

## The Coming of the Automobile and Improved Roads to Colorado

LEROY R. HAFEN

Perhaps no development in Colorado history has been more far-reaching in its effects than the introduction of the automobile and the consequent revolution in transportation and road making. That the automobile and improved roads seem so commonplace today need not blind us to the great historical significance of these changes.

The first "steam wagon," called the "Prairie Motor," headed for Denver in July, 1862. It might be called an automobile or it might be called a locomotive, but it undertook to travel the dirt roads and move under its own power. General J. R. Brown conceived the idea of this unique vehicle for transportation across the plains to Colorado, and gave his order to the Novelty Iron Works in New York. Eighteen months were necessary for the building of the machine and the cost was \$12,000.

In due time it was shipped to Nebraska City, where the overland journey was to begin. Here it was accorded a grand reception. A banquet was tendered the promoters of the plan and a pleasure trip through the city was arranged. A string of road wagons coupled to the steam wagon were filled with enthusiasts for the "Prairie Motor" and were drawn around the city. The big, locomotive-like vehicle was rather imposing. The driving wheels were ten feet in diameter, with rims two feet wide. The total weight was twelve tons, about one-fifth the weight of the locomotive engine of that day.

When arrangements were completed for the trip across the plains, news came of the terrible Indian massacre at New Ulm, Minnesota, and General Brown was summoned thither. David L. Osborn, who was left in charge of the steam wagon, set out upon the overland journey but had driven only nine miles when a crank broke. He went to New York to procure another and did not return until spring. It was also found that considerable road work would be necessary before the steam wagon could proceed successfully. General Brown died and the project was left without financial support. In the meantime, Congress enacted legislation pro-

viding for the building of the Union Pacific railroad, and as construction got under way the plan for a steam wagon on dirt roads was discarded. Thus it developed that the "Prairie Motor" was destined never to move farther west, but was left for a generation to lie idle on the Morton ranch in eastern Nebraska before the engine was finally utilized in the gas works of Nebraska City.<sup>1</sup>

We shall not attempt to follow the early experiments in Europe and America to develop a self-propelled vehicle—a story that might be extended to the length of a volume. Suffice it to say that in the last decade of the nineteenth century a number of pioneers were working out plans for an automobile. Some were partial to steam as the motive power, others favored electricity, and still others were experimenting with internal combustion gasoline engines. Among those worthy pioneers of the automobile industry in America might be mentioned Elwood Haynes, Edgar and Elmer Apperson, C. E. Duryea, R. E. Olds, Alexander Winton and Henry Ford. As early as July 4, 1894, the machine conceived by Haynes and built by the Apperson brothers was tested and ran successfully.<sup>2</sup>

So far as we have been able to determine, the pioneer automobilist of Colorado was the late David W. Brunton, distinguished Colorado engineer. In his diary, under date of October 14, 1898, we find this entry: "Went to automobile show at Mechanics Institute, Boston, and tested several motor cars." In May, 1899, this record occurs: "May 7. Left Butte [Montana], reaching Denver on the 9th. Found Columbia electric automobile awaiting me. Spent day setting it up." "May 10. Ran electric carriage on the streets in Denver."<sup>3</sup>

Other electric automobiles and steam cars quickly appeared in Denver. Among the first to possess one of these horseless carriages were: Thomas H. Smith, W. B. Felker, Charles B. Lyman, Dr. Bartholomew, George Hannan, and others. The exact date of bringing in of automobiles by these men has not been learned.

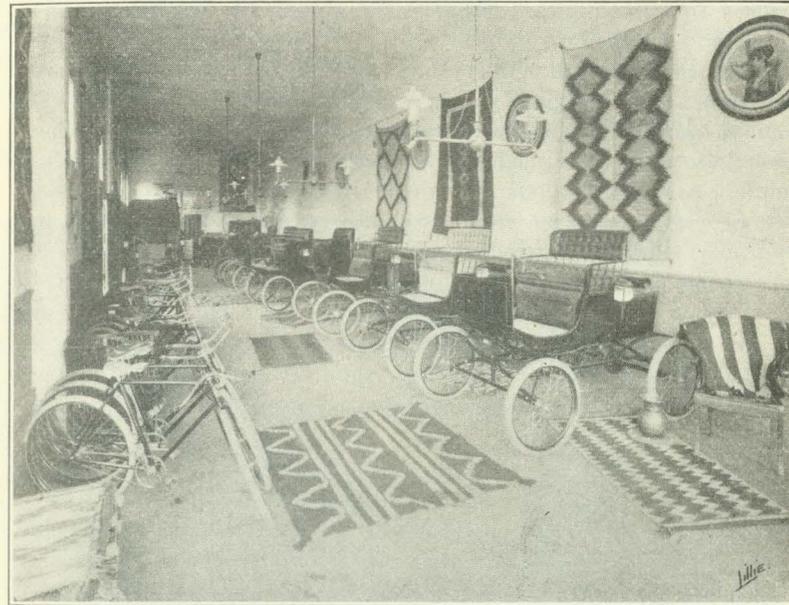
"An automobile service for use in the collection of mail is prophesied for Denver in the near future," says the *Denver Post* of January 24, 1900, in telling of the visit to Denver of W. H.

