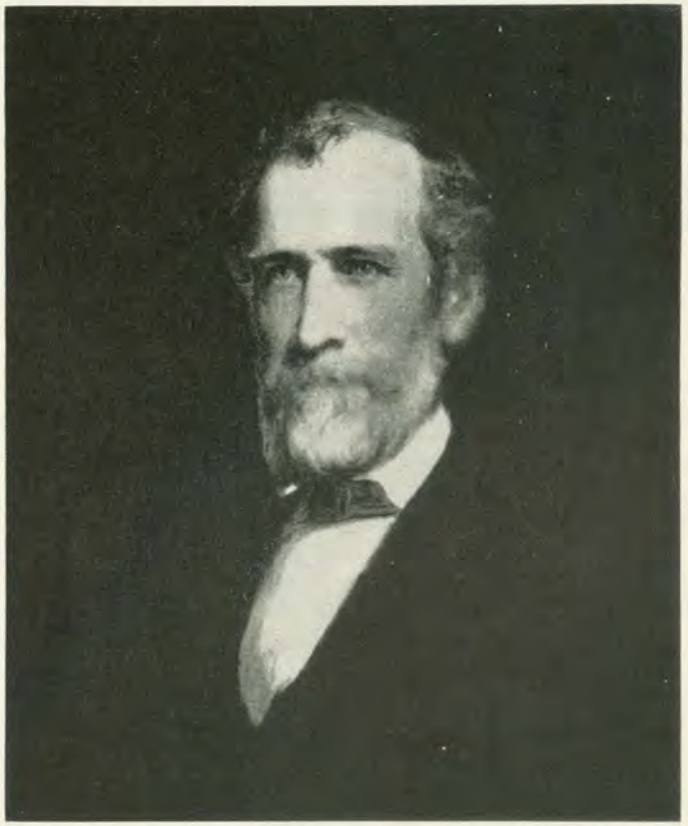
[1] Jerome C. Smiley, *History of Denver* (Denver, 1903), 494.
[2] Percy Stanley Fritz, *Colorado, the Centennial State* (New York, 1951), 198.
[3] William Gilpin, "A Pioneer of 1842," ms. (1884), Bancroft Library, University of California, Berkeley, 7.
[4] Samuel H. Elbert, "Public Men and Measures," ms. (1884), Bancroft Library, 11-12.
[5] S. T. Sopris, "Denver's First Railroad," *The Trail*, I, No. 2 (July, 1908), 5.
[6] Frank Hall, *History of the State of Colorado* (Chicago, 1889), I, 369-370.
[7] *The Colorado Genealogist*, XIV, No. 4 (Oct., 1953), 87.
[8] Hall, *History*, I, 378.
[9] Albert B. Sanford, "Organization and Development of Colorado Territory," in *History of Colorado*, James H. Baker and LeRoy R. Hafen, eds. (Denver, 1927), II, 503.
[10] Courtesy of Miss Della G. Dodson, Secretary, the Lycoming Historical Society, Williamsport, Pennsylvania.



ALEXANDER CUMMINGS
Third Territorial Governor

delphia. In 1845 he bought a half interest in the distinguished Philadelphia *North American*.[11] Two years later, he sold out, and on April 10, 1847, published the first issue of *Cummings' Evening Telegraphic Bulletin*, which in ten years evolved into the *Philadelphia Evening Bulletin*.[12] Cummings remained publisher of the *Bulletin* until 1859, and the next year founded another paper destined to have an impressive history—the New York *World*. Under Cummings, the *World* was a semi-religious sheet which excluded theater advertisements, reports of lotteries, details of divorces and crimes, and sensationalism of all kinds. The paper did not prosper, and by late 1862 it had come under the control of men

[11] J. Thomas Scharf and Thompson Westcott, *History of Philadelphia, 1609-1884* (Philadelphia, 1884), III, 1970, and Frank Luther Mott, *American Journalism* (New York, 1949), 260.

[12] Joseph Jackson, *Encyclopedia of Philadelphia* (Harrisburg, 1933), IV, 1236.



who dropped its religious character and changed its politics from Republican to Democratic.[13]

It was as a newspaper man that Cummings became associated with Simon Cameron, Lincoln's first Secretary of War and a fellow Pennsylvanian, and it was as a friend of Cameron's that he became involved in the scandal which darkened his whole career.

In the first critical month of the Civil War, April, 1861, Secretary Cameron appointed Cummings a special purchasing agent for the War Department, and assigned him the task of expediting the defense of Washington, D. C. Cummings was to make arrangements with the railroads for the transportation of troops for the relief of the capital, and to purchase needed supplies and equipment.[14]

Cummings' performance of this assignment contributed little if anything to the defense of Washington, and reflected discredit on himself. Given access to a special fund of $2,000,000, Cummings paid high prices for thousands of dollars worth of goods which the troops could not use. The purchase of 1,670 dozen straw hats and 19,680 pairs of linen pants, subsequently (and predictably) ruled "out of uniform" by the military, was neither the most extravagant nor the most foolish expenditure, but there was a certain absurdity to it, and in Colorado Cummings could not live down the nickname, "Old Straw Hat."[15] Cummings' purchases also included barrels of pickles, casks of ale and porter, cheese, codfish, herring, and, among supplies more often considered military, 790 of the infamous Halls carbines, which the government had previously sold as dangerous and obsolete at $3.50 each; Cummings bought them back for $15.00 each. His accounts were kept in such a slipshod manner that the select committee on government contracts, appointed by the House of Representatives to investigate these and other scandals in the War Department, despaired of ever settling them, and $140,000 could not be accounted for.[16]

Giving Cummings the benefit of every doubt in order to catch the bigger fish, Secretary Cameron and the House Committee found no occasion "for calling in question the personal integrity of Mr. Cummings," but his lack of qualification for the position was mani-

[13] Frank L. Mott, *American Journalism* (New York, 1949), 350-351. Cummings was also a founder of *The Day* of Philadelphia and, for a time, the publisher of *Neal's Gazette*. *Philadelphia Public Ledger*, July 18, 1879, typed copy in Library of Colorado Historical Society.

[14] Simon Cameron to Alexander Cummings, Apr. 21 and Apr. 23, 1861. The letters are printed in *Report no. 2*, House of Representatives, 37th Cong., 2nd sess., II, 1559-1560.

[15] Cummings "always wore an old straw hat, which gave him the popular name of 'Old Straw Hat'." Frederick W. Pitkin, "Political Views," ms. (1884), Bancroft Library, 11. Governor Pitkin was being either generous or ingenuous.

[16] The committee's summary of the Cummings affair is given in *Report no. 2*, House of Representatives, 37th Cong., 2nd sess., I, 55-68. Reference to the missing $140,000 is on page 66. Cummings' complete testimony is reprinted in pages 390-425.

fest, and his employment by the Secretary was "unjustifiable and injurious to the public interest . . . It is the system they [the committee] question and not the integrity of the agent."[17]

The House of Representatives agreed with its committee, and Cummings won a humiliating notoriety in a resolution passed by the House on April 30, 1862.[18]

> Resolved, That Simon Cameron, late Secretary of War by investing Alexander Cummings with the control of large sums of the public money . . . has adopted a policy highly injurious to the public service, and deserves the censure of the House.

President Lincoln himself went to Cameron's defense, reminding the House that at the time Cummings was appointed, Washington was in what amounted to a state of siege and that many extraordinary steps had had to be taken. "I believe that by these and other similar measures . . . the government was saved from overthrow," he said. Although the President was unaware that a single dollar had been "either lost or wasted," any blame attached to the proceedings belonged to the whole Executive Department and not just to Secretary Cameron.[19]

It is impossible here to make a full analysis of Cummings' role as a War Department agent. Perhaps he was, as the committee implied, a well-meaning incompetent victimized by the circumstances of the emergency and duped by the contract profiteers who swarmed around War Department purchasers. Or perhaps he was himself one of the many profiteers who composed the entourage of the notorious Simon Cameron.[20] Given the number of men known to have enriched themselves under Cameron, and in view of the ability which even his enemies in Colorado later conceded him, there would seem to be less reason to question Cummings' intelligence in this affair than his morals.

The second phase of Cummings' Civil War career was more admirable. He recruited the 19th Regiment of Pennsylvania Cavalry (Volunteers), and in October, 1863, became its colonel.[21] The regiment saw action in Tennessee and Mississippi during 1864,[22] but Cummings was not at its head. For in February, 1864, he was put on detached service and made Superintendent of Troops

[17] *Ibid.*, 66-67.

[18] *Journal of the House of Representatives*, 37th Cong., 2nd sess., 631. The resolution was adopted by a vote of 79 to 45.

[19] "Message of President Lincoln to the Senate and House of Representatives," May 26, 1862, *ibid.*, 761-763.

[20] For a comprehensive study of the War Department under Secretary Cameron, see A. Howard Meneely, *The War Department, 1861* (New York, 1928). Meneely refers, page 127, to Cummings' "orgy of reckless buying."

[21] The War of the Rebellion. *Compilation of Official Records of the Union and Confederate Armies*, Series III, [vol.] III, 388, hereafter cited as *Official Records*; and *Historical Register and Dictionary of the United States Army*, Francis B. Heitman, comp. (Washington, 1903), I, 344.

[22] Samuel P. Bates, *History of Pennsylvania Volunteers, 1861-1865* (Harrisburg, 1871), V, 1-4.



of African Descent for the State of Arkansas.[23] Although many of the Negroes of Arkansas had been sent by their owners to Texas, and others had been mustered into Union regiments in Kansas, Cummings succeeded in organizing one colored battery of light artillery and five regiments of colored infantry.[24] For meritorious services he was brevetted Brigadier General, upon nomination by President Johnson.[25]

It was Johnson, too, who appointed him Governor of the Territory of Colorado. He took his oath of office on October 21, 1865.[26]

Judging from his portrait in the Colorado State Museum, the new governor was a handsome man. There was nothing gross about his beard, which was gray and closely trimmed and looked as if its owner took pride in it. His long face was lengthened by a high forehead and thinning hair, carefully combed; his eyes were gray and cold, his nose thin and straight, his mouth thin and tight. He looked like a man of intellect, culture, and experience, and was so described in the *Rocky Mountain News*.[27]

But, figuratively speaking, Cummings was given little more than passing attention as he assumed the duties of his office. His reception in Denver was polite but unenthusiastic, and evidenced more of Colorado's evolving urbanity than of any public interest in the new governor. As Coloradoans had recently voted, by a narrow 155 vote margin, in favor of becoming a state, and, in anticipation of prompt approval from Congress, had elected a state legislature and a state Governor, the territorial government and its officers seemed as passé as the baseball pitcher whose replacement is already on his way from the bullpen to the mound.[28]

Indeed, Cummings was quickly given reason to fear that his territorial government had already hit the showers. The "state" legislature met in mid-December, elected John Evans and Jerome B. Chaffee to the United States Senate, and otherwise acted as if it were the legal government of Colorado. It appeared that the territorial legislature, scheduled to assemble in January, might not meet at all. Governor Cummings, in fact, revealed the existence of a plot to keep it from meeting.

[23] *Ibid.*, 1; *Official Records*, Series I, XXXIV, Part 2, 404. The policy of enlisting Negro soldiers was a project of Cummings' patron, Simon Cameron.

[24] *Ibid.*, series III, V, 118-124.

[25] *Executive Proceedings of the Senate*, 39th Cong., 1st sess., XIV, pt. 1, 519. The Senate confirmed the nomination on March 14, 1866, *ibid.*, pt. 2, 661. Date of rank was retroactive to April 19, 1865.

[26] Cummings to Secretary of State William H. Seward, October 21, 1865, *State Department Territorial Papers, Colorado*, no. 70. Hereafter cited as *Territorial Papers*. President Johnson's nomination of Cummings was not sent to the Senate until December 19, 1865. Confirmation was voted on January 26, 1866. *Executive Proceedings of the Senate*, 39th Cong., 1st sess., XIV, pt. 1, 306, 487.

[27] *Rocky Mountain News*, Oct. 19, 1865, quoting the *Philadelphia Mining Register*.

[28] Elmer Ellis, "Colorado's First Fight for Statehood, 1865-1868," *Colorado Magazine*, VIII, no. 1 (Jan., 1931), 25-27. Although this is a most comprehensive account of the statehood fight, it makes no mention of Cummings.

"Certain persons," Cummings announced in an executive proclamation issued December 23, 1865, were industriously circulating the report that Colorado would so soon become a state that any meeting of its territorial government would be a useless formality. These men were even in contact with distant members of the legislature, telling them that no money was to be provided to defray their expenses and advising them to stay away. The Governor reminded the people that Colorado was still legally a territory, that because of the amount of postwar business on its hands Congress might be delayed in giving its attention to the request for statehood, and that until statehood was officially conferred, the territorial government was the only legitimate government for Colorado.[29]

Legally, Cummings' position was irrefutable; it received the support of the press,[30] and the territorial legislature was duly convened. But the controversy was the first important public signal of conflict between the territorial government and the group of men hoping to maneuver Colorado into the Union as a state.

The reasoning behind the effort to prevent the meeting of the territorial legislature is not hard to surmise: the legislature might become a forum for the anti-state elements in the territory and succeed in ruining the chance for immediate statehood. The fact is, that the statehood cause was not a strong one. In March, 1864, Congress, anxious for Republican votes to assure the reelection of President Lincoln, had passed an act enabling Colorado to become a state.[31] But in September the people of Colorado rejected statehood by the decisive vote of 4,672 to 1,520,[32] and the enabling act expired. When Congress the next year refused to pass a second enabling act, the pro-statehood men proceeded to hold another election under the terms of the first. The narrow 155 vote margin by which statehood was this time accepted did not by any means make it clear that Coloradoans really wanted statehood. Furthermore, Congress was not disposed to be as friendly towards Colorado in the winter of 1865-1866 as it had been in the spring of 1864. The Presidential election was safely won, the war was over, and Colorado's votes were not as important as they had been. Even more significant was the positive opposition to Colorado which was crystallizing among some Republican leaders in Congress, for if Colorado entered the Union its Negro population would be denied the franchise and other privileges of citizenship. The cause of statehood was thus extremely uncertain, and any anti-state agitation by the territorial legislature, many of whose members would

[29] Governor's Proclamation, *Territorial Papers*, no. 80. The Proclamation was printed in the *Rocky Mountain News*, Dec. 26, 1865.
[30] *Ibid.*
[31] Ellis, "Colorado's First Fight," 23-24.
[32] *Ibid.*, 26.



as a matter of course be reluctant to see power slip from their fingers, might easily persuade Congress to postpone action indefinitely.

The leader of the movement to thwart the operations of the territorial government was probably Samuel H. Elbert,[33] son-in-law of John Evans, Cummings' predecessor as Governor and now "Senator-elect" from Colorado. Elbert was, moreover, and had been since 1862, the Secretary of the Territory, the second highest executive officer of the territorial government. With the Governor and the Secretary working at cross-purposes, a battle within the administration was inevitable.

It was not long in coming. Upon his arrival in Denver, Cummings found the territorial offices inadequate and remote, and accused Elbert of renting them with the deliberate intention of inconveniencing the government.[34] Finding new offices at moderate rent in a central part of town,[35] Cummings moved out of the old quarters. When he left, he took with him the Great Seal of the Territory, because, he informed his own immediate superior, Secretary of State William H. Seward,[36] "I am sure he [Elbert] is not worthy to be trusted with its custody."[37]

When Elbert demanded return of the Seal, which it was his official duty to affix to public documents, Cummings refused, and in a long letter gave his reasons why Elbert should be denied possession. Elbert, he claimed, had been careless with the Seal, leaving it about his office in such a way that anybody could have access to it. Cummings said he had been informed by the Executive Clerk that Elbert had not once in two years set the seal to a public paper. In the nearly three months since moving to the new offices, Elbert, he contended, had not spent a total of one hour in the building, and the work of his office had been performed by the clerk. More important, Cummings declared he had been assured "by most respectable citizens here, upon every hand, and proof has been offered to me in any quantity," that in the statehood election of 1864 (when the voters rejected statehood), Elbert was implicated in a plot to use the Great Seal to certify a fraudulent pro-state majority. Cummings did not know what Elbert now wished to do with the Seal, "but I feel assured that no good is intended." Even if Elbert should be legally entitled to the Seal, the Governor con-

[33] *Daily Denver Gazette*, Jan. 19, 1861, and Cummings to Elbert, Jan. 9, 1866. *Territorial Papers*, no. 83.
[34] Under Gov. Evans, the territorial government occupied three rooms on the west side of Cherry Creek, in a section badly damaged by the flood of 1864. *Mis. Doc. no. 81*, House of Representatives, 39th Cong., 2nd sess., 6, 19.
[35] In McClure's Block, on Larimer St. between F and G Streets. *Ibid.*, 3, 6.
[36] Until 1873 the government of the territories of the United States was the administrative charge of the Department of State.
[37] Cummings to Secretary of State Seward, Jan. 9, 1866, *Territorial Papers*, no. 82.

cluded, "I should, in view of your constant dereliction, feel it my duty to take possession of it . . ."[38]

Elbert, fighting for his reputation and for the cause of statehood, counterattacked by obtaining from the Executive Clerk, D. A. Chever, an indignant denial of most of the charges brought by Cummings. Chever declared in a lengthy letter to Elbert that he had been subjected to repeated examinations by Cummings about Elbert's performance of his duties as Secretary. "It appears that he [Cummings] has made these conversations, which he requested me to keep a secret, the groundwork for accusations against you." Cummings had distorted and given "false coloring" to the answers "I gave to his questions." It was true that Chever had told Cummings he had never seen Elbert perform the mechanical operation of affixing the Seal. But Chever had also told him that when he himself used the Seal it had always been under Elbert's direction and supervision. Although it was not customary to keep the Seal under lock and key, Chever had never been afraid that it might be used for illegal purposes, and he believed that it never had been. As to the charge that Elbert was involved in the plot to fabricate the statehood election returns in 1864, "I . . . never for an instant thought that anyone in the Secretary's or Governor's office had committed or connived at the fraud."[39]

Inconclusive as was the Chever rebuttal in some particulars, it composed the heart of Elbert's defense, and he forwarded it to Secretary of State Seward as the answer to Cummings' charges. He also referred to John Evans and Jerome B. Chaffee, then in Washington relative to Congress seating them in the Senate, as character witnesses.[40] Cummings, of course, also presented his side of the quarrel to Seward, apologizing as he did so, for bringing what seemed to be a trivial matter to the Secretary's attention.[41]

But it was by no means a trivial matter: whether or not Colorado became a state might depend upon the impression Colorado affairs and personalities made on the leaders in Washington. The Secretary of the Territory, the son-in-law of a man who would become United States Senator should Colorado be admitted to the Union, was so ardently pro-state that Cummings insisted he sought to disrupt the operations of the government of which he was a high official. The Governor of the Territory was so angered by the conduct of the Secretary that he denied him possession of the Great Seal. It may be, as Cummings' enemies never ceased to allege,

[38] Cummings to Elbert, Jan. 9, 1866, *ibid.*, no. 83.
[39] D. A. Chever to Samuel H. Elbert, Jan. 11, 1866, *ibid.*, no. 99. Chever's name was sometimes spelled Cheever.
[40] Elbert to Seward, Jan. 17, 1866, *ibid.*, no. 85. In Washington, John Evans informed Seward of his desire to defend Elbert. Evans to Seward, Feb. 5, 1866, *ibid.*, no. 97.
[41] Cummings to Seward, Jan. 9, 1866, *ibid.*, no. 82.



that the Governor had been opposed to the statehood movement from the beginning, since its success would cost him his job. But had he been the most disinterested of men, the course of events and the clash of personalities probably would have driven him into the anti-state camp. In the quarrel between the Secretary and the Governor, the side which could make the best case for itself in Washington might well determine the immediate fate of Colorado.

