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## Colorado's Earliest Settlements

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Most authorities agree that the first permanent settlement within the present boundaries of Colorado was the Mexican walled colony on the Rio Culebra at the present town of San Luis. It was established in 1851 under the direction of Charles Beaubien, then owner of the Sangre de Cristo land grant.<sup>1</sup>

There is, however, some evidence indicating the existence of permanent and temporary habitations in the San Luis Valley many years prior to 1851.

Accompanied by former Governor William Gilpin, Nathaniel P. Hill visited the Sangre de Cristo grant in 1864, and in a letter dated July 12 of that year at Culebra—the founders called the town "San Luis de la Culebra"—wrote:

"We are staying at the house of Amidor Sanchez, one of the old and rich men of the place. He is 101 years old, and was born in the house in which he now lives."<sup>2</sup>

If this statement is accepted as accurate, it indicates the existence of a permanent Spanish habitation in Colorado's San Luis Valley as early as 1763—eighty-eight years prior to the accepted accounts of the settlement of that community.

Because of the frequency of Indian raids in the upper Rio Grande Valley, it is difficult to believe that a single adobe dwelling could have remained unmolested for three-quarters of a century. The need for defense customarily brought about the settlement of a group of families in a colony built about a central *placita*. If indeed the Amidor Sanchez family lived at the site of San Luis since before the American Revolution, it is probable that the family was not alone.

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<sup>1</sup>LeRoy R. Hafen, *Colorado and Its People* (New York: Lewis Historical Publishing Co., 1948), Vol. I, 118; Francis T. Cheetham, "The Early Settlements of Colorado," *The Colorado Magazine*, Vol. V, No. 1 (February, 1928), 5.

<sup>2</sup>"Nathaniel P. Hill Inspects Colorado," *The Colorado Magazine*, Vol. XXXIII, No. 4 (October, 1956), 267.

The existence of a habitation at such an early period is not as improbable as it seems. The Zebulon Montgomery Pike expedition entered the San Luis Valley by way of Mosca Pass in 1807. On January 28 of that year, as he descended the western slope of the pass, Pike wrote in his diary:

“Followed down the ravine and discovered after some time that there had been a road cut out.”

This is probably the first written record of the existence of a road within the boundaries of present-day Colorado.

The existence of a road rather than a trail implies its use by wheeled vehicles and indicates that the San Luis Valley was not a trackless wilderness at that time, forty-four years prior to the settlement of San Luis. The presence of a road suggests some degree of settlement.

The Rev. Jose Samuel Garcia, 97 years old, pastor from 1891 to 1912 of the Church of The Most Precious Blood of San Luis, says that his parishioners told him that many attempts had been made prior to 1851 to settle in Colorado's San Luis Valley, but that the settlers had been forced out by the Indians.<sup>3</sup>

The fur trade era was just beginning at the time of the Pike expedition, and was not to reach its peak for another thirty-five years. The trappers with their two-wheeled Red River carts might have used a road such as Pike noted, but it is more likely that at that time it was used by the Mexicans of Taos and Santa Fe in their trade with the plains Indians in what they called “the buffalo country.”

To cross from the San Luis Valley to the plains country these traders did not use the present-day La Veta Pass, but preferred either Sangre de Cristo Pass or Mosca Pass. The Amidor Sanchez dwelling, or ranch, on the Culebra, may have been a stopping place on this route from Taos to the buffalo country.<sup>4</sup>

The remainder of this inquiry will be devoted to evidence indicating the existence between 1821 and 1838, of another ranch or settlement at the western foot of Mosca Pass.<sup>5</sup>

<sup>3</sup>Father Garcia was born at Taos, N. M., October 28, 1859. For thirty-one years he has been a resident of San Rafael Hospital, Trinidad, Colorado. He recalls seeing the ruins of the adobe wall that once protected San Luis against Indian raids.

<sup>4</sup>When the value of furs and peltries declined in 1841, Alexander Barclay, a British subject, believing that Mexico looked with favor upon foreigners possessing lands in her territory, assisted in forming a settlement on the southern side of the Arkansas River at the foot of the Rocky Mountains. At various times during the following seven years he lived near the Hardscrabble settlement and near the Pueblo community. Although he passed through the San Luis Valley on trips back and forth to New Mexico, where he began to build a fort in 1848, he left no known written mention of habitations in the Valley itself, in the part that is now Colorado.—*Editor*. Information from State Historian's files.

<sup>5</sup>Unless otherwise credited, all documents hereafter cited may be found in the files of the U. S. Department of the Interior, Bureau of Land Management, Cadastral Engineering and Survey Office, 365 New Customs House, Denver.

The San Luis Valley lies within the territory ceded by Mexico in 1848 under the treaty of Guadalupe Hidalgo. The treaty bound the United States to recognize all lawful Mexican land titles in the ceded area.

In 1854 Congress passed the Surveyor General's Act, requiring claimants to such lands to appear before the Surveyor General's offices in New Mexico and Colorado to prove their titles, he to report to the Commissioner of the General Land Office at Washington, that official to the Secretary of the Interior, and he to Congress, which would confirm or deny the claim.

Congress confirmed the Sangre de Cristo grant June 21, 1860. It included the area between the Sangre de Cristo range and the Rio Grande river in southern Colorado and northern New Mexico. In 1860 the Baca No. 4 grant in the northern San Luis Valley was approved. The Conejos grant in the southwestern San Luis Valley was rejected because of abandonment.

Building south from Denver, the Denver & Rio Grande railroad reached Pueblo in 1872, proposing to extend its line over Veta Pass and south through the San Luis Valley to Santa Fe. Meanwhile the discovery of rich mineral deposits in the San Juan region provided a reason to extend the rail line westward. It became apparent that the advent of the railroad would enhance considerably the value of lands in the San Luis Valley.

On November 29, 1873, Elias Brevoort of Santa Fe, Louis Elsberg of New York, Matthias Smythe of Merced, California, and Augustus C. Huggins of Santa Fe paid \$900 to Jesus Maria Gomez y Lopez, a farmer of San Yldefonso, N. M., for his rights to a quarter of a million acres between the Sangre de Cristo and the Baca No. 4 grants. The deed was not recorded until 1876.

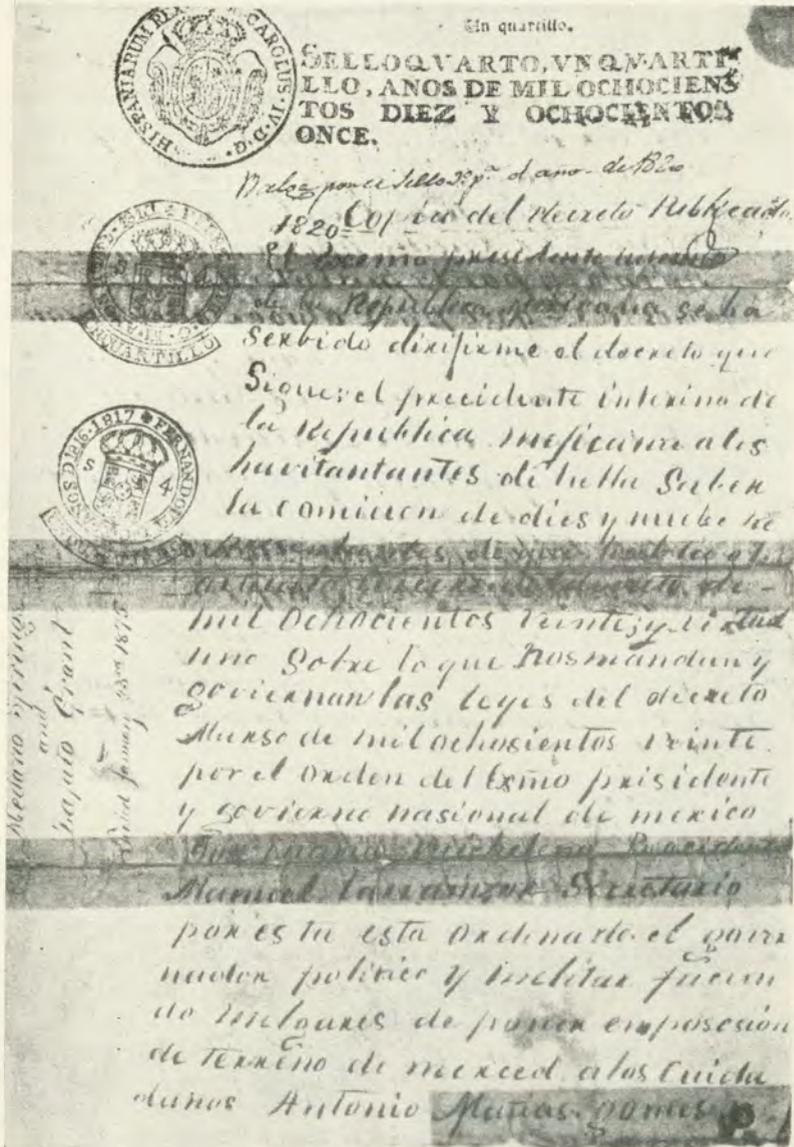
The tract became known as the Medano and Zapato grant. Gomez claimed to be the son and heir of one of the two original grantees, Antonio Matias Gomez, who in 1828 had bought out the interest of the other grantee, Jose Luis Baca de Sondaya.

Application for confirmation of the grant was made to James K. Proudfit, Surveyor General, and on July 6, 1874, he held a hearing at which numerous documents written in Spanish were submitted in support of the claim. The documents, now in the files of the Denver office of the Bureau of Land Management, are almost falling apart and are patched together with Scotch tape.

Official government translations of the documents follow:

Valid for seal 3d for the years 1820 and 1821.

To The Most Excellent Civil and Military Governor, Governor Facundo Melgares, Sir: We appear before the high authority of Your Excellency as Civil and Military Governor and place ourselves at Your Excellency's feet as we have deemed best for our



DOCUMENT RELATING TO MEDANO SPRINGS AND ZAPATO GRANT

rights under the law, being now recognized under the decree compacted, we lay this petition before Your Excellency's high authority in the jurisdiction of San Yldefonso, New Mexico, and Rancho of Jacona.

We, the petitioners, appear before you and with the greatest submission, respect and veneration due you and state. Sir; that considering the condition of the laws which after God protect and favor us, we request Your Excellency to forward our application to Mexico [City] in order that we may be placed in possession of a tract which we know to be public land, and to which no one has any title or grant, wherefore we apply for the same, and we declare and make known that we apply for and do make application to receive as a grant for a stock rancho the tract of land which is commonly called The Springs of The Medano and The Zapato, and the Rito [stream] which leads near the outlet of the Pedregosa Mountain [or Rocky Mountain, now known as Crestone Peak] and which joins the Grand Lake,<sup>6</sup> and this we ask be given us in grant in the name of God and His Majesty for services rendered the country of Mexico, and that under the law we be placed in possession of this land so that we, our children and successors may forever enjoy the same, and we sign as petitioners for services in the Ayuntamiento [town council] and jurisdictional board of Abiquiu and we request that you sign, approve and grant the same in fee.

We are the very obedient servants of Your Excellency, the governor of San Yldefonso and Jacona.

Petitioners, Antonio Matias Gomez

Jose Luis Baca de Sondaya

January 19, 1820.

On the same sheet is the endorsement:

Santa Fe, March 14, 1820.

What the parties interested solicit herein being true, the grant mentioned appears to me to be very just and they will hold the same in fee, and it being public domain I do approve the possession to the above subscribed grantees.

Facundo Melgares

Civil and Military Governor

March 14, 1820

Seal fourth, one quartillo for the years one thousand eight hundred and ten and eight hundred and eleven.

Valid for seal 3d for the year 1820

A document dated three months later reads:

1820—Copy of The Published Decree

The most excellent President *ad interim* of the Republic of Mexico has been pleased to direct to me the following decree:

The President of The Republic of Mexico to the inhabitants thereof—Greeting.

The commission of nineteen representatives, of which Article 3d of the decree of one thousand eight hundred and twenty treats, in virtue of once concerning the regulations and laws by which we are controlled and governed, of March one thousand eight hundred and twenty, by order of the Most Excellent President Jose Maria Micheleno and Manuel

<sup>6</sup>The comparatively small San Luis and Head lakes are all that remain today of the Laguna Grande, or Grand Lake, a body of water twenty-five miles from north to south and five miles in width which once existed in the San Luis Valley.—Original field notes made by A. P. Wilbar, in files of Cadastral Engineer, United States Land Office, 365 New Customs House, Denver, Colo.

Larraisgar, secretary of the National Government of Mexico, the civil and military governor, Facundo Melgares, is hereby ordered to place in possession of land in grant the citizens Antonio Matias Gomez and Jose Luis Baca de Sondaya by order of the President in consideration of the petition by them addressed to the Senate, and the same being granted in view of the services rendered to the country in the employment of Mexico for four years in the Ayuntamiento, and I do hereby decree and order you that you proceed to the place commonly called the Medano Springs and the Zapato, and designate to them the boundaries thereof in company with your alcaldes [mayors] and leave them in possession thereof and give to them their title papers of grant in order that they for themselves, their children and other successors may enjoy the same forever; and therefore this shall be printed, published, circulated and duly executed.

Government House of the National Government of Mexico April 1st, 1820, and transmit the same to you for the corresponding purpose.

God and Liberty Mexico, April 1st, 1820.

The document bears the endorsement:

Copied from the original in favor of the grantees at my office at Santa Fe, New Mexico, by me and the grantees.

Facundo Melgares

Civil and Military Governor

The next document reads:

At this place, Santa Fe, on the 29th day of the month of January, 1821, personally appeared before me, Facundo Melgares, Governor, the citizens Antonio Matias Gomez and Jose Luis Baca de Sondaya, and in view of the foregoing decree I and my alcaldes proceeded to the place commonly called the land of Sierra Grande and the Rito of the Sierra Pedregosa and the Medano Springs and those of the Zapato to comply fully with the order—and the land having been recognized we commenced examining the boundaries. On the north the Sierra Grande to the source of the Rito which heads in the Pedregosa Mountain, on the south the large lake and the junction of the Springs, on the east the Rito de la Hurraca [Magpie] and on the west of the Rito de la Sierra to its junction with the large lake, and having conducted the interested parties over said place I put them in possession thereof in the name of His Majesty and of the law that governs us, which the parties interested received with pleasure, running and plucking up grass, herbs and stones and shouting long live the King our sovereign who protects and favors us, the land on this grant remaining to the benefit of the grantees, as also the pastures and watering places of this possession which I distributed to them free. Whereby all was complied with and it remained in their legitimate possession for services rendered to the country in the Ayuntamiento for four years, and in order that they and their children may enjoy the same forever I declared that I would interpose and did interpose my authority as far as the laws authorize and command. And no one shall molest them in said possession, which I provided, commanded and signed, with two attending witnesses, acting as stated specially for want of a royal Notary Public, there being none of any class in this kingdom, to which I certify.

Facundo Melgares

Civil and Military Governor

Manuel Sanchez, Secretary  
Francisco Trujillo, Special Justice

Witness  
Santiago Trujillo, assisting  
Miguel Martin

<sup>1</sup>Now known as the Sangre de Cristo Range.

The next document:

Santa Fe, January 29, 1821

I civil and military governor, do declare and sign that this grant shall be in force on this common paper, there being none of any stamp in this Kingdom or in this jurisdiction under my charge, there being none of the stamps here except that of the common stamp and the order of the foregoing decree in this office under my charge, and I sign the same with my signature and with my Secretary this day, to which I certify.

Facundo Melgares

Civil and Military Governor

In support of the foregoing claim for confirmation of the grant the following affidavits, executed in November, 1874, before U. S. Commissioner Samuel Ellison, were submitted:

My name is Juan de Jesus Trujillo and 69 years of age and reside and have always resided at this place, Abiquiu, county of Rio Arriba, New Mexico. I am well acquainted with the tract of land known and called the Zapato and Medano Springs tract. It is situated in the Territory of Colorado but when I first knew it it was within the limits of New Mexico. I was on the said tract the first time some time in the spring or summer of 1830 and was there frequently up to the year 1837, at which time the Ute Indians run off my animals and also those of my companions.

When I visited the said tract Luis Baca de Sondaya and Antonio Matias Gomez had land planted in corn, wheat and beans, and had some small herds of cattle and goats. I was well acquainted with said Baca and Gomez when they were members of the Ayuntamiento of this place. Abiquiu and Santa Cruz de la Canada before they moved to said tract to reside and occupy the place. I was also well acquainted with Manuel and Miguel Sanchez, secretaries of Governor Melgares, and also Santiago Trujillo and Miguel Martin, attesting witnesses to the act of possession and who were my friends and near neighbors, who told me that they witnessed the act of possession when the same was executed to the said Luis Baca de Sondaya and Antonio Matias Gomez, both now deceased.

I have no interest in the said tract of land or in any claim therefor.

Affidavit of Pedro Leon Lujan, 76 years old, of Santo Tomas de Abiquiu:

I was appointed alderman of the Ayuntamiento of Santa Cruz de la Canada in 1837 and captain of militia under General Manuel Armijo for several years before the Americans took possession of this territory, 1846. I am well acquainted with the place called the San Luis Valley, the Medano Spring and Sierra Grande, they are situated about four days travel on horseback north of Don Fernando de Taos, probably one hundred and thirty miles, I cannot calculate distance well by miles—and about one hundred miles east of north from Abiquiu. There is a large lake much nearer Taos and Abiquiu than the Medano Spring, known by us (the Mexicans) as the Laguna Grande. I was at the Medano Spring and on the Medano Creek frequently during the years 1832 and 1836 in my trips to trade with the northern Indians and to the Buffalo country, at which times Antonio Matias Gomez and Luis Baca were living near the said Medano Spring with their families. They had a house and corrals, some cows, horses and burros and ground planted in corn, beans, squashes, etc.

Affidavit of Geronimo Gallegos, 68 years old, of Abiquiu:

Baca and Gomez owned that land to my knowledge from 1828 to 1835, during my trading trips to the Utes and northern Indians. About 1838 the Utes rose against the settlers and compelled the settlers to leave there.

Another Spanish document, marked "Certified copy, conveyance of sale, of grant of 1821," indicates that Baca sold his interest in the grant in 1828 to Gomez, father of Jesus Maria Gomez y Lopez, who in turn sold to Brevoort, Elsberg, Smythe and Huggins in 1873. It reads:

Valid for the 3d Seal pertaining to the years 1828 and 1829.