<sup>1</sup>This story of the steam wagon is taken largely from the account by the driver of the vehicle, D. L. Osborn, which appeared in the *Denver Republican* of April 29, 1906. In the *Rocky Mountain News* of October 30, 1865, appears a statement from the *Boston Traveler* that a company, of Boston and New York, was recently organized with a stock of \$6,000,000 to place steam traction engines on the roads west of the Missouri River. Attention was called to the enormous amount of freight being transported across the plains, which was estimated at 200,000,000 pounds. The freight rate was from 6 to 15 cents per pound. It was stated that coal could be obtained near Denver and that the steam trains could cross the plains in six days, whereas ox trains required from forty to sixty days. Nothing, however, appears to have come of the project.

<sup>2</sup>See the statement of Edgar Apperson in the *Denver Post* of June 20, 1920, and the affidavit of Elwood Haynes in the *Rocky Mountain News* of July 6, 1920.

<sup>3</sup>A copy of the Diary of D. W. Brunton, 1870-1920, is in the library of the State Historical Society of Colorado.

Edens, of the Postoffice Department in Washington. Mr. Edens told his interviewer that in Europe as many as 10,000 automobiles were in use, while in the United States not more than 2,000 had been sold.



THE FELKER CYCLE COMPANY DISPLAY ROOM IN 1900  
The bicycles are sharing space with the Locomobiles in this pioneer automobile salesroom, 16th Stret, Denver.

The first automobile advertisement in the *Denver Post* appeared on May 1, 1900, and ran as follows:

“\$750            Locomobile            \$750

“The famous Steam Wagon. Cheap to buy. Cheap to run. No noise, odor, or vibration. Ready for immediate delivery. Lightest and easiest running automobile on earth. Any person can run it from one to 40 miles per hour. Call on us and be convinced. Write for catalogue. Felker Cycle Co. State Agents. 417 16th St.”

Almost daily for the next two months this advertisement was repeated. On May 28th it was announced that fifty-two listed merchants would give a ticket with each 50 cent purchase and at a drawing on October 1st the holder of the lucky number would be given a Locomobile free. Mr. Felker was the first automobile dealer in Denver. His first shipment of eight Locomobiles came in one

freight car. It is said to have been the first shipment of cars west of the Mississippi River.

Dealers in bicycles were among the first to turn to the new-fangled automobile. W. B. Felker, E. R. Cumbe, George Hannan, Tom Botterill, and other dealers, soon turned their emphasis from bicycles to automobiles. Other early automobile dealers in Denver were R. R. Hall, Webb Jay and J. H. Nichols. But in the first years of the twentieth century bicycles were still in great demand, and women had taken to riding wheels. Races and parades were common and bicycle clubs were important organizations. There were those who declaimed against both the bicycle and the automobile. A rather famous anti-bicycle propagandist was Mrs. Ernbert, of Cleveland, who came through Denver in March, 1900, and when interviewed regarding the bicycle, exclaimed: "To my sex it has become an abomination, and I am certain also that it is an abomination in the sight of the Lord."<sup>4</sup>

On May 6, 1900, the *Denver Post* carried a large front page cartoon entitled "If the Candidates Should Get the 'Auto' Craze." Bryan, McKinley and other presidential aspirants were pictured as driving in an auto race.

The ascent of Pikes Peak by automobile was attempted in September, 1900, by John Brisben Walker, of New York, later of Colorado. He reached an elevation of 11,000 feet, which the *Rocky Mountain News* declared was the highest point thus far reached by an automobile anywhere in the world.<sup>5</sup> On August 12, 1901, W. B. Felker and C. A. Yont reached the summit of Pikes Peak in a Locomobile in the afternoon of their second day's climb. This was the first automobile to reach the summit.<sup>6</sup>

The Locomobile, which came into much favor in 1900, was inclined to catch fire occasionally. One day while the passers-by were admiring Dr. Charles B. Lyman's car on Seventeenth Street, Denver, the machine caught on fire. A local paper came out with a drawing of the burning car with this legend underneath: "High temperature, no pulse," said the Doctor."<sup>7</sup>

Dr. H. T. Pershing and Dr. W. H. Bergtold bought Locomobiles in January and March, respectively, of 1901. They drove Dr. Pershing's Locomobile to Estes Park that year. On the first attempt they were unsuccessful, the center of the road being so high that the sprockets on the rear axle dragged. But they returned to

<sup>4</sup>*Denver Post*, March 25, 1900, p. 17.