It is impossible to assess the public reaction to the Cummings-Elbert feud. The press was highly partisan on one side or the other. The *Rocky Mountain News*, friendly to Evans, Elbert, and the cause of statehood, gave full publicity to Elbert's side, pointed out that Elbert had been on the job for four years and Cummings for only three months, and began to denounce the "shoddy" Governor and to expose his suspicious record with the War Department.[42] The *Gazette*, on the other hand, declared the charges against Elbert were "well known to be true," and suggested that Chever, although personally honest, was being deceived and used by Elbert. "The people are with Governor Cummings . . ." concluded the *Gazette*.[43]

Deprived of his Great Seal[44] and publicly feuding with the Governor, Elbert secretly sent his resignation to Seward on January 1, 1866.[45] On the 26th, not yet having been notified of its acceptance, he pleaded urgent business and hurried to the east, leaving the territory without a Secretary.[46] "The Secretary, while here," Cummings complained to Seward, "was engaged in an attempt to break up the Territorial Government, and in his absence seems to have left such instructions as should inconvenience and, so far as possible, thwart the exercise of authority by the proper officials."[47]

The rupture of relations between the Governor and the Secretary ended any possibility of a harmonious administration for Cummings. As an enemy of Elbert, Cummings became an enemy of Elbert's cause, and thus concentrated upon himself the rancor of the whole statehood faction. From this time on, Cummings was engaged with some of the most important men in Colorado in the political equivalent of a frontier street brawl.

To succeed Elbert,[48] Cummings appointed Frank Hall, a member of the territorial House of Representatives and, like himself, a newspaperman. From an administrative point of view it was an inexcusably bad appointment: Hall was a member of the pro-state

[42] *Rocky Mountain News*, Jan. 16, Jan. 24, Jan. 25, 1866.
[43] *Daily Denver Gazette*, Jan. 17, Jan. 19, 1866.
[44] In an attempt to circumvent the Governor, Elbert used his private seal on a number of public documents. *Rocky Mountain News*, Jan. 20, 1866.
[45] Elbert to Seward, Jan. 1, 1866. *Territorial Papers*, no. 81.
[46] Elbert to Seward, Jan. 26, 1866, *ibid.*, no. 87. Elbert delegated his authority as Secretary to Eli M. Ashley, but, acting on the advice of the U. S. Attorney for Colorado, Governor Cummings refused to recognize Ashley.
[47] Cummings to Seward, Feb. 16, 1866, *ibid.*, no. 100.
[48] Seward accepted Elbert's resignation on Feb. 6, 1866, but it was not until May that the new Secretary took over. Hall, *History of Colorado*, I, 377.

group and did not want to become Secretary. He accepted the position only because "If I refused Cummings would secure a candidate in full accord with his programme, and be thus enabled to work further injury to the State movement."[49] From a personal point of view, it was a ruinous appointment, for Hall became the most detailed chronicler of the Cummings years and painted his adversary with a pen dipped in hate. Almost all that is known of Cummings' career in Colorado comes from Hall's portrait of a monster.[50]

The antagonism which Frank Hall, Samuel H. Elbert, and other local managers of the pro-state group felt for Cummings evidently was the result of a fear that the Governor might successfully use his influence to block statehood. The pro-state men were sailing rough waters in their efforts to gain admission, and Cummings, with a direct channel to the President's cabinet, was in a position to rock the boat. And rock it he did, when the Negroes of the territory stood up and denounced the constitution under which Colorado would enter the Union.

By this constitution, Negroes, of whom there could not have been more than a total of 400 in the territory,[51] were denied the right to vote, and by territorial law, which the constitution would keep in force, they were excluded from public schools. Struggling for the rights of citizenship, the colored residents of the territory sought to force repeal of the objectionable provisions by opposing statehood, well aware that their protests would have significant effect among their champions in Congress. They were also aware that Governor Cummings, because of his work with Negroes during the war, was a friend.[52]

Cummings raised the question of Negro suffrage in a special message to the legislature, January 23, 1866. He pointed out that the first territorial legislature, 1861, had conferred the franchise on adult males without reference to their color,[53] but that in 1864 the legislature had amended the act to exclude Negroes and mulattoes.[54] "It seems incredible," he declared, noting the timing of the act. And he continued:

[49] *Ibid.*, 378.

[50] *Ibid.*, 369-378, 382-392.

[51] The total was probably much less. There were 456 Negroes in Colorado in 1870. Ninth Census (1870), "Report of the Superintendent: Table of True Population," *Statistics of the Population of the United States* (Washington, 1872), I, xvii.

[52] A group of Negroes expressed confidence in Cummings for this reason in a petition dated Dec. 11, 1865. *Territorial Papers*, no. 76.

[53] There were only 46 Negroes in Colorado in 1860. Eighth Census (1860), "Introduction: The Colored Population," *Population of the United States*, p. xiii. The act to which Cummings referred was approved Nov. 6, 1861.

[54] The act was approved Mar. 11, 1864.



> The colored people at that moment were everywhere eagerly pressing forward to the support of the Government, and their services were as gladly accepted. They contributed largely to the triumph of the nation over the rebellion; and just at the darkest period of our country's history, when they were doing their utmost to rescue the Government from its imminent danger, this wrong was perpetrated upon them. It is a fact worthy of notice that this was the only case in the whole nation where public sentiment retrograded during our fearful struggle.

He concluded by asking the legislature to "erase this odious record from the statute books."[55]

The legislature refused to comply, and Cummings could be sure its refusal was noted in Congress. Indeed, his enemies alleged that he had no interest at all in Negro suffrage, but only in forcing the legislature to go on record against it, thus alienating the Radical Republicans in Congress and insuring the defeat of the statehood bill.[56]

The anger which the pro-state group felt for Cummings was equalled in intensity by the repugnance felt by many for the idea of colored voters. Indeed, the advocates of statehood would have imperiled their cause as much in Colorado by favoring Negro suffrage as they did in Washington by opposing it. For the people of Colorado had spoken far more emphatically on this issue than they had on the question of becoming a state. In September, 1865, the people voted 3,025 to 2,870 in favor of statehood,[57] but at the same time rejected Negro suffrage by the crushing vote of 4,192 to 476.[58] Had the statehood leaders endorsed Negro suffrage in order to satisfy the Radicals in Congress, the narrow margin of their popular support at home might well have disappeared.

The *Rocky Mountain News*, organ of the statehood movement, conceded the injustice of taxing Negroes for the support of schools their children could not attend, but it opposed an integrated school system and favored a division of school funds in proportion to the taxes paid by each of the races.[59] And "by all means," declared the *News*, white women should be enfranchised before black men.[60]

In March, 1866, the United States Senate finally began to consider the question of admitting Colorado. Senator Charles Sumner, an ardent friend of the Negro, was opposed to admission because of the suffrage restriction, and was supported by Senator Benjamin Wade and others. Any man, said Wade, who denies another the right to participate in government "is a tyrant, and I

[55] "Special Message to the Territorial Legislature," Jan. 23, 1866, *Territorial Papers*, no. 92.

[56] Hall, *History*, I, 375-376; *Rocky Mountain News*, Jan. 24, 1866.

[57] LeRoy Hafen, ed., *Colorado and Its People* (New York, 1948), I, 299.

[58] Abstract of vote on Negro Suffrage, Sept. 5, 1865, enclosed in Cummings to Seward, Dec. 22, 1865, *Territorial Papers*, no. 74.

[59] *Rocky Mountain News*, Jan. 24, 1866.

[60] *Ibid.*, Jan. 26, 1866.

would not trust him with my dog.''[61] But by far the most frequently raised objection to statehood was Colorado's scanty population, estimated at 40,000 or more by its friends,[62] and at less than 25,000 by its enemies.[63] There seemed to be no important reason why such a small number of people should be given two seats in the Senate, and the Colorado bill was defeated on March 13.[64]

In Colorado the defeat was attributed to the resistance of the Negroes, and with bitter irony one group of citizens suggested that William J. Hardin, a leader of the Negro community in Denver be elected mayor. ''Reconstruction is a good thing,'' commented the *News*, ''in fact a glorious thing, and we advise all those who feel that they need it to go up manfully to the polls and vote for Mr. Hardin.''[65] The full rage of disappointment, however, fell upon Governor Cummings, who had amplified the Negroes' protests and made sure they were heard in Washington.[66] Had Colorado been one of the worst rebel states, having Cummings for Governor would be ''punishment . . . greater than the crime deserved.''[67]

Within two weeks, however, the apparently dead cause of statehood was once again very much alive.[68] On March 27, 1866, President Johnson vetoed the Radicals' Civil Rights Act and joined the battle over the Reconstruction policy.[69] Colorado, rejected on its own merits, might yet become a state as a result of the power struggle between Congress and the President. For Colorado's votes could be as useful in over-riding vetoes in 1866 as it was thought they could be in the electoral college in 1864.

In April the Senate reconsidered its action of the previous month, paying little attention this time to whether or not Colorado's population justified two Senators. Two more Republican Senators were precisely what was wanted, and no effort was made to hide this. Certainly he wanted two more Senators, admitted Senator James Nye. ''Sir, I want twenty and two more . . .''[70] Inevitably, Sumner once again raised the suffrage issue. ''Let Colorado wait at least until she recognizes the Declaration of Independence,'' he urged his colleagues.[71] But he was deserted by most

[61] *Congressional Globe*, 39th Cong., 1st sess., Mar. 13, 1866, p. 1358. Hereafter cited as *Cong. Globe*, with no. and sess. of Congress omitted.

[62] George J. Clark to Edward Cooper, May 10, 1866, *Territorial Papers*, no. 110.

[63] *Cong. Globe*, Mar. 13, 1866, p. 1354.

[64] The vote was 21-14. *Ibid.*, 1365.

[65] *Rocky Mountain News*, Mar. 15, 1866.

[66] Senator Sumner had seen a copy of his special message to the legislature on Negro suffrage, and Cummings forwarded anti-state petitions from Negroes to members of Congress. See Cummings to Seward, Dec. 23, 1865, *Territorial Papers*, no. 75.

[67] *Rocky Mountain News*, Mar. 15, Mar. 20, Mar. 22, 1866.

[68] *Ibid.*, Mar. 14, 1866.

[69] William A. Dunning, *Reconstruction, Political and Economic* (New York, 1907), 64. The Civil Rights Act was passed over Johnson's veto.

[70] *Cong. Globe*, Apr. 24, 1866, p. 2144.

[71] *Ibid.*, Apr. 17, 1866, p. 1983.



of them, including Wade, who was apparently willing to let Colorado walk his dog if it would help frustrate the President.

The Senate voted to admit Colorado on April 25,[72] the House of Representatives concurred on May 3,[73] and the act was sent to President Johnson for approval. On the same day, Governor Cummings left hurriedly for Washington.[74]

Colorado's delegate in the House of Representatives, A. A. Bradford, believed ''there is not the slightest danger of the President vetoing the bill,'' and the jubilant *Rocky Mountain News* passed the good news on to its readers.[75] But Bradford was too optimistic. Johnson's cabinet believed the Colorado Senators would likely vote with the Radicals, and its three most trusted members counseled against admission.[76] ''Senators-elect'' Evans and Chaffee, alerted no doubt by one of the pro-Colorado cabinet members, sent assurance to the President that they had made no deal with the Radicals to get the statehood bill passed. We ''have not agreed or pledged ourselves to support any man or measures . . .''[77]

If there was any doubt in his mind about whether he should sign or veto the Colorado act, President Johnson would have postponed decision until after talking with Alexander Cummings. For on the same day as the Cabinet meeting, Cummings telegraphed the Secretary of State from Atchison, Kansas:[78] ''I am on my way East. Please say to the President—if he desires important information on subject of Colorado before signing the bill, I will be in Washington on Saturday next.''

What it was Cummings told Johnson can probably be guessed. Certainly he would have made no complaints about the failure to provide Negro suffrage, since Colorado's attitude on that subject was much closer to Johnson's view than to that of the Radicals. But he would have told the President nothing of a complimentary nature about those who were pushing statehood, and might have told him what he later told the people of Colorado, ''That the party desiring a State Government forms a very small portion of the population, and is represented by those who seek personal aggrandizement and place at the expense of the welfare of the territory.''[79] And he would have been careful to confirm the report that the Colorado

[72] *Ibid.*, p. 2180. The vote was 19-13.

[73] *Ibid.*, May 3, 1866, pp. 2373-2374.

[74] Hall, *History*, I, 378. The *Rocky Mountain News* later reported that Cummings had offered money to the driver of his stage if he would drive faster. The *News* referred to the offer as an attempted ''bribe.'' *Rocky Mountain News*, July 28, 1866.

[75] *Rocky Mountain News*, May 4, 1866.

[76] Gideon Welles, *Diary* (Boston, 1911), II, 502-503. Secretaries Seward, McCulloch, and Welles were opposed to admission, while Secretaries Stanton, Harlan, and Dennison favored it.

[77] Jerome B. Chaffee and John Evans to Edward Cooper, May 12, 1866, *Territorial Papers*, no. 112. Cooper was President Johnson's private secretary.

[78] Telegram, Cummings to Seward, May 8, 1866, *ibid.*, no. 109.

[79] Governor's Message to the Territorial Legislature, Dec. 13, 1866, *Council Journal*, p. 16.

delegation in Congress would accept the leadership of the Radicals rather than that of the President.

It is probable that Johnson did not need much persuasion. His veto emphasized the small size and unstable character of Colorado's population, referred to the tiny pro-state majority "so irregularly obtained" in the 1865 statehood election, and declared it was to the public interest to readmit to full participation in the Union the eleven old states which were unrepresented in Congress before adding a new state "prematurely and unnecessarily . . ."[80]

With both the Democrats and Sumnerian Radicals anti-Colorado, no attempt was made to override the veto.

The vote of Congress admitting Colorado and the President's veto were both prompted by the same political fact: Colorado was strongly Republican. Indeed, the Democratic party did not even develop a formal organization in the territory until after the war,[81] and, as elsewhere in the United States, its strength was sapped by identification with rebellion. But if Colorado was for all practical purposes a one-party territory, the one party was divided into factions which struggled for political control at least as bitterly as if the struggle had been inter-party instead of intra-party. One of the factions was based at Denver and the other at Golden, and the victor would turn its city into the metropolis of the mountain West and grow rich and powerful with it.

The Denver faction had bid for power in the statehood movement defeated by Johnson's veto, and its wrath fell upon Governor Cummings. After the successful accomplishment of his mission in Washington, Cummings was *persona non grata* in Denver, the *Rocky Mountain News* characterizing him as "this piece of double concentrated scum . . ."[82] The alliance between Cummings and the anti-Denver, Golden faction had been apparent for months; it was now demonstrably effective, and hatred for the territorial Governor was in proportion to the magnitude of Denver's loss.

Hatred nearly spilled over into violence in September, 1866, as a result of Cummings' role in the August election of a territorial delegate to Congress. The candidate of the Denver faction, the Union Republican party, was George M. Chilcott; the Golden candidate, running as an Administration Independent, was A. C. Hunt. Hunt, who of course had the backing of Governor Cummings, ran on a frankly anti-state platform. "I deem it proper to state," he advertised in the press prior to the election,[83]

[80] James D. Richardson, ed., *Messages and Papers of the Presidents* (Washington, 1901), VI, 413-416.

[81] William N. Byers, "The Centennial State," ms., Bancroft Library, 22. However, the party had held one or two "conventions" and nominated a candidate for Congress in 1862. *Ibid.*, 27.

[82] *Rocky Mountain News*, July 28, 1866.

[83] *Ibid.*



> that in the future, as in the past, I shall oppose all attempts to change our Territorial condition for that of one of the sovereign states . . .
>
> This I hold to be the true policy; especially in view of our sparse population . . .

Being a member of the Golden faction was reason enough for Hunt to oppose the Denver-controlled statehood movement. But his position was one which appealed to the territory's weak Democratic party, and Hunt and Cummings were thus regularly charged with being Copperheads.[84] Since they were also advocates of Negro suffrage, they might have been called Radicals as well. For it was one of the perversities of Colorado politics that the faction supporting President Johnson against the Radicals should also have supported the program by which the Radicals were attempting to achieve and maintain their supremacy over the President.

When the Hunt-Chilcott election was held in August, the vote returned by the county clerks showed a majority of 108 for Chilcott. But the Hunt-Cummings faction obtained affidavits from some of the anti-state southern counties which charged fraud in the announced returns and gave a majority of eighty-seven to Hunt.[85] The dispute was complicated by an apparent legal question over who had authority to make the official canvass of the vote.

By statute, the canvass of votes for "all territorial officers" was to be made by a three man Canvassing Board,[86] which included Secretary Frank Hall among its members, and which in this case stood two to one for Chilcott. But Governor Cummings denied the authority of the Board, counted the vote himself, and awarded the certificate of election to Hunt.

Cummings justified his extraordinary action under the territory's organic act, which provided that the first election for delegate (in 1861) would be conducted as directed by the Governor, and all subsequent elections as prescribed by law.[87] It was possible for Cummings to argue that the election of a delegate had not been provided for in the territorial statute, since a delegate was not a "territorial officer," but an officer of the national government, which paid his salary.[88] Therefore, the conduct of the election (*i. e.*, the counting of the vote) remained the Governor's prerogative. "Gentlemen," Cummings informed the outraged Canvassing Board

[84] *Ibid.*, July-Dec., 1866, *passim*.

[85] Hall, *History*, I, 388.

[86] "An Act to amend an Act entitled 'An act Regulating Elections, Approved November 6th, 1861'"; approved Feb. 9, 1865, *General Laws . . . of the Territory of Colorado*, 4th sess. (Denver, 1865), pp. 60-61.

[87] *Organic Act*, Feb. 28, 1861, sec. 13.

[88] *Ibid.*, Cummings wrote the Secretary of State that the Canvassing Board wished to defeat Hunt "mainly for the purpose of effecting a triumph over the [Johnson] Administration, when, in fact, the action of the people, by a fair canvass of the votes, was a decision in favor of the Administration."

when it met in September to count the vote, "I shall give the certificate of election to Mr. Hunt. That is decisive."[89]

It was so decisive that the Governor's life was in danger in Denver. Angry men grouped on the streets during the day, and at night the saloons were filled with excited crowds.[90] Threats of violence were commonplace, and the *Rocky Mountain News* reported that talk of lynching the Governor was heard on all sides, even from some of "the very best and influential men in our city . . ."[91] One housewife publicly offered to donate feathers for the tar and feather treatment.[92] The *News,* whose hatred for Cummings had screamed from its columns for months, made no effort to inform its readers of the legal grounds on which Cummings had acted, but it cautioned against violence because it would "irreparably disgrace Colorado and her people."[93] Two weeks later, however, when it was rumored that Frank Hall would be replaced as Secretary by an ex-Confederate from Tennessee,[94] the *News* cast off all restraint. "Let the vigilance committee be recognized at once," it proclaimed. "Something worse than horse thieves, guerillas, and road agents demands its immediate attention."[95]

Governor Cummings was discreet enough to avoid public appearances in Denver for a few days after the Hunt-Chilcott election, and he slept away from home.[96] Then he moved his executive offices to Golden,[97] purchased the school house for a residence,[98] and sought to make Golden the actual as well as the legal capital of Colorado.