Done on the 29th  
day of October, 1828

In this place of Our Lady of Guadalupe, Santa Fe, New Mexico on the 29th day of October, Anno Domini one thousand eight hundred and twenty-eight appeared and presented themselves the citizens Jose Luis Baca de Sondaya and Antonio Matias Gomez, both being residents of this my jurisdiction and charge, the first one as vendor, said Baca as first party sold to the second party, the portion which belonged to him in a tract of land pertaining to a grant which both parties had taken possession of in the "Springs" which is commonly called the "Zapato" for the price and value of three hundred ewes with lamb and one hundred and twenty-five dollars in silver coin, with which agreement said Baca was entirely satisfied and content, and the said Jose Luis Baca de Sondaya agreed to transfer and did transfer all title and interest in and over said possession—and of said land in actual possession being such as could be expected from that certain portion of land corresponding with said grant donated by the civil and military governor, Facundo Melgares and myself, the constitutional judge, Bartolome Baca. The first party as vendor and the second party as purchaser, both petitioned me to exercise my authority and judicial decree and affix my signature and I as Judge did consent to confirm and by the rights conferred upon and invested in me in my jurisdiction, according to law did confirm and declare that the vendor had renounced and conveyed all his personal rights and privileges in aforesaid land and given power to the national authorities to see this transfer properly executed so as to prevent hereafter any suit being entered either in favor of the first party or that of his children, heirs, successors or administrators. Thus as before the constitutional judge is besought to exercise his authority and judicial decree and I, said Judge, promised to approve and confirm, as power is conferred in this document of transfer, made in this jurisdiction in my charge (on ordinary paper not having any other) and with my attending witnesses and my secretary with whom I certify and attest, and who also certify to this agreement and conveyance &c.

Bartolome Baca  
Constitutional Judge

October 29th, 1828  
Jose Miguel Sanchez

Grantor, Jose Luis Baca de Sondaya

Witnesses  
Juan de Jesus Vigil  
Santiago Lovato

If the foregoing 1828 transfer is authentic, it probably constitutes the first written record of a real estate transaction between individuals within the present boundaries of Colorado.

All Spanish and Mexican land grant claims were based on rather vague descriptions of the land. Before Congress could act on the claims an exact survey was essential. On August 30, 1877, attorneys for the claimants filed a petition with William L. Camp-

bell, U. S. Surveyor General for Colorado, stating that the Medano and Zapato claim "already has been approved as valid by your predecessor."

A government survey was authorized and was made early in 1879 by Daniel C. Oakes and Edwin H. Kellogg, deputy surveyors. Their field notes state that the description in the act of possession of January 29, 1821, "is exceedingly vague and seems to have been written in ignorance of the points of the compass and with only a general idea of topography."

They reported:

"It is now impossible to discover what were the limits of the 'large lake' sixty years ago. But from changes which we have personally noted during the past eighteen years; from the reports of trappers and guides as far back as 1857, and from the present appearance of the surrounding country, it was of much greater extent than it is now and inaccessible on account of the marshes which surrounded it. This opinion is further confirmed by all the early maps of the San Luis Valley which show a body of water many miles in extent.

"The present existence of many lakes and lake beds all more or less connected indicates that the basin now occupied by them must have been at no very distant period covered by one sheet of water. In the dry lakes every stage of diminishment is easily traced. Indeed only ten years ago this basin was entirely impassable for teams and is now travelled in every direction."

The surveyors fixed the area of the tract at 229,814 acres. The sketch map from which they worked showed the present Deadman Creek as Chatillon Creek—doubtless named for one of the three Chatillons, early-day mountain men. The influence of the early French-Canadian trappers is shown in the name of the present Crestone Creek, then known as La Riviere des Trois Tetons—the Trois Tetons probably referring to the Crestone Needles.

Immediately the claim was attacked as fraudulent. Undated penciled notes in the files state, "The original Spanish papers on file have all appearances of fraud." The notes point out that the signatures of Governor Melgares on various documents are not in the same handwriting. This criticism fails to take note that the documents do not purport to be the original papers, but are labeled "Copies," so consequently the names of the signers would appear in the handwriting of the copyists.

Other seeming discrepancies became apparent. For example, the order of President *ad interim* Micheleno of the Republic of Mexico of April 1, 1820, to Governor Melgares, directing him to put the claimants in possession, was dated at the time Mexico was still governed by a Spanish viceroy. Mexico did not declare its independence of Spain until Iturbide proclaimed the Plan of Iguala February 24, 1821, and did not become a republic until 1824.

In 1810 a series of revolutions against the Spanish rule broke out, and for the next ten years the Spanish viceroy generally controlled the towns and the insurgents controlled the remainder of the country.

Following the 1821 declaration of independence the country did not become a republic. Iturbide had planned a constitutional monarchy and had offered the throne of Mexico to Ferdinand VII of Spain. Ferdinand rejected the offer, but meanwhile the country was governed by a junta, or board of regents. Each member of this board served for four months as chairman, or *presidente* of the regency.<sup>8</sup>

Iturbide himself at one time held the title of *presidente* of the regency. On May 18, 1822, he proclaimed himself *El Liberador* and Emperor Augustin I of Mexico. The country became a republic when he abdicated ten months later.

So, although there was no president of the Republic in 1820, there did exist the office of *presidente* of the regency, the *ad interim* governing body. Available records fail to show that Micheleno, an Iturbide supporter, served as member or *presidente* during the 1820-22 period.

In view of the order of the President *ad interim*, it seems strange that the claimants, when given possession of the land by Governor Melgares in 1821, should shout "Long live the king, our sovereign." And yet it must be remembered that at this time the throne of Mexico had not been rejected by Ferdinand of Spain, so there was no reason to depart from the traditional ceremony of possession as recorded in other Spanish grants.

Nor is it as strange as it may appear that Governor Melgares, carrying out the order of the president, should point out the lack of official stamps in "this kingdom," although it doubtless confused American officials in Washington who were ignorant of Mexican terminology.

"New Mexico was frequently referred to in official Spanish documents as the 'Kingdom of New Mexico' on account of the vastness of its territory, the variety of its topography and climate and the supposed richness of its natural resources."<sup>9</sup>

Even before the government survey, the House Committee on Private Land Claims in Washington had been considering the Medano and Zapato claim.<sup>10</sup>

<sup>8</sup>Herbert Ingram Priestley, *The Mexican Nation* (New York: Macmillan Co., 1923, p. 248.) Also, Ernest Gruening, *Mexico and Its Heritage* (New York: Century Co., 1928, p. 36).

<sup>9</sup>*History of New Mexico*, Pacific States Publishing Co. (Los Angeles: 1907, p. 171).

<sup>10</sup>House of Representatives, 45th Congress, 3d Session, *Report No. 60, the Medano Springs and Zapato Grant*. Committee on Private Land Claims. Laid on table and ordered to be printed.

On January 10, 1879, the committee report noted that the original petition was presented in 1820, but "it does not appear by any proper legal proof what became of that petition."

According to the remainder of the committee report:

Some time in 1820, after the date of said endorsement, the governor published at Santa Fe an alleged copy of a decree of the President of The Republic of Mexico purporting to be dated April 1, 1820. That would allow only seventeen days after the endorsement of the petition by the governor for its transmission to Mexico, its presentation to the proper departments, its passage through the usual forms and its final signature by the president. The original decree is not produced; the copy, properly translated, ends as follows:

*Palace of the national government in Mexico, April 1, 1820. And you are ordered to carry the foregoing into effect.*

*God and Liberty Mexico, April 1, 1820.*

*Copied from the original in favor of the grantees at my office at Santa Fe, New Mexico, by me and the grantees.*

*Facundo Melgares*

*Civil and Military Governor*

This alleged copy of an original decree is headed as follows:

*1820—Copy of the published decree.*

*The most excellent President ad interim of the Republic of Mexico has been pleased to direct to me the following decree.*

The decree purports to be made by the National Government of Mexico to the aforesaid Gomez and Baca in consideration of their petition to the senate, and orders this Facundo Melgares to put them in possession. There is no evidence that this alleged original decree ever existed, except the aforesaid certificate of Melgares, which has no date at all, except the prefix, "1820—Copy of the published decree."

The supposed decree purports to be the act of the Republic of Mexico of the date of April 1, 1820, but at that date there was no recognized Republic of Mexico. After the year 1810 that country was in insurrection for years, under different priests, who were successively captured and executed, and finally, prior to 1820, the Spanish authority was re-established and fully recognized. On the 24th of February, 1821, Iturbide, who had been a royalist general, proclaimed the country independent; in May, 1822, he was proclaimed emperor; he abdicated in 1823, and it was not until 1824 that the country was made a republic, with Mexico as one of its states.

There is an alleged act of possession among the papers, purporting to be signed by Governor Facundo Melgares and attested by his secretary and a special justice and two witnesses. The date of this instrument is January 29, 1821. The grant being alleged to be the grant of the Republic of Mexico by its President, the act of possession contains the following language:

*I put them in possession thereof in the name of His Majesty, which the parties interested received with pleasure, running and plucking up grass, herbs and stones, and shouting Long Live the King, our sovereign, who protects and favors us.*

In this instrument the appearance of the parties before the governor at Santa Fe, the going to the land and giving the possession, and the certificate of the governor annexed to the act of possession, are all stated as happening on the same day, to wit, January 29, 1821.

There is the testimony of three old Mexicans, taken in the country before a commissioner, to the effect that the grantees were in possession of the land between 1828 and 1835, and were driven off by the Ute Indians, but they never had possession afterward.

It appears that in 1828 Baca sold out to his co-grantee, Gomez, and that Gomez died out of possession, at Anton Chico, in 1858. It is further claimed that Jesus Maria Gomez was the sole heir of the grantee, Gomez, and that he sold the entire claim to the present claimants for \$900 in 1873, and they had their deed recorded in 1876.

There is what is called a sketch map of the land, but the quantity of the land is nowhere stated. It is evidently an extensive grant. Your committee are informed that it comprises very valuable land, numerous settlements, and a rich mining district. The claimants allege that the grantees and their representatives have remained "in the undisputed *legal possession* of the land ever since the original act of possession," but there is no proof of actual possession in them or any of them for more than forty years; adverse possession at the date of the claimants' deed would be fatal to their claim.

Your committee believe that private land claim No. 1, known as "the Medano Springs and Zapato grant," is not a valid claim, and they respectfully report that it ought not to be allowed.

Probably known to the committee were details of forgery charges brought against Jose Maria Gomez y Lopez in Costilla County in 1873, explained by the two following depositions:<sup>11</sup>

Deposition of Harvey E. Easterday, January 28, 1878, taken in Costilla County Court.

Harvey E. Easterday being duly sworn upon his oath deposes and says: that he is a resident in said county since the year A. D. 1859, that he occupied the office of Probate Judge of Costilla County from 1872 to 1874, that in April 1873, then acting as Probate Judge of said county, he examined one Jesus Maria Gomez y Lopez. The latter was brought before the judge under the charge of forging certain papers purporting to be a title to the so-called Zapato grant. Among the witnesses produced during and in said examination was one Francisco Mendoza, who among other things testified that he saw said Gomez y Lopez steal papers from an old alcalde in the plaza of Abiquiu, N. M., that after said Gomez y Lopez had obtained possession of said papers, he and Mendoza went together to a town called Pena Blanca where they hired a room and remained for several days, said Gomez y Lopez then and there preparing ink from indigo blue and cherry root and other substances, and with an eagle's quill there and then forged and wrote a lot of papers purporting to be titles to Spanish and Mexican grants.

Deponent further says, that said Mendoza during the examination aforesaid, recognized the papers or title to the Zapato grant produced in court during said examination, as being one of the papers forged by said Jesus Maria Gomez y Lopez at Pena Blanca aforesaid.

H. E. Easterday

Deposition of William H. Meyer, Clerk of Costilla County, Colo., taken April 17, 1878, and sent to H. M. Atkinson, Surveyor General of New Mexico, May 24, 1878, read:

In answer to questions, Meyer says he is 31 years old, resides in San Luis, Colo., and is by occupation a farmer and stockraiser. He is acquainted with Jesus M. Gomez y Lopez; he met Gomez first in the fall of 1867 and again in the spring of 1868 at San Luis, Colo. Gomez was then trying to establish himself as a school teacher in San Luis. Meyer had many conversations with Gomez in regard to Spanish and Mexican land grants in New Mexico and Colorado, and Gomez offered such land grants for sale to Meyer many times. Gomez showed Meyer several papers purporting to

<sup>11</sup>Information found among the Una de Gato Grant papers, Bureau of Land Management, Santa Fe, N. M., Report No. 94, File No. 187. Information through courtesy of Dr. Harold H. Dunham.

be land grants and conveying land grants, and admitted that he had forged them. Gomez stated to Meyer when he was in prison at San Luis that he was making a good thing by selling forged land grants, as he was selling them for from fifty dollars up to three or four hundred dollars.

William H. Meyer

The Bureau of Land Management, Washington, D. C., reports that the Medano and Zapato claim, tabled by the House Committee on Private Land Claims, apparently died in that committee, as the Bureau can find no evidence in its archives at Alexandria, Va., that it was revived or reconsidered at a later date.<sup>12</sup>

Abandonment of the tract for forty years in itself established the illegality of the claim, and the forgery of the title papers has not been disproven.

Authenticity of the affidavits, taken by a disinterested official, the United States Commissioner, of the three traders who visited the rancho during the 1830's has not been questioned, nor has the existence of a dwelling on the tract. In fact, abandonment in itself presupposes existence of the tract abandoned. It appears reasonably certain that some type of habitation existed there during the 1820's and until the Indian raids of 1838—probably a tract held under "squatter's rights," without valid title.

The Medano and Zapato claim appears to exemplify the settlements noted by Father Garcia, from which the settlers were forced out by the Indians.

Existence of the Amidor Sanchez home at the site of San Luis, if authentic, constitutes evidence of a permanent habitation antedating the first permanent settlement in Colorado by eighty-eight years.

<sup>12</sup>Information courtesy of U. S. Senator Gordon Allott, of Colorado.

## San Luis Store Celebrates Centennial

On June 22 there was celebrated in San Luis, Colorado's oldest permanent settlement, the 100th anniversary of the state's oldest mercantile store. Operated continuously by generations of the inter-related Salazar and Gallegos families, this store has carried on business since 1857 when Dario Gallegos established his business in an adobe building 40 feet long, 20 feet wide and with walls 24 inches thick. The foundation was of rock with mud mortar. Joists were round logs and the lumber was hand-sawed. The interior was white-washed with *tierra blanca* (white earth) brought from mines near Taos.



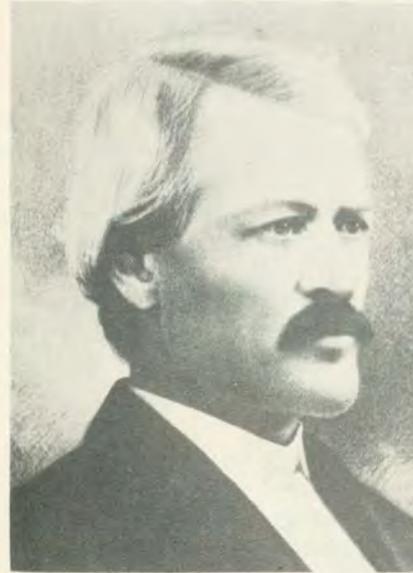
SALAZAR'S STORE WITH SOME WALLS ONE HUNDRED YEARS OLD

According to Delfino Salazar, owner of the store, and former member of the State Assembly from Costilla County, the story really begins in 1842 when his grandfather, Juan Manuel Salazar,<sup>1</sup> Julian Gallegos and two other men attempted to create a settlement on a Spanish land grant at what was first called San Luis de la Culebra.<sup>2</sup> Fierce Indian raids and depredations forced them temporarily to abandon the place.

Returning in the spring of 1851, Salazar, together with Dario and Diego Gallegos, and nine others established a permanent settlement. Evidence of their planning is the record in Costilla County of the first water right or ditch right, known as the San Luis Peoples Ditch No. 1. It is dated 1851.

<sup>1</sup>According to Delfino Salazar, in a letter to the State Historian, May 4, 1957: "The ancestors of both my grandfathers, Juan Manuel Salazar and Dario Gallegos, came from the province of Galicia Spain in the early 1800's, and to San Luis, Colorado, with the first settlers in 1851."

<sup>2</sup>On April 7, 1860, H. E. Easterday wrote a letter to Colonel Francisco in Denver, headed "San Luis, N. M. Mills." He enclosed a list of goods that he wanted sent to "San Luis," and said that "We have changed the name of our town and have sent on to the Postmaster General a petition asking him to grant us a Post Office calling it San Luis."—Colonel John M. Francisco Papers, Library, State Historical Society of Colorado.



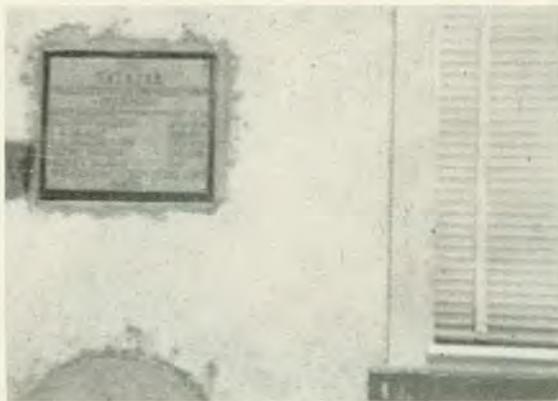
PAST AND PRESENT OWNERS

of

SALAZAR'S STORE, SAN LUIS, COLO.

Upper, left to right: Dario Gallegos, A. A. Salazar

Lower, left to right: Delfino Salazar, Archie A. Salazar



SALAZAR STORE PLAQUE

His initial capital of \$452 enabled Gallegos to buy three 150-pound bags of green coffee, a quantity of unrefined or brown sugar which originally came from Mexico and some white and blue corn meal which had been ground in a local water-powered grist mill, built by himself.

In the original stock were also sun-dried apples and peaches from New Mexico, a quantity of chocolate, salt from a lake in New Mexico and some peas, lentils, corn, beans, tobacco, matches and a few pieces of calico, gingham, flannel, merino and bleached and unbleached muslin.

With the permission of the Morey Mercantile Division of Consolidated Fruits Corporation, with whom the Salazar store did business for many decades, we quote the following from the company's trade journal, *Pace*:

"In the Spring of 1858, Gallegos sent his ox teams, with four wagons, to St. Louis, Mo., to obtain dry goods, boots and shoes. It took eleven months for the round trip. The following year, another 'buying expedition' of six wagons was overtaken by Indians on the return trip near what is now La Junta, Colo., and all merchandise was stolen, wagons burned and oxen taken. The crew of eight men escaped on horses they had hidden in an arroyo.