<sup>5</sup>*Rocky Mountain News*, September 9, 1900. Walker was a great auto enthusiast. As proprietor of the *Cosmopolitan Magazine* he had attracted much attention by staging an automobile race in New York in 1895 for a prize of \$3,000. Twenty-six cars entered and four finished, the distance being about fifteen miles. Walker was one of the organizers of the Locomobile Company and then of the Mobile Company.—Dawson's Scrapbooks, XLVI, 511.

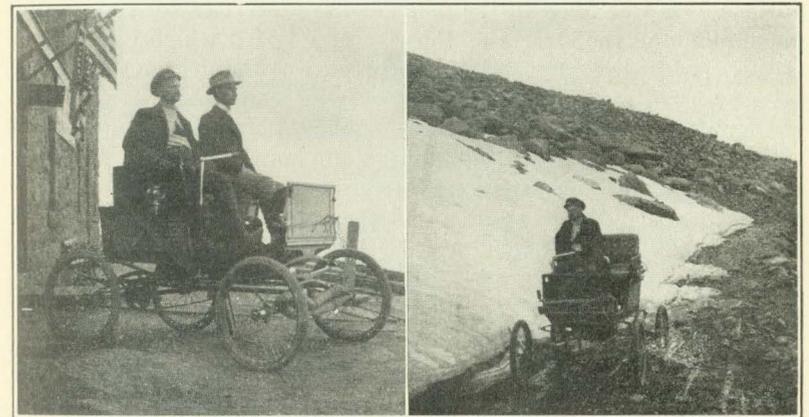
<sup>6</sup>*Denver Times*, August 13, 1901.

<sup>7</sup>*Denver Post*, March 17, 1901.

Lyons, induced a road man to cut down the center and fill up the ruts, and the following week they drove through to the park, being the first to accomplish this feat (July 3, 1901).<sup>8</sup>

In its issue of August 30, 1901, the *News*, of Denver, presented a drawing of "J. E. Barnes in His Horseless Carriage, the First to Cross the Crest of the Continent." Mr. Barnes had reached Leadville on the 28th. At times he had been forced to wrap one-half inch rope around the rear wheels to prevent his car from slipping on the steep grades.

The steam and the electric automobiles were the early favorites, but soon gasoline cars came into favor. One of the earliest,



THE FIRST AUTOMOBILE ASCENT TO THE SUMMIT OF PIKES PEAK  
Left: W. B. Felker and C. A. Yont in the Locomobile at the Signal Station on top of Pikes Peak, August 12, 1901.  
Right: Mr. Felker making the climb toward the summit.

if not the first, internal combustion motor car in Colorado was owned by Dr. F. L. Bartlett. From his home in Canon City Dr. Bartlett went to Detroit, where he examined and ordered an Oldsmobile. It was shipped out to him by express in the summer of 1901. It was one of the first Oldsmobiles manufactured, being car No. 13. After putting it together, Dr. Bartlett took it to a sixty-acre field back of the smelter and drove it around until he became proficient in driving. Then he started out for Canon City, but on the way he met a woman with a horse and buggy. The horse immediately took fright and tipped over the buggy. The automobilist had a bill of damages to pay. The people of Canon City were anxious to see the new car, so the sheriff cleared the main street of all horses and Dr. Bartlett drove up and down the avenue

<sup>8</sup>Data from the diary and log book of Dr. W. H. Bergtold of Denver.

giving free rides to the citizens in turn.<sup>9</sup> George Hannan, of Denver, became agent for the Oldsmobile and Senator L. C. Phipps and others bought the first cars he offered for sale.

At the Mountain and Plain Festival at Denver in the fall of 1901, a number of automobiles, some of which were elaborately decorated with flowers, took part in the parade and exhibition.

As the number of automobiles increased during 1901 complaints against them multiplied. Not only were horses badly frightened, with accidents occasionally occurring, but complaints were made that the cars were driven recklessly through the streets and on the highways. In the *Rocky Mountain News* of January 15, 1902, we read: "For the first time in the history of Denver, an automobilist was fined in the police court yesterday for driving his machine along the streets of the city at a speed which endangered the lives of pedestrians. E. S. Matheson was the prisoner. He had been arrested on Sixteenth Street by Officer Asken, who said that the auto was making forty miles an hour. Mr. Matheson insisted that he was going about eight miles an hour. He was fined \$25 and costs. The authorities have received many complaints as to the reckless handling of autos and they propose to rigidly enforce the laws." Thus was inaugurated the now flourishing business of traffic control.