Golden's future, like Denver's, was fundamentally dependent upon the establishment of railroad connections with the east. The railroad was the key to victory in the factional dispute between Colorado Republicans and in the rivalry between Golden and Denver. For whichever city first got the railroad would find that predominance rode the same rails that brought it goods, equipment and people.

In his second Annual Message to the legislature, which convened in Golden in December and for once did not adjourn to

[89] As quoted in Sanford, "Organization and Development," p. 507. According to *Report no. 3,* House of Representatives, 40th Cong., 1st sess., p. 1, Cummings later told a House committee that he had considered himself a member of the Canvassing Board, tied the vote at two to two, and then in his capacity as Governor had broken the tie by casting a second vote for Hunt. He did not make this strange explanation to Sec. Seward. See Hall, *History,* I, 390-391.

[90] James F. Rusling, *Across America* (New York, 1875), p. 61.

[91] *Rocky Mountain News,* Sept. 6, 1866.

[92] *Ibid.,* Sept. 7, 1866.

[93] *Ibid.,* Sept. 6, 1866.

[94] In *Ex. Doc. no. 6,* U. S. Senate, 40th Cong. special sess., p. 3, James R. Hood was listed as Secretary of Colorado Territory. Apparently Hood's nomination was withdrawn before being put up for confirmation. Cf. Hall, *History,* I, 389-390.

[95] *Rocky Mountain News,* Sept. 22, 1866.

[96] Rusling, *Across America,* p. 62.

[97] Cummings to Seward, Dec. 1, 1866, *Territorial Papers,* no. 124; Hall, *History,* I, 389. The move was made in October.

[98] *Rocky Mountain News,* Nov. 2, 1866.



Denver,[99] Cummings suggested that the Territory itself undertake the construction of one branch line from Golden northward to meet the tracks of the Union Pacific, and another southeastward to meet those of the Kansas Pacific.[100] Needless to say, the legislature did not act on the Governor's suggestion. If it had, Golden and not Denver might have become the "Queen City of the Plains."[101]

In his message Cummings also reviewed the statehood question, reporting in detail the figures of a recently completed census which showed a total population of only 27,931. The accuracy of the census, declared the Governor, "is acquiesced in by every portion of the territory with the exception of a single county." The census exposed the "exaggerations" and "misrepresentations" by which "designing men" had attempted to put across their "ambitious schemes." Furthermore, it revealed how very grave would be the economic burden of statehood. The treasury was empty, the national government had appropriated nothing for the erection of public buildings or roads, and had granted not a single acre upon which a public school system could be based. The great expenses of statehood would have to be divided among a small number of people by "an onerous system of taxation . . ." Since the legislature last met, Cummings had traveled into nearly every section of the Territory, "mingling freely with every portion of its citizens . . . and I am convinced that at least two-thirds of the people are adverse to the formation of a State government."[102]

Even as the Governor spoke, another Colorado statehood bill was before Congress. It was reported out of a Senate committee by its sponsor, unembarrassed "Bluff Ben" Wade, on December 11, 1866, and debated on January 9, 1867. As was the case the previous year, the Radicals were opposed to Colorado because it denied the franchise to Negroes. But when it was suggested by the House that, as a "fundamental condition" to its admission, Colorado be required to amend its constitution to provide for equal manhood suffrage, the Radicals were satisfied, and the statehood bill was passed on January 16.[103]

Once the "fundamental condition" had been written into the bill, the only opposition to Colorado came from Democrats and sup-

[99] The usual practice was for the legislature to convene in Golden, Colorado's nominal capital, and adjourn immediately to Denver

[100] "Message to the Territorial Legislature," Dec. 13, 1866. *Council Journal,* pp. 12-13.

[101] A discussion of the railroads and their relation to the development of Denver and Colorado may be found in Herbert O. Brayer, "History of Colorado Railroads," in *Colorado and Its People,* Hafen, ed., II, 635-690.

[102] Second Annual Message, Dec. 13, 1866, *Council Journal,* pp. 17-18.

[103] *Cong. Globe,* Jan. 16, 1867, p. 487. During Jan., 1867, Congress debated and passed an act forbidding territories to deny the right to vote because of "race, color, or previous servitude." The act became law, without President Johnson's signature, on Jan. 31. If Colorado, however, should have become a state it would not be affected by a law regulating the territories, hence the "fundamental condition."

porters of President Johnson. Long selections from Cummings' annual message were read on the Senate floor,[104] and the accuracy of the territorial census was discussed at length. Senator Wade read a letter from Secretary Frank Hall denouncing the census as deliberately dishonest and as a project undertaken "by disloyal politicians with the express design of defeating the admission of the State . . ."[105] The much respected Senator John Sherman, recently returned from Colorado, estimated the Territory's population at between 40,000 and 50,000, and declared that in his opinion a majority was anxious to be rid of the territorial government.[106]

In his veto message, January 28, 1867, President Johnson disagreed, and quoted a resolution passed by the Colorado House of Representatives. The resolution expressed the hope that "Congress will not force upon us a government against our will."[107] The President accepted the Cummings census figures as the best available, pointed out that the reported population totalled only about one-fifth the number (127,000) then being used in the states to determine representation for a single Congressional district, and was unable to find any good reason why the people of Colorado should be so vastly over-represented.[108]

The veto came as a surprise to nobody. If there had been good reason to veto the Colorado Bill in 1866, there was even better reason for vetoing it in 1867, when the impeachment of the President was being openly discussed and when every Senate vote assumed a momentous importance. Of the cabinet members, only Secretary of War Stanton was not opposed to admission,[109] and Stanton was famous for giving the President bad advice.

Johnson's veto of the Colorado Statehood bill was followed a day later by one for the territory of Nebraska, which like Colorado was staunchly Republican and sparsely populated.[110] "Mr. Johnson," exclaimed the sardonic James G. Blaine, ". . . was invariably hostile to the admission of a Republican State."[111] Congressman Blaine was of course correct: the President would not have been so scrupulous about admitting scantily populated Democratic states. But then Congress would not have voted to admit Democratic states, and in fact did not admit most of the former states of the Confederacy until they became Republican.

[104] By Senator James R. Doolittle of Wisconsin, *ibid.*, Jan. 9, 1867, p. 362.
[105] *Ibid.*, p. 363. The letter was addressed to "Hon. John Evans, United States Senator-elect for Colorado," and was dated Golden City, Nov. 10, 1866.
[106] *Ibid.*
[107] The resolution was passed by a vote of 12 to 11. *House Journal*, 6th sess., Jan. 8, 1867, pp. 71, 86-87, 104-5.
[108] Richardson, *Messages and Papers*, VI, 483-489.
[109] Welles, *Diary*, Jan. 18, 1867, pp. 22-23.
[110] Richardson, *Messages and Papers*, VI, 489-492.
[111] James G. Blaine, *Twenty Years of Congress* (New York, 1886), II, 280.



The Nebraska statehood bill was passed over Johnson's veto,[112] but despite the most strenuous efforts of Senator Wade, it proved impossible to override for Colorado. To the six Republican Senators who joined the Democrats in upholding the veto, Colorado was too far away and its population too small to justify statehood.[113]

Samuel H. Elbert believed that if Evans and Chaffee, still waiting for their Senate seats, had agreed to support the President during the expected impeachment proceedings, he would not have vetoed the Colorado bill.[114] It is perhaps fortunate for Johnson that his veto was upheld, for when the impeachment charges against him were tried in the Senate, the two new Senators from Nebraska voted for conviction.[115] Had Colorado been entitled to two Senators it is probable that they too would have voted guilty, and it is possible (though not likely) that conviction, rather than acquittal, would have come by one vote.[116]

The removal of Alexander Cummings as Governor, declared the *Rocky Mountain News* soon after President Johnson's first veto, would be, next to admission, the best thing that could happen to Colorado.[117] With Johnson's second veto ending any real hope for immediate statehood, the pro-state Denver faction of the Republican party set out resolutely to win the consolation prize.

Petitions asking for the removal of the Governor began to pour into Washington. A typical example, signed by nearly 250 enraged Denverites and addressed to the President, reveals how intense was the hatred of Cummings. Removal was requested because Cummings had lied about conditions in the Territory and had sought to retard the prosperity and development of Colorado so that he "might continue to hold the position which he now disgraces;" because personally Cummings was so arrogant, impudent, and overbearing that the people, regardless of party, felt insulted by his presence; and because his record with the War Department was so shameful that had Coloradoans been "the most abandoned and disloyal people in the American Republic," having such a man in authority over them would be greater punishment than they deserved. "Under these circumstances," the petitioners concluded,[118] "we solemnly declare to you, as an insulted and outraged people, that his occupying his present official position over us is

[112] *Cong. Globe*, Feb. 8, 1867, p. 1096.
[113] *Ibid.*, Mar. 1, 1867, p. 1928; James Ford Rhodes, *History of the United States* (New York, 1907), VI, 48.
[114] Elbert, *Public Men*, p. 11.
[115] James G. Randall, *Civil War and Reconstruction* (Boston, 1937), p. 772.
[116] Several moderate Senators were prepared to switch their votes to "not guilty" if necessary to assure acquittal. Dunning, *Reconstruction*, p. 107.
[117] *Rocky Mountain News*, June 2, 1866.
[118] Undated petition (probably Jan., 1867), *Territorial Papers*, no. 131. The territorial council, by a vote of six to five, also asked the removal of the Governor. "Alexander Cummings is obnoxious to our people, unjust and dishonest in the performance of his duties . . ." *Council Journal*, Jan. 11, 1867, 136-137, 139.

as intolerable as would be the presence of a serpent at our hearthstones, and as American citizens we earnestly pray, entreat, and implore you to relieve us from this infamous, insolent and unbearable nuisance."

Cummings was unmercifully baited by his enemies. In his second annual message he made an eloquent plea in behalf of Negro suffrage. Slavery had been abolished, he said, but if a caste system were established to take its place, if men were denied their political rights and all hope of improving themselves, no matter how worthy or respectable or intelligent they might be, then the great civil war had been only a partial success, and the "root of the evil" would be "ready again at a favorable moment to germinate and produce incalculable mischief."[119]

The message was made the subject of a childish satire. "Billexander Bummings, Squatter Governor and ex-officio Superintendent of Indian Affairs for Colorado Territory, which is *not* one of the United States," urged that the right to vote be extended to "white, black, and copper colored. Strong minded women should also be allowed to vote, and unreconstructed rebels should have the privilege of voting at least twice at each election . . ."[120]

Whenever Cummings raised his voice in the interests of justice for Negroes he was jeered at as a political opportunist. Early in January, 1867, the territorial legislature passed a law perpetuating the ineligibility of Negroes and mulattoes to serve on juries. Governor Cummings vetoed the bill as a violation of the national Civil Rights Act. The veto was promptly overridden by near unanimous vote.[121] But Cummings was accused of having deliberately pushed the bill through the legislature so that when his veto was overridden, as he knew it would be, he could rush to Washington and inform the Radicals of the plight of Negroes in Colorado.[122] It was felt that he used the jury bill to discredit Colorado in 1867, just as he had used his special message on Negro suffrage to discredit it in 1866.[123]

The author of the jury bill, Chief Justice Moses Hallett, denied that Cummings had had anything to do with its passage.[124]

In the post-Civil War era the public was becoming conditioned to the existence of corruption in political office, north and south. And, of course, Cummings' own suspicious record as a purchasing agent made him especially vulnerable to the charge of being a carpetbagger. When he asked the legislature to pass a large tax bill, it

[119] Second Annual Message, Dec. 13, 1866, *Council Journal*, p. 20.
[120] *Rocky Mountain News*, Jan. 2, 1867. See also Dec. 18, 1866.
[121] *House Journal*, 6th sess., Jan. 11, 1867, pp. 144-145.
[122] *Rocky Mountain News*, Jan. 26, Feb. 9, 1867.
[123] *Ibid.*, 15. Also, President Johnson referred to the jury bill in his message vetoing statehood. Richardson, *Messages and Papers*, VI, 484.
[124] *Rocky Mountain News*, Mar. 5, 1867.



was suggested (in upper case letters) that he wanted the money only for "PLUNDER. The treasury of Colorado is not safe . . ."[125] The charges soon became more specific.

They were presented to President Johnson by A. A. Bradford, lame-duck delegate from Colorado in the House of Representatives. Bradford charged Cummings with having misappropriated funds of the Indian service, of which Cummings, as Governor was *ex-officio* Superintendent. During 1866, Cummings had paid $1,800.00 in clerical salary to his daughter, Mary B. Cummings, although Miss Cummings had left Colorado in the Spring and had spent the rest of the year in Philadelphia. In August, 1866, Cummings had also paid $2,342.00 to John Wanless to haul 19,000 pounds of freight, at the rate of twelve cents a pound, to the Indians at the treaty grounds in Middle Park. This was an exorbitant price, because it was "well known that the distance is less than 80 miles . . ." In addition to these misappropriations, Bradford continued, "I charge him with malfeasance in office . . ." for appointing a Territorial Treasurer and directing that government funds be put in his hands before he had given bond, as required by law. Bradford concluded by asking that Cummings be removed, and replaced by a citizen of the territory.[126]

Bradford's charges relating to the Indian service, plus miscellaneous others, were promptly investigated in Washington by the House Committee on Indian Affairs. It was firmly established, under oath, that Mary B. Cummings had left Colorado in April or May, 1866, and that she had not returned to the territory.[127] As to the charge of over-paying John Wanless for the hauling of freight to Middle Park, E. M. Ashley, John Evans and William Gilpin, the latter of whom would have become Governor had Colorado been admitted to statehood, agreed that the rate of twelve cents a pound was excessive for an eighty-mile trip, and testified that three to six cents would have been more reasonable. John Evans had heard that a good road through Berthoud Pass had been open for use, but none of the three witnesses had seen it.[128]

The charge that Cummings had paid his daughter for services she could not have rendered, resolved itself on a technicality. During the last half of the year, when Mary B. Cummings was absent from the territory, "my son represented her and performed the service. I did not change the appointment because I did not deem it necessary."[129]

[125] *Ibid.*, Dec. 24, 1866.
[126] Allen A. Bradford to President Andrew Johnson, Feb. 7, 1867, *Territorial Papers*, no. 132.
[127] *Mis. Doc. no. 81*, House of Representatives, 39th Cong., 2nd sess., Mar. 2, 1867, 3, 17-18.
[128] *Ibid.*, 4-5.
[129] Cummings to Seward, Mar. 5, 1867, *Territorial Papers*, no. 135.

Since the charge of paying excessive freight rates was based on the assumption that the trip to Middle Park was only eighty miles, it must have given Cummings great satisfaction to prove to the committee that the short Berthoud Pass road was not open at the time of the meeting with the Indians, and to elicit testimony that wagons could not have been taken through it "either together or in pieces, on pack mules, at that time."[130] The freight had had to be shipped in through South Boulder Pass, a much longer route. Even this route had been extremely difficult. At the head of the canyon, "We were three days going one mile, with two men to every wagon . . ." The Indians themselves finally came and helped the wagons over.[131] "Was there any better road than the one you took?" asked the committee chairman of A. C. Hunt, who made the trip himself. "No," was Hunt's answer.[132]

Cummings was able to introduce evidence showing that the August meeting was considered of urgent importance, by Delegate Bradford among others, because gold and silver had been discovered in Middle Park, and trouble was expected with the Indians unless a treaty were promptly made.[133] A satisfactory treaty had been concluded, and, Cummings informed Secretary of State Seward, no complaints would have been made "if it had not been for political and personal considerations . . ."[134]

Bradford's third charge was that Cummings had directed government money be put at the disposal of the Territorial Treasurer before the Treasurer had posted bond. Cummings wrote to Secretary Seward that this charge was as much political as the others. "I never gave a direction or order" to any of the three men who had served as Treasurer. "I never in the slightest degree attempted to control the public funds, and never saw a dollar of the Territorial revenue, much less handled it in any way."[135] After a full investigation of the matter, the Examiner of Claims of the State Department's Bureau of Claims reported that Bradford's charge "appears to be without any foundation in fact. I think the Governor has fully exonerated himself."[136]

It is significant, as Cummings himself carefully pointed out, that although many thousands of dollars had passed through his

[130] *Mis. Doc. no. 81*, House of Representatives, 39th Cong., 2nd sess., Mar. 2, 1867, pp. 9, 15.
[131] Testimony of A. C. Hunt, *ibid.*, p. 10.
[132] *Ibid.*
[133] See letters reprinted in *ibid.*, p. 14, and Cummings to Seward, Mar. 5, 1867, *Territorial Papers*, no. 135.
[134] *Ibid.*, Cummings was later able to submit to Secretary Seward a letter from Hiram P. Bennett, Bradford's predecessor as Delegate, to the effect that twelve cents a pound for freightage to Middle Park was a low one. Bennett would not have undertaken the trip for less than sixteen cents. Cummings to Seward, Apr. 6, 1867, *ibid.*, no. 144.
[135] Cummings to Seward, Mar. 5, 1867, *ibid.*, no. 135.
[136] Report of E. Pershine Smith, Examiner of Claims, Mar. 18, 1867, *ibid.*, no. 142.



hands in the Indian Superintendency, Bradford's charges were the "only items that the bitterest animosity could present for criticism."[137] The charges had been answered, but the "bitterest animosity" could not be so easily disposed of, and it clearly compromised Cummings' usefulness as Governor. No doubt it also destroyed any desire he may have had to link his career with the development of Colorado Territory. He resigned the Governorship in April, 1867, and was replaced by his lieutenant, A. C. Hunt.[138]

Hunt, whose victory over Chilcott in the fall of 1866 Cummings had certified, had been unable to convince the House of Representatives that he was entitled to his seat. The report of the House Committee on Elections revealed irregularities in the vote of both parties and concluded that neither Hunt nor Chilcott had *prima facie* right to membership in Congress.[139] The House, however, voted somewhat ambiguously to seat Chilcott as the "sitting Delegate" from Colorado,[140] and it was assumed that in exchange for his acquiescence Hunt was promised the appointment as Governor.[141]

With the removal of Cummings and the decline of agitation for statehood, Colorado politics entered upon a new and more harmonious era. Samuel H. Elbert believed Hunt to be an "excellent" Governor.[142]

His unhappy career in Colorado ended, Cummings was appointed Collector of Internal Revenue for the Fourth District of Pennsylvania by President Johnson,[143] whom he had served so faithfully. The appointment was a vote of confidence in Cummings' integrity, but the *Rocky Mountain News*, unwilling yet to let bygones be bygones, commented, "If Secretary [of the Treasury Hugh] McCulloch finds a deficiency in the returns of revenue from Pennsylvania, let him look well to the returns of the fourth district."[144]

Cummings must have performed his duties satisfactorily, for in July, 1868, Johnson nominated him for Commissioner of Internal Revenue.[145] Gideon Welles, Secretary of the Navy, discussed the nomination with the President and "expressed a doubt as to his [Cummings'] reliability—particularly where [Simon] Cameron was interested." President Johnson, however, "thought he could depend upon Cummings, even against Cameron," and Secretary Seward called Cummings "a capital man for the place—no better could

[137] Cummings to Seward, Mar. 5, 1867, *ibid.*, no. 135.
[138] Hall, *History*, I, 391-392.
[139] *Report no. 3*, House of Representatives, 40th Cong., 1st sess., Mar. 14, 1867, 2.
[140] *Cong. Globe*, Mar. 20, 1867, 233.
[141] Sanford, "Organization and Development," 509.
[142] Elbert, *Public Men*, 12.
[143] Hall, *History*, I, 391-392.
[144] *Rocky Mountain News*, Apr. 24, 1867.
[145] *Exec. Proceedings*, U. S. Senate, 40th Cong., 2nd sess., July 25, 1868, 363.

be found."[146] But the Senate, which did not take a kindly view of Johnson's recommendations, refused confirmation.[147]

When the new administration came into office on March 4, 1869, Cummings was all but through as a public servant. He may have spent some time during the Grant years studying law, for on the title page of Hickey's *The Constitution*, which he revised and published in 1878, he identified himself as a "Counsellor at Law."[148] The Hickey volume, first published in 1847, was both a collection of public documents useful to students and men in public life, and a political almanac. Cummings brought it up to date to March 4, 1877, the day Rutherford B. Hayes succeeded Grant to the Presidency.