"In later years, Gallegos obtained goods from St. Joseph, Mo., and Dodge City, Kan., which was the most westerly railroad terminal. Principal source of income for the settlers at that time was from sheep, hogs and cattle and from corn, wheat and other small grains. They raised almost all of their food requirements. All the range was open for free pasturage and wild game was plentiful. The women wove their clothing from virgin wool, the men wore moccasins and the people were generally self-sustaining. Their earnings were small, but their wants were still smaller.

"In the early sixties men worked from sunup to sundown for a dollar a day. Sheep were worth \$1.25 per head and there was no market except to the butcher. A cow, with a calf at its side, brought \$15 for the pair—and there was no market for hogs.

"There were no dole, welfare grants or pensions. There were no bank debts and no hunger. People were healthy and happy. Poorer men and women would follow the harvest, gleaning fragments that remained on the field—and have enough grain for a year's needs.

"In 1874, A. A. Salazar, son of one of the pioneer settlers, married Dario Gallegos' daughter, Genoveva, and bought an interest in the store and livestock to form the partnership of Salazar and Gallegos.

An Inventory, March 1, 1874, from Dario Gallegos to A. A. Salazar reads:

37 prs mens shoes	\$1.30	28 Brass Kettles	.60
16	1.18	1 Saddle	17.60
9 prs. Boots	2.50	3 Saddles	10.00 ea
60 prs. Ladies Shoes	1.21	Calicos 30 yds for	1.00
12 prs Girl shoes	.75	Gingham 10 yds for	1.00
22 Boys Shoes	.80	Rope	.12½
46 yds. Merino	.25½¢	Lienzo, B. Muslin	.10
1 doz. Tuallas (Towels)	.10¢ Ea.	Manta	.06½
29 yds. Challilla Velvet	.23	Coffee Mill	.53
8 Silk Fringe Shawls	5.00	Coffee Arbuckles	.12½
11 Back Combs	.08	Coffee Green	.10
7 Btls Cologne	.12	34 Gal. whisky	1.60 Gal
20 pr. Ladies Hose	.09	59 Gal Wine	.95
25 Childs Hose	.07	Tobacco	.45 lb.
12 Painkiller	.25	2 prs. Ox Bows	.75
11 Jamaica Ginger	.18	15 Steers	9.00 Ea 135.00
14 Ladies Corsets	.53	566 Ewes	1.00 566.00
6 Corsets	.83	59 200 Varas Land	
14 Caderas (Bustles)	.76	550 acrs	100.00
18 Hoopes	.98	Mens Overall	75¢
28 Boxes Gun Caps	.10	Boys Overall	50¢
6 lbs Gun Powder	.60	Wool	.08½ lb.
12 lbs. Lead	.10¢		
10 Sheep Shears	.60		
7 Candle Sticks	.11		

"The new partnership inaugurated many changes. The store was enlarged to 120 feet in length, a shingle roof was built and new equipment acquired. Salazar and Gallegos are said to have bought the first John Deere steel plow<sup>3</sup> sold in Colorado and the first tread thrashing machine, powered with two horses mounted on a treadmill. They are also credited with the state's first purchase of a mowing machine, binder and rake and with planting the first alfalfa field.<sup>4</sup>

<sup>3</sup>The Colorado State Museum now owns an old Mexican wooden plow, an ox yoke and bows obtained from A. A. Salazar.

<sup>4</sup>Alvin T. Steinel in his *History of Agriculture in Colorado, 1858-1926*, on pages 411 and 412, credits Major Jacob Downing with having sowed the first alfalfa seed in Colorado in 1863. Since Downing obtained the seed in Mexico, it is very likely that alfalfa seed was planted in the lower San Luis Valley before any was planted in Denver by Major Downing.—Editor.

“Mr. Gallegos died in 1883. In 1894 A. A. Salazar bought the Gallegos interest, and continued the business as A. A. Salazar.

“In 1895, the store was completely destroyed by fire except for the adobe walls, but Salazar resumed business within three days in a room 14x16 feet with goods salvaged, and within 30 days began to rebuild on the same walls.

“On that occasion a group of his suppliers, including the Morey Mercantile Company [Denver], provided the stock necessary for him to obtain a new start.

“On January 1, 1901, Dalfino Salazar, becoming of age, was admitted as a partner and the firm was known as A. A. Salazar & Son until 1926. More improvements were made in the interim. These included a warehouse with 6,000 square feet of floor space for storing machinery and hardware, and an addition to the main store building.

“Further expansion of the business was made in the handling of sheep, lambs and wool, together with the raising of vegetable crops. The growing of lettuce, peas, cabbage, cauliflower and celery was explored. Today the area ships tremendous volume.

“The elder Salazar died March 29, 1926, and Delfino acquired the mercantile and livestock interests. In 1945, Delfino’s farming and livestock operations had expanded so greatly that he found it necessary to turn the mercantile business over to his son, Archie A. Salazar. The latter operated the store until his death on February 5, 1957. His widow and daughter, Connie Salazar Chavez, continue the management under the general administration of Delfino Salazar.

“The younger Salazar’s customers were the sons and grandsons of the pioneers who built a flourishing enterprise out of initiative, energy and perseverance.

“A second disastrous fire on February 27, 1947, burnt the mercantile store almost to the ground. Within a week, business was under way in a small store building.

“In February, 1949, a brand new, self-service store—still containing part of the original adobe walls—greeted customers. It is a two-story Spanish-type structure with a 130-foot frontage and 100 feet depth, embracing 26,000 square feet of floor space.

“Meanwhile, Delfino Salazar owns more than 12,000 acres of land and has more than 90,000 acres under lease for farming and livestock operations. His working hours in the summer are from 5 A.M. until 8 P.M., and he travels an average of 36,000 miles a year from farm to farm. He employs as many as 70 hands, three of whom have been with him for more than 30 years.



CONNIE SALAZAR CHAVEZ AND SON  
DAUGHTER OF ARCHIE A. SALAZAR

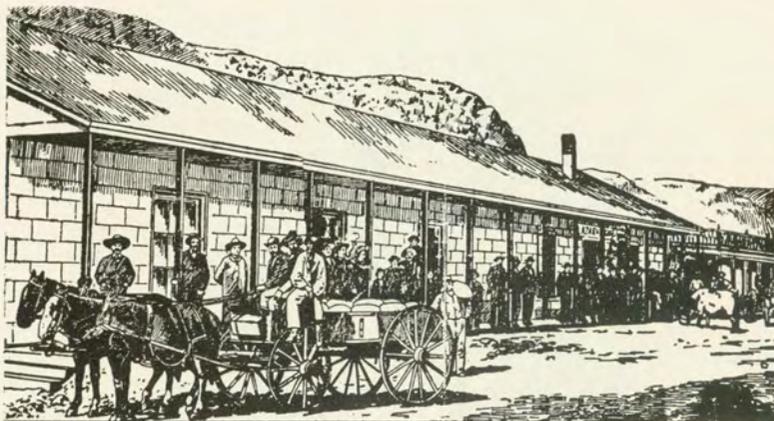
“‘A man who works for me is not my hired hand—he is my partner,’ Delfino says.”

#### THE GENERAL ASSEMBLY PASSES MEMORIAL

House Joint Memorial No. 7, introduced by Representative Luther A. Bean, and passed by the Forty-first General Assembly of the State of Colorado in March, 1957, read:

Memorializing the Centennial of the Mercantile Business of Delfino Salazar in the Town of San Luis, Colorado

WHEREAS, In 1857, Dario Gallegos, an early pioneer, founded a store business in the town of San Luis, Colorado; and



THE ORIGINAL SALAZAR STORE AT SAN LUIS, COLO.

WHEREAS, The descendants of the founder, through five generations, have successfully continued the business from the era of ox teams to the present day; and

WHEREAS, The business flourishes today under the guidance of the Delfino Salazar family; and

WHEREAS, It is the opinion of this body that the Salazar business is unique in that it exists in the oldest town in Colorado and has been operated continuously by the same family from great-great-grandfather to the great-great-granddaughter, Mrs. Connie Chavez; and

WHEREAS, It is proper to observe the centennial thereof; now, therefore,

*Be It Resolved by the House of Representatives of the Forty-first General Assembly of the State of Colorado, the Senate concurring herein:*

That the centennial of the Mercantile Business of Delfino Salazar in the town of San Luis, Colorado, is hereby memorialized and a copy hereof is spread upon the records of this body.

The State Historical Society of Colorado salutes the Salazar family in this Centennial Year of the establishment of Colorado's oldest store!



VICENTE AND CRISANTA VELASQUEZ AND FAMILY  
Meliton Velasquez is small boy in rear

## Guadalupe Colony Was Founded 1854

By MELITON VELASQUEZ\*

The following is a brief sketch of the early history of some of the pioneers of the San Luis Valley as told to me by my father, Vicente Velasquez, many a time.

Vicente Velasquez<sup>1</sup> was born in New Mexico, in the year 1838 at a place called La Cueva, about five or six miles up the Ojo Caliente River. When only a boy of about 15 years of age he joined the colony of pioneers, that, under the guidance and leadership of Jose Maria Jaquez, his uncle, were coming to the San Luis valley. After having settled and gone through many experiences in the valley for a number of years he was married to Crisanta Vigil, on November 25, 1863. Crisanta Vigil de Velasquez was born in 1849 in the Espanola valley, New Mexico, at a place called El Corral de Piedra. She came to the valley in January, 1858, with her uncle, Father Jose Miguel Vigil, who was the second priest that was assigned to the Parish of Conejos, and of whom I will speak later in connection with the history of the Conejos church.

Jose Maria Jaquez,<sup>2</sup> promoter of the colony, managed to arouse the minds and spirits of some of the most adventurous persons that lived in the small community of El Llanito, the place where they lived and from which they started on their expedition to the valley. How they were aroused and what excitement there was in the community! At last the day of departure arrived. Full preparations were made and everything was in readiness. Then they started for the "promised land." Some were in homemade two-wheel, wooden carts drawn by a pair or two of oxen; others rode on burros; a few were on horses. The balance followed on foot.

It was in the month of August, 1854, when the small colony reached the south bank of the Conejos River, crossed the stream, and first settled on the north bank of the river, about four miles west of what later was called Guadalupe, at a place which they

\* Meliton Velasquez, of La Jara, Colo., recently contributed the above article, which he prepared in 1927 from information gathered from his family and other early settlers of the Guadalupe settlement. Mr. Velasquez was born west of Antonito, and is the only living son of Vicente Velasquez and Crisanta Vigil, who had five sons. He served for some years as County Clerk of Conejos County. —Editor.

<sup>1</sup> He died at the age of 95, in La Jara on August 12, 1933.

<sup>2</sup> The descendants of Jose Maria Jaquez have played an important and active part in Conejos County politics. The late Jose Victor Garcia, a son-in-law, was elected as the first representative from the county, when the Territory of Colorado was organized in 1861. The late Jose A. Garcia, who served in the capacity of Sheriff of Conejos County for a period of about eighteen years, and afterwards was elected County Judge, was a son of Jose Victor Garcia, and a grandson of Jose Maria Jaquez. Celestino Garcia, also a grandson, represented Conejos County in the House of Representatives of Colorado, for about fifteen years. Reginaldo Garcia, son of Jose A. Garcia, and a great-grandson of Jose Maria Jaquez, was elected County Treasurer several terms.

called El Cedro Redondo (*the round cedar*). From this place they started to dig and made the first irrigation canal or ditch that was taken out of the Conejos River. This ditch extended to Servilleta, about two miles below or east of Guadalupe.

The new country having proven to be what their leader, Jose Maria Jaquez, had anticipated it to be, they decided to make the valley their future and permanent home. They then decided to go back to New Mexico and to bring everything that they had, so they went back for their small herds of cattle and flocks of sheep, in fact, everything they possessed. It was during this time when they were making final preparations for their return, that Major Lafayette Head, who then lived at Servilleta, decided to cast his lot with the small colony, still under the leadership of Jose Maria Jaquez.

This time, in the month of October in the year 1854, they settled in the spot which they had previously chosen, on the north bank of the Conejos River, and named the place Guadalupe, in honor of Our Lady of Guadalupe. By this name it is still known (1927).<sup>3</sup> During that fall and winter the people were kept very busy building the little settlement. The houses were built of cottonwood logs which were cut and hauled from the near-by forest. My father says that they kept him very busy that winter hauling logs with his yoke of oxen. In order that they might protect their stock from Indian attack, they built the plaza in the shape of a rectangle, with only two entrances, one on each end. They could close these entrances at night.

In this plaza they used to drive their stock, cattle, sheep and horses at night and always had one or two watchmen during the night to protect against Indian raids. Nevertheless, in March the next year, 1855, they had one of the most thrilling experiences of their lives. One morning just as they were driving their stock out for pasture, the Indians surrounded the plaza, some coming on the one side; and others, on the other, thus taking and driving away pretty near all the stock which the settlers had brought with them. All those who had arms, which were very few, got them out and fired, but the Indians made their get-away.

### THE FIRST FLOUR MILL

In 1856 Jose Maria Jaquez built and operated the first flour mill<sup>4</sup> in the valley. It was located about two and one-half miles east of Guadalupe on the south bank of the Conejos River. In this mill

<sup>3</sup> Later changed to Conejos, meaning in Spanish "rabbits." Named for the Conejos River, along whose banks many rabbits were to be found.

<sup>4</sup> See Alvin T. Steinel, *History of Agriculture in Colorado* (Pub. by State Board of Agriculture), p. 29.

all of the people of the settlement did their grinding for a number of years. Up to that time, and even afterwards to some extent, all the grinding was done on some prepared stones, called *metates*. The *metate* is an oblong, inclined stone usually with three short legs and a curved surface on top, upon this stone with another hand stone called *la mano* (the hand), all the home grinding of wheat and corn was done, principally by women.

#### MAJOR LAFAYETTE HEAD

Major Lafayette Head, the only person of Anglo-Saxon descent, who came with the settlers, in the course of time became one of the leaders and counselors. He was well liked and highly thought of by all the community. Next he was appointed agent for the Indians, and later served in the New Mexico and Colorado Territorial Legislatures. When Colorado became a state in 1876, the major was elected its first Lieutenant Governor.

#### FATHER JOSE MIGUEL VIGIL

I have already mentioned that Crisanta Vigil was a niece of Father Vigil, and that she had come to the valley in the early days. She lived right in the convent all the time while they were building the Conejos church. She tells many interesting stories of how Father Vigil managed to keep things going and how the people used to take turns about in the work of the construction of the church. It is evident that the Conejos Parish was established in 1855 and that Father Montano was the first priest assigned to the Parish. He came to Conejos in 1855 and built the first place of worship, *El Jacal* (the stockade). This was a small cabin built of standing logs. He stayed for about two years and was then relieved by Father Jose Miguel Vigil in the year 1857. Father Montana left no records of his church work.

In 1857 Father Vigil was assigned to the Conejos Parish and came from the Espanola Valley. For about a year or so he administered to the people from the old Jacal, built by Father Montana. By that time he decided to bring his own people to the valley, so in January 1858, he brought from Espanola Valley, his aged father, his sister, two brothers, and two of his nieces, my mother and a younger sister. The latter had been orphaned as children.

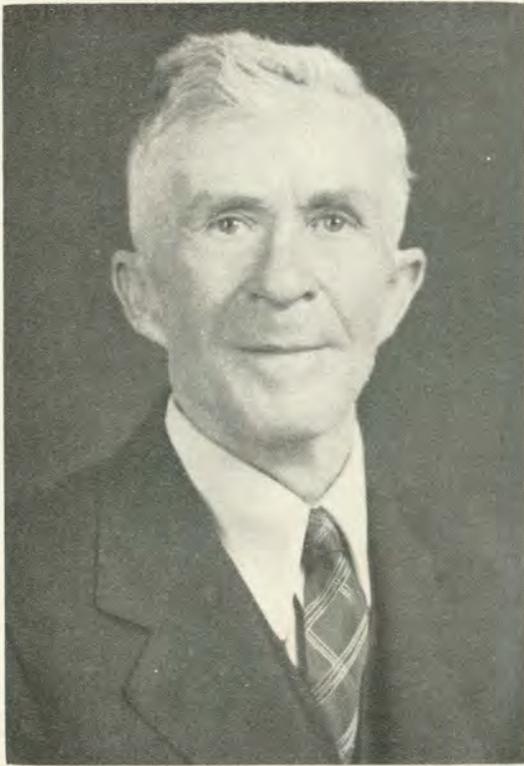
This party came by the way of Taos, and entered the valley over the southeastern pass just a couple of days or so after the Utes and Kiowas had had a battle there, in which the Kiowas seemed to have been annihilated. My mother tells how they were terrified and horrified at the sight of the swollen bodies of the dead Indians that were lying along the roadside.

Shortly after their arrival on the Conejos, Father Vigil began to make preparations for the building of a church. On the tenth day of June the work was begun upon the very site of the old Jacal. They just built the walls around it and still used it for a place of worship for some time after the new church was begun. On July 22, 1858, Bishop Juan B. Lamy, of Santa Fe, New Mexico, visited the Conejos Parish for the first time. The walls of the church were only about three or four feet high at that time. In 1863 Bishop Lamy again visited Conejos, and it was at this time that the new church was dedicated.<sup>5</sup>

During the greater part of these years and up to a few years before her marriage my mother lived right in the convent and was an eye witness to all these things and many others, as she was a helper to Father Vigil in much of his work.

There are many more interesting stories, incidents and adventures of the early settlers, which, for the lack of time and space, are not included in the brief sketch here presented.

<sup>5</sup>This chapel was dedicated to Our Lady of Guadalupe, the patron of the new settlement. The church was blessed by the Archbishop of Santa Fe, John Baptiste Lamy, on the feast of Our Lady of Guadalupe, December 12, 1863. On Ash Wednesday of 1926 a fire destroyed the church and convent, save the front walls. See Claire McMenamy, "Our Lady of Guadalupe at Conejos, Colorado," *The Colorado Magazine*, Vol. XVII, No. 5 (September, 1940), 180-183.



WILLIAM TILFORD STILLINGS

MAY CO.

## Tilford Stillings, Pioneer Mail Carrier to Brown's Park

By LULITA CRAWFORD PRITCHETT\*

Ranches were far apart, Tilford Stillings recalls, when he began carrying the mail in 1896 from Maybell, Colorado, to Lily Park and to Brown's Park, but he was just twenty-one and light in the saddle, and he enjoyed it. And though he often saw Matt

\*Lulita Crawford Pritchett, granddaughter of Mr. and Mrs. James H. Crawford, pioneer founders of Steamboat Springs, Colo., has a deep, inherent interest in Colorado history. She is a member of the Denver Women's Press Club and has won many of the club's awards. Her short stories, feature articles and poems have won national recognition. Miss Pritchett has written the following article from a personal interview with Mr. Tilford Stillings, who now resides in Denver.—*Editor.*

Rash, Isam Dart<sup>1</sup> and other notorious characters who frequented this remote country, he never felt the need to carry a gun. Everyone was the mail carrier's friend.