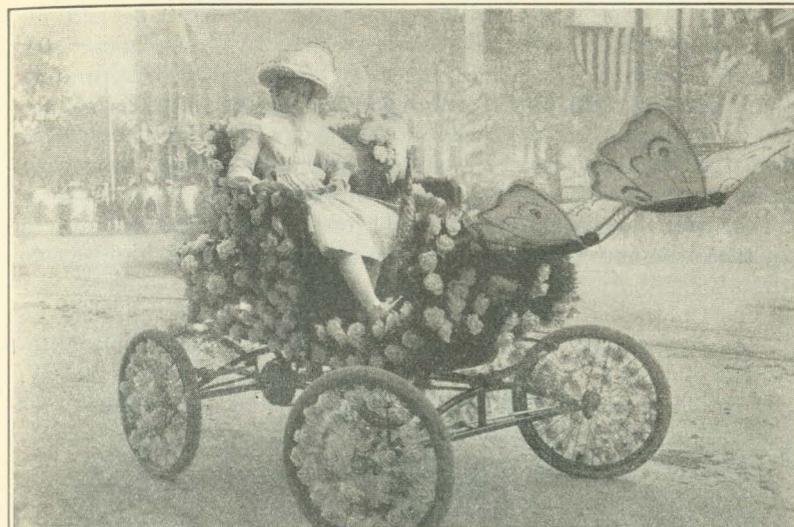
The year 1902 was to witness important developments and increasing popularity for the automobile in Colorado. In January the John Thompson Market and the Hurlbut's Grocery, of Denver, each announced that they would give away free a steam automobile through means of tickets given with purchases.

Webb Jay, driving a Winton car, made a spectacular run from Denver to Evans on January 18, 1902, carrying a witness to identify a suspected murderer. Writes the newspaper reporter who accompanied Webb: "We fairly shot over the road and left a cloud of dust behind that hung in the air for half a mile. . . . My particular duty was to get out and lead horses past the machine and between Denver and Evans I had performed this little stunt no less than eight times." They made the trip to Evans in three and one-half hours.<sup>10</sup>

In April, 1902, a livery auto service was inaugurated in Denver with five cars. In honor of the occasion they made a parade about the city, carrying a band and notable persons. A newspaper reports: "The first car contained a band, the players with distended cheeks and bulging eyes dispensing 'Creole Blues' free of

<sup>9</sup>From data given the writer in December, 1930, by Dr. Bartlett, now of Denver.

<sup>10</sup>*Denver Post*, January 19, 1902, p. 7.



Courtesy of Mrs. Dell Felker Cross

DECORATED CARS AT THE MOUNTAIN AND PLAIN FESTIVAL, 1901

Upper: Miss Wilma Felker with her Locomobile decorated with pink roses.  
Lower: In the front seat, Mrs. W. B. Felker and Mrs. Herman Powell; in the rear seat, Mrs. Horace W. Havens and Mrs. Lucy E. Peabody.

charge to the wondering populace that gathered in doorways and windows to witness the show."<sup>11</sup>

An automobile race from Denver to Colorado Springs was staged the following month. The current newspaper reports: "The

<sup>11</sup>*Ibid.*, April 13, 1902.

great long-distance automobile race to Colorado Springs and return is over, and W. B. Felker is the richer by much honor and 300 solid simoleons of Webb Jay's money. It was a record run, too, considering the difficulties and obstacles encountered." Felker made an average of twenty-two miles per hour, running time. "The return trip," said Felker, "was made without incident, but every bone in my body ached from the strain of handling the stiff steering gear and the discomfort of riding on a cushionless seat over a road that was as rocky and bumpety as the historical highway to Jordan."<sup>12</sup>

The Colorado Automobile Club, the first such organization in the State, was organized on May 15, 1902, by more than forty automobilists of Denver. D. W. Brunton was elected president and W. H. Bergtold secretary.<sup>13</sup> The constitution listed the following as "objects" of the club:

"1st. The securing of rational legislation.

"2nd. The formation of proper rules governing the use of the automobile.

"3rd. To protect the interests of automobilists against unjust discriminations.

"4th. To maintain their lawful rights and privileges.

"5th. To encourage prudence and care in driving automobiles.

"6th. To promote the good road movement."

On the Fourth of July, 1902, at Overland Park, Denver, an automobile race was staged. E. L. Matthewson, G. E. Hannan, Webb Jay, A. B. Porter and George A. Maxwell were entrants. The race was disappointing. A reporter explains: "The machines were not equally matched in the first place. A fifteen-horse machine was pitted against an eight-horse machine and, of course, it looked more like a runaway match than a race. The horsemen looked upon the automobile races as a huge joke."<sup>14</sup> But there were good horse races, so the crowd