The Hayes administration meant a brief revival of Cummings' public career. In 1879, when he died, Cummings was serving as a Commercial Agent with the United States consular office in Ottawa.[149] The obituary notice in the *Philadelphia Public Ledger* described him as "energetic, ambitious, and restless," and declared that he had merited better fortune than he had received.[150]

And indeed one has the feeling that Alexander Cummings should have amounted to a great deal more than he did. The founder of two great newspapers, he was not associated with either of them during their periods of greatness, and is almost unknown to the proprietors of the one still being published.[151] Put in a position at the beginning of the Civil War where he could signally serve his country, he badly bungled his opportunity and saw his name go under a cloud from which it never really emerged. All the available evidence suggests that as Governor of Colorado he conscientiously tried to further the best interests of the territory. His misfortune was to have clashed with a group of men who believed those interests lay in another direction. Had he joined these men, rather than opposed them, he might well have won not only immediate popularity but lasting fame as a Colorado "Founding Father."

Whatever censure Cummings deserves for his conduct in the War Department under Simon Cameron, it does not seem fair to let his enemies have the last word about his career in Colorado.

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[146] Welles, *Diary*, III, 414-415.

[147] *Exec. Proceedings*, U. S. Senate, 40th Cong., 2nd sess., July 27, 1868, p. 386, and *ibid.*, 3rd sess., Mar. 3, 1869, p. 502.

[148] Hickey's *Constitution of the United States*, new and enlarged edition, revised and brought down to the 4th of March, 1877, by Alexander Cummings, Counsellor at Law (Baltimore, 1878). It is of course possible that he studied law at some previous time.

[149] *Exec. Doc. no. 5*, U. S. Senate, 46th Cong., 2nd sess., Dec. 1, 1879, p. 6.

[150] Cummings died in Ottawa, July 16, 1879, and was interred at Laurel Hill cemetery, Philadelphia. *Philadelphia Public Ledger*, July 18, 1879, typed copy in Library of Colorado Historical Society. The *Rocky Mountain News*, Sept. 18, 1879, erroneously printed the place of death as Montreal.

[151] "We have little on record regarding Alexander Cummings." *Philadelphia Evening and Sunday Bulletin* to the author, June 11, 1956. The *Bulletin's* information seemed to come exclusively from the published works cited in this paper.


MAIN STREET, DEL NORTE, COLORADO, 1875

# About Towns

## DEL NORTE

M. T. Chestnut, Jr., of Berkeley, California, recently sent to *The Colorado Magazine*, a print, "Main Street in Del Norte, Colorado," taken in 1875 by F. C. Warnky, Artist, of Garland, Colorado, which we print above.

Mr. Chestnut wrote: "Charles Newman and Mathew T. Chestnut and William L. Stephens were pioneer merchants at Del Norte. Charles Newman and Mathew T. Chestnut arrived in Del Norte in early 1873 . . . and established the drug store in 1874.

"In 1876, William L. Stephens arrived in Del Norte, and it was then that the firm of Newman, Chestnut and Stephens was founded. This partnership eventually established drug stores at Alamosa, Pueblo, Silverton and Durango, all in Colorado. The partnership became interested in mining and finally sold all the drug stores.

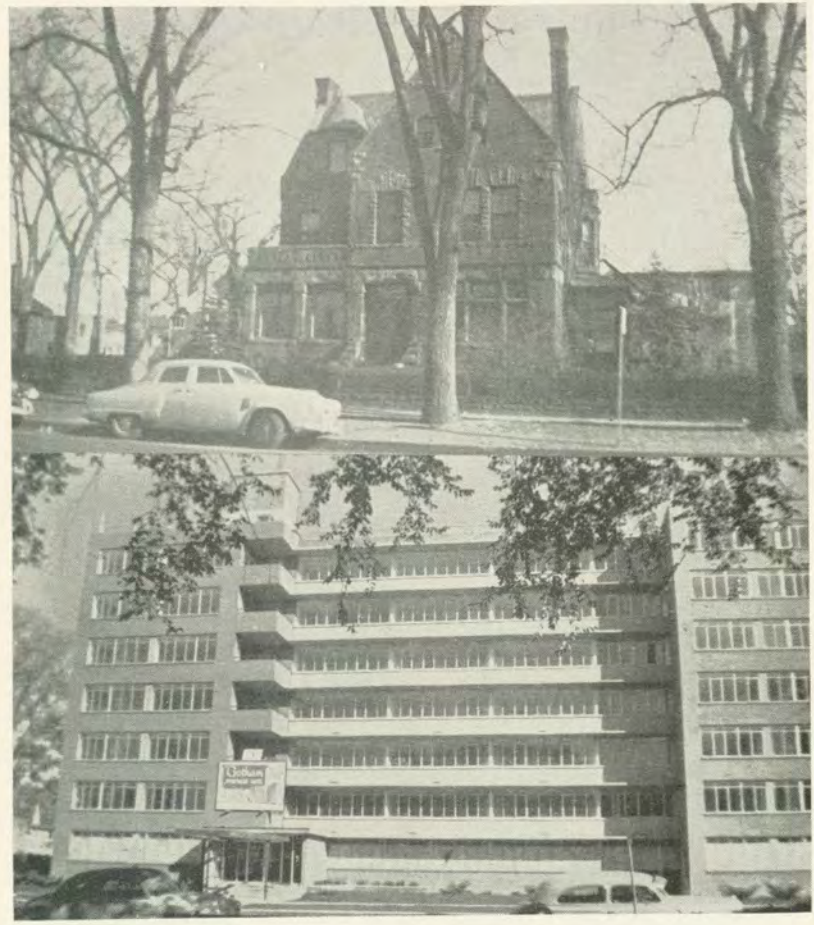
"This company played an important part in the development of mines at Rico, Silverton, Red Mountain and Ironton. Newman Hill at Rico was named for Charles Newman . . . who in later years was elected State Senator from the southwestern part of Colorado. He was a pioneer in developing Durango."


JOE STURTEVANT—M. R. PARSONS

ELBERT, COLORADO ABOUT 1890

The *Elbert County Tribune* was founded by Joel B. King, an experienced printer, on September 21, 1884 and published by him until 1901. King published the *Herald* at La Veta from about 1880 to 1883. He was postmaster at Elbert for three years. The King store and printing office were torn down about 1903. (Information: Carl F. Mathews, Colorado Springs)





CONSTANT CHANGES ARE BEING MADE ON CAPITOL HILL DENVER, COLORADO

Upper: Home of Banker Samuel N. Wood, 1198 Grant St., built about 1905, demolished 1955.

Lower: Gotham Apartment Hotel erected 1956 on site of Wood home.

# Ranching in Rio Blanco County

By J. N. Neal*

My brother, James H., and I were reared on a farm in Missouri, and, being near in age, played together a great deal. No matter what kind of game we started, we almost always ended by playing cattlemen. He was the buyer or dealer, and I was the producer and seller.

By the time I neared maturity, I had tried several businesses, but was suffering from poor health. After several doctors informed me that if I wanted to live long I would have to live out of doors in the West, I induced my father to back my brother and me in the cattle business in Colorado.

We started in Rio Blanco County with the purchase of fifty-two head of heifers and two bulls. Each of us owned a one-third interest in the business, with my father holding one-third.

After about a year and a half on the ranch, my brother concluded that this was too slow for him, so I took over his interest and he got a job soliciting rangemen's shipments for a commission firm.[1]

Well, I stayed with the fifty-two heifers. The first year we close-herded them to insure a good calf crop. The following spring, at calving time, abortion got into the herd, and in a short time we lost more than half of our calves. We did not know what to do about it. The State Veterinarian said that he knew of no prevention except to isolate the aborters, and that eighty percent of the aborters would not repeat. I stayed with it.

The following Fall I had my first roundup experience which I shall never forget. It was customary, when the roundup wagon

* Joseph N. Neal, born in Newtown, Missouri, and educated at Missouri College and Chillicothe Normal and Business Institute, began ranching in Rio Blanco County, Colorado, in 1896. Starting with a small bunch of cows purchased for him by his father, Mr. Neal, through perseverance and hard work, built up one of the largest cattle outfits in northwestern Colorado. He was actively engaged in the ranch and cattle business for thirty years and in the banking and loan business for fifteen years. For ten years he operated a private game park east of Meeker on White River. He has served as International Councilor Lions Club International, president of the Colorado Cattlemen's Association, president of the Canada to Mexico Highway Association, a director of the American National Cattlemen's Association, chairman of the Selective Service Board for sixteen years, and is a member of the Lions Club, the York Rite and Scottish Rite of the Masonic Lodge, and has for many years been a member of the State Historical Society of Colorado.

In 1901, J. N. Neal married Emma Thomas of Pella, Iowa, at Colorado Springs. They have a daughter, Melba Virginia, now Mrs. James E. Blue, Denver; and an adopted son, Hobart Neal of Rifle, Colorado. Mr. Neal retired in 1948 and spends eight months of each year in Mesa, Arizona. During the remaining four months of the year he returns to Meeker, Colorado, where he still owns a home and business block. His article, which we publish here, was written in 1946. —*Editor.*

[1] From that job James H. Neal went to buying and shipping cattle to market; then he operated feed lots. Later he went into the livestock commission business. At his death in the early 1940's, he owned and operated the J. H. Neal Livestock Commission Company, one of the most prosperous livestock commission businesses at the Union Stock Yards, Denver, and a 4,000-acre cattle ranch in the San Luis Valley.

J. N. NEAL ON HIS TOP CUTTING HORSE, JACK
Meeker, Colorado

crossed his particular range, for a rancher to get out and ride the few days the roundup was in his section. By doing that the cowboys would always look after the cattle that strayed off the rancher's territory.

When it came for me to "represent," I found that I had no bed. I didn't even have a tarp. A neighbor, who had a good many cattle and who was already with the wagon,[2] told me I could sleep with him. Of course, I accepted this offer. I then rounded up my string of horses: one work horse, a little buckskin pony and a half-broke bronc, and arrived at the wagon before the "cavy"[3] had come in. I tied my horses to some trees. When the wrangler brought his horses in, I turned my string loose. They didn't even stop. They just went right on through the "cavy" and headed up the gulch for home with the wrangler after them. After chasing them for about a mile and being unable to turn them, he returned with his horse run down. There I was at the roundup with no saddle horses and no bed. The next morning, however, one of the boys staked me to a mount, and I went home and got my horses. The next two nights I hobbled them, and after that they gave me no trouble.

As I have said, I had no bed. Well, when it came time for us to bed down, my neighbor said for me to follow him. I found that he had a one-man Eskimo sleeping bag, lined with Angora goat hide, hair in. By twisting and turning, I finally got down into the bag. It was so narrow that we could not lie on our backs but had to sleep "spoon" fashion, and when one wanted to turn, both had to turn. While in later years, I slept in a bed that was harder for me to make up my mind to get into, I don't think I ever put in a more miserable night. After a couple of days on a roundup, you are so tired that you can sleep any time and any place.

I got along fairly well on the ride. When my horses got pretty well ridden down, some of the boys would stake me to a mount. Almost all of the riders were very good to me, helping me in many ways that I certainly appreciated. There were a few who made fun of my *herd* of cattle and especially of my *string* of saddle horses. I didn't blame them very much, but I determined to stick, and I remarked to my bed fellow that I would some day show those punchers. This I did, for fifteen years later I turned into the roundup "cavy" half as many saddle horses as I had had cattle on my first roundup. From a start of fifty-two head of cattle and a string of three horses I continued until I was the largest individual owner of cattle in our section. I had four of the best strings of saddle horses and two cow hands, as good as any who ever went into the mountains to represent an outfit.

[2] Cattlemen referred to the roundup wagons which hauled chuck and bedrolls as "the wagon."

[3] "Cavy" was the horse herd used on the roundup.



I had mighty hard going, for I had nothing to ship to market until the third year. Six of my young cows proved to be barren, so I decided to market them. They brought me $2.40 per hundred weight and netted me $147.47. The following year I had a car of the nicest steers that I ever shipped which brought $3.85 per hundred. This caused me to remark that if I could ever realize $3.00 per hundred for my cows and heifers and $4.00 for my steers, I would get rich. In those days we could produce beef so much more cheaply than it can be done now. Our investment in land was less than one-fourth the investment in cattle. If you had one-fourth ton of hay per head of cattle, you had ample feed protection.

Several years later, when more cattle came in, the feed protection had to be increased, first to one-half ton per head, then to three-fourths ton per head, and finally a man had to have a full ton per head to feel safe. This, of course, was before oil cake[4] came into existence. When it required a ton of hay to the head of cattle, and occasionally some cake, when the demands for yearling and two-year-old steers predominated, I, being in the steer business, thought it time to quit because I did not want to go through the change, and operate under the Government restrictions that I saw coming.

Our winter rides were usually started after the holidays. After each storm, the cattle would come off the hills into the gulches and onto the roads. The thin ones and weak ones would not go back on the hills, so we rode through the bunches and picked up those, and left the rest. Later we would have general rides over the entire range and continue cutting[5] the thin ones and leaving all we thought would be all right until the next ride, which would be in about three or four weeks. This was kept up until about March 10, and then we would start turning out.[6] Two men usually rode together on the first rides. When riders were overtaken by night, it was customary for them to throw their drive into a vacant field or dry lot, put up their horses, and then go to the ranch house for supper and bed for the night. They were always welcome.

I spoke of another bed. Three old bachelors had a good-sized outfit in our country, and their mother, who was about ninety years old, lived with them. She was sick for several months and finally passed away. They rolled her up in a tarp, put her in the back of a spring wagon, and drove to town where they bought a coffin and buried her. About a month after this, my neighbor and I came down the creek with a drive of cattle. Since it was after dark, we did the usual things. We turned in, watered and fed our horses, and then

[4] A compressed food made from cottonseed oil to supplement the feeding of livestock.

[5] "Cutting" was driving animals out of a herd to take them to the home ranch for feeding or shipping.

[6] Turning out was the term applied to turning the cattle out on the open range.

went over to the house. We were welcomed, of course, ate a big supper of baking powder biscuits, steak and potatoes, and sat around until we got thoroughly thawed out and sleepy. Oh, how sleepy! Then one of the old boys lit a lamp and said he would show us where to sleep. He took us around to a room which had no stove and showed us the bed, remarking that he guessed we could make out all right, but they just hadn't had time to make up the bed "since Ma died." He then went out.

I took a look around and saw that the covers had been turned back in a "V" and the body taken out leaving the impressions where the poor old soul had lain for months. I looked around at my partner. His face was as white as chalk. He said, "What will we do?" I replied that I didn't know what he was going to do, but as for me, I was going to bed. I undressed, turned the pillow over, and crawled in. About an hour later the other fellow followed. We had a pretty good night's sleep.

Speaking of roundups, I will tell you how they were started and conducted in the days when there were no beef pastures nor corrals nor any means of holding the cattle gathered for shipment to market. First, about three of the largest outfits got together, appointed the captain, hired a cook, and sent them to town with the wagon for supplies. The captain would hire the wrangler[7] and the night hawk, arrange for the bed wagon, and set a date and place for the work to start. Reps would gather at the appointed place with their beds and strings of horses. Each man would have about eight horses, his bed, and his war bag—usually a seamless sack with an extra shirt, some socks and some Bull Durham. This was in the days when a cow puncher considered it a disgrace to wear overshoes or washed overalls. The following morning the work would start with from twenty to thirty-five riders. Many of the horses had not had a saddle on for at least six months and were fat and plenty rollicky. It was a common occurrence to see a half dozen horses bucking at the same time, the first three or four mornings. Not a few boys were pitched off.

The beef cut[8] would be thrown together and a day herd started. Two men would take charge of the day herd and graze them all day. At night, the Captain would select two men to take over and night guard for a period of two and one-half hours; then two others took charge. This continued until about eight o'clock in the morning. Then the day herders would assume command. When the herd was large enough for a drive to the railroad, the trail men would cut out an extra horse to pack their beds and horses to carry the cooking outfit and the grub.

[7] Rider who herded the horses.
[8] The "beef cut" comprised the critters separated from the herd to be shipped for beef.



It took a real cow hand to handle the beef drive. He had to figure on water holes and bed grounds and to night guard most of the way. A good trail man could get his herd to the loading point with practically no "shrink"[9] by grazing the cattle along and not traveling more than six or seven miles a day, the approximate distance a steer would graze in a day on the range, including the distance going to and from water.

A tally was always kept of all cattle cut from the roundup, and, when the ride was over, the men who were responsible for the work got together, figured the total cost and the number of cattle cut, and prorated the expense to several outfits. The little men who had small herds were not charged because it was figured that their help was sufficient to take care of their part of the expense. In those days only three- or four-year-old steers were shipped. A great many "Southern"[10] and "Old Mexico" steers were handled, and many of them were pretty wild. That was in the days before dehorning became the fashion, and these old steers had horns as long as your arm.

Once in a great while we would experience a stampede. It is the most thrilling experience a man ever had. I remember one dark, cloudy night when I happened to be on guard. I was riding 'round and 'round a restless bunch of steers and trying to keep them quiet by singing the best that I could under the circumstances. I said "under circumstances," for if there was ever a time when I didn't feel like singing, it was while I was riding around a herd of cattle on a dark, stormy night about midnight. We had succeeded in getting most of the cattle to bed down after they had all gotten up at the midnight hour, as all night herds do, when my partner's horse stumbled. At the same moment there was a keen flash of lightning and a crash of thunder. In an instant the entire herd was on its feet and running. We could not stop the critters, so we headed them all in the same direction and rode back to camp and reported. The next day the leaders were overtaken twenty miles away. This stampede cost us an extra three days' ride and a big "shrink" before we recovered the lost herd.