William Tilford Stillings was born in Laurel County, Kentucky, June 27, 1874—one of eight children. When he was twenty, he adventured to the Cripple Creek district in Colorado, arriving in Victor on April 14, 1895. Since ranching and cattle were more interesting to him than mining, he soon took the train to Rifle. From there he traveled by stage to Meeker, and went to work for Ike Baer, owner of the K Bar T ranch south of Meeker, who had 900 head of steers from Arizona to brand. Some of these were 5- and 6-year olds. Tilford's first job was to keep the fire going and the irons hot. He had never in his life seen anything branded, but he had been brought up on a farm and he learned fast and worked hard, and stayed till after haying. In October he took a job with John W. Lowell in Lily Park. He finished the winter in Denver, returning to Lily Park in the spring to help Charlie Butts, who had a contract to put up hay and also had the mail contract.

Mail came by train to Rifle and from there by stage to Meeker and Axial. At Axial it was put in a one-horse cart and taken to Lay and Maybell three times a week. Another route led from Axial to Craig.

Tilford's route began at the Maybell post office, which was at the Oscar F. Barber ranch, half a mile east of the present town-site. Mrs. Barber was post mistress. There were two boys and two girls in the Barber family. In spite of the coincidences that the girls were named May and Belle, the town was actually called Maybell for the wife of a rancher named Banks, who settled on the south side of Bear River before the Barbers came to the country.

On Sundays and Wednesdays Tilford would ride horseback to Lily Park and back. The post office was known as "Lily."<sup>2</sup> The Government called the round trip 66 miles, but instead of following the road around the mountain, the mail carrier would take a trail over the south end of Cross Mountain, thereby saving a few miles. He rode a fresh horse home. The Chews, who lived up against Douglas Mountain, and Boyd Vaughan and William and Henry Templeton, who lived down the river, put up boxes on his route. The Lily post office was discontinued while Tilford was carrying

<sup>1</sup>Matt Rash, a native Texan, and president of the Brown's Park Cattle Association, was shot to death on July 10, 1900, presumably by Tom Horn. Isam Dart, a Negro neighbor, said to have been one of the best cowboys in the Brown's Park area, was killed soon afterwards. According to Dean Kraker in *The Saga of Tom Horn*, page 9, "some cattle were being rustled by Brown's Park cowboys, but not all of them. Damaging evidence left by the thieves, pointedly incriminated Matt Rash and Isam Dart."—*Editor.*

<sup>2</sup>John W. Lowell, ranchman, named the area Lily Park for the Mariposa lilies blooming on nearby hills.—"Place Names in Colorado," *The Colorado Magazine*, Vol. XVIII, No. 6, 233.—*Editor.*

the mail, and the few ranchers in that region had to move their boxes a considerable distance to the Snake River trail.

On Mondays and Fridays the mail carrier traveled 60 miles to the post office in Brown's Park, called Ladore. The trail led down Bear River to the present location of Sunbeam, where Pete Farrell and his wife lived, crossed Bear River on the Thornburgh Bridge, which had been built some years before to accommodate wagons carrying supplies from Rawlins, Wyoming, to the White River Ute Agency, and hit Little Snake River at "Uncle" Joe Kester's.<sup>3</sup> Here Tilford turned his tired horse into the pasture. Since Uncle Joe had no stock to speak of, there was plenty of feed. Saddling a fresh mount, Tilford forded Snake River and came immediately to Elijah B. (Longhorn) Thompson's, where Mrs. Thompson always gave him a good dinner. Then he started on the longest lap of his journey. He did not see another cabin till he reached the A. H. Bassett ranch in Brown's Park.

For a short time he carried mail by Douglas Springs when there was a copper excitement at that place. In later years he crossed Snake River at Ora Haley's Two Bar Ranch, where there was a boat he could use in high water.

Bassetts never charged him a cent for his meals or for his horse feed. Mrs. Bassett was not living, but Mr. Bassett, Josie, Sam, Annie,<sup>4</sup> Eb, and George were as nice to him as could be. Almost every traveler through the park—legitimate or rustler—stopped at Bassett's, and Tilford Stillings vividly remembers eating dinner there alongside Matt Rash, Isam Dart and other tough characters.

During the time he carried mail, the post office of Ladore was moved four times.

On Tuesdays and Saturdays the mail carrier returned the 60 miles to Maybell. On Thursdays he and his horse rested.

Mr. Stillings remembers the great herds of deer and antelope that wintered in this country. Ordinarily, the antelope were in two or three bands, but once when the snow was deeper than usual, they gathered into one band numbering about 6,000 and drifted to the lower end of the sand hills by the "7" Ranch, owned by Pierce and Reef.

Every fall when the deer began to sift down from the mountains, Tilford would see bands of Ute Indians from Ft. Duchesne, who had come to get buckskin. After the Meeker Massacre in 1879, the Utes had been moved to a reservation in eastern Utah, but they were hard to keep on the reservation. The Indian men would kill

<sup>3</sup>This ranch was later known as the Tom Trevenen place. Trevenen married Uncle Joe Kester's niece.

deer by the hundreds, and the squaws would do all the rest of the work. When they had as much buckskin as they could load on their pack ponies, they would return to Utah. The settlers insisted that the Indians did not always distinguish between a steer and a deer.

In the autumn of 1897 a newly appointed game warden named Wilcox attempted to put an end to this slaughter. He and a posse of ten men rode to the Indians' camp in the cedars two miles below the present lower bridge on Little Snake River, just north of Lily Park. Only the squaws were in camp, but the Indian men began arriving immediately, and someone started shooting. Later, when a commission appointed by Governor Adams investigated the incident, the Utes claimed that only two Indians had been killed, while the game wardens testified that eight Indians, including two squaws, had been killed or wounded, and one white man, Al Shaw, seriously injured.

At any rate, there was great excitement and confusion. As soon as the fight was over, the posse rode to Thompson's ranch, and fearing the Indians might harm settlers in the vicinity, removed the women and children to Vaughan's ranch for safety that night. In the morning the women and children were loaded into wagons and sent east to Lay. Two cowboys were dispatched up country to warn settlers and to notify Sheriff Neiman in Egeria Park. Sheriff Neiman started immediately for the scene of trouble, gathering a force of men from Steamboat Springs, Hayden, and Craig.

Tom Armstrong, Jack White, and a man named Gabel rode west to Lily Park to warn the John W. Lowell and Henry Goodwin families. They had to go through country where the Indians were camped. The wagon road led down a big gulch, but instead of following it, the riders cut straight across on a trail into the cedars. This is all that saved their lives, for the Indians had seen them coming and were lying in wait near the road. As the cowboys turned onto the trail, the Utes opened fire. Jack White and Tom Armstrong had to abandon their horses and, with bullet holes in their clothes, take out over Cross Mountain afoot. They walked and hid all day and half the night and finally returned to the Vaughan ranch.

The third man, Gabel, believing his companions had been killed, broke back to the Thompson ranch, where he saddled a fresh horse. This horse was a wild one which generally could not be caught without roping, but for some reason today the animal stood quietly and allowed Gabel to saddle him. The Indians were only a short

<sup>4</sup>See Ann Bassett Willis, "'Queen Ann' of Brown's Park," *The Colorado Magazine*, Vol. XXIX, No. 2-4, and Vol. XXX, No. 1.—Editor.

distance behind Gabel as he "drug it" for Brown's Park to warn the people there. Several bullets passed through his clothes, and one passed through the cantle of his saddle.

Tilford Stillings was unaware of all this trouble as he left Maybell at 6:00 A.M. the next day on his regular route to Brown's Park. When he reached Kester's at Snake River, nobody was home. He thought nothing of this, but when he came to Thompson's and found the door wide open, dirty dishes on the table, and other signs of a hasty departure, he knew something had happened, and he guessed it was Indians. There had been talk of trouble.

Extremely uneasy, he hurried on to Brown's Park. If the Utes were watching him, they made no sign. He arrived at Bassett's the day after Gabel did and heard Gabel's story. He himself had not seen an Indian. The next day he took another trail back, crossing Snake River at the Heard ranch about a mile and a half above Thompson's. He did not see a soul. There was no fresh horse to change to, so he rode his tired mount clear to Maybell.

Later he learned that the Indians had rounded up all the horses they could find and set fire to the stables and haystacks at Thompson's. Charlie Marsh, Ed Brotherton, and F. O. Clark, on their way to Lily Park, fired several shots, scattering the Utes, and the fire was prevented from extending to the house. When, some days later, Tilford recovered the horse he had turned into Trevenen's pasture, he found it had been shot in the hip. Some of the men from Vaughan's who had gone up on Cross Mountain to look over the country and try to see what the Indians were doing, told him they had seen the Utes attempting to catch his horse, and when they could not, they shot it. The horse, however, got well.

Upon reaching Maybell, the mail carrier learned that the post office had been loaded in a wagon and taken to Lay along with the women and children. Because of this, he was not able to make his regular trip to Lily the next day. This was the only trip he missed in the years he carried the mail. But, he said, "the Government paid for it just the same!"

Though the settlers were uneasy for several weeks, there was no further trouble with the Indians.

One other time in the spring, Tilford was a little late with the mail when Vermillion Creek was running too high and swift to ford. There was no bridge. He camped under a ledge of rock all night with a fire for company and nothing to eat, and in the morning was able to make the crossing.

He had the mail contract for two 4-year terms, but sublet it part of the time.

The first few years he boarded at Barber's. Then he took up a homestead of his own and went into the cattle business. His brand was Bar Double Cross. Usually he ran 600 to 700 head, but one year had over a thousand. They ranged just south of Bear River and up Lay Creek. He drove to Rifle and shipped from there.

In November, 1906, he was elected county commissioner—the first to be elected for a 4-year term. Routt County was then the biggest county in the state. The commissioners met every three months—January, April, July, and November—at Hahn's Peak, the county seat. In summer people from lower country would take a short cut from Hayden to Deep Creek, though in winter they would have to go to Steamboat Springs and stay all night, then take the stage to Hahn's Peak. Their own horses did not know how to travel in snow and could not keep on the road.

The commissioners who served with him the first two years were Sam Adair from Hayden and Ben Male from near Oak Creek; and the last two years, Mark Choate from near Yampa, and William Cawfield from Hayden.

Tilford Stillings remembers with rightful pride that he never missed voting in an election even when it meant an eleven-mile ride to Lay in addition to his regular sixty-mile trip from Brown's Park.

In those days a mail carrier could charge everyone along his route for his services, but Tilford never did, and a law was soon passed forbidding this.

## Charles Autobees

By JANET LECOMPTE\*

### III.

On April 1, 1846, Charles Bent wrote, "Lee and Ortebise leave today for the U.S. by way of the Sangre de Cristo [pass]."<sup>1</sup> Was this "Ortebise" Charles or his half-brother Tom? Whichever one it was, he was probably unable to return to New Mexico until fall, for that summer New Mexico was invaded by U.S. troops. The last caravan to reach Santa Fe left Independence, Missouri, on May 11, 1846,<sup>2</sup> while "Ortebise" was still on his way east, or buying his outfit on the Missouri frontier.

On May 13, 1846, President Polk declared war on Mexico, and all subsequent caravans leaving Missouri were held up behind Col. Stephen Kearny's Army of the West. Kearny and his troops camped near Bent's Fort on July 30, and crossed the Arkansas into Mexican territory on August 2. After an unopposed march through New Mexico they reached Santa Fe on August 18, and raised the American flag over the Palace of the Governors. A month later Kearny and most of his army left to conquer California, having set up a civil government in New Mexico with Charles Bent at its head.<sup>3</sup>

The soldiers Kearny left behind, and their complement of camp followers, speculators and adventurers required more food, forage and whiskey than the backward territory could produce. Consequently, Simeon Turley's mill and farm were thriving, and there was plenty of work for Charley and Tom Autobees. The last man to describe Turley's establishment was the young English journalist, George F. Ruxton, who passed it on January 16 or 17, 1847:

Sheep and goats, and innumerable hogs, ran about the corral; his barns were filled with grain of all kinds, his mill with flour, and his cellars with whiskey "in galore." Every thing about the place betokened prosperity . . .<sup>4</sup>

Three days later the mill was a smoking ruin, its proprietor and eight of his men murdered, during a bloody uprising of Mexicans and Pueblo Indians against their American conquerors.<sup>5</sup>

\* Copyright by Janet Lecompte, 1957. Janet Shaw Lecompte has been, for a long time, transcribing the Cragin notes and other materials relating to early Colorado. She was co-author with her mother, the late Dorothy Price Shaw, of an article entitled, "Huerfano Butte," *The Colorado Magazine*, Vol. 27, No. 2 (April, 1950). She was author of "The Hardscrabble Settlement, 1844-1848," *idem.*, Vol. 31, No. 2 (April, 1954). Parts I and II of the Charles Autobees story were published in *The Colorado Magazine*, Vol. 34, No. 3 (July, 1957).—Editor.

<sup>1</sup>Bent to Alvarez, April 1, 1846, Alvarez Papers, Benj. Read Collection, Museum of New Mexico, Santa Fe.

<sup>2</sup>*Niles National Register*, July 4, 1846, p. 281, c. 1-2.

<sup>3</sup>Ralph Emerson Twitchell, *The History of the Military Occupation of the Territory of New Mexico* (Denver, 1909).

<sup>4</sup>Ruxton, *Adventures in Mexico and the Rocky Mountains* (N. Y. 1848), p. 203.

<sup>5</sup>E. Bennett Burton, "The Taos Rebellion," *Old Santa Fe*, Vol. I, No. 3 (October, 1913), is a good general account of the uprising.

On January 19, 1847, the first day of the uprising, Charles Autobees was conducting a mule train of Turley's whiskey from Arroyo Hondo to Santa Fe, a difficult four-day journey for a pack train in the middle of winter.<sup>6</sup> He had passed Embudo, where his old trapping companion, Jean-Baptiste Charlefoix, kept a trading post,<sup>7</sup> and he stopped for the night at the San Juan Pueblo, about twenty-five miles from Santa Fe, sixty from Arroyo Hondo. Scarcely had he gotten settled at San Juan before Charlefoix arrived with the horrifying news that the natives of Taos had murdered Charles Bent, Stephen Louis Lee and all the other foreigners they could lay hands on. Charlefoix had learned this from a runner sent by the insurgents from Taos with a dispatch instructing the people of all the little towns along the way to arm themselves and prepare to march against Santa Fe. Although the messenger was by this time miles south of San Juan, Autobees jumped on his horse and dashed off in pursuit. After a furious chase Autobees caught up with him, wrenched the dangerous message from him, found an *alcalde* to read it, and:

having done his duty in this respect, Autobias proceeded to Santa Fe, and there laid before the United States authorities the facts in the case. . . . A military force immediately started for Taos, and this Autobias joined, acting as guide and scout and furnishing twenty-three mules for the use of the party.<sup>8</sup>

In the meantime Charles Towne, the only American to escape from Taos the morning of the uprising, galloped to Turley's mill and warned Turley of the murderous mob headed his way.<sup>9</sup> Then Towne turned south to Santa Fe, reaching there the evening of

<sup>6</sup>For the benefit of those who would have Charley warning the men at Turley's and at Bent's Fort, flying about the countryside like an airborne Paul Revere, I have sought out two detailed descriptions of the road between Santa Fe and Arroyo Hondo, and it turns out to be a formidable mountainous path. See G. F. Ruxton, *Adventures in Mexico*, p. 196f; and Lt. Peck's description made in the fall of 1846, with Abert's "Examination of New Mexico," *S. Exec. Doc. 23*, 30th Cong., 1st Sess. (Ser. 506), 40-44.

<sup>7</sup>Ruxton had stopped only a few days before at "El Embudo—the funnel—where I put up in the house of an old Canadian trapper, who had taken to himself a Mexican wife, and was ending his days as a quiet ranchero." (*Adventures*, p. 197.) This was undoubtedly Charlefoix, who was still there in 1849 when William Kroenig stopped with him. (Charles Irving Jones, "William Krönig, New Mexico Pioneer," *New Mexico Historical Review*, Vol. XIX, No. 3 [July, 1944], 199.)

<sup>8</sup>*Denver Tribune*, Feb. 9, 1879, p. 4, c. 1. This article was written to publicize efforts of Charley's friends to get him a pension for the very services described here. Charley was probably questioned about these events in some detail, and the article, based on Charley's own memories, is probably more accurate than the usual newspaper story. Two other sources agree that Charley was on his way to Santa Fe at the time of the massacre: Ruxton, *Adventures*, p. 230; Tom Autobees, Avondale, Colo., Nov. 8, 1907, to F. W. Cragin, EFWN II-76, Cragin Collection, Pioneers' Museum, Colorado Springs, Colo.

<sup>9</sup>Of the references that describe Towne's escape from Taos on either a horse or a mule, only one (but that one contemporary) says that he warned the men at Turley's. (Dr. Hempstead's letter, Bent's Fort, Feb. 1, 1847, printed in *Niles Register*, April 3, 1847, p. 73, c. 1.) The other references are: Helen Haines, *History of New Mexico* (N. Y., 1891), p. 190; T. D. Bonner, *Life and Adventures of James P. Beckwourth* (N. Y., 1931), p. 335; *Missouri Reveille*, quoted in R. E. Twitchell, *Military Occupation of New Mexico*, p. 334; Severiano Martinez, Raton, N. M., Mar. 7, 1908, to F. W. Cragin, EFWN XII-22, Cragin Collection.