While most cowboys had a string of eight horses, among the riders who showed up to start the roundup one fall was a tall, gangling hand who turned into a "cavy" twelve head of good-looking, half-locoed horses that had been shipped up from the plains. He informed me that he was "reppin' " for the N Bar. This fellow didn't have much to say, but no matter what happened, he seemed always to be in just the right place around the herd. One morning a hand got

[9] "Shrink" was loss of weight.
[10] "Southern" cattle was the term applied to the cattle brought up to Colorado from Texas or New Mexico.

thrown. The next morning this N Bar man was thrown in just the same way. Nothing was said, but it set me to thinking. The P L man had a very fine horse in his string that he didn't have the nerve to try because this horse was known to be hard to ride. The N Bar man had noticed this horse and offered to swap. Of course, when the deal was made, we could hardly wait until the new owner attempted to ride the bronc. But we waited for several days. One afternoon we had to make a short ride, and this time the hand dropped his rope on the bronc and drug him out of the "cavy," talking to him all the time in a low tone of voice. We saddled and mounted and waited for the circus. When the cowboy finally was saddled, he didn't even untrack[11] the bronc but crawled up on the hurricane deck still talking. The surprised horse stood there looking back at the rider, first from one side and then the other. The puncher said, "Come on, be a good horse and let's go." Then it started. I have never in my life seen a horse buck harder or more viciously for about twenty jumps. The N Bar boy took down his quirt and started to work with both spurs and quirt. If ever a horse got worked over, it was that one. He finally gave up and was one of the best cow horses in the "cavy" before the roundup was over. This was Oren Brown's introduction, and, from that day to this, he has been the idol of every cowboy in the country.

I started in the cow business, but I branched out into handling steers when my herd increased and my credit got stronger. In 1916, when we had a severe winter, I had about 3,500 cattle on feed at a cost of nearly $600.00 a day. About one-third of these cattle were cows and heifers. The cows and heifers were costing me as much as the steers, so I decided I would quit the "she stuff." I arranged for a public auction and sold 1,110 head of cows and a few bulls at auction in just ninety minutes. This auction sale, totaling $75,000, which gave me a nice profit, has never been duplicated in our country.

I had my heaviest shipment and sales in 1918, when I shipped and sold 2,200 head. We were in World War I and the market was good. My neighbor and I loaded a train of steers at Debeque (Mesa County), where we were offered thirteen cents, weighed in Denver. We wired Kansas City and were told they would bring $13.75 per hundred weight down there. Since it only cost ten cents per hundred weight extra freight to the River,[12] we decided to go down. We fed at Pueblo. When we pulled out of Pueblo, the railroad tied on another shipment from Placerville, accompanied by nine shippers who ranged in ages from twenty-one to twenty-five years. We had

[11] "Untrack" was to turn the horse around after saddling up, before mounting.
[12] Early cattlemen always referred to the Missouri River as "the River."



to feed again at Osawatomie, Kansas, and arrived in Kansas City on November 11, Armistice Day.

This was at the height of the "flu" epidemic. The packing house employees were dying like flies. At the Union Station there was a stack of rough boxes, enclosing bodies for shipment, that was four boxes high and a half a block long. The livestock market was dead, and we took eleven cents for our cattle, a clean $30,000 less than we were offered at the loading point! We, however, cleared $50.00 per head for these were cattle we had bought before the rise. Three weeks later, our next shipment brought $12.75. When we loaded out of Pueblo on this later shipment, one of the Placerville boys got on with us. When we asked where his partners were, he replied that they were all dead. The "flu" claimed a heavy toll in that age group. A cowboy can go through an entire thirty-five or forty day roundup, many times sleeping in a wet bed for a week at a time, and not have a cold, but, when the roundup is over and the boys return to their bunk houses, they invariably contract severe colds.

This particular roundup in 1918, lasted forty days, and the boys felt that they were entitled to a little celebration. Colorado was dry. Wyoming was not. So they all chipped in and sent a couple of boys to Baggs, Wyoming, for a little liquor. The boys got back about ten o'clock at night. They all proceeded to celebrate, staying up most of the night. Three days later three of the boys were dead—"flu."

I was strictly in the cattle business. I never raised a colt, but I was always in the market for a likely cow horse, and I schooled my riders to pick a horse. A model horse for a cow pony must measure an equal distance from the poll to the highest point of the withers, then to the coupling, and thence to the end of the tail bone. If he comes up to these measurements, you need look no further for, almost invariably, he has all the other qualifications—an intelligent eye, a good barrel, straight legs and pasterns, and a flat bone and black hoofs.

Roundup paraphernalia changed as well as the manner of handling beef herds. In the early days the wagons used only Dutch ovens. In later days, these were changed to big sheet iron stoves enclosed in a large tent. The cowboys first slept in tarps; later tepees came into vogue. Beef corrals were built and beef pastures were fenced so that each day's cut was either corraled at night or taken to the pasture. This did away with night guarding and made the life of a cowboy easier. Some of them remarked that all they had to do was to "ride around all day and sleep all night."

We always had summer camps well supplied with grub, and occasionally, during the rainy season in summer, we would ride

a few days to brand calves. I remember one day. The T Bar man and I were riding and arrived at his camp about three o'clock in the afternoon for our dinner. This was in the dry farming days, and some one had visited the camp and high graded all the grub except a little flour, some coffee, and a small jacket of syrup. The T Bar man made a big pan of baking powder biscuits while I made the coffee. We sat down to dinner. After each of us had eaten about a half dozen biscuits with syrup, I felt that I was full and pushed back my chair. The T Bar man said he thought he could stand one more biscuit. When he started to pour out some more syrup, here came a little old, slick mouse. You have never seen a puncher move so fast to get out the door! When he came back, I moved up to the table, reached over and got another biscuit, and said I thought I would have a little more syrup. This caused another stampede, and I had to wash all the dishes.

Our second loss in cattle was caused by the grey wolf. This was a loss that continued for several years. The history of the grey wolf in the West is a chronicle of the struggle between the wolf and the livestock industry for supremacy, with the success or failure of the stock business depending upon the outcome. Back as far as 1896, the wolf was making dangerous inroads into the cattle herds, and the *Meeker Herald* of November 26, 1898, carried this item:

> It is time concerted action was being taken in this valley regarding the depredations of mountain lions, grey wolves and coyotes. One of our ranchmen saw a bunch of twelve big wolves in one band last week.

By 1904 their depredations had so increased that their toll was practically one-fourth of the calf crop. Wolves left at least fifteen percent of the herds marked by severed tails and great scars from torn flesh between the hind legs. Few cattle died from having their tails cut off by a wolf or from torn flesh between the hind legs. If a critter suffered an attack and the hide was not torn, but only punctured, death would result from blood poisoning in a few days. If the hide was torn, the poisoned flesh would slough off and the critter would eventually get well. The bad scar resulted in loss to the owner when the animal was finally slaughtered for beef.

The principal attack of a wolf would be made by getting the animal to run. Then the wolf would take a side swipe at him by jumping and grabbing the tail. Due to the wolf's weight and the sudden release or cutting off of the tail, the critter would be thrown. Before it could rise, the wolf would be upon it, make its kill, and immediately start to eat the animal. Wolves, with but few exceptions, killed only for food and seldom returned to finish eating a carcass once their appetites were satisfied. A wolf made a new kill whenever he was hungry. The only time a wolf killed when he was not hungry was when the mother wolf was teaching her young how to obtain food. At that time the losses were greatest to the cowman.



The wolf was a great traveler and made fairly regular trips covering practically the same territory. He would easily make twenty miles in a night and frequently went as far as fifty miles in one night. It was easy to see how hard it was for a single community to combat such a menace.

In the early days of the wolf depredations, most rangemen offered a small bounty for wolves killed on their particular ranges. The bounty was not enough to justify a trapper putting in all of his time trapping wolves. The offer of bounty resulted mainly in trappers and others getting out to hunt for pups before they were old enough to leave their dens. This destruction helped to keep down the increase and was a primary benefit because these dens contained from five to eleven pups.

In about 1904 the cattlemen, especially the smaller breeders who were having such tremendous losses, realized that if they were to survive, something must be done to combat the wolf. Cattle associations were formed, assessments were made, and bounties were posted. When a bounty of $50.00 a scalp was put up, many trappers went into the field. One year we paid a trapper in our district for 140 scalps. As the wolves decreased and became harder to get, the trappers dropped out. The bounty had to be raised until we were paying $125.00 for wolf scalps, regardless of age. This decreased our losses at least fifty per cent. That was not enough. We were faced with the problem of the refusal of some cow outfits to pay any further bounty. They claimed that they ran mostly steers and that losses were not so great in that kind of herd. Then an appeal was made to the United States Biological Survey for help, with the result that regular government trappers were sent into the field and kept continually on the job. In a few years the last wolf was captured and killed on our range.

Many and varied have been the instances relative to the grey wolf that have left an indelible impression on the mind of the veteran cowman. Once on a winter ride, two of us were driving a bunch of cattle down a gulch. We heard a commotion across the hill and saw about fifteen deer coming down the hill pursued by four wolves. The main bunch turned around the side hill out of sight, but one doe came on down the hill and ran across the gulch directly toward our cattle. A big wolf was after her. As he was about to grab her, my companion fired two shots from his old "45" that stopped the wolf. The wolf had not seen us. He sized us up and turned away.

I have heard wolves catch a deer and literally devour the poor animal alive. Its faint bleat could be heard until it was almost consumed. While riding the range, it was a common occurrence to run

into two or three wolves either making a kill or finishing a carcass. Many times we would come upon them before they had made their kill and would succeed in running them off their prey. I have seen the wolves chase a five-year-old steer with horns as long as my arm right down to my corral where the steer made for refuge. They skulked away then, but the animal laid down and never got up again.

I have seen as many as fifteen wolves in one band. I recall making a winter ride with one of my men when we ran into five wolves. Trying to get a better position to shoot, we made a run of about one hundred yards, but when we rolled off our horses to shoot, our eyes were practically frozen shut for it was thirty-two degrees below zero that morning. We didn't get any wolves that time.

From the door of our ranch house we have frequently counted from three to five wolves in the day time, but they were more numerous and made their largest kills at night. Unless a man has heard the blood-curdling howl of a band of wolves at night, he cannot realize the terror that chorus strikes to a cowman's heart, for he well knows the toll his herd will pay before morning. I have had wolves enter my weaning pens and kill five big weaners in a single night. Many nights I have gotten out of bed, dressed, walked down the road, and fired several shots from my rifle in an attempt to drive them away. From my bedroom window on moonlight nights I have taken dozens of shots at wolves, but only one shot ever took effect. That time four big wolves kept trying to entice our Collie away. When one of the braves got within about forty feet of the house, I fired and broke his back. As he started to drag himself away, I stepped into my slippers and ran outside to get a better shot. When this was done, I ran for the house. The snow was about six inches deep, and I lost both slippers. This was no time to stop, for it was twenty degrees below zero. The faster I ran the higher my night shirt went, and when I reached the house, my feet were frosted, and I thought my lungs were frozen. Mrs. Neal got a tub of water and put two or three pails of snow in it and, after keeping my feet in that snow for an hour, the frost was all out. Mrs. Neal then gave me a good rub over the chest with coal oil and lard before I went to bed, and I had no ill effects from the incident. The next morning the boys brought Mr. Wolf in. He tipped the scales at 117 pounds and measured seven feet and two inches from tip to tip.

Many interesting things happen in buying a string of critters. We once contracted for a big bunch of steers through a Denver speculator at Fountain, Colorado. On the date we were to receive them our train was late arriving at Colorado Springs. We had to hire a car to take us from the Springs to Fountain, and we informed the driver that because we were late he was to make all possible speed. He made the sixteen miles in eighteen minutes. That was the



thrill of a lifetime!! We received the cattle, made our ten percent cut, bought the cut at a lower figure, and locked the gate for the night.

We loaded the next day, sending our man with the train, and we took the passenger train out later. When we arrived at Leadville the next morning, there stood our cattle train. The passenger hooked onto it and helped it to the top of Tennessee Pass. The passenger then cut the cattle train loose, and we beat it into Rifle by about two hours.

This was in the days of the Colorado Midland Railroad. The Colorado Midland was a stockman's railroad. It was courteous and obliging. If a stockman had a ten-car shipment, the Midland would run a special stock train. The conductor and brakeman would lay in an extra supply of steaks and would invite us to eat with them. Many times they would let their bunks down and tell us to turn in and they would look after the cattle. They would never make any charge, but we would always leave ample money on the table to pay them for this trouble. It is quite a job to keep all cattle in a car on their feet. When a critter lies down with its head in a corner, it is impossible for it to get up for it gets up from behind first and must have room in front because rising from behind extends the head forward and the walls will push it back down. A strong animal will flounder around in a shed under such circumstances and be able to get up, but a weak one can never rise.

Of the many shipments I have made, I have been in only one wreck. I was accompanying a shipment of steers. At Glenwood Springs the roadmaster got on and invited me to ride up in the cupola[13] with him. All at once the middle of the train began to buckle; some cars tipped one way, and others tipped the opposite way. The roadmaster immediately cut the air, and we stopped very suddenly. Our caboose had broken loose and was standing "cross ways," with the back trucks between the rails and the front end balanced on the edge of the grade, headed for the Grand (Colorado) River thirty-five feet below. This was in the days of World War I when they had several cars of steel. The rails spread, causing the wreck. We got out, walked down the track to the point where the train was disconnected from the wreck, crawled into a box car, and went on into New Castle. Here the conductor reported to the dispatcher and picked up another caboose with a loss of only thirty-five minutes time. A few years later the Midland got into financial straits and went out of business. The directors insisted that their traveling freight agent should get more business. Finally the agent

[13] The cupola was the "lookout" which projected from the roof of the caboose. From it the conductor or brakeman could keep an eye on the train.

became exasperated and exclaimed, "How the heck do you expect a man to get more business for a railroad that starts at a peach orchard (Grand Junction) and runs to a graveyard (Colorado Springs—a health resort)!"

You have heard of people selling their herds of cattle, range delivery. I am guilty of making such a deal, and I consider it the most lax business deal that I ever made. In this instance, the cowman had sold his ranch and was very anxious to return to Arizona. This was in August, and cattle could not be gathered at that time of year. His books showed that he tallied, at turning out time, 631 cattle. No calves had been branded since turning out. I finally made the deal and paid for 631 head. My men tallied up a little over 500 head, but as the value had doubled in the meantime and the cattle had made so much money, I told the boys they need tally no more. I never did know how the number came out.

In the early days, when most cattle wintered out, a lot of stockmen did not keep very close tab on their herds and really did not know how many cattle they had. I once bought a herd of cattle from the owner who had 180 head in but said he ought to have about 360 head. I received and paid for these, and the contract called for me to receive and pay for all cattle with that brand as they were gathered. This deal was made in January, and by April first the boys had gathered and turned over 762 head. The price was $27.50 for everything old enough to wean. On April first I sold all the "she stuff" at $49.00 per head, and two and one-half years later I bought them back, including the increase, at $28.00. Thus, I owned the same herd twice.

All these years in the cattle and ranch business, I was a very busy man, but I took time to serve as president of our Rio Blanco County Stock Grower's Association, as well as serving as president of the Western Slope, and the Colorado Stockgrowers and Feeders Association and director of the American National. While I haven't been directly interested in the livestock business for several years, I still keep up my membership in all the organizations and take great pleasure in attending the meetings where I enjoy seeing my old friends and in making new ones.

# Nathaniel P. Hill Makes Second Visit to Colorado, 1865

(Continued from January issue)

Nathaniel P. Hill, a professor of chemistry at Brown University, Providence, Rhode Island, was employed by Eastern financiers in 1864, to examine mining prospects and properties in Colorado Territory. Mr. Hill first arrived in Denver in mid-June, and during the following four and a half months made trips of inspection to the Gilpin Grant in the San Luis Valley, to the Central Mining region around Central City and up to Twin Lakes in the Leadville area. He returned to Providence in November, just prior to the Sand Creek Battle in Colorado.

Letters describing Mr. Hill's trips were published in the October, 1956, and the January, 1957, issues of *The Colorado Magazine*.

Extremely enthusiastic over his findings on the first trip, Mr. Hill returned to Central City in February, 1865. He was accompanied by a business associate, J. H. Barlow, and was joined in Colorado by Samuel L. Gould, superintendent of the Sterling Gold Mining Company.

Following are the letters published just as written by N. P. Hill to his wife, Alice Hale Hill, on this second Colorado trip dating from February 16 to March 29, 1865.—*Editor.*

New York Feb. 16, 1865.

My dear Wife:

I start tonight for Colorado. The prospects are fair for getting through without danger.[1] We will take the 6 o'clock train for Albany and arrive in Rochester tomorrow morning where I will spend the day. I have nothing special to communicate now. Will write you often on the way. Direct your first letter to Ft. Kearney and your second to Cottonwood Springs and after that regularly twice a week to Central City.

Your aff. Husband N. P. Hill

Rochester Feb. 17, 1865.

Dear Wife—

After a tedious ride, we arrived at this place six or seven hours behind time. It is probable we will stop over night here and start in the morning for Chicago. I have no news to communicate. I will inquire at Atchison and Ft. Kearney for telegraphic dispatches, and also for letters. So that if anything of great importance should happen, you could reach me there. I hope you have mailed a letter for Bell Lacy before this, and also have invited Mrs. Hill and Etta to make the visit proposed. I shall try to give myself no uneasiness about matters at home. Your business experience will enable you to manage without difficulty and make considerable money. Should you accumulate a large amount, you might invest some of it in my name. I feel blue today. I shall feel better when I get my "dander

[1] During the autumn of 1864 the Indian depredations were so numerous in western Nebraska and eastern Colorado that all stagecoach transportation was at a standstill temporarily, mail service eastward from Denver was disrupted, and ranchmen and travelers were murdered by the red men. It was generally believed that after the Sand Creek Battle, Nov. 29, 1864, that an end had been put to the Indian troubles. Such, however, was not the case.

up." I should enjoy taking a seat by that comfortable stove in the nursery for an hour or so. Love to all our folks.

Your aff. Husband. N. P. Hill

Cleveland Sunday Feb. 19, 1865.

My dear Wife—

We have thus far progressed but little on our journey. Nothing could be more unsatisfactory than railroad traveling on the western roads at present. We stopped over night at Rochester and took the first train west yesterday morning. We should have arrived at Chicago early this morning. But we failed to make connection at Buffalo, and consequently had to take a train which goes no farther Saturday nights than this place. We will proceed at 8 o'clock tomorrow morning. When I am away from home on business, a day unemployed seems like a week. I went to church this morning, and have used up every scrap of reading matter I can get my hands on. We are stopping at the Weddle House, a first class Hotel. All creature comforts are well supplied. But these do not fill the place of home comforts, with love, affection, and frolics with the babies thrown in.

I tried to think of the names of those young ladies from this place who were at Buel's school a year or so ago. I thought it was Chipman, but that name does not appear in the Directory. So I am not able to scrape up any acquaintance here. It would have helped me to while away the day if I could have called on these young ladies, who if I remember rightly, were quite pretty and agreeable. As it is, I shall leave this respectable town without any *pangs of regret*. My only traveling companion at present is Mr. Barlow, who accompanied me from Providence. Mr. Hale we saw in New York, but he backed out. Mr. Abbe[2] met me in Rochester and we performed our business very satisfactorily. Mr. Gould, Supt. of the Sterling Gold Mining Co., is to meet us at Atchison. We three will constitute the party, unless we meet others. I have heard nothing yet from the Plains and probably will not until I get to Atchison or St. Joseph. My "spirits is rising" and the attack of blues is subsiding. Health good. No symptoms from the vaccination yet. I do not believe it is going to take. I will write you again at Chicago, if we are detained there an hour or two.

Your aff. Husband N. P. Hill.

St. Joseph. Feb. 22, 1865 8 A.M.

My dear Wife—

We have just arrived after traveling all night from Quincy. I am going immediately down to Atchison. Have no time to write

[2] William Abbe of Boston, accompanied N. P. Hill on his trip eastward from Denver the previous November.



you in full. Will try to write more in detail from Atchison. I learn that the stages are running regularly to Denver. Mr. Gould, the agent for the Sterling Mining Co., whom I was to meet here, has not made his appearance. I shall wait for him at Atchison just one day. If he improved the time, he should have been here one day before me. In haste.

Your aff. Husband N. P. Hill.

My dear Wife. Atchison Feb. 24, 1865.

I have been writing a few letters today before setting out on the long and dreary journey which lies before me. I have written to Prof. Caswell, Mr. Byram, Bell and Mr. Merrill.

Tomorrow Mr. Barlow and I are to take our seats in the coach for such a ride as but few people would be willing to undertake. The stages are not running through, but only 350 miles. At Cottonwood Springs, we take our chances. We may find a freight train.[3] We may meet a body of troops[4] going out. And it is possible that the stages may go farther by the time we reach that point. The weather here is cold and chilly but not severe. We take along a large amount of clothing, and a pretty good stock of provisions. There will be a party of seven in the coach, and as Mr. Lane[5] is along, a government employee, having charge of the mint at Denver, and traveling on government business, he will be able to secure an escort where we could not. I think but little of the danger but much of the hardship. I will endeavor to drop you a line from Ft. Kearney and Cottonwood. I would like to see how you and your precious household are succeeding. I shall not receive any communication from you until I reach Central City. I have no doubt you write, but I keep ahead of your letters.

From the time you receive this, write to Central City. The mails will be carried through occasionally if not regularly. Write twice a week at least. I shall feel more like writing and have more to say when I get over the Plains. Until then I am directing all my time and energies to making preparation. Give my love to your father and mother and all the family. Tell Hattie her present is highly appreciated now. The wristbands will be very useful. Answer all letters sent to me promptly, and write to Bell or Mother often. If I should ever send you a dispatch inform them immediately.

[3] *The Daily Rocky Mountain News* (Denver), March 1, 1865, carried this item: "Over a hundred and fifty wagons, with freight for parties here and in the mountains, arrived here within a day or two."

[4] Said the *Daily Rocky Mountain News*, Feb. 24, 1865: "The following despatch was received from Capt. J. Bright Smith's Company, yesterday. 'Valley Station, Feb. 23d. Messrs. Byers & Dailey—Train all right thus far. Troops anxious for a brush with the 'friendlies.' Will send further news from Julesburg. Orderly."

[5] "We are pleased to see Hon. George W. Lane, Supt. of our Branch Mint, once more among us. He has done good service for the interests of Colorado, while in the East, verbally and through the papers."—*Daily Rocky Mountain News*, March 10, 1865

I think of you and the children every hour, and pray constantly for your welfare. I shall not dare, when I am spending the long miserable nights in the coach, or sleeping on the ground, to think of my comfortable home. It would unfit me for the duties of the hour. I would form a resolution not to take this journey again, if I did not know that if I returned safely, I would break it. Give many kisses to the children for their Papa.

Your aff. Husband N. P. Hill

My dear Wife— Marysville Kansas Feb. 27, 1865.

I have just time as we are passing this village to write a line. We are having thus far a very tedious time and are accomplishing but little. Marysville is twelve miles from the direct road. We came down here to get across the Big Blue river. The river is so high as not to be fordable at Oketo, the station on the main road. Oketo is, as you will see by referring to the table of distances which I sent to Prof. Caswell, 94 miles from Atchison. It is now evening of the 3rd day of our journey, and we should on regular time, have been here the evening of the first day. We have slept one night on the stage, one night on the floor of a cabin. Tonight we expect to use the stage as a coach. I shall the first opportunity give a full account of our journey. Our experience has been exceedingly unpleasant. Snow storms and unfordable streams all the time. But I have had time enough to study my fellow passengers. If Dickens had the same chance, he could make out of it an interesting chapter for a novel. I will try to mail a full letter at Ft. Kearney if not before. We hope to be there in two or three days if not before. I am perfectly well, gaining flesh all the time. There have been no Indians this side of Kearney for a long time, none since last summer. We do not feel any solicitude until we are past Kearney. Tomorrow, we will, if nothing happens, be on the Little Blue River where Geo. Randolph was attacked. But since that time all the troubles have been farther west. Mr. Barlow stands the journey well so far. Love to all.

Your aff. Husband. N. P. Hill.

My dear Wife— Big Sandy. Feb. 28, 1865.[6]

We have just met a party from the West. They came through from Denver in about ten days. They report the road ahead of us all safe and good. We hope for better luck in future. We have been exceedingly unfortunate thus far, and have had a hard time of it. We should be now beyond Julesburgh [sic], but instead of that, we are only about 140 miles on our journey. I wrote you from

[6] On the day that N. P. Hill wrote this letter, Governor John Evans' telegram to Samuel H. Elbert, which was sent from Chicago, Feb. 27, was printed in the *Daily Rocky Mountain News* as follows: "Gen. Pope is sending troops forward rapidly. This route will be all right."



Marysville yesterday. You may get this before you do my letter of yesterday. I am very well. Mr. Barlow also stands it well. I write you in great haste. We expect now to proceed more rapidly and trust that in a week we will be in Denver.

Your afft. Husband N. P. Hill.

My dear Wife: Ft. Kearney March 3, 1865.

We leave here in a few minutes, continuing on our journey west. We have been six days on the road from Atchison, just one day more than the regular time to Denver, and we are only about one-third of the way. We expected to get here in two days, and that whatever delays occurred would be above here. The journey has been very severe. Heavy snow storms and extremely cold weather. We hope for better luck on the next 200 miles. From Julesburgh [sic] to Denver, the coaches do not run. We will have to take our chances on a train. This will be safe as far as Indians are concerned, but very tedious and cold. Trains do not move with less than one hundred men.

You must excuse the meagerness of my letters. We have to devote all our time to keep comfortable. My love to all.

In haste from Your afft. Husband N. P. Hill

My dear Wife: Ft. Kearney March 3, 1865.

I inclosed and mailed a letter for you hastily this morning, with the understanding that the coach would start in a few minutes. Soon after, it was decided that we should wait until afternoon, and I will improve the occasion by giving you a few incidents which occur by the way, and some account of the fellow passengers. Mr. Barlow and I occupy the front seat in the coach with our backs to the horses. On the middle seat are two Germans, one a smart experienced man who is doing business in Denver, the other green as grass. On the back seat is an official of some prominence in Denver. His son, a boy of about sixteen, and a big fat German boy are on the back seat with the official. The fat boy whose name is Jake is exceedingly cross-eyed. He seems to live by eating. His appetite is unparallelled. The first meal we took on the road he ate five fried eggs and ham, potatoes, bread and coffee in proportion and yet was hungry in about two hours afterwards. He was raised in Cincinnati, and his conversation all pertains to that city. This information is nearly all derived from the theatre. I have amused myself many hours studying his physiognomy. The high officer and the offspring look as much alike as a large and small clam, only the little clam is an improvement on the big clam. Both are small for their age; both have grey eyes and light hair and short upper lips, and display at all times, full sets of teeth, which in both

cases are equally innocent of the brush. The big clam is Mr. Wackford Squeers of Dotheboys Hall, who boarded youths, clothed, booked them and furnished them with pocket money, and instructed them in all languages living and dead, &c. Our companion is an improvement on Wackford, for he has not kept Dotheboys Hall, and Wackford never could have attained to the distinction in his particular line without the experience of Dotheboys Hall. He remarks several times a day that he "likes one meal a day on the plains and eat hearty." You will understand the reason for this when you learn that meals out here cost $2.00. As all these questions are determined by vote of the passengers, particularly where and when meals shall be taken, we have had occasion to vote Mr. Squeers down several times. When a meal is decided upon, says Mr. Squeers to the boy "Now Jimmy be quick, get ready to start with the first." Jimmy does his utmost at the table as much to please his paternal ancestor, as to gratify his own appetite. After the meal, Old Squeers says to the boy, "Jimmy have you eat all you could?" Jimmy looks over the table and says, "Guess so, father."

"Then put some in your pocket, the landlady won't care. Landlady, have you any objection to my little boy putting a little lunch in his pocket?" Then Squeers goes out to settle his bill, (the time when he forgot to settle excepted.) "Landlord, how much is to pay? I pay for myself and my little boy."

"Four dollars," says the Landlord.

"Oh, I never have to pay but half-price for Jimmy. Jimmy, how old are you?"

"Eleven years," says Jimmy.

Mr. Squeers gets off for three dollars. We take seats in the coach. Mr. Squeers remarks to Jimmy privately, "Jimmy, next time you get a seat next to me. When you are travelling always get in to the table first, run your eye over it and you can soon tell where is the best seat. I always manage to get near the dishes I like best."

Mr. Squeers then takes out his little flask, a very small flask, takes a drink, as large as the little flask can afford, puts it back in the satchel. "Oh, I forgot to ask, would any of you gentlemen like a drink?"

Upon this, our German friend produces a large bottle and passes it around. After Jake takes a drink, Mr. Squeers says, "Jake, let me taste yours." I do not know how much constitutes a taste, but I observe that the bottle always remains inverted for some time. Of all places in the world, you know there is no place like the stage coach to bring out character. In our coach there is decided character to bring out. I could fill a little volume with quotations like the



above, which would tend in an equal degree to reveal the character of our Mr. Squeers. Mr. Barlow says about a dozen times a day, "I perfectly hate that man."

You are now acquainted with the companionship of our coach. How much it must relieve the tedium and hardship of our journey. If I have time to write at Julesburgh [sic], I will describe the fare and accommodation with which we are favored on the road. You may be able to form some appreciation of the pleasures of a winter journey across the plains at a time when the Indians have nearly destroyed all the improvements and conveniences for travelers.

Your loving Husband N. P. Hill

Dear Wife: Alkali Lake March 5, 1865

Since I last wrote at Ft. Kearney, we have proceeded 150 miles without any trouble, and with only one slight scare. We travelled all night Friday. About one o'clock when midway between stations, the passengers were all sleeping (or dozing), the driver stopped and asked the passengers if their pistols were all ready. Upon looking out, we saw directly before us a large fire, apparently about five miles away. The driver said it must be Willow Island Station, and probably a fight was going on. He waited a moment and then said, "We will go and see what it is anyway." On reaching the station, we found that the fire was in an old cottonwood tree, about a mile from the station. We are waiting for breakfast, and will start immediately after for Julesburg, where we should arrive before dark. We have thus far slept every night except Friday, on the floor in the dirty ranches along the road. I have not had an occasion to undress since we left Atchison. It will be a great luxury to get on clean clothes once more, and we shall consider ourselves fortunate if we can enjoy this luxury in seven days from the present time.

I have not written to Bell or Mother for several days. You must write them immediately. I am perfectly well, but exceedingly uncomfortable. If I am ever found on the Plains again in Winter, when the road is obstructed, it will be when there is a fortune to be made by it. Mr. Gould from Boston, who was to go in company with me, left Atchison one day after us, but a slight circumstance is now one day before us. When we arrived at the Big Blue, we found the bridge carried away and the river not fordable. The agent at Oketo Station told us that the coach to meet us on the other side would not be down till the next day, and advised us to go around by Marysville, and cross in our coach on the bridge. We got caught out and were all night getting back to the road. In the meantime the coach behind us in which was Gould came up, the stage from the West in the meantime having arrived at the river. When we

got back to the main road, they had passed about an hour before. They took the horses which we should have had, and we had to fall back about a day. The coach is just starting. Good bye. Much love to all at Bowen St. Devote yourself to the children and keep them well. Your aff. Husband N. P. Hill. P. S. Julesburgh [sic] March 6th. I did not mail my letter at Alkali for want of time. We arrived here last evening and find a number of people I know on their way East. I sent this by Tom Almy, who will get it to you in advance of the mail. All well. In haste N. P. H.

Dear Wife. Denver. March 9, 1865.

We reached here safely this afternoon[7] after one of the hardest trips any one ever had over the Plains. Excuse me for not writing more now, for I have much to do, and I am going almost immediately to Central City. Kiss the babies for their Papa.

Your aff. Husband N. P. Hill.

My dear Wife. Central City. March 10th, 1865.

I reached Denver yesterday afternoon, and today added a little coach ride of forty miles to my interesting experience of thirteen days in that line. It is astonishing to us all how we could escape being sick from so much exposure, miserable diet and severe weather. I will give you a brief description of the journey on the Plains, which with the aid of the table sent to Prof. Caswell, you will better comprehend. We left Atchison on Saturday Feb 2 and owing to the bad state of the roads did not arrive at Kinnekuk until 4 P.M. The weather was so severe that the driver would not consent to go on. We staid at the station and had our first night's experience in sleeping on the floor in a very open and cold room. They could furnish us no bedding nor covering. In the morning I was sore in every bone, but this I wore off during the next day. We also had at this station a foretaste of what we were to have all the way through in way of meals—too poor to be described. All day Sunday we had bad roads, much snow drifting badly and very cold. We reached Guittard's late at night, tired, hungry and thoroughly chilled. We built a fire, but could not at best, get warm on both sides at the same time. The room was so small that most of us did not retire, but made ourselves as comfortable as we could by sitting by the stove. Monday morning we started early and reached Oketo about 11 A.M. Here the road crosses the Big Blue and as the ferry, or flat boat had been sunk, we could not cross. The driver consented to take us 15 miles down the river to Marysville where we could

[7] On March 10, 1865, the following item appeared in the *Daily Rocky Mountain News:* "From the east yesterday. Hon. Geo. W. Lane and son, Prof. N. P. Hill, Mineralogist from Providence, R. I., S. Hartzell, from Davenport, Iowa, J. H. Barlow, Millbury, Mass., J. Deitsch, Jr., Cincinnati, H. Kline, and H. Hymans."



cross by the bridge. We got back to the main road at Rock Creek, about midnight having gone thirty miles out of the way. The accommodations here were indescribably poor. As the house was reputed full of *greybacks*, we slept in the coach sitting up as straight as beanpoles. Tuesday night we stayed at the Big Sandy station and slept on the floor by a large wood fire in an open fireplace. Had our bed been softer, we would have rested well, for the room was comfortable. But we could only spare one blanket for a bed. All the others were needed for covering. Wednesday was a very severe day. The thermometer must have indicated a temperature below zero. The wind was high. In some places it seemed almost to lift the coach, and after 3 o'clock it snowed furiously. We reached Lone Tree, and put up for the night. The house was so cold and open that it would have been impossible to warm it with a good fire, but in fact, we had only a few chips for fuel. The best we could do was to keep on our feet and move around to keep the blood in circulation. It was a long night. During our Wednesday travel, we passed the part of the road on which the Indians committed their worst depredations last summer. At Thomsons we reached the Little Blue and followed the line of the river to a few miles above Lone Tree. This river presents many favorable points for Indian attack. There are numerous bluffs and ravines, and in places timber and underbrush. The coach that Geo. Randolph was in, was attacked between Kiowa and Little Blue. The place was well selected, but the attack was made one minute too soon. The coach, when the first bullet was shot, was just on the crown of the hill. The driver immediately turned and keeping on the bluff, the passengers were all able to fight the Indians and keep them at bay. If the coach had descended the hill, not one of the passengers would have escaped. There was a ranch in the ravine in which three or four persons were killed, and a train containing ten men and sixty thousand dollars worth of goods was destroyed and most of the men killed. The sad evidence of the destructive waste of the savages is to be found in the many fresh graves along the whole line of the Blue. Thursday, the weather was clear and milder. We reached Ft. Kearney at 4 P.M. We did not leave the fort until 2 P.M. Friday.

We had to take in another passenger, in addition to the highly interesting company we had before. The account I gave you of this company, proved on further acquaintance not to be overdrawn; but the reverse. To cap the climax of all the little acts showing meanness in the official, after the liquor supply of the German was exhausted, he kept his own little flask of brandy in his inside coat pocket. Occasionally he would get his head down and draw up his blanket as if he was going to sleep. It was easy to detect his movement. Out would come the little flask, down would go the brandy, up would

come the General's head. The new passenger was a low, drunken profane brute. He never uttered a word without an oath, or some foul vulgarity. He sat facing me day after day in the coach, but I never addressed a word to him nor he to me. Friday night we travelled all night. There was no snow and the roads were fine. By Saturday morning at daylight, we were at Cottonwood Springs. During the night we had an Indian scare which made sleep a scarce article for the rest of the night. At one o'clock, the coach stopped, and we were asked by the driver if we had our arms all ready. He told us that there was a great fire ahead and that it was the burning of Willow Island Station. He had no doubt it was fired by the Indians and that a fight was probably going on. It proved to be the burning of a cottonwood tree. When the question was put by the driver whether we should go on or turn back, we were about equally divided, but the driver determined to see what it was. By Saturday night we were at Alkali Lake. There we enjoyed the company, in a small cabin, of about 40 drunken Kansas soldiers. The Kansas soldiers are noted thieves and whenever we met them, we were compelled to keep guard of the coach. In this we took turns. Sunday March 5th we went to Julesburg. The town had been burnt.[8] There were no accommodations here whatever, except what we could find in the fort [Sedgwick], which was crowded by soldiers. Here we had to remain until Tuesday morning. I never before passed 36 hours which appeared so long.

Tuesday we were obliged to travel all day without change of horses. We reached Valley Station in the evening. The day was severely cold. At noon we camped by the side of the river to feed the horses and ourselves. There was no wood within a hundred miles except what they had at the military posts. A layer of ice would form on the water, the moment a cup of it was taken from the river. Our bread and canned fruit were frozen hard. It was a cold dinner we eat that day. At Valley Station, by paying a high price, we were allowed to have fire until 10 o'clock. The nearest place at which wood can be obtained at this point is Cottonwood Springs, and there it is scarce. They were charging travellers at Valley Station a few days before, 5 cents pr. pound for firewood. Wednesday night we reached Bijou. Here we were informed that we would have to lie over again, but the place was so destitute of all comfort and so crowded with a drunken rabble of soldiers, that we bribed the driver by paying him $15 to go on. The road we took from Bijou to Denver is not the one indicated on the table. This road follows the river

[8] On Feb. 2, 1865, the Indians burned Julesburg station. According to Mrs. C. F. Parker in "Old Julesburg and Fort Sedgwick," *The Colorado Magazine*, Vol. 7, No. 4 (July, 1930), 146: "All night, February 2, 1865, the Indians danced about the big fire they had made by cutting down ten miles of telegraph poles. All night they carried away corn, flour, whiskey, and all kinds of supplies which were stored at the station. . . . The sun rose on the smoking ashes of the little town of Old Julesburg."



but we took a shorter road called the cut-off. Wednesday night was the coldest we experienced on the road. The temperature in Denver was 20 below zero. We got into Denver Thursday afternoon. A more grateful set of men then we, you never saw. The next day, Friday, we came to Central. Both of the agents for the mining companies who were to come with me, are here and everything looks well for the future.