January 20, some hours before Charles Autobees arrived.<sup>10</sup> A few hours after Towne's warning, which Turley ignored, about five hundred Mexicans and Indians came to Turley's front gate bearing a white flag. They sent Turley the message that they would guarantee his life if he would surrender the mill and the men in it. Indignantly Turley refused, and the siege began. On January 19, the first day, the ten or eleven men in the mill held their own behind the thick adobe walls. But on the second day the enemy set fire to the mill twice, and the Americans knew their defense could not hold out much longer. When darkness fell on January 20, John Albert and a few others stormed out the front gate, firing wildly into the mob, but only Albert managed to escape.<sup>11</sup> At the same time Tom Autobees, William LeBlanc and Turley dug a hole through the adobe wall at the rear of the mill and escaped into the night. Tom made for Santa Fe. Turley and LeBlanc started north, hoping to reach the settlements on the Greenhorn and at Pueblo. LeBlanc succeeded. Turley was lame, however, and after they had gone some eight rough miles, LeBlanc left Turley in the mountains alone, where he was found by the Mexicans and killed.<sup>12</sup>

A few days later John Albert reached the Pueblo on the Arkansas and told of the siege of Turley's mill to George Ruxton, who probably followed Albert's story closely for his account in *Adventures in Mexico*. But either Albert or Ruxton got Charles Autobees mixed up with Charles Towne:

One morning a man named Otterbees, in the employ of Turley, and who had been dispatched to Santa Fe with several muleloads of whiskey a few days before, made his appearance at the gate on horseback, and, hastily informing the inmates of the mill that the New Mexicans had risen and massacred Governor Bent and the other Americans, galloped off.<sup>13</sup>

George Bent, evidently muddled, says Charles Autobees was the first to notify the men at Bent's Fort of the Taos Massacre.<sup>14</sup> Dr. E. L. Hempstead, who was at Bent's Fort at the time, is the

source of a statement refuting George Bent, but adding a little to the confusion at the same time. Hempstead wrote on February 1, 1847, that it was Charles Towne who gave the alarm at Turley's, and that every man at the mill was slain except Turley and "an old Frenchman—Charles Ortobus." Dr. Hempstead's source was a messenger from the Pueblo who had heard John Albert's story and had brought the news to Bent's Fort.<sup>15</sup>

Charles Towne arrived at Santa Fe on January 20 with the information that Governor Bent was dead. The next morning the Americans at the capital learned (probably through Charles Autobees, as we have seen) that an army of 1,500 to 2,000 Mexicans was marching upon Santa Fe. Immediately all the Mexicans in Santa Fe were disarmed and prohibited from leaving the city; all the Americans were armed and organized into companies.<sup>16</sup> One company was Captain Ceran St. Vrain's, and consisted of many of his old trapping comrades, Bent & St. Vrain Co. employees, and friends from Taos who by some lucky accident had been away from the place on January 19. Among those who enlisted in St. Vrain's "mountain volunteer" company were Baptiste Charlefoix, Charles Towne, and privates "Charles Antibes" and "Thomas Antibes."<sup>17</sup> In later years both Charley and Tom tried to get pensions for their service in St. Vrain's company, but neither succeeded. Of Charley's attempt we will speak later. For Tom, it would have been better had he then used the name of Tobin which he later adopted. In 1900, when he was 78 years old, penniless, bedridden and almost blind, he wrote his old friend, Idaho Senator George L. Shoup, asking for his pension:

I enlisted in Captain Ceran St. Vrain's company . . . but unfortunately, as I am not able to read or write more than my name, I was enlisted and sworn in under the name of "Autobee," this being the name of my stepbrother and I was known under that name by all my old friends and comrades. My brother was the first on the list of volunteers, myself the second. My identity was it appears lost . . . it has become impossible for me to establish my identity.<sup>18</sup>

Colonel Price and his 353 soldiers left Santa Fe on January 23. The next day at La Cañada, St. Vrain's company, acting as the advanced mounted troops, encountered an army of insurgents. Colonel Price ordered the other companies forward so fast that the ammunition and provision wagons were left a mile behind. As some of the enemy began to go after the lagging wagons, St. Vrain's men were sent to protect them, while the other troops charged and routed the Mexicans. On they marched until, on January 29, just outside

<sup>10</sup>Letter of Lt. Alex. B. Dyer, Santa Fe, Feb. 14, 1847, *New Mexico Historical Review*, Vol. XXII, No. 4, 390f. Lt. Dyer's account—detailed, contemporary, eye-witness—says that on January 20 people in Santa Fe heard of Bent's death, but it was not until noon on the 21st that they heard of the others murdered at Taos, and of the insurgent army descending upon them. Thus the first news must have been brought by Charles Towne, and the later news by Autobees. A secondary account supports this: "The news of the rising in Taos, and the murder of Gov. Bent and other officials, reached Santa Fe on the 20th, carried by Charles Towne. . . . At the same time letters were intercepted, intended for dissemination through the Rio Abajo and urging the people to combine in a determined attack upon the foreign invaders." Helen Haines, *op. cit.*, p. 190.

<sup>11</sup>Ruxton, *op. cit.*, p. 230; H. L. Conard, "Uncle Dick" Wootton (Chicago, 1890), p. 180; John Albert's own account published in the *Trinidad Weekly Advertiser*, Feb. 2, 1885, copied by F. W. Cragin, EFVN VIII-31f, Cragin Collection.

<sup>12</sup>Ruxton, *loc. cit.*; and Antonio LeBlanc (William LeBlanc's son), Las Vegas, N. M., June 18, 1908, to F. W. Cragin, EFVN XIII-12f, Cragin Collection.

<sup>13</sup>Ruxton, *op. cit.*, pp. 227-8. It is not possible, of course, that Autobees intercepted the messenger on January 19, rode back to Turley's mill and reached it before noon the same day.

<sup>14</sup>George E. Hyde, MS. Life of George Bent, Chap. IV, Western History, Denver Public Library; G. B. Grinnell, "Bent's Old Fort and Its Builders," *Collections*, Kansas State Historical Society, Vol. XV (1923) [reprint], 52.

<sup>15</sup>*Niles National Register*, April 3, 1847, p. 73, c. 1.

<sup>16</sup>Lt. Dyer's Letter, *op. cit.*, p. 391.

<sup>17</sup>L. Bradford Prince, *Historical Sketches of New Mexico* (Kansas City, 1883), appen. The name was probably written "Antibes" and misread by the printer.

<sup>18</sup>Library, Colorado State Historical Society, Denver.

the town of Embudo, they reached a pass so narrow that three men could not walk abreast at the bottom. In the mountains on either side of the canyon the Mexicans were hidden behind rocks and cedars, firing down upon the troops. St. Vrain dismounted his hardy mountaineers, sent them scrambling up the steep sides of the mountains and the enemy again retreated. After two days of struggling through deep snow in the mountains bordering the valley of Taos, on February 3 the troops finally entered the town of Taos (then known frequently as Don Fernando, or San Fernandez). Although it was dusk, they pushed on to the Taos Pueblo, where the Indians "raised a most unearthly yell" at the sight of them. The soldiers fired a few volleys, then returned to Don Fernando for the night. The next day they attacked the Pueblo in earnest, stormed the church where the more active insurgents were fortified and destroyed it. They returned after a day-long battle to Don Fernando and prepared for another battle the next day, but in the morning the Indians surrendered.<sup>19</sup> One of the Indian leaders, Pablo Montolla (Montoya), escaped to the hills back of Taos, and Charles Autobees was sent with a squad of men to look for him. Charley found him, brought him back to town where he was hanged the next day without trial.<sup>20</sup>

The volunteers were discharged on February 20, 1847, but many of them stayed at Taos to witness and participate in the trials of the instigators of the massacre. The trials began on April 5, with Judge Charles Beaubien presiding. On April 6, "Charles Ortibus" was on the jury, along with Charles Towne, Baptiste "Charleyfoe" and other soldiers and residents of Taos. The defendant that day was José Manuel Garcia, indicted for murder. Garcia pleaded not guilty; the jury was called and sworn; the jury retired (for only a few minutes, said an amused eye-witness).<sup>21</sup> The verdict of guilty was returned before the jury went home that day. On April 7 the court was again in session, again with Charles "Ortibus" on the jury. José Manuel Garcia was sentenced to hang by the neck until he was "dead, dead, dead." The jury found four more Indians guilty of murder, and they too were sentenced to hang—all in one day. The trials went on until April 14, but Charles Autobees was not again on the jury.<sup>22</sup>

After the trials and hangings were over, the estates of those who had been murdered were settled. The largest estate settled at Taos was that of Simeon Turley. On April 21, 1847, a public sale

<sup>19</sup> Letter of Lt. Dyer, cited, and official report of Colonel Price, Santa Fe, Feb. 15, 1847, *S. Exec. Doc. 442*, 56th Cong. 1st Sess. (Ser. 3878), 8-13.

<sup>20</sup> *Denver Tribune*, Feb. 9, 1879, p. 4, c. 1.

<sup>21</sup> Lewis H. Garrard, *Wah-To-Yah and the Taos Trail*, Southwest Historical Series, Vol. VI (1938), 240.

<sup>22</sup> Francis T. Cheetham, "The First Term of the American Court in Taos, New Mexico," *New Mexico Historical Review*, Vol. I, No. 1 (January, 1926), 28-30.

of Turley's goods was held at Taos. Charles "Ortebus" bought many yards of dress goods, 103 pounds of coffee, 96 buffalo robes, 26 fanegas of wheat, 2 petticoats, one pair of pantaloons, a vest, and a dress coat. For these articles he paid \$321.25. At a private sale the same day, Charley bought from Turley's estate 5½ yoke of oxen for \$137.50.<sup>23</sup> On May 25 Charley made a claim for \$60 upon the estate.<sup>24</sup> On September 6, 1847, the court allowed "Chas. Ortebus," John Albert and William LeBlanc the attachments they had claimed, but all three were absent from court at the time. Turley's estate made final settlement with Charles Autobees at a special session of the District Court on April 11, 1848, at which time "C. Otterbies" presented five vouchers against the estate amounting to \$475.50, turned in a collection of \$10, and so ended Charley's long employment with Simeon Turley.<sup>25</sup>

When the court allowed Charley his claim upon Turley's estate in September, 1847, he was absent, probably at the farm he had started that summer on the St. Charles (San Carlos; Don Carlos) river at the Taos trail crossing about nine miles (fourteen by the old trail) south of Fort Pueblo, and five miles north of the Greenhorn settlement at the trail crossing of the Greenhorn river. Ruxton described the site of the farm in January, 1847:

The San Carlos is well timbered with cotton-wood, cherry, quaking-asp, box alder, and many varieties of shrubs, and many spots in the valley are admirably adapted for cultivation, with a rich loamy soil, and so situated as to be irrigated with great facility from the creek.<sup>26</sup>

The entire length of the St. Charles was claimed by Gervais Nolan, a French-Canadian who had come to New Mexico with Charles Beaubien in the 1820's.<sup>27</sup> In 1843 Armijo granted Nolan the valley of the St. Charles with the usual conditions that he cultivate and populate the land.<sup>28</sup> Probably at the request of, or at least with the permission of, Gervais Nolan, Charles and Tom Autobees came to the St. Charles, built a house for themselves and their hired hands, Salvador Avila and Antonio Chavez,<sup>29</sup> and began to farm.

<sup>23</sup> "List of the Sales of the goods and chattels belonging to the estate of Simeon Turley . . ." Turley Papers, Missouri Historical Society, St. Louis.

<sup>24</sup> Taos (N. M.) county records, Book C-1 ("Diario de la Corte de Pruebas, 1847-1855").

<sup>25</sup> "The Estate of Simeon Turley deceased in a/c with E. Leitensdorfer, admr. . . ." Turley Papers, Missouri Historical Society, St. Louis.

<sup>26</sup> Ruxton, *op. cit.*, p. 217.

<sup>27</sup> Mrs. Fernando Nolan, Santa Fe, Jan. 24, 1908, to F. W. Cragin, EFWN XI-63, Cragin Collection. Nolan and Beaubien worked in the placer mines below Santa Fe in the 1820's. Nolan acquired a fortune there, then squandered it all in a search for the Gran Quivira. Joseph Tassé, *Les Canadiens de l'Ouest*, II (Montréal, 1878), 187. He married the daughter of Baptiste LaLande, who was living at Taos when Pike reached there, and their oldest child, Fernando, was born May 30, 1835. (Taos Church Baptismal records, 1833-1836, Chancery, S. Fe.) Nolan died Jan. 27, 1857, leaving five children, two grandchildren. *H. Exec. Doc. 112*, 37th Cong. 2nd Sess. (Ser. 1137), 36.

<sup>28</sup> *H. Exec. Doc. 112*, 37th Cong. 2nd Sess. (Ser. 1137), 30f.

<sup>29</sup> One of the few gravestones still decipherable in the little graveyard near the site of Charley's plaza on the Huerfano is that of "Antonio Chavez murio el 10 de jul[io] 1892 A EDAD DE 63 años R.I.P."

Soon, says Charley's son Tom, there were others living at the farm—the red-haired, florid mountain-man Levin "Colorado" Mitchell and his peon Trujillo; a French-Indian half-breed named Pasqual and nicknamed "Blackhawk"; and LaBonte. Tom says the farm was started in 1846 and lasted one year,<sup>30</sup> but since one of the Autobees was in Missouri during the spring and summer of 1846, it is more likely that 1847 was the year.

One or the other of the brothers did 25¢ worth of business at the nearest general store, kept by John Brown on the Greenhorn, in the summer of 1847. In July, 1847 (exact date not recorded), Brown wrote in his account book, "Dr. to Cash by Otterbies . . . .25." This "Otterbies" was probably Charley, for on July 26 John Brown paid "Sickamore" fifty cents, and Sycamore was Charley's Arapahoe squaw, as we shall see later. Brown also mentions "Blackhawk" in his accounts for the years 1845, 1846 and 1847 and "Mitchell" in 1847 only.<sup>31</sup> By 1848 at least two of the farmers on the St. Charles were gone. In June, 1848, "Blackhawk" was killed by the Utes in Manco de Burro Pass, near Raton Pass,<sup>32</sup> and on May 1, 1848, Levin Mitchell was appointed deputy sheriff of Taos.<sup>33</sup> Among the many possible reasons for abandonment of the farm, the most compelling was undoubtedly the unfriendliness of the Utes. In 1860 Ceran St. Vrain and Kit Carson both testified on behalf of the claimants of the Nolan grant, that either Nolan or persons in his employ tried almost yearly to farm portions of the grant, only to be driven off by Indians.<sup>34</sup>

Charles Autobees was back in Arroyo Hondo by April, 1848, where Alexander Barclay visited him and contracted with him to build a new fort and trading post. The year 1848 saw the decline and fall of most of the Arkansas river trading posts, for money was no longer to be made from commerce with Indians and trappers but from dealings with an all too generous United States government in its new Territory of New Mexico. Fort Pueblo, founded in 1842 by Alexander Barclay, George S. Simpson, and Joseph B. Doyle, was empty in the summer of 1848; Hardscrabble, founded by the same men thirty miles farther up the Arkansas in 1844, was nearly deserted that fall.<sup>35</sup> When Barclay, Simpson and Doyle abandoned Hardscrabble in 1847 they moved back to the mouth of the Fountain—not, however, to Fort Pueblo which they had probably sold in

1844, but to a spot two miles west of it on the Arkansas.<sup>36</sup> Here they spent the winter, and in the spring Barclay bought some land at the junction of the Mora and Sapello rivers, a beautiful locality known throughout the territory as "*la junta de los rios*." The place was well-known for the fact that the Cimarron and Raton branches of the Santa Fe Trail came together just north of the river junction; it was also well-known for the frequency of Indian attacks upon travelers on the trail, and upon the shifting groups of settlers who were bold enough to try to live there.<sup>37</sup> Barclay saw that eventually a military post would have to be located here if settlement of northeastern New Mexico were to be accomplished, and his idea was to build a fine fort and sell it for a fine price to the government. On March 21, 1848, he bought very cheaply a part of the Scolly or "La Junta de los Rios" grant.<sup>38</sup> And in April Barclay visited Charles Autobees in Arroyo Hondo, to talk over the building of the post. On April 9, Barclay and Autobees left together for Mora, and on May 25, "Chas. Auterbees hands came down" from Arroyo Hondo and proceeded to make adobes for the fort.<sup>39</sup> George Simpson and his family arrived from the Arkansas on June 2.<sup>40</sup> The fort was still "about being built" on July 28,<sup>41</sup> but in true pioneer style, on August 1 Mrs. George Simpson gave birth to a baby there.<sup>42</sup>

In the summer of 1849 Captain H. R. Judd reported an inspection of posts near Barclay's fort, where settlements had grown rapidly. Judd's guide was "Charles Audebis," a fine hunter and interpreter to the Comanches.<sup>43</sup>

By July of 1850 Charles Autobees had moved from the town of Arroyo Hondo (Dolores) to the town of Rio Colorado (Red River,

<sup>30</sup> [George Simpson], "Old Time Recollections," *Trinidad Daily News*, June 8, 1881, p. 1, c. 2-3.

<sup>31</sup> James Bonney, an Englishman who kept a dozen different kinds of guns in his dugout on the Mora, was the only man who managed to remain on the Scolly grant from 1843 until Fort Barclay was built, when Barclay and Samuel Watrous, who also had a large interest in the grant, rewarded his courage and perseverance by granting him outright the little parcel of ground he had held so long. See J. J. Webb, *Adventures in the Santa Fe Trade, 1844-1847*, Southwest Historical Series, I, pp. 74, 100; Emory, *Notes of a Military Reconnaissance . . . . S. Exec. Doc. 7*, 30th Cong. 1st Sess. (Ser. 505), 25; Joseph Watrous, Las Vegas, N. M., Feb. 14, 1908, to F. W. Cragin, EFWN VII-27-8, Cragin Collection.

<sup>32</sup> From James M. Giddings and wife Petra, for \$1. Book A, Kearny Code, p. 109, Bureau of Land Management, Santa Fe. On May 17, 1848, he bought another share of the Scolly grant from Robert Brent for \$50. Book A, Kearny Code, p. 131. Both these deeds are recorded also in Mora County, N. M., Book I, p. 98. The history of the Scolly grant, consisting of only 5 square leagues with the center at the junction of the Mora and Sapello, may be found in *H. Report 457*, 35th Cong., 1st Sess. (Ser. 967).

<sup>33</sup> Data from Barclay's notes in State Historian's files, State Historical Society, Denver, Colo.—*Editor*.

<sup>34</sup> Statement of Mrs. George S. Simpson per Robert J. Simpson, El Paso, Tex., Oct. 31, 1904, to F. W. Cragin, Cragin Collection.

<sup>35</sup> Orville Pratt Diary, MS. in the library of Colo. State Historical Soc., Denver.

<sup>36</sup> Mrs. Jacob Beard, El Paso, Tex., Oct. 30, 1904, to F. W. Cragin, EFWN I-1, Cragin Collection.

<sup>37</sup> Capt. H. R. Judd, Las Vegas, N. M., June 11, 1849, to Lt. Dickerson, Santa Fe, Dept. of N. M., L. R., RG 98, National Archives, courtesy of James W. Arrott, Sapello, N. M.

<sup>30</sup> Tom Autobees, Nov. 10, 1907, Avondale, Colo., to F. W. Cragin, EFWN X-29, Cragin Collection.

<sup>31</sup> "John Brown's Account Book 1845-48." Beattie papers, copy in the Henry E. Huntington Library, San Marino, Calif.

<sup>32</sup> *Missouri Statesman*, August 4, 1848, typed copy in Library, Colorado State Historical Society, Denver.