I am established at my old headquarters, James E. Lyons,[9] and everything around me is as pleasant as possible. If Mr. Gould and Barlow get their operations started as promptly as now seems probable, I will be ready to return in about three weeks. I am much more anxious to get back even than I was last summer. I miss you and the children more than I ever did before. Our journey across

BLACK HAWK, COLORADO TERRITORY

the plain was so hard and tedious that it makes the distance between us seem greater than ever before. Give my love to all at your father's. Also to the Hills and Pratts when you write. He will be interested to know of my safety. I have not seen Randolph nor the Brastows yet. Will tomorrow. Your aff. Husband

N. P. Hill

March 12th. I intended to send this letter by Mr. Farnum, who started for the East today, but I failed to see him. I am obliged to mail it and it may be a long time on the road. All well and prosperous.

[9] "Evidently the first fairly successful smelter was a plant erected at Black Hawk in 1865-6 known as the Rocky Mountain Smelter and operated by James Lyons and Co. George W. Pullman of palace car fame was also interested. It was located near the Dory Hill toll gate and for years their only stack was on a high point to the east."—C. H. Hanington, "Smelting in Colorado," *The Colorado Magazine*, Vol. 23, No. 2 (March, 1946), 80.

Central City March 19th, 1865.

My dear Wife:

I had the pleasure of receiving your letter No 3 of Feb. 26th, yesterday. It is the first communication I have had from you since I left home. The letters you mailed to Atchison and Ft. Kearney did not reach those places until after I had passed them. I will get them on my return. As the mails seem now to be arriving with some pretensions to regularity, I shall expect to get two letters a week from you until I set my face homeward again.

Between the visits of Lissie Sloan, Mrs. Pratt, and Mrs. Hill and Etta, you will have enough to occupy your attention. I should much prefer to have a visit from all of them when I am at home. As to Mr. Peckham and his policy, I should feel like telling him to go to the—jacknife and all. I may decide to take the policy when I return. There is no use in taking it before, as it does not cover the risk which I take in travelling or living this side of Julesburg. I have been very busy since I reached this place. Mr. Gould, the agent of the Sterling Gold Mining Co. and Mr. Barlow the agt. of the Hill Co. take most of my time. Both of these agents are actively at work and I feel more confident than I have heretofore that we shall realize splendid results. I have no doubt whatever that the Sterling Co. under good management will pay the first year 25 or 30 pr. ct. It is in fine paying condition. I am by no means certain of Mr. Gould's success. The mistake of taking a man out of a school room, and putting him in such a responsible place is very apparent. He is past the age when men most easily learn and adapt themselves to a state of things so utterly new. He will make a great effort and I hope will make no serious mistake. He had struck out on a long scale, but under my advice has discharged most of his men and is devoting most of his time to a study of the operations of mining. The mill will soon be completed and he can easily supply it with ores. Mr. Barlow, I am satisfied, will be the right man for us. He has the exact qualifications needed. There is a little rivalry between him and Gould. He remarked this morning that if Gould was not smart, he would make the first returns. These business matters are uninteresting to you, I presume, but they are all I have on the brain at present. What I say on business is private, you know. It is particularly important that it should be so regarded because the judgment I form is on a slender basis. It may be six months from now Mr. Gould will prove the better man. Both companies are on a solid basis, and they must be successful if I have to devote my whole time to them. I have spent two evenings at Geo. Randolph's very pleasantly. He has a very good position I should think, and his wife seems happy and contented. Through him I have had the reading of the *Prov.* [idence] *Journal* of Feb. 27 and March 2, which afforded me much satisfaction. For the past two or three days, the weather has been pleasant and springlike, the terrible winds which swept over the hills and down the valleys having subsided. I am disposing of my business with all possible dispatch, preparatory to a trip home. I will be able to leave I think by the 29th.



Do not write to me after the receipt of this. I have little to do after Mr. Barlow and I decide certain points. I expect a much easier journey across the Plains than the last. Moreover it will be homeward. Everything indicates that this summer will be one of much activity in this territory and that much successful mining will be done. My fortune depends upon the fulfillment of these promises.

I am impatient to see you and the children again. You must have Crawford's delicate little frame better covered with flesh than when I left. If Bell holds her own I will be satisfied. Kiss them both for their Papa.

Your affectionate Husband
N. P. Hill

Central City March 22, 1865

My dear Wife:

Your letter mailed the 6th inst. has just been received. I was sorry to hear that you were uneasy about me. I have not kept a memorandum of the letters sent, but I know I have written as often as circumstances would admit. When travelling from home, a difference of two days in the time of mailing letters makes a difference of 5 or 6 in the time of receiving them. I mailed many letters for you on the road between Atchison and Denver, and have thought of you constantly, and been on the point of telegraphing several times. I feel quite confident that you are at ease now, for I sent a dispatch to Prov. a few days ago and requested that you be informed of the fact. I am hard at work. Between Mr. Gould and Mr. Barlow and my engagements to furnish several parties who have applied to me for mining properties, with good valuable claims which can be worked with profit, use up my time completely. I am very much indebted for your kindness in sending me the Circular of the Gull Creek Grand Consolidated Oil Co[10] and in commending it to my careful perusal. I have formed only two companies, and I am willing to live or die with them. I feel much better satisfied with the properties I have placed in the hands of my eastern friends than I did before this visit. Everything looks exceedingly promising for the future. Two different sets of men in Rochester want me to supply them with mining properties. A man in Albany also applies for the same favor. He says he will sell a property if I can recommend it. So you see my fame is extending in this direc-

[10] At this time there was much excitement over oil in the East. Said the *Miners' Register* (Central City, Colo.), March 15, 1865: "We learn of some activity in the mining market east, notwithstanding the widely prevailing oil mania, which had seemed to engross the attention of all classes of speculators."

tion. In all these cases, the information they have of me is derived from reports of Coloradians. I believe I have earned the reputation here, of being more particular in the selection of property and in basing my judgment of the value of property more exclusively on what I can see for myself, than any man who ever came here for the purpose of buying property. I am now negotiating for some mining claims with some men, who for the purpose of satisfying me of the value of their claims, are going to the expense of at least $1,000, to clean out old shafts &c. If I do not within a year, see the stock of both the Sterling and Hill cos. sell at an advance of one hundred pr. ct. I make a greater mistake than I have ever made yet.

I still hope to get away next week as when I last wrote. I may be detained a few days. No Indians are on the Plains and the stages run with considerable regularity. I shall have to stop for a day or two at Rochester and a day or two at Albany. Will telegraph you when I reach the railroad. Give my love to all at Bowen St. I am constantly interrupted with callers on business. Have no time to myself. Excuse my poor letter. Nothing occurs to interest you. Principal occupation going up and down ladders. Safe enough business but hard. Take the best of care of the children. The time will be short when I shall see you again.

Your loving Husband N. P. Hill

My dear Wife: Central City March 27, 1865.

I am too busy to write anything except that I am going home to see you. Could I write anything which interests you more? I leave here next Friday morning having engaged a seat in the coach for Atchison which leaves next Saturday. You will not hear from me again, unless it be my telegraph until the happy day when I see you and the precious babies at home.

Yours affectionately N. P. Hill

(Letters written on a Third Visit to Colorado, and during a trip to London, Swansea and Paris will be published in the July issue of *The Colorado Magazine.*)

In Mr. Hill's letter written from Denver on August 8, 1864, which was published in *The Colorado Magazine*, Vol. 34, No. 1 (January, 1957), 29-34, he referred to a visit to the cabin of a "Mr. Blake" near Sugar Loaf in the mountainous region beyond Boulder.

Upon reading the letter, Mr. A. A. Paddock, publisher of the *Boulder Daily Camera*, immediately recognized the "Mr. Blake" as Henry Blake, whose son, Mark, married Bertha Butsch, daughter of Mr. and Mrs. Valentine Butsch, early settlers in Boulder. Mrs. Blake was a sister of the late Mrs. L. C. Paddock, Lillian Kirk, Emma Dickson and Charles A. Butsch.

According to Mr. Paddock, Mr. Blake named one of his mines the Nathaniel Hill, and the Bald Mountain District which Mr. Blake helped to organize was the ninth in the Boulder County area. Henry Blake kept a diary from which exceedingly interesting extracts have been published by the *Boulder Daily Camera.—Editor.*

# Relations Between the Colorado Central Railroad and the Union Pacific

By Ralph N. Traxler, Jr.*

> Of Denver's six railroad lines not least in importance is the Colorado Central . . . and in some high respects it is the most noted and best known of all Denver roads. It was the first to penetrate the vastness of the mountains, and its sinuous trail in and through Clear Creek Canyon has made it famous on two Continents.[1]

After the federal government survey of 1853 to determine the most practical and economical location for a railroad between the Mississippi River and the Pacific Ocean, Jefferson Davis, Secretary of War, recommended construction along the 32nd parallel.[2] The southernmost route passed through Texas and across the territories of Arizona and New Mexico. The land was level and the pass through the Continental Divide was one of the lowest on the American continent. The increasing sectional bitterness leading up to the Civil War, however, prevented Congress from reaching a decision to begin construction. Soon after the war started Congress authorized funds for the first Pacific Railroad. This legislation approved construction of a track from Council Bluffs, Iowa, to San Francisco, California. The Union Pacific was chartered to build westward to meet the Central Pacific which was to build east from San Francisco. The two companies were to share a total of 45,000,000 acres of land and a loan of $60,000,000 in federal bonds.[3] Although the outbreak of the Civil War had ended the importance of sectional rivalries and had enabled Congress to select a route for construction, building was not started until the end of hostilities. Within a year after the war, track was begun simultaneously from both west and east. This immediately brought to the attention of the construction engineers the question of the location of the railroad across the Continental Divide.

In 1866, the route through Denver and across the mountains west of that city was the most attractive right-of-way for a new railroad. Crossing the Divide had become the problem of the Union Pacific since the meeting point of the two roads was tentatively set

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[1] O. L. Baskin (ed.), *History of the Arkansas Valley, Colorado* (Chicago, 1881), 187.

[2] U. S. Congress, Senate, *Report of the Secretary of War on the Several Railroad Explorations,* Senate Executive Document 78, I, 33rd Cong., 2d Sess. (Washington: Beverly Tucker, 1855), 23-29.

[3] H. S. Commager (ed.), *Documents of American History* (New York, 1946), 411-12.

in the area of Salt Lake City. The rich mining and agricultural communities that were developing in the Denver vicinity made the Colorado area of interest to a railroad that was bound to find a great sparsity of revenue traffic in the lightly settled regions west of Council Bluffs. During 1866, many business people in the Denver region began to expand their holdings in preparation for the entrance of the Union Pacific into Colorado.

The leader of the project to assure the Union Pacific using a Colorado crossing was W. A. H. Loveland of Golden. Loveland was a prosperous merchant with considerable investments in stores and warehouses. He was one of the prime suppliers of tools and other necessities to mining interests in the Clear Creek region. In 1865, Loveland contacted John A. Dix, president of the Union Pacific, to explore in detail the possibility of the Union Pacific using a route through Denver.[4] Dix was so encouraging that Loveland requested and received from the territorial legislature of Colorado a charter for a railroad to run west from Denver through Golden, into the mining towns of Clear Creek and across the Continental Divide at Berthoud Pass. The route was to proceed west to Salt Lake City.[5] The company was named the Colorado and Clear Creek with the name to be changed to the Union Pacific, Mountain Division when the Union Pacific officials accepted the Colorado route. With a charter to show good faith, promise of local cooperation, and an excellent revenue potential for a railroad, Colorado felt confident that the Union Pacific would select Denver as the location for crossing the mountains.

Dix had shown enthusiasm for a Colorado crossing, but his chief construction engineer, General Grenville M. Dodge, advised against trying to build across the mountains since the lowest practical Colorado point was Berthoud Pass at 11,314 feet. Dodge favored building the line north of Denver through Cheyenne, thence over Sherman Hill (8,236 feet), and on westward to cross the Continental Divide (near present-day Creston) by way of an open prairie of comparatively low elevation of about 7,000 feet, instead of a mountain range. Since the Pacific railroad was required to build a standard gauge track 4 feet, 8½ inches, construction through areas like Berthoud Pass would be extremely difficult, where a gauge of more than three feet would be impractical. Dodge, who had served during the Civil War as Chief of the Railroad Army Engineers, agreed to make a detailed survey of the Colorado right-of-way before giving a final recommendation. A survey team was dispatched to examine the Colorado route in the summer of 1866. This team

[4] J. C. Smiley, *Semi-Centennial History of the State of Colorado* (2 vols., Chicago, 1913), I, 504.

[5] *General Laws Passed at the Fourth Session of the Legislative Assembly of the Territory of Colorado* (Denver, 1865), 116.



reported that the Colorado location was completely impractical without a tunnel through the Berthoud area.[6] Even then the railroad would have to make a tortuous climb up the Clear Creek crossing through the tunnel at an elevation two thousand feet higher than a line through Wyoming. When the Union Pacific announced in November, 1866, its intention to use the Wyoming right-of-way, it looked as though progress and opportunity had by-passed central Colorado.

Immediately Denver began to make plans to build a line to Cheyenne (chartered as the Denver Pacific), and construction was already being planned for a railway from St. Louis to Denver (the Kansas Pacific). Even with these projects, Dix still evidenced an interest in Loveland's Clear Creek railway. In January, 1867, the Union Pacific Board of Directors agreed to help the Colorado and Clear Creek build a line from Cheyenne south to Denver, then west to Golden and the mining towns of Central City, Georgetown, and Black Hawk.[7] The Union Pacific promised to supply all rails and rolling stock. In return, the Colorado and Clear Creek agreed to grade the line and provide ties. In January, 1868, the Colorado and Clear Creek was renamed the Colorado Central, and construction was started between Denver and Golden.[8]

Although the Union Pacific had promised aid to the extent of track and rolling stock, the Colorado Central faced the problem of all railroad projects—money to finance grading and the construction of other facilities necessary to efficient operation. The solution to part of its financial problem was found in the original charter to the Colorado and Clear Creek. The charter allowed any incorporated town or city or county of the Territory to subscribe bonds to the railroad and receive in exchange a like amount in shares of the capital stock of the company. The road was to be "free from taxation, either territorial or state, county, and town tax, during the term of its building.[9] It was estimated that grading and track laying would necessitate capital of $600,000. In a short time this amount was found to be far less than construction costs.

Between 1868 and 1872, the Colorado Central turned to the counties to meet some of its financial need. The help, however, was slow in coming, even from those areas desperately in need of rail facilities. Clear Creek County was the first to subscribe and provided $200,000. This led Jefferson County to subscribe $100,000;

[6] (United States Congress), (40th Congress, Special Session), *Senate Executive Documents*, No. 2, Serial No. 1308, "Report of the Secretary of the Interior" (April 2, 1867), 3.

[7] "Agreement Between the Colorado Central and Pacific and the Union Pacific Railroad Company," June 25, 1867, H. M. Teller Papers, University of Colorado Historical Collection.

[8] *First Annual Report of the Railway Commissioner . . . of Colorado* (Denver, 1886), 690.

[9] *General Laws Passed at the Fourth Session of the Legislative Assembly of the Territory of Colorado* (Denver, 1865), 114-15.

Gilpin, $250,000; and Boulder, $200,000. The terms of the bonds were for twenty years at eight percent interest per year. Only small amounts of capital stock were sold to private individuals, leaving the railroad still short of funds for early construction.[10] As a result, it was 1870 before the section between Denver and Golden was completed.[11]

During the summer of 1870, the Denver Pacific was completed from Cheyenne into Denver, and the Kansas Pacific reached the mile-high city from St. Louis. The Union Pacific-Central Pacific had met at Promontory, Utah, in 1869, and the isolation feared by Denver was ended. With these events the Colorado Central seemed to lose the status it had held in 1866. Loveland, however, convinced the Union Pacific of the need for a branch line into the mining towns of Central City, Georgetown, Black Hawk, and the rich agricultural area around Longmont and Fort Collins. The Union Pacific, therefore, continued to provide rail and rolling stock, and the Colorado Central cleared road bed up Clear Creek Canyon towards Black Hawk, and north of Denver to Fort Collins.[12]

Since the railroad into the mining areas would run directly west from Golden into the mountains, the Central's management, with the approval of the Union Pacific, decided to construct a three-foot gauge instead of the regular 4-foot 8½-inch track.[13] It would be cheaper to build, and more economical to operate. This change in gauge necessitated the transfer of all freight at Golden, and helped promote the growth of the little town as a transfer and warehouse center. Between 1870 and 1878, the narrow gauge line was completed to the mining towns of Central City and Georgetown.[14] The famous Georgetown Loop was opened in 1884 to Silver Plume. Though actual construction plans had called for the completion of the line from Silver Plume to Leadville, these plans were abandoned when the Denver and Rio Grande opened service to that region in 1880.

While narrow gauge construction progressed up Clear Creek Canyon, the Central was building its line north from Golden to Fort Collins, with plans for an extension to the Union Pacific line near Cheyenne. Completed to Cheyenne in 1877, this section gave Golden and the mining towns a direct connection with the Union Pacific main line.[15] It also furnished the Union Pacific contacts to the Boulder County coal mining region and the rich farming area around Fort Collins and Longmont. On March 7, 1879, the

[10] *Daily Rocky Mountain News*, July 12, 1867.
[11] *Ibid.*, September 22, 1870.
[12] J. C. Smiley, *Semi-Centennial History of the State of Colorado* (2 vols., Chicago, 1913), I, 503.
[13] Report of the Board of Directors of the Colorado Central Railroad . . . (Golden, August, 1873), 18.
[14] *Daily Rocky Mountain News*, May 22, 1878.
[15] *Ibid.*, November 9, 1877.



Colorado Central was leased directly to the Union Pacific for a period of fifty years. This solved many financial problems for the Central. Immediately the Union Pacific improved the grade and operating facilities of the line. The Union Pacific took sixty-five percent of the earnings for running expenses and agreed to pay thirty-five percent of this total as interest on the county bonds.[16] By April, 1879, the financial records of the railroad had been moved to Omaha, although the Central was allowed to maintain local management.[17] Several months later, on January 24, 1880, the Kansas Pacific and the Denver Pacific were also consolidated with the Union Pacific.[18]

In 1880, the Union Pacific began to make plans for the completion of the branch from Julesburg to Greeley. This section had been completely graded by 1874, but remained unfinished for lack of funds. The completion of this section would shorten the distance between the Clear Creek mines and the cities of Omaha and Chicago. The roadbed still followed the South Platte, but improvements were made in the old grade. The grading work continued through the year 1880, and track laying began during the end of the same year. The first eighty miles of track were laid west from Julesburg in November, 1880, and plans were made to begin laying track from the point of junction with the Denver Pacific near Greeley.[19] The Union Pacific, although building the Julesburg Branch under the name of the Colorado Central Division, did not see the need for building to the Colorado Central line at Longmont. Therefore, the grade between Greeley and Longmont was completely abandoned, and the shorter route to Denver over the Denver Pacific track was adopted.[20] The track was planned to cross the South Platte eighteen miles east of Greeley and then to follow the south bank of the river to its junction with the Union Pacific.[21] This junction was made just east of Julesburg. One hundred and fifty-two miles of track were opened to traffic early in 1881.[22]

Although some counties had issued bonds to the Colorado Central in return for capital stock, this aid was a much smaller per cent of the total cost of the railroad than the help given by Union Pacific. The amount of assistance and the method in which it was given were the deciding factors in determining who should finally have complete control of the Central's management. By 1877, the Colorado Central had been aided to the extent of $1,610,497.86 in rails and

[16] *The Weekly Register-Call*, March 7, 1879.
[17] *Daily Rocky Mountain News*, April 18, 1879.
[18] H. V. Poor, *Manual of the Railroads of the United States for 1882* (New York, 1882), 762.
[19] *Daily Rocky Mountain News*, November 6, 1880.
[20] "The Corporate History of the Colorado and Southern Railroad Company" (Denver), 2.
[21] *Daily Rocky Mountain News*, November 6, 1880.
[22] "The Corporate History of the Colorado and Southern Railroad Company" (Denver), 3.

rolling stocks.[23] In return the Central had given the Union Pacific credits totaling $767,156.20, indicating that $843,341.66 was in direct financial assistance. The credit was extended by the Colorado Central in the following manner:

| | | |
|---|---|---|
| $210,000 | Colorado Central Railroad Company first-mortgage bonds at $.85 on the dollar | $178,500.00 |
| $396,000 | Colorado Central first-mortgage bonds at $.80 | $316,800.00 |
| | Colorado Central first-mortgage bonds | $495,300.00 |
| $606,000 | | $495,300.00 |
| 2,100 shares ($100.00 each) stock of Colorado Railroad Company at $25.00 each | | $ 52,500.00 |
| $84,000 | Gilpin County bonds at $.80 | $ 67,200.00 |
| | Cash | $118,978.35 |
| | Bills for ties | $ 1,387.96 |
| | Items charged in error | $ 31,789.89 |
| | | $767,156.20 |

Of the $210,000 first-mortgage bonds at $.85, $100,000 were later returned to the Central. The Union Pacific, however, continued to hold $506,000 worth of first-mortgage bonds and 2,100 shares of capital stock.[24] The balance of $843,341.66 that the Union Pacific had furnished was transferred into capital stock and first-mortgage bonds after the Union Pacific leased the Central in 1879. The estimated cost of the rolling stock with which the Union Pacific equipped the Central was about $300,000.[25]

The Union Pacific had extended almost $2,000,000 in aid, while the counties of Gilpin, Clear Creek, Boulder and Jefferson had contributed $750,000 in bonds in exchange for capital stock. The 152 miles of the Julesburg Branch and nine miles in Clear Creek Canyon had still not been finished. It is estimated that 171 miles of road that were in operation had cost a little over $5,000,000.[26] The Union Pacific had financed forty per cent of this cost, and the Colorado counties about fifteen per cent. The rest had been raised from operating revenue and capital stock. After the Union Pacific, in November, 1879, had leased the Colorado Central for fifty years, and had constructed the Julesburg Branch and the nine miles of track in the Clear Creek area, the cost had mounted to $10,708,563.[27] This included all equipment and construction on the entire system

[23] United States Congress, 45th Congress, 2nd Session, *Senate Executive Document*, II, No. 40, Serial No. 1781, "Report of the Secretary of the Interior," (March 6, 1878), 1.
[24] United States Congress, 45th Congress, 2nd Session, *Senate Executive Document*, II, No. 40, Serial No. 1781, "Report of the Secretary of the Interior," (March 6, 1878), 2.
[25] *First Annual Report of the Railroad Commissioner* . . . (Denver, 1886), 322.
[26] *Ibid.*
[27] *Ibid.*



to 1885. The road was now 332 miles long. The Union Pacific by 1885, controlled $6,229,000 of the stock out of a total of $6,300,000 and $4,697,000 of the first-mortgage bonds of a total issue of $4,701,000.[28]

With the Julesburg Branch and the Denver Pacific under Union Pacific management, it was decided that it would not be practical to operate the Central line all the way to Cheyenne. Parts of the road, however, were left in operation to connect with the Boulder County coal mines. In 1888 and 1889, the Union Pacific abandoned and removed the track between Fort Collins and Cheyenne and the section between Louisville and a point near Ralston. This left the total mileage of the Colorado Central at 275 miles.[29]

On April 1, 1890, the consolidation of all Union Pacific lines in Colorado with the Fort Worth and Denver City Railroad, which ran between Fort Worth and Denver, became effective. The new system was to be known as the Union Pacific, Denver, and Gulf.[30] On November 25, 1898, however, that road was sold under foreclosure proceedings to three investors: Henry Budge, John Kennedy Tod and Edward C. Henderson. These men in turn disposed of their holdings in the following manner: the Julesburg Branch went back to the Union Pacific system in February, 1899, and the narrow gauge line from Denver to Central City and Silver Plume was sold to the Colorado and Southern Railroad Company along with the few remaining miles of track between Louisville and Fort Collins.[31]

In 1939, the Colorado and Southern began to dismantle the narrow gauge line from Denver to the Clear Creek region. Within a few months the famous narrow gauge railway had made its last run up the Clear Creek. The Julesburg Branch is the only section of the old Colorado Central that is in operation today, except for the short section of road between Louisville and Fort Collins that is now a part of the Colorado and Southern main line from Denver to Billings, Montana, via Cheyenne.

This seems to be a very somber ending for a railroad that began with such great hope and promise. No longer do the narrow gauge trains struggle up the steep grades of Clear Creek Canyon to deliver their freight and tourists. The standard gauge line has completely lost its identity by absorption with the Union Pacific and Colorado and Southern. Today the Colorado Central is only a part of the memorabilia of the dynamic boom days of the fabulous mining era. But the growth and decline of the Colorado Central are etched deeply into the early plans of the Union Pacific. The memory of its building will always be a part of the heritage of Colorado.

[28] *First Annual Report of the Railroad Commissioner* . . . (Denver, 1886), 475.
[29] "Corporate History of the Colorado and Southern Railroad Company" (Denver), 3-4.
[30] *Railroad Age Gazette* (New York, 1890), 152.
[31] This information was supplied by Mr. E. C. Schmidt, Executive Assistant Public Relations Officer, the Union Pacific Railroad Company, Omaha, Nebraska.

# More About Bent's Old Fort

A cover bearing the postmark, "Bent's Fort, Col, Mar 23," and encasing two letters, one of which began with "Bent's Old Fort. Col. Terr. Feby 24th 1867," recently was loaned to the Division of History by Mr. John T. Bent of Rochester, New York. Mr. Bent wrote that he knew nothing about Charles (Charley) S. Frances, who was the author of the letter written at Bent's Old Fort, nor did he have any information about Miss Mate M. Peck of Elmira, New York, to whom the letter was directed. The second letter in the envelope bore the date Dec. 31st, 1866, and was addressed to "Much esteemed Friend." This evidently had been written by Miss Peck.

Said John T. Bent in writing to the Historian's office, "I cannot help but feel that 'Charley' may have had a rather vivid imagination, although perhaps I am doing him an injustice. At any rate, Charles Frances' letter makes fascinating reading."

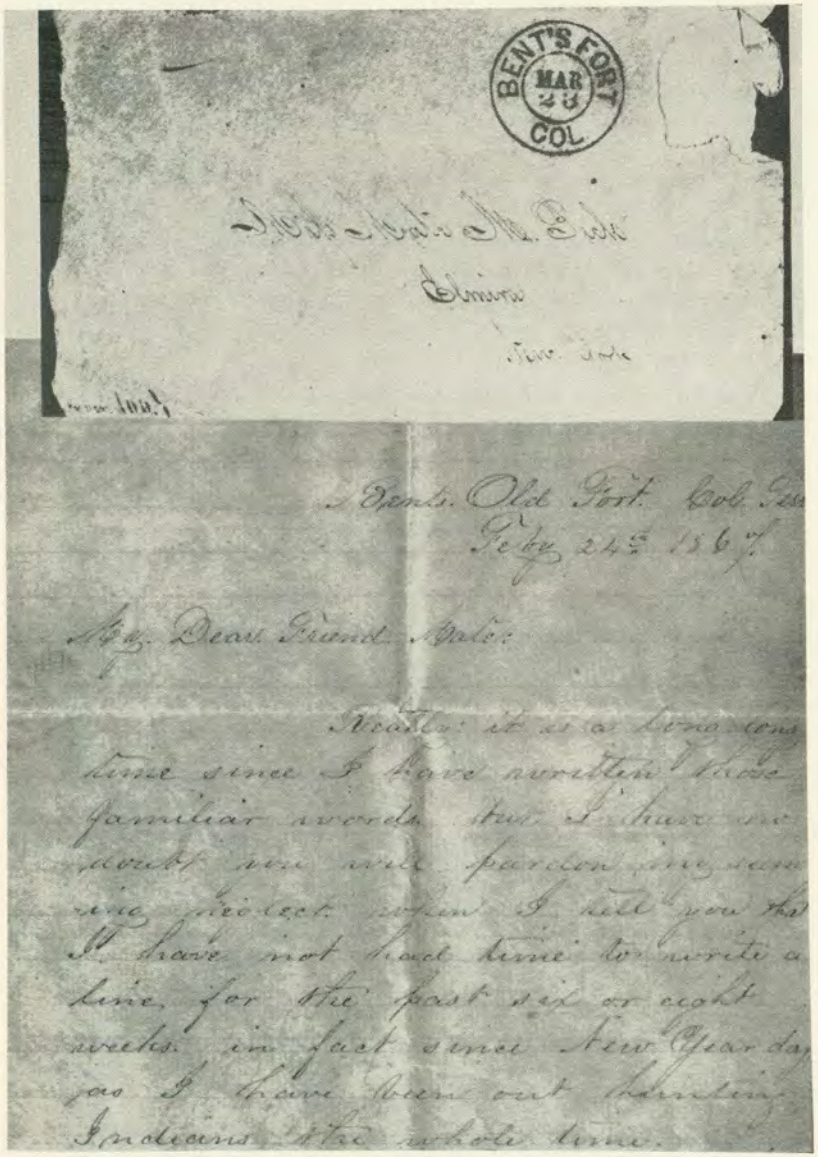
There is no question about the "vivid imagination." It evidently was stimulated by Miss Peck's letter which said in part:

"As day after day flew by numerating into weeks and even months bringing no word from Soldier Charlie, I fully believed I was forgotten, or else that he had never returned from that last expedition. The doubt caused by the last thought was, however, turned to gladness when yours was at last received. . . 'Tis very pleasant to receive your letters so full of wild and fearful adventure for they vary so from all my others, and it is a real relief. My imaginative mind has pictured you a Hero and I can see you, with my mind's eye, conquering those dreadful savages. Too much praise cannot be bestowed upon the brave and daring soldiers. They set a noble part,—but if I may be allowed to express my feelings, I will say I do not like the picture. It makes me shudder. Yet I suppose the awful Indians must be subdued . . ."

Charley evidently could not resist the temptation to entertain his friend with a tale about how he went to Fort Phil Kearny, at the summons from Colonel Carrington, and how he and his men found a whole party of cavalry dead. Those familiar with the details of the Fetterman Massacre near Fort Phil Kearny know that fight took place only about six miles from the fort and that Captain Tenadore Ten Eyck found the bodies of Fetterman and his men, 79 in number, on December 21, soon after they were killed.

Charley Frances may have hunted Indians, but we doubt if he took his men in the dead of winter from Bent's Old Fort on the Arkansas up to the foot of the Big Horn Mountains in northern






LETTER MAILED FROM BENT'S FORT
March 23, 1867

Wyoming, as his letter states. It was John (Portugee) Phillips who rode from Fort Phil Kearny to Fort Laramie for relief of Fort Phil Kearny, after the Fetterman fight, in December 1866.

We are, however, printing the letter because of the Bent's Fort postmark. According to records of the Post Office Department now in the custody of the National Archives and Records Service, Washington, D. C., "a post office was established at Bent's Fort, Bent County (formerly Huerfano, Las Animas, and Pueblo Counties), on April 7, 1863, with Lewis Gregory appointed as postmaster. It was discontinued on December 2, 1873. The records do not show that this office was known by any other name. The post office at Fort Lyon, Bent County (formerly Huerfano, Las Animas, and Pueblo Counties) was established as Fort Wise on March 5, 1862. Its name was changed to Fort Lyon on August 2, 1862."

The letter, signed Charley and addressed to Miss Mate M. Peck, Elmira, New York, follows:

Bent's Old Fort. Col. Terr.
Feby 24th 1867.

My Dear Friend Mate:

Really it is a long, long time since I have written those familiar words. But I have no doubt you will pardon my seeming neglect when I tell you that I have not had time to write a line for the past six or eight weeks, in fact since New Year day as I have been out hunting Indians the whole time.

During the first fourteen months that I have been in Colorado I have not had a harder time scouting from the fact that I have been in the Mountains and there the Indians have the advantage of rocks and trees. I will give you a slight sketch of my wanderings so you can form some idea of my life or of a Scout and Hunter's life.

On Christmas day I received a letter from Fort "Phil Kearney" stating that the Indians were rising "en masse" near that Fort and asking me to come if I possibly could, and bring my men with me. I called in my runners and started. We travelled day and night from Pueblo and arrived at the Fort on the last day of December. We found the Garrison very much excited, the Indians being only five miles distant. The day before a party of ninety-five U.S. troops were sent out and the Commanding Officer had not heard from them and they feared that they were lost.

I reported to Col. Carrington and asked him what he was going to do, and got from him an answer that he "did not know." I told him to get his soldiers ready for duty in the fort and that I with my party of fifteen men would follow the trail of the Cavalry. We started out and after travelling about twenty miles came on the most horrid scene that I ever witnessed."

In a ravine about three hundred yards long, lay the whole party of Cavalry, dead, and so horribly mutilated that recognition was impossible. Not one of the ninety-five was alive. This sight raised our anger and after burying the bodies we started back for the Fort and told our story, and asked for volunteers to go with us and avenge their comrades' death. I got thirty men and mounted them and started out on the Indians' trail. It was not long before we struck one of their Camps of about fifty lodges and immediately gave them battle. Our attack was so sudden that they had not time to get their ponies. We soon had them scattering over the Prairie in all directions and fought them until none were left.



We would not give or take quarter and kept following them up the trail until we had to return to the fort. We reached Kearney a week ago. I lost ten men during the time I was gone. I got home here yesterday and today I have devoted to you.

It is now almost a year since our correspondence commenced and I on my part have never regretted the step I took in answering your first, in fact I have experienced much pleasure in receiving and perusing your letters.

You have no idea what pleasure it gives one when far from home and friends to receive letters from them, but I am getting to the end of my sheet please send your Photo, and I promise to send mine as soon as I can get to Denver and see an artist, which will be in April.

Write soon and believe me ever your friend I remain with regards.

Charley.

Direct to:
Charles S. Frances
Bent's Old Fort
Col. Terr.

## Notes on Bent's Old Fort

In the *Daily Rocky Mountain News* (Denver), Jan. 9, 1866, there appeared a letter telling of a trip from Denver to Bent's Fort. We quote in part:

We left Denver at a quarter before nine o'clock yesterday morning, dined at Frankstown, and supped at Colorado City. The drive was made in ten hours which is pretty good staging. Pueblo was reached at daybreak this morning and from there we have taken it quite leisurely in the belief that the Santa Fe coach would be half a day or more behind us in arriving. We came in a little before ten and found it had arrived five hours before. We are thirty-seven hours from Denver and a distance of 205 miles. The traveling speed is from seven to eight miles per hour. . . . Great numbers of buffalo have recently come into the valley near here. We met this evening at Spring Bottom, a wagon loaded with two tons of hams and hearts, for the Denver market. One man with it killed fifteen in one day, all within a circuit of one hundred yards. On another day he killed seven.

This is a great rambling old frontier trading post; with tremendously thick adobe walls; bastions, and all the necessary defences (sic) against Indian assault.

The stage company have made it a very complete and comfortable station. Thus far the journey has been as pleasant and expeditious as one can expect by stage.

On Feb. 15, 1866 there appeared the following letters in the *Daily Rocky Mountain News* under the heading "Our Santa Fe Correspondence:"

Santa Fe, N. M.
Feb. 1, 1866

In my last able bodied epistle dated, "Bent's Old Fort," you received an outline of our trip to that place. Our Stay there is more than worthy of mention; that travelers may be prepared for such a misfortune.

"Bent's Old Fort," as it is now called, was built by Col. St. Vrain, in 1834. Carson was at that time a hunter for him, and Bill Bent, a sort of "Major Domo." St. Vrain says that he has sent as many as a hundred thousand Buffalo skins from the place in one year.

There is a little story afloat to the effect that St. Vrain, Carson and Bent sent to St. Louis for a gentleman to come out, and make up a four handed game of eucher. The gentleman receiving a handsome salary for so doing.

The halcyon days of Bent's Fort are gone. Travelers forced, by accident, to sojourn there, have the uncomfortable companionship of an empty bread basket, at a very liberal price. There is no reason for this. There is every opportunity certainly, that the keepers of the next station above, have, and one would think even more there; one is ever sure of a palatable meal of well cooked food.

It is an absolute impossibility for the stage coming from the States to make close connection at Bent's Fort, with the stage from Denver. The passenger must stop, and has no other means of protecting himself than that offered by the liberality of the stage company which now objects to the carrying of a well filled hamper of eatables, persons going to Santa Fe will do well to remember this, or they will go hungry.

The next station beyond, Iron Spring, is well kept and comfortable. The landlord can "keep a station."

[Following this is a long description of Lucien Maxwell and his ranch and a trip to New Mexico.]

Bent's Old Fort
February 9, 1866

"En Route" for Denver. We are again keeping Lent involuntarily. This trip has had a most excellent result. Gen. Brewster has had the opportunity to inspect the country, discover the necessities of the people in the stagecoach way, and also of meeting such men as St. Vrain, Maxwell and Carson. From these men he has obtained the information that will enable him to organize and put in operation, a line from Denver to Santa Fe. That will shorten the distance over any traveled route over one hundred miles; also to arrange for the connecting road that will join the "Smoky Hill" at Pond Creek.



This branch from Santa Fe to the O.D. Co's main route, will enable the coaches to make the trip from Santa Fe to Fort Reily in seven days. Early in the summer the railroad is to be completed to Reily; then the General is confident that the time from St. Louis to Santa Fe can be reduced to eight or nine days.

February 11. Tonight we are under the hospitable roof of our genial friend, Col. A. G. Boone, with our feet at his comfortable fire, and a glorious concoction of the rosy, for the minor man, in our fist. The Colonel spins an occasional yarn, we do the listening. These yarns are too long for our little epistle to ye *News*, but not too long for *Harper's*.

We seldom appreciate the benefit that accidental meeting of such men as Col. Boone gives one, until the moment for taking advantage of it is gone. This will not be the case this time with

Russell.

The *Daily News*, Feb. 8 and 14, 1866, carried the following announcement:

Santa Fe
Stage Company

Through Route from Denver, Colorado, to Kansas City, Missouri, Santa Fe, New Mexico, and the Arizona Gold Mines.

U. S. Mail, Passenger & Express Coaches leave the office of the Company in Denver, Colorado, every Wednesday morning for Kansas City, Missouri and Santa Fe and other points in New Mexico, making quick time and affording every reasonable accommodation to passengers and shippers of express. This line of First Class Coaches passes through Frankstown, Colorado City, Pueblo, Booneville, Union, Las Vegas, Santa Fe . . . and eastward from Bent's Fort in Colorado, running on the River road, the best natural road in the Union, the country through which it is located abounding in fine scenery, and luxuriant grasses, and Buffalo and other game of almost every kind—to Fort Lyon, Fort Larned, Council Grove and Kansas City, on the Missouri.

Coaches leave Kansas City every Friday to Denver and Santa Fe.