<sup>33</sup> Taos (N. M.) county records, Book C-1.

<sup>34</sup> *H. Exec. Doc. 112*, 37th Cong. 2nd Sess. (Ser. 1437), 30f.

<sup>35</sup> Janet S. LeCompte, "The Hardscrabble Settlement, 1844-1848," *The Colorado Magazine*, Vol. XXXI, No. 2 (April, 1954).

N. M.), twenty miles north.<sup>44</sup> His reasons for making this move are not clear. Perhaps he intended to farm his portion of the Cebolla grant, and his allotted strip was closer to Rio Colorado than to Arroyo Hondo. On April 7, 1850, he acquired, for no stated consideration, his brother Tom's share of the grant, giving him a total of two-fifths. The transfer was recorded on the back of the original grant document, and was done before Juan Lorenzo Martinez, the same *alcalde* of Dolores who had placed the grantees in "joyous" possession four years before. There is no proof that Charley actually did farm his share of the grant, although the grantees planned to farm the land, for they divided it among themselves in north-south strips.<sup>45</sup>

On September 29, 1850, perhaps after an unsuccessful farming season, Charley sold his two-fifths of the Cebolla grant to José Gonzales for two dry cows, a cow with a calf and a yoke of oxen. The sale was recorded on the back of the original grant, just below Tom's transfer of his interest to Charley, and the transaction was witnessed by José Miguel Pacheco and José Bitor Valdez. The deed turned out to be not a true conveyance, however, for it was not certified by a public officer, so on April 25, 1853, Autobees declared before Jesus Maria Cordova, *alcalde* of Rio Colorado, that he had indeed sold his right in the grant to Gonzales for the cows, calf and oxen, and that he thereby gave to Gonzales his quit-claim deed "for the greater validity of the instrument."<sup>46</sup>

Charley's son Tom says that after the death of Turley, Charley made frequent trips over the mountains to the plains, where he traded with the Cheyennes and Arapahoes on the Arkansas.<sup>47</sup> There is no record in the files of the Indian Office of a license issued to Autobees to trade with these Indians, but the records are incom-

<sup>44</sup> See Chapter IV, note 13, *post*.

<sup>45</sup> "Claim of Juan Carlos Santistevan *et al.*," *H. Exec. Doc. 296*, 42nd Cong. 2nd Sess. (Ser. 1520). In 1854 Carlos Santistevan sold his land bounded on the east by the land of Carlos Ortvis (he must have meant *formerly* owned by Ortvis, or perhaps the sale to Gonzales in September, 1850, was not known to him), on the west by Julian Santistevan, and on the north and south by the boundaries of the grant. When the grant came before the Surveyor General's examination in 1872, that officer stated that the land had been "in continual possession and occupation" ever since it had been granted. At the time, however, a wealthy promoter, William Blackmore, was interested in buying the grant, a prerequisite of which was its confirmation—and no doubt the Surveyor General was compellingly urged to pass favorably upon the grant. The Surveyor General's statement as to the continual occupation of the land seems to be prejudiced, based as it is upon the unsupported word of one witness only, who said vaguely that "the grantees possessed it." The testimony accompanying the published grant papers does not indicate which of the grantees "possessed" it, whether any of them farmed it, built houses upon it, or lived there—all questions that demanded answers in the Surveyor General's investigation of other grants. I have not, however, seen the original papers, which are being microfilmed now at the University of New Mexico, and are presently unavailable to me.

<sup>46</sup> *Ibid.*

<sup>47</sup> Tom Autobees, Avondale, Colo., Nov. 9, 1907, to F. W. Cragin, EFVN II-76, Cragin Collection.

plete,<sup>48</sup> and the small independent trader usually managed to conduct his trade without paying the required \$10 for a license, to the annoyance of the Indian agents.<sup>49</sup> License or not, we may be sure that Charley was thoroughly acquainted with the Arkansas Valley and with the Cheyenne and Arapahoes who lived there some years before he finally made it his home in 1853.

#### IV.

By the summer of 1850 Charles Autobees had moved to Rio Colorado (Red River, N. M.), then New Mexico's most northerly and hence most Indian-plagued settlement. The town was situated picturesquely at the head of the beautiful valley of Red River, bordered by steep mountains upon whose slopes climbed a profusion of game. The village itself, when George Ruxton passed it in 1847, consisted of fifteen adobe houses ("wretched hovels" the fastidious Englishman called them), all built around an open square, or plaza.<sup>1</sup> Since the founding of the town in 1816,<sup>2</sup> the Mexicans who lived there had cultivated their little corn and wheat patches along the river banks and grazed their sheep and cows on the mountain slopes, only to have their grain, their animals, and their scalps stolen with casual regularity by the Utes. Ruxton says the terrified Mexicans stayed inside their houses for half a year at a time, letting their crops rot in the fields, while the one stout soul in the community, a French-Canadian hunter named Laforet, kept them alive with the game he and his two big sons procured in the mountains.<sup>3</sup>

By 1849, the Indian troubles that had always been a part of the daily life of Rio Colorado were general all over the territory. Driven to fury by the unfriendly new traffic along the Santa Fe trail, and by the clumsy attempts of U.S. soldiers to punish Indian depredations upon frontier settlements, the Indians now attacked nearly every train on the trail even without hope of plunder but simply out of hatred and revenge. In October, 1849, a band of Jicarilla Apaches surrounded the wagon of James M. White at Point of Rocks on the Santa Fe trail, about 80 miles from the nearest New Mexican settlement, murdered all the men of the train, captured Mrs. White, her ten-year-old daughter and the child's Negro

<sup>48</sup> "Records of Licences Issued by the Indian Office, 1847-1873" is the only record of traders' licenses, issued before 1865, remaining in the records of the Bureau of Indian Affairs in the National Archives, and it is far from completed, according to Jane F. Smith, Chief, Interior Section, National Archives, Washington, D. C., letter of July 16, 1956, to writer.

<sup>49</sup> *The Official Correspondence of James S. Calhoun*, Annie H. Abel, ed. (Wash., 1913), pp. 71, 106, 108-9, etc.

<sup>1</sup> G. F. Ruxton, *Adventures in Mexico*, 206f.

<sup>2</sup> *American State Papers*, IV, 211.

<sup>3</sup> Ruxton, *loc. cit.* Apparently Laforet had lived at Rio Colorado since 1842, for his son José Antonio testified in 1872 that he was then 45 years old and had lived in Rio Colorado since 1842, when he was 13, when he probably moved there with his family. *H. Exec. Doc. 296*, 42nd Cong. 2nd Sess. (Ser. 1520), 34.

nurse. As soon as the horrible remains of the victims were discovered, a detachment of soldiers from Taos, guided by Kit Carson, Antoine Leroux, Robert Fisher and Tom Tobin (as Charley's brother was beginning to call himself), was sent to recover the captives. They discovered the Indian camp, but because of a delay in attacking it, Mrs. White died with an arrow in her back as she ran towards the soldiers.<sup>4</sup>

The murder of Mrs. White profoundly shocked the people of New Mexico, being the first murder of an American woman in the Territory. The recovery of the child and the Negro nurse became of prime importance and interest. It also became a political issue, a contest for ascendancy between Col. John Munroe, head of the military district and (by virtue of the vague terms of the Treaty of Guadalupe Hidalgo, ending the Mexican war in February, 1848) civil governor as well, and James S. Calhoun, Superintendent of Indian Affairs in New Mexico. Neither man had as much as three full months' experience in dealing with these Indians, and both jealously guarded the rights and privileges of their respective offices. Consequently, their efforts to find Mrs. White's daughter were not only ill-directed, but even at cross-purposes.<sup>5</sup>

In January, 1850, unknown either to the Indian Agent Calhoun or to Governor Munroe, Colonel Beall, the commander of troops at Taos, indiscreetly sent out two young German immigrants who had been in New Mexico only two months, to find the Muache Ute village and to discover what the allied Jicarilla Apaches had done with Mrs. White's daughter and the nurse. The young men, William Kroenig and one Schlessenger, stopped at Rio Colorado to get directions from Laforet, then proceeded directly to the Ute village in the San Luis valley north of Rio Colorado. There they were greeted pleasantly by the chief, Chico Velasquez, who showed them his wonderful pair of leggings decorated with the fingernails of white men and Negroes. After several days spent in gambling with the chief, they were escorted home through the hostile Apache country, bearing the information, which nobody paid any attention to, that both the child and the nurse were dead.<sup>6</sup>

<sup>4</sup>H. L. Conard, "Uncle Dick" Wootton (Chicago, 1890), 206f; Kit Carson's Own Story, ed. Blanche C. Grant (Taos, 1926), 93f; James A. Bennett; A Dragoon in New Mexico 1850-1856," ed. Brooks and Reeve, *New Mexico Historical Review*, Vol. XXII, No. 1 (January, 1947), 73f.

<sup>5</sup>Calhoun's troubles with Col. Munroe are the subject of about half his letters published in *The Official Correspondence of James S. Calhoun*, ed. Annie H. Abel (Washington, 1913).

<sup>6</sup>Charles Irving Jones, "William Krönig, New Mexico Pioneer," *New Mexico Historical Review*, Vol. XIX, No. 3 (July, 1944), 212f; and William Kroenig, Sr., "Autobiography," unpublished MS, typed copy in Western History Dept., Denver Public Library. Although these accounts are essentially the same, the published version has been altered occasionally in such a way as to obscure Kroenig's meaning. For instance, the published version calls Laforet "La Port" throughout, while the typescript renders the name variously as "Laforcks," "Loparet," etc., showing that in the original manuscript it was illegible.

Then in February, 1850, Calhoun sent out his own spy, a Ute trader from Arroyo Hondo named Auguste Lacomé, to the same Ute village for the same purpose. But Colonel Beall at Taos was not informed that Calhoun had sent Lacomé out as a spy, and since Calhoun himself had issued an order prohibiting all trade with the Utes and Apaches, Beall ordered Lacomé arrested upon his return on charges of trading with the Utes. Beall sent a letter dated March 14, 1850, by "Mr. Ortubus" to the commander at Santa Fe, explaining his pique at Lacomé, and by association, at Calhoun. Beall did not dare put all he wanted to say into the letter. "For further information," he wrote, "I would respectfully refer the Col. Comg. to Mr. Ortubus the bearer of these Communications."<sup>7</sup> When Calhoun heard about it, he was furious at Colonel Beall's intervention. "The right of a *subordinate* to control me . . . I can not, I will not recognize," he stormed in a letter to his superior.<sup>8</sup>

The difficulty was straightened out, Lacomé was not arrested, and on July 17, 1850, he was sent again to the Muache Ute village, for Calhoun had heard another rumor that the white girl was still alive.<sup>9</sup> While Lacomé was at the village, a band of Apaches came into Rio Colorado seeking peace. By this time both Charles Autobeas and William Kroenig had moved to Rio Colorado, the latter to keep a store there for James H. Quinn, then of Arroyo Hondo. One morning at dawn, Kroenig relates, his neighbor Charles "Autuber" banged on his door yelling that a long string of mounted Apaches was riding through the town. At first Kroenig paid no attention to him and stayed in bed, since alarms of this sort were common in Rio Colorado. But when several frightened Mexicans came to tell him the same news, he got dressed, picked up his gun and ran out his back door to join Autobeas, Laforet, and Jean Baptiste Beaubien, nephew of the judge, behind an adobe wall. Not ninety yards away came the first in a long line of Apaches on horseback. The men hurriedly consulted behind the adobe wall and decided that Autobeas, "an old Indian fighter," was to have command. Autobeas pointed out to each man the Indian he was to shoot. Then they noticed that the first ten were not Apaches but Utes, who were then at peace,<sup>10</sup> and that each Ute had a captive Mexican in front of him as a shield. When the Utes saw the men and their guns behind the adobe wall they yelled not to shoot, for they had come to help their friends the Apaches make a peace. The Indians rode directly to the house of the *alcalde* and Kroenig followed them. The *alcalde* dictated a peace treaty to Kroenig, but before Kroenig had finished

<sup>7</sup>*The Official Correspondence of James S. Calhoun*, p. 168.

<sup>8</sup>*Ibid.*, 166.

<sup>9</sup>*Ibid.*, 229.

<sup>10</sup>A treaty was concluded with part of the tribe at Abiquiu on Dec. 31, 1849. *Ibid.*, 127f.

writing, an Indian pulled on his coat and asked in Spanish if Kroenig wanted to trade, for the Indians had plenty of money. Kroenig threw up his job as secretary and went back to his store with the Indians, who cleaned him out of all his merchandise and left good money behind them. Within an hour and a half the Indians filed out of town the way they had come, to the great relief of the inhabitants.<sup>11</sup>

A few days later Auguste Lacombe returned, having received a very unfriendly welcome at the Ute village. The Utes had disarmed him, divided up his trade goods, beaten his interpreter, threatened his life, and sent him back to Rio Colorado with the message that this band of Utes wanted no peace with the white man. Immediately the people of Taos County drew up a petition asking Governor Munroe to send soldiers after the Indians. Bearing the following petition, Auguste Lacombe was sent on to Santa Fe:

The undersigned citizens of the County of Taos, would respectfully represent that the Apache Indians are within a days travel, and but a few days ago entered the village of the Rio Colorado, and are daily becoming bolder in their depredations. We therefore pray your Excellency to issue an order for a campaign of the People of this county. The bearer of this petition will explain the present whereabouts of these Indians, their feelings &c. as he has just returned from their village.

James H. Quinn  
Lucien B. Maxwell  
Thomas Birch  
William Krowing  
Wm. Becket  
Francis Laforet  
Choteau Laforet  
Carlos Beaubien  
Charles Ortebees  
Wm. White

Auguste Lacombe  
Jose Manuel Arregon  
Anto. Jose Valdez  
Vital Truhillo  
Phillipe Aragon  
Jean Baptiste Charlefour  
Anto. Laforet  
Christopher Corson<sup>12</sup>

Three days later, as a result of the petition, about 500 volunteer soldiers and a company of regulars galloped into Rio Colorado and then galloped out again, hot on the trail of the peaceful Apaches that had traded with Kroenig. The soldiers found the Apaches' camp, killed a squaw, captured some stock and the goods Kroenig had sold them, and returned to Rio Colorado. The commander of the troops located Kroenig and bawled him out for trading with the Apaches in time of war. "But," protested Kroenig, "under the circumstances what else could we do?"<sup>13</sup> The friction between

<sup>11</sup> Jones, "William Krönig . . .," 280f; William Kroenig, Sr., "Autobiography."

<sup>12</sup> *The Official Correspondence of James S. Calhoun*, pp. 229-231.

<sup>13</sup> Jones, "William Krönig," 280f; Kroenig, Sr., "Autobiography." Kroenig does not mention this petition, and in fact he says the Apache visit to Rio Colorado was made when the wheat crop had been harvested and the weather was growing cold, instead of in July. But, as Calhoun's letters show, the Apaches were quiet in the fall of 1850, causing no trouble, committing no depredations, visiting and intimidating no small towns. Therefore it seems certain that Kroenig is describing the visit of the Apaches referred to in the body of the petition, dated the middle of July, as shown by the letters before and following the petition (since that document itself is undated). Thus Autobees was living in Rio Colorado in July, 1850.

Munroe and Calhoun continued unabated until on September 9, 1850, Congress passed the act creating the Territory of New Mexico. At that time Calhoun was appointed governor and Munroe was forbidden by the Secretary of War to interfere further in the civil and political affairs of the territory.<sup>14</sup>

After the Mexican war the chief business of the territory was supplying goods and services to the U.S. Army. The soldiers in New Mexico were costing the government far more than their value in protecting the people from the Indians warranted, and so, in the summer of 1851, Col. E. V. Sumner was sent out with orders to control the Indians more cheaply. With merciless zeal Sumner proceeded to carry out these orders. He discharged all civilian employees, reduced or cancelled all contracts with civilians, and set his soldiers to building posts on the frontier with the object of removing them from the expensive and wicked life in the towns. Sumner's economy measures plunged New Mexico into political and economic chaos. Americans, most of whom were government contractors, left the territory in droves, taking their money with them. Soon the prisoners in the jails were freed for lack of funds to buy them food; the legislature dissolved because there was no money to pay the representatives; and most of the Territorial officers returned to the States. There were only 1,000 soldiers in the territory by the spring of 1852, and Indian depredations were still terrorizing frontier towns. The Mexicans, who understandably blamed the Americans for their current woes, were openly and dangerously hostile.<sup>15</sup>

There was not an American left in New Mexico who did not lose money by Sumner's actions, and who did not fear for his life as well. One of the hardest hit was Ceran St. Vrain, owner of four flour mills,<sup>16</sup> two general stores,<sup>17</sup> and contractor of mail<sup>18</sup> and of government freight.<sup>19</sup> With his New Mexican ventures in poor shape, St. Vrain thought of developing his land grant, in the northern part of New Mexico Territory—the part now included in the

<sup>14</sup> *S. Exec. Doc. 1*, 31st Cong., 2nd Sess. (Ser. 587), 7; *H. Report 220*, 31st Cong., 1st Sess. (Ser. 584); R. E. Twitchell, *The Military Occupation of the Territory of New Mexico* (Denver, 1909), 149f.

<sup>15</sup> *S. Exec. Doc. 1*, 32nd Cong., 2nd Sess. (Ser. 659), 77f; *Santa Fe Weekly Gazette*, Feb. 19, 1853, p. 3, c. 3; "Private Letters of a Government Official [John Greiner] in the Southwest," *Journal of American History*, Vol. III, No. 4, 149f; On May 1, 1852, Major Carleton sent a dispatch to Colonel Sumner announcing that he "Has sent arms secretly to Mr. Bransford, an American citizen, resident at Mora town and in charge of Mr. St. Vrain's Mill, who with Mr. Barclay also at Mora fear an uprising of the Mexicans against the Americans, who stay every night at Mr. Bransford's house."—Records of the War Department, RG 98, National Archives, copy from the files of James W. Arrott, Sapello, N. M., and used with permission.

<sup>16</sup> At Mora, Taos, Santa Fe and Peralta. Jacob Beard, El Paso, Texas, Oct. 31, 1904, to F. W. Cragin, EFWN I-23, Cragin Collection.

<sup>17</sup> At Taos and Santa Fe. *The Official Correspondence of James S. Calhoun*, p. 335.

<sup>18</sup> *S. Exec. Doc. 26*, 31st Cong., 1st Sess. (Ser. 554), 26.

<sup>19</sup> C. C. Spalding, *Annals of the City of Kansas* (Kansas City, 1858), 33.

state of Colorado. Now good men could be found who would leave New Mexico and settle in the wilderness; the Ute Indians who had frightened off previous settlers were quiet and friendly;<sup>20</sup> and there were reports that the railroad to the Pacific might be built through the grant.<sup>21</sup>

The Vigil and St. Vrain grant began with a petition of Ceran St. Vrain and Cornelio Vigil, both of Taos, to Governor Manuel Armijo, dated December 8, 1843, asking for a tract of land within the locality embraced by the Huerfano, Apishapa, and Cucharas rivers, to their junction with the Purgatory and Arkansas rivers in present southeastern Colorado. The petitioners promised they would begin farming and stock-raising the coming spring and would establish a colony on the land. As in the case of the Cebolla grant, Armijo approved the grant the very next day by a scribbled direction in the margin, ordering the proper justice of the peace to place the petitioners in possession. On January 2, 1844, the Justice José Miguel Sanchez, according to his affidavit, took Vigil and St. Vrain upon their land, "caused them to throw earth and pull up weeds" as signs of ownership, and placed boundary markers at the corners of the grant.<sup>22</sup>

In March, 1844, four additional partners were taken into ownership of the grant, each being given a deed for an undivided sixth part of the whole grant. Deeds were made to Manuel Armijo; to Donaciano Vigil, secretary of the Territory under Armijo (and no relation to Cornelio Vigil); to Charles Bent, who cooked up the whole thing and several more grants just like it; and to Eugene Leitensdorfer, a Santa Fe trader from St. Louis. Charles Bent assumed management of the grant.<sup>23</sup> From 1844 to 1847 Bent, St. Vrain & Co. used the land as pasture for their stock.<sup>24</sup> In the fall of 1846 Bent sent John Hatcher to make a settlement on the grant near present Trinidad, Colorado, on the Purgatory river. Hatcher built houses and a ditch, and ploughed and planted the land. Then the Utes swooped down from the mountains, burned the houses, killed the cattle, destroyed the crops, and warned Hatcher that the country belonged to them and nobody else should occupy it, now or ever.<sup>25</sup> No further settlement was attempted until 1853.

<sup>20</sup> Report of Dr. [Amos] Steck, Ute Agent, *Santa Fe Weekly Gazette*, Feb. 19, 1853, p. 3, c. 4-5.

<sup>21</sup> The Pacific Railroad's connection with settlement of the grant will be discussed in the next chapter.

<sup>22</sup> *H. Report 457*, 35th Cong. 1st Sess. (Ser. 967), 269f.

<sup>23</sup> Records of the General Land Office, Colorado Private Land Claim No. 17 (Vigil and St. Vrain Grant), National Archives, Washington, D. C.

<sup>24</sup> Testimony of William Bransford, August 24, 1857, *H. Report 457*, 35th Cong. 1st Sess. (Ser. 967), 276.

<sup>25</sup> "Statement of Calvin Jones before E. J. Hubbard in the Matter of the Adjudication of priorities of Right to the Use of Water District No. 19, March 6, A. D. 1885. At Trinidad, Colorado." Certified copy in Cragin Collection.

By 1852 Ceran St. Vrain was the only one of the six owners of the grant who was active in its management. Charles Bent and Cornelio Vigil had been murdered at Taos in January, 1847. Armijo had fled to Mexico before Kearny's invading army in 1846, but had returned to live quietly near Albuquerque where he died in December, 1853, without taking further interest in the grant; nor did Donaciano Vigil, whom St. Vrain finally bought out in 1860. Leitensdorfer had gotten into a financial mess and could not assert his ownership in 1852.<sup>26</sup> So it was up to St. Vrain. With or without the approval of the other owners, St. Vrain:

told [Charles] Autobees if he would go up from New Mexico and settle on the grant with as many settlers as he could take with him that he would give him his choice of what land he wanted on the Grant. That Autobees made his settlement where he now lives I think he said in 1853, that he had remained there ever since.<sup>27</sup>

As it turned out, St. Vrain could not have chosen a better man. Charley went upon the grant in February, 1853, and stayed there even when other brave men were fleeing for their lives. He lived there through Indian wars, drouths and floods, through invasions of emigrants and the subsequent impositions of civilization upon a free spirit. He did not move from the spot he first chose to settle until he died thirty years later.

(To be continued)

<sup>26</sup> Records of the General Land Office, Colorado Private Land Claim No. 17, National Archives.

<sup>27</sup> Testimony of Wilbur F. Stone, Oct. 31, 1872, Pueblo, Colo. Records of the General Land Office, Colo. Private Land Claim No. 17, National Archives.

# Cripple Creek Letters

By PAUL RILEY\*

When drouths and a depression hit the Plains states in the 1890's thousands of persons headed for the western gold fields and easy money. Among them was Mary E. Flood, a girl around twenty, who left her home and family in drouth-stricken Nebraska to try her luck in the Colorado mountains.

In company with Mr. and Mrs. Jim Lyon<sup>1</sup> and their family, Mary left Trenton, Hitchcock County, Nebraska, about the first week of March, 1896.

No information is available as to how long Mary Flood stayed in Cripple Creek; in fact, little is known about her later life, except that she returned to Trenton and married Volney Beldon.<sup>2</sup>

The two following letters were neatly written, but they have a tendency to sound like a copy book. The letters, however, do give a glimpse into the life of a working girl in early Cripple Creek. Mary Flood wrote the letters to a friend back in Nebraska, Nellie Ryan.<sup>3</sup> The second one, dated April 16, 1896, was written just nine days before the great Cripple Creek fire of April 25, 1896. Later letters may have told about the fire, but these are the only ones extant.

Box 535  
Cripple Creek, Colo.  
March 21, 1896.

Miss Nellie Ryan  
Trenton, Nebraska Hitchcock County

My Dear Friend—

I will write you a few lines to let you know how I am getting along. I have been very well since I came here. I like the country very well.

We live in a valley and there are mountains all around us. I am staying with Mrs. Lyon yet we were so tired when we got here

\* Paul Riley, a member of the staff of the Denver Public Library, attended the University of Nebraska, and was on the staff of the Nebraska State Historical Society for two and one-half years. He wrote the 70th Anniversary Issue of the *Trenton (Neb.) Register* and collaborated with his grandfather, Ned A. Davis, in writing his historical memoirs. The two Cripple Creek letters were written by Mary Flood to his grandmother, Nellie Ryan.—*Editor*.

<sup>1</sup> Jim Lyon was a pioneer rancher of southwestern Nebraska, having arrived there in the 1870's. He died September 5, 1911. Mrs. Lyon (nee Lucy Scofield) was born Sept. 15, 1862, at Morrison, Ill., and died Jan. 14, 1931. The Lyon family returned to Trenton, Neb., after a year in Colorado.

<sup>2</sup> It is believed they lived near Council Bluffs, Iowa.

<sup>3</sup> She later married Ned A. Davis. Nellie Ryan was born in 1874 and died in 1949.



CRIPPLE CREEK BEFORE THE FIRE

J. G. WILSON

that it took us quite a while to get rested. But I am going to work in town this week. We are beginning to get acquainted with the people there was a lady out from town yesterday and she said I could get a place whenever I wanted one. wages are awful good here girls get from five to eight dollars a week. They never have to work (for) less than five and some girls wont work for that here. For washing, women make twenty-five and thirty dollars a week.<sup>4</sup> There is such a difference money doesn't seem to be scarce at all here.

I do wish you were out here Nellie. one sees so much that it is just delightful out here in the mountains. Cripple Creek is quite a large place it has forty thousand inhabitants. The streets are always just crowdwed with people. Mrs. Lyon likes it real well here but the children have colds just now.

I have not written to Myrt or Lillie<sup>5</sup> yet but I am going to as soon as I get work in town. Do they have a box in the post office. if they do I wish you would tell me the number. I wish they would come out here I think they would do well. Have you been to a dance since the masquerade? I would like to see you girls ever

<sup>4</sup> Since the age of twelve Nellie Ryan had been helping to support her mother and brothers by taking in washing.

<sup>5</sup> Myrt and Lillie Benjamin, daughters of George Benjamin, Hitchcock County Treasurer. Instead of going to Cripple Creek, Nellie and Myrt went to Fort Collins, Colorado, to work.

so much . . . I could write lots more Nellie but I will have to close for this time . . . write very very soon to your loving friend

Mary Flood

I will write more the next time for I will know more about town when I go to work. It is pretty lonesome to be so far from my folks but I am going to try to be brave and not get homesick. Don't forget to write for I will like to hear from you.

Miss Nellie Ryan  
Trenton, Nebraska

Cripple Creek, Colo  
Apr 16, 1896

Dear friend Nellie—

Your letter was received a short time ago and I was delighted to hear from you. I am very well at present and I hope you are all the same.

I am working in town and have a very very nice place I am getting five dollars a week and I don't have to work a bit hard. I am working for a lady who keeps boarders and I take care of the rooms and wait on the table her name is Mrs. Hunt.<sup>6</sup> I worked for Mrs. Dr. Whiting<sup>7</sup> a week, but she had to go to Denver. So I got another place.

Nellie I do wish that you were out here You could make lots of money for you would have no trouble to get a place and I am sure you would not have to work for a cent less than five dollars a week and you might get more.

I walked out to see Mrs. Lyon yesterday afternoon so you know it isn't far They are all well but Mrs. Lyon says she would rather live in outhur [sic] places than Cripple Creek. But I like it real well and I am very glad that I came . . .

I know where several stores are in town I live on Carr Avenue. It was strange to me at first in a large town but I am getting used to it. Well Nellie I have not got home sick yet and I hope I won't for a long time yet. Have you got your garden all made No one has commenced to make garden here yet.

It is just six weeks ago tonite that I left Trenton but it seems longer than that. You can buy dresses already made here cheaper than you can get them made. dress makers charge ten dollars for making a dress. I have not got any new dresses yet.

<sup>6</sup>Mrs. George Hunt kept a boarding house at C and Thurlow Streets.—*Directory of Cripple Creek and Victor* (Cripple Creek: Gazette Pub. Co., James R. Ives, 1897), p. 242.

<sup>7</sup>Dr. J. A. Whiting's office was in the Fairley Lampman block, Third Street, with "entrance to residence," 206 Eaton Street.—*Idem.*, 347.

I hope it has rained there so they will raise good crops it will be awful if it is another failure this year . . .

I have not seen Mike Sullivan in Cripple Creek yet but I guess he is doing pretty well in the mining business. Mr. Lyon saw Amos Elliot in town I don't know what he is doing . . .

Perhaps Lillie will come up here to live some time if Mike stays here, I wish she would. I really must write to the girls pretty soon . . .

I would like to see you girls so much but I think one ought to be glad to be some where we can make some money. I guess it isn't far from here to Colorado Springs the stage goes from here there. The girls ought to come up and see the mines before they go home I can see Pikes Peak from my window it is just twelve miles from here. Nellie I don't think you can read this I have such a miserable pen. Do you ever see my brother in Town? I wish I could see them all. Now Nellie Please write soon and often for it is so nice to hear from Trenton. So By By Nellie from your loving friend

Mary E. Flood

## W. Arthur Dier, Pioneer Teacher and Lawyer

Judge W. A. Dier of Golden, Colorado, was the first referee in water adjudication for the Colorado District of Clear Creek and its tributaries. His territory included the counties of Boulder, Douglas, Jefferson, Clear Creek, Gilpin, Arapahoe and Adams to the Platte River. Appointed by Judge C. C. Carpenter, Mr. Dier received the title of Judge Adjudicator.

Born in Montreal, Canada, in 1850, W. A. Dier was educated at the University of Illinois, then called Illinois Industrial University. In 1873 he came West to Wyoming in search of health. After working on a summer surveying crew, he obtained a teaching position in a country school on Ralston Creek in Colorado. Later he made his home in Golden, and became outstanding in the legal profession.

Excerpts from diaries and journalistic writings of Mr. Dier were published in *The Colorado Magazine*, July, 1957. Continuing them in this issue we begin with his description of Georgetown in 1874, where he went in search of a teaching position. Materials relating to Judge Dier have been made available through the courtesy of his daughter, Katherine, Mrs. W. H. Lowther of Golden.—*Editor*.

Georgetown, Colorado  
Friday April 10th 1874

I came up here again from Golden last Sunday and intend to make a stay this time, I think, I tried to engage a school near Golden, but not having been successful I shall give up that business for this Summer and try Manual Labor as a means of earning bread and butter. I expect to obtain a position in Stewart's Reduction Works in a few days. I am boarding at a private house and with a "chum" have two nice rooms—bedroom and sitting room.

Georgetown is a romantic place situated as it is among the mountains.

Georgetown, May 2, 1874

To the Editor, *Forreston (Illinois) Journal*:

After a long succession of stormy days the sun has at length deigned to shine upon us again, and with a clear sky and balmy air, the prospects seem good for the coming summer. In this high altitude we must expect a late and disagreeable spring. Some years especially late, the storm king holds sway until July. Last year the latest storm of the season was on the 3d. of July, snow falling to a depth of several inches in Georgetown.

This place has an elevation above the sea of about 8500<sup>1</sup> feet, and is situated in the canon of South Clear Creek, only nine miles from the summit of the Snowy Range. The mountains forming the

sides of the canon in which the town is situated rise from 2000 to 3000 feet above the level of its streets. Owing to this peculiar situation the people of this burg pass many hours of the natural day in the shadow of the mountains. This is very noticeable to the newcomer, but habit soon relieves it of all strangeness and we feel as satisfied in the shade as much as in the sunshine.

Georgetown has a population of about twenty-five hundred people. They are all engaged in mining or dependent on some of the various mining industries.

On account of the vast amount of snow generally found in winter in this vicinity, very few mines are worked during the winter months. But the snow is now fast disappearing from the mountain sides and gulches, and miners are getting actively to work. So far, the mining season has proved more prosperous than any other ever known. Immense quantities of ore, chiefly silver, have been taken out, and miners are much encouraged over the prospect.

There are other reasons for our increased prosperity also. For two or three years, owing to the unwise action of the Territorial officials, through the Board of Immigration, the immigration to the Territory has been unusually great. The attractions for settlers were painted in colors entirely too bright and proved disastrous to the interests of both Territory and settlers.

A year ago this time, hundreds of men here in Georgetown could be found who were willing to work for their board. As a consequence quite a reaction took place, and the demand now hardly equals the supply. Then again, the new San Juan country has attracted a great deal of our superfluous population, especially miners. Then our mines have many disadvantages which prove detrimental.

Chief among the latter is the vast amount of litigation constantly going on between mine owners. Some of our most valuable mines have been in the courts for years wasting their substance in costs and lawyers' fees. Our mining laws are defective in many particulars and will probably continue to be so until we can produce above an average legislative body to remedy them. Hardly a rich lode is discovered but some adventurer with more money than brains undertakes to obtain possession by proving that he discovered it years before and had a prior claim to it. Of course very few capitalists are willing to advance money for the development of interests which they are likely to lose. And our mines must be developed by foreign capital, for Colorado has it not as yet.<sup>2</sup>

<sup>1</sup>See Clark Spence, "The Terrible Mine and the British Investments," *The Colorado Magazine*, Vol. XXXIV, No. 1 (January, 1957), 48-61.

<sup>2</sup>Elevation of Georgetown, according to State Highway Department, is 8,640 feet.

Every thing depends upon foreign capital, not only mines are developed and worked by it, but mills for crushing and reducing the ore depend upon it, and in fact all of our important industries.

And already the disagreeable fact is thrusting itself upon our notice, that Eastern men of money are becoming more and more cautious in money affairs relating to mines. It has been noticed during the past winter that many of our leading men have returned from the East, disappointed in their attempts to secure means wherewith to operate mines or mills, all owing probably to this troublesome litigation.

Georgetown is situated about 17 miles from the present terminus of the Colorado Central railroad. The company has promised to shortly extend it to this point which would be a great benefit to the country. An old fashioned coach and six plys [sic] daily between the end of the track and this city, connecting us with the outer world.

The route from the valley is one of the most picturesque in Colorado and is much frequented in Summer by tourists.

It is most amusing to witness the advent of the coach into town with its daily burden of mails and humanity. A gaping crowd follows it from one point to another staring at its occupants and as friends are recognized hearty compliments are exchanged with each other, and inquiries after natural friends made. Then an impatient crowd gathers at the Post Office all eager to hear from the "states" and friends living there.

Altogether it reminds one of descriptions of early life in California during the gold excitement of '49 and '50.

The town is a miserably built affair. There are no public buildings of any importance and the residences, with but few exceptions, are small one-story log or frame cabins. There are probably more "bachelor" houses in Georgetown than any other place of the same size in the country. In some parts of town two-thirds of the dwellings are occupied by bachelor residents, who manage their household matters in a manner that would do credit to many housekeepers of the fairer sex. As a general thing they are a set of good natured, generous fellows, and would make good partners for some of the surplus maids of the "state" if they could only be induced to come to Colorado. I think some kind of a Hymeneal Association ought to be established with headquarters in Colorado and branches east to remedy this deficiency between the sexes in Colorado, without doubt it would be well patronized at our end of the line!

There are sometimes unpleasant events about life in Colorado, as for instance, I was an eye-witness a few days since of a horrible

feat of involuntary gymnastics, which strange to say did not effect very injuriously the actor in it.

A great deal of wood is brought down from the tops of the surrounding mountains for city use, by means of long wood slides. These slides are made from 15 to 20 feet in width, as nearly straight as possible and all rocks liable to obstruct the way thrown aside or blasted out.

The wood is thrown into this slide at the top and comes booming down to the bottom, though sometimes it lodges coming down and men have to pick their way carefully down and start it again. One day last week two or three men were working at this business immediately above the city on Republican Mountain and one of them, standing near the head of the slide, by some means lost his balance and falling into the slide rolled half way down the mountain side, before he could check his progress. The most wonderful thing about it, is, that the man, though badly bruised, escaped with his life. It is very rarely that a man rolls 1,000 feet down a mountain side without losing his life, and the escape assumes almost the character of a miracle. The man thinks he can stand almost anything now, and talks of obtaining a traveling agency for some life insurance company.

W. A. D.

Georgetown, May 26th, 1874

Quite a time has elapsed since I last wrote in my diary. Whiteman Beebe, my brother-in-law, has come to Colorado to spend the summer and he, "Billy" McKee and myself are "baching" it. Our living expenses are thus reduced about one-half. I am working in Stewart's Mill but find the work bad on my health on account of the sulphurous gases, and intend to quit as soon as I can strike something else which I hope to do shortly. I hear from home occasionally and all are well as usual. The weather is becoming settled and it is time for it to do so I should think. The snow still lingers on the mountain tops.

Georgetown, July 7th, '74

I received a letter from home last week in which they offered to pay my expenses if I would go home and make them a visit. So Beebe and I leave Georgetown this morning, he to remain, and I only on a visit. I expect to be gone six to eight weeks. Beebe and myself made a visit to Gray's Peak last week and saw the sun rise from the peak. A very extensive view is to be had from the peak. Middle and South Parks can be easily seen and Pike's and Long's Peaks. It is a visit worth making and though tiresome is well worth seeing. The height of the Peak is about 14,300 feet. It is over 6,000 feet above Georgetown, and the climb is long and arduous.

Golden, Col., Sept. 28th, 1874

Well, I went home, found the climate didn't agree with me and after a short stay of four weeks, had to pack up and come back to Colorado. I had a good time at home and was sorry to leave them once again.

I am teaching at the "Crossing" on Ralston, two miles east of scene of last winter's labor. I commenced today and teach five months. I have made my place to study law and have been pursuing its study prior to my school's beginning, with White and Hughes<sup>3</sup> of Golden. I expect to go back to them when school is out. I left Illinois the 10th of Aug.

Sat. Jan. 23, 1875.

I have three weeks more to teach on Ralston. Time has flown since last September. My leisure hours I have spent to advantage in reviewing, very thoroughly Blackstone and Keet's *Commentaries*.

The *Forreston Journal* has failed to put in an appearance, i.e., busted. I shall miss it very much not account of its intrinsic worth but because as a local sheet it kept me informed of home matters.

March 4th, 1875

School closed three weeks ago tomorrow and since that time I have been in the office hard at work. I was down at Denver yesterday and came up this morning. I went and saw Mr. Freeman,<sup>4</sup> formerly of Polo, Ill., but now the Principal of the Denver High School. I also called at Henry Stewart's and stayed all night at his house.

Denver is rather dull at present, times are so "tight." I have come down to first principles in living. I am boarding at a \$4.00 per week house and having purchased some bedding in Denver yesterday, and having the nocturnal use of Captain Berthoud's<sup>5</sup> lounge, I shall have no expense for lodgings, thus reducing expenses to the minimum. But I am confident if I fight it out on this line for a few years I shall succeed in my endeavors, and if I do, I shall be paid for all my little privations and struggles of the present.

Difficulties and struggles only tend to make us stronger, but we don't seem to be aware of that—most of us.

<sup>3</sup>The White in the firm evidently was G. G. White, Everett Block, Golden.—*Colorado Business Directory and Annual Register* (Denver: J. A. Blake, 1876), 178.

<sup>4</sup>According to the *Tribune* (Denver), Feb. . . ., 1875, J. H. Freeman, "an able Eastern educator" had been employed by the local school board.

<sup>5</sup>Captain Edward L. Berthoud was the discoverer of Berthoud Pass and was chief engineer of the Colorado Central Railroad.

Golden March 9th, 1875

This will be a somewhat memorable day to me, inasmuch, as I had my first practical experience as an attorney in the courts today. A young fellow had been arrested for shooting a dog and he came and retained me to defend him.

I had but an hour's notice so could not do much in the way of preparation. We appeared in court before A. D. Jamison, J.P., and fought the prosecution as well as we could but a rather plain case was made out against him and the justice bound him over to appear at the District Court, April term.

I am getting along very well in my studies, having almost finished Stephen on *Pleading*<sup>6</sup> since I came into town. We have formed a boarding club consisting of several young lawyers and Lake,<sup>7</sup> of the Astor House, boards us for \$4.00 per week apiece.

March 11th, 1875

I had another case today in justice's court before "Judge" Sales.<sup>8</sup>

DeFrance<sup>9</sup> defended the case and I prosecuted it and got away with the "game" obtaining a judgment for my client. If I could do as well every week as I have done this, I would be able to make a living right along.

The more I study the law the better I like it.

April 4th, 1875

The most notable thing which has happened to me for awhile is my running for office and getting beaten. Our annual spring town elections take place tomorrow and excitement has run quite high.

During the week past two or three conventions have been held for nominating candidates. I came up before one of them as candidate for City Clerk and Treasurer, but my friend F. M. Brown "got away" with me getting twice as many votes as I did. This I attribute to my own fault in not having taken the field soon enough, as I only decided a day or two before the convention to come out.

But it has brought me into notice which will be worth perhaps all the time I spent.

(To be concluded)

<sup>6</sup>This, no doubt, was Henry J. Stephen's *Principles of Pleading in Civil Actions*.

<sup>7</sup>Seth Lake was proprietor of the Astor House, 2d Street, Golden.—*Colorado Business Directory and Annual Register* (Denver: J. A. Blake, 1876), p. 180.

<sup>8</sup>Harry N. Sales, Smith's Block, Golden.—*Ibid.*

<sup>9</sup>H. DeFrance, Loveland Block, Golden.—*Idem.*

## Pioneering in the San Juan

By WELCH NOSSAMAN

(The following incident is taken from the manuscript of Welch Nossaman, who pioneered in the San Juan in the 1870's. The manuscript has been made available to *The Colorado Magazine* through the courtesy of Terrie Jones of Los Angeles and Tom Nossaman of Pagosa Springs, daughter and son of the author. Excerpts from the manuscript have been published in *The Colorado Magazine*, January and October, 1956.

Welch Nossaman was born in Pella, Iowa, in 1851. His father had come from Kentucky, and his mother, from North Carolina. Welch worked very hard on his father's farm, cut timber and owned part interest in a saw mill, did some railroading and attended school one session. He quit railroading in Iowa and helped Mark Butts bring a mill out to Colorado for Dr. B. F. Keebles, an eminent Iowa physician, who had followed the gold rush to the Del Norte area. For many years Nossaman freighted to and from the mines. He hauled lumber, supplies of various kinds and gold. Some of his experiences verged on the fantastic. We will let him tell you about how one winter he helped some families out of the mountains.—*Editor.*)

To save expenses when I had the mail contract from Summitville to Del Norte, I let one of the men that was helping me go, after I came back from Iowa, and took one shift myself on snowshoes. From Del Norte to Summitville was twenty-eight miles, and we could ride up to the toll gate on horses and go from there on snowshoes, and then come out and take our horses. We had to do it every day. It took two of us to do that. We would stay all night at Summitville and then come back.

I got into Summitville one night after dark. There was about two feet of fresh snow and it was still snowing like everything. After I got in there with the mail several folks came in and wanted to know if I thought they could get out. They had their families.

I said, "Sam Sibbetts has three or four yoke of cattle and I believe if you would yoke these cattle up and not put any wagon or sled behind them they would plow through the snow. There will probably be three feet of snow, and deeper where it is drifted, but I think those cattle will go through it because it is soft. If you take the cattle and couple them together and let Sam go on with the cattle and you follow with your buggies and freight wagons and these families you will get them out all right."

So I said, "You better get ready tonight and then start early in the morning because it is hard going for five or six miles. I won't start until mail time, which might be 8 or 9 o'clock, but I will overtake you someplace."

So they got ready that night and organized and started out the next morning about daylight. Jack Burris took his mining crew along, 15 or 20 of them. I said, "When you come to these big drifts,

just have the mining crew shovel through to get the oxen through. Let the oxen wallow through there and then follow right up with the teams."

It was still stormy. So they struck out, and when I got to the top of the hill there they all were. The men were all bunched up and the wind howling. If you wanted to talk to anybody you had to stick your lips right up to their ear to make them hear. So I went up to Roof Bloise. He was Jack Burris's foreman. They had shut down the mine and were pulling out. They had no children and Jack was a kind of a weakly fellow—not very stout—but his wife was pretty husky. I had told Jack to fall in behind Sam Sibbetts so as to help him along. But there they were, all huddled together, and I went up to Roof and said, "Roof, what is the trouble?"

He said, "The men have all give up. Their hats are blowing off and everything is getting full of ice and snow with all that storm."

I said, "Give it up?"

There was one old fellow there from Missouri, a great tall fellow who had three great tall boys over six feet high. This old fellow was kind of religious and he was praying, because he was afraid he was going to leave his sons in that storm.

Roof said, "I have tried to get them to go to work but they won't do it. They have just given it up."

I said, "Where are the cattle?" He said, "They are right over there, over the divide in that little basin there."

I went over and looked all around that basin and couldn't see any cattle or any horns sticking up. I went back and said, "I can't find the cattle or any indication of them."

"Yes," he said, "they are there. We left them there in the snow."

The snow had piled up five or six or maybe seven or eight feet high in that basin and these cattle were all covered up two or three feet deep in snow. Jack Burris had got out on a windy point and he was afraid his buggy would blow over. He unhitched his buggy team and stood there about to freeze, holding his horses, when I came up.

I said, "Roof, show me the cattle and we will get them out or we will all freeze together."

I threw off my mail sack and we went out and found the cattle. Then we went and got some fellows and they came and helped get these cattle out. I said, "I am going to single file them out of here. You help me get one ox started and the rest will all follow and we will all get out and get down to the toll gate."

So some of the fellows came and we went to work and got the cattle out. They tramped and drilled around and we got one started and they all followed right after. Then we started Jack Burris with his horses.

I said, "Just leave your buggy. We will come and get it after the storm is over. You strike right in after these cattle with your horses single-file, and then I will go back just over the Divide. Trelores and Joe Simmons are there and Dan Hoover, a mule freighter, who was bringing them out. I will go out and tell Dan we have it open and to unhitch his mules and leave his wagons and get all those people on animals and let them single-file out and go down to the toll gate."

The Trelores were young folks. They had a little poodle dog and a baby about six months old.

So I told Dan, "We have the bulls and Jack Burris's team started, and Sam Sibbett's, too, but in a few minutes the trail will be full of snow again, so get your teams off, leave the harness on, put the women on the horses. Everybody get on a mule or a horse and hike right in after them."

So Dan got busy and Trelore was down there by the hind wheel of the wagon. The little dog was laying there. The snow had blown off under the wagon and Trelore was down there praying to God to save his wife and child. I don't know whether he included the dog or not.

Anyway Hoover told the women, "You get out of the wagon and I will throw you on a mule and just turn the mule loose and it will go." These mules were just steaming wet because they had been pulling the wagons through the snow. Hoover got all of them on and finally got Trelore on a mule.

After I had got them all started down I went back and dragged Mrs. Burris out of the buggy. She got through, but she was about frozen—all coated over with ice. She said, "Go on, Mr. Nossaman, I am gone anyhow. You have done wonders to get this crowd started." She said, "Jack is gone and the horses are gone and I feel like I would go any minute. I am just froze to death."

I said, "No, no, you ain't froze. You are just chilled."

I tied her shoes together and dragged her out and pulled her coat off and set her on the snow shoes and I walked in the trail and pushed her along the side for about a mile, and then her blood began

to circulate and she said, "I believe I can stand up." So she tried it and by me walking along by her side she was all right. When we got to the toll gate Mrs. Burris was feeling pretty good.

At the toll gate we got a lot of wood in there and built a big fire in the fireplace. After we had been in there about twenty or thirty minutes Mrs. Trelore began to look around. "Where is my baby?" she asked.

I said, "Didn't you bring it out with you?"

"No," she said, "I gave it to Mr. Hoover."

So I went out to the stable where Dan was taking care of the mules. I said, "Dan, what did you do with Mrs. Trelore's baby?"

He said, "I throwed it up in front of Joe Simmons on a mule."

I said, "Where's Joe? Mrs. Trelore thinks she left it up there to freeze. She is going wild."

Joe was down at the water hole. I went down there and I said, "Joe, what did you do with Mrs. Trelore's baby?"

He said, "I never brought no baby out."

I went back to Dan and said, "Joe says you never gave him no baby to bring out, Dan, and he don't know anything about it."

Dan said, "I did. I rolled it up in bedding and throwed it up ahead of Joe on the mule." So I went back to Joe and said, "Joe, what did you do with that roll of bedding?"

"Oh," he said, "a mule got down up there off the trail and I dumped it off a mile or two above here. I thought we could go back and get the bedding if we needed it. I just left it laying there."

So I got on my snowshoes and struck out up the road. Joe told me where to look for the roll of bedding. I went up there and found the roll of bedding and there was the baby, dry and not crying or anything, and I brought it on down. You never saw so tickled a woman in your life. And then she said, "Where is the dog?"

I said, "I don't know and I am not going back after it."

The next day when we went up to get the wagons, there was the dog all covered up with snow and it was all right.

So after we got down, there was a whole gang of us—20 or 25. There were no beds because the beds were with the wagons. And there was no grub. We pitched in and got a lot of wood in and kept up a fire all night. After a while everybody got kind of thawed out.

Si Sawyer came by going in with provisions for some of the families. He had a quarter of beef and other stuff for Trelores. They had intended to stay all winter in Summitville.

The question came up, "Well, I wonder what time we can get up in the morning and get down to Howard's and get something to

eat?" It was about eight miles down to Howard's. We all said, "Well, we ought to get out at daylight and get the trail open. We can't get anything to eat until we get to Howard's."

Si says, "I got a lot of grub for Trellores. I have a quarter of beef and lots of stuff to eat on the load, 500 or 600 pounds." And Trellore says, "Well, now, ain't that a piece of luck?" And he went out with a butcher knife and cut off a lot of beef and got a loaf of bread and he and Mrs. Trellore cooked the meat on the coals and had something to eat, and never asked the rest of the crowd to have a bit. Everybody was mad and said, "We wouldn't eat any of his grub if he brought it in."

I said, "If you boys want something to eat, we can pass the hat and buy enough to feed us."

Trellores told Si to take it back to Del Norte, and never offered a bit to anybody. He had sugar and coffee and canned stuff and bread and beef, and never said, "Boys, help yourselves." If he had, he would have got awful big pay for it.

# The Wiggins School

## From the Days of a Dugout

By ELLIS JOHNSON

(Although the following sketch of the Wiggins, Colorado, school system is largely made up of dates, names and figures, and probably will interest most only those who reside in the immediate vicinity of Wiggins, yet it no doubt is typical of the story of many comparatively small Colorado school districts which have undergone great changes during the past six or seven decades. Ellis Johnson, Superintendent of the Wiggins School system, here tells of how this school grew from one old frame building and a dugout to its present plant which occupies two square blocks in town.—*Editor.*)

The school district which is now Joint District 50, Morgan and Weld counties, was formally organized October 13, 1883. It was then all in Weld county, but had practically the same boundaries which it has now. The area was the southwest corner of the present Morgan county extending to the north as far as two miles north of what is now Wiggins. The eastern boundary was a line roughly from the south of the county, five miles east of the Wiggins location and about 11 miles within Morgan county from the west. There was also a projection on the district map which corresponds to the forty sections of the present district which are in Weld county. The district number was 42.

Morgan county was organized separately from Weld county as time went on, and in 1889, the records of the district were transferred to Fort Morgan. In that year, 160 days of school were held. The census showed 17 persons from 6 to 21 years of age. There was one teacher who drew a salary of \$495. The total expenditure for the school that year was \$673. The district was valued at \$129,844.52. The mill levy recorded for 1891 was six mills.

An interesting item in old minutes shows that E. E. Morse was elected president of the board on May 6, 1901. The same minutes indicate that a teacher was hired during the summer. Later minutes show that a meeting of the board was held to hire a new teacher since the first one employed did not make her appearance the day school started.

On March 1, 1908, District 12, north of the old District 42, was organized and it extended from the north boundary of No. 42, which was two miles north of Wiggins, to the Platte River.

In 1915, the first formal eighth grade graduation was held in Wiggins. The exercises were in the north portion of the present Junior High building.

The next five years found many changes in the area which is now the Wiggins school district. On June 14, 1918, the area of District 42 including north one-third of Township 2, was annexed to District 12 to the north. Then on October 23, 1919, District 12 became District 124 joint. Without much concern about the ever-changing boundaries, the enrolled students continued with their studies.

In 1920, the only high school graduation to be held from the building that is now the Junior High, sent two pupils out into life as the first graduates from high school in Wiggins—Linea Paulson and Marguerite High.

In 1921, the first graduation in the new brick building (now the elementary school) was held. There was just one graduate, Grace Johnson. The next year, however, there were six graduates, three of whom still live in the Wiggins area: Elsa Axelson, Viola nee Brooks Harshman, Neil Johnson, Francis Shelton, Louise Worley Busch and Mabel Paulson.

School continued with only the addition of the gymnasium to the former brick structure, now the elementary school. No other expansion occurred until 1946, when rapidly increasing population caused new activity in school affairs. That year District 42 was consolidated with Number 142 joint and the new district became Number 50 joint, under which name it still exists. Soon a bond issue was passed for the construction of a new modern high school. The building was occupied in January, 1949.

Rapid expansion of the area's population caused such large classes in the new building that the community hall located on the school grounds was remodeled in 1952, and made into a junior high with two large seventh and two large eighth grade rooms. Thus the expanding school population of Wiggins has been housed for a time at least.

Along with increase in numbers of pupils the district steadily increased in valuation. From the relatively small amount of \$129,844 in 1889 the valuation has risen to \$4,444,000 (1953). Levies have shown such deviation with new assessed valuations and rising costs that it would be useless to enumerate changes here. Suffice it to say that the greatest variation in levy recorded in the district was from 22 mills in 1951 down to 11 mills in 1952. It has been very difficult for boards of education and others to keep up with changes in valuation and school population and to get the two reconciled.

There have been as many as sixteen organized school edifices in the present school area. The portion of the original Number 42 left

intact, after the withdrawal of the north sections in 1918, contained six of these buildings. The earliest school was a dugout near the present Hoyt store. Old Trail and Long Meadow were to the east end and northeast corner of this district. To the southwest was the Hoyt school; northwest, the Antelope school; to the extreme west, Rock Creek.

In the part of District 50 which was Number 124 joint, were ten of the sixteen structures which housed school children. The first, a frame building, now a part of the dwelling of the superintendent, was in Corona near the Wirth Cafe. That school moved in 1908 to the north portion of the present junior high. It expanded in 1918 to the present elementary school.

In the Weld county end of old Number 124 joint was the Deer Field school. In 1912, District 12 built five one-room schools all for a cost of \$2,000, or \$400 each. Contrast this with the \$184,000 spent for the new high school in 1948! These five schools were: Bruin, six or seven miles southeast of Wiggins; Miller, two miles south and two miles east of Wiggins; Pugh, five miles northeast of Wiggins; Butler, five miles north and one mile west of Wiggins; and West Nile, four miles south and two miles west of Wiggins.

Thus we have seen the Wiggins School grow from a frame building in old Corona and a dugout in Hoyt during the 1880's to the present plant situated on two square blocks in Wiggins with twenty-six on the teaching staff. The school population has grown from less than twenty to approximately five hundred. Valuation has changed roughly from \$129,800 in the late 1880's to \$4,444,000 in 1953. Levies have gone up and down, up and down from six mills in 1891 to seventeen mills in 1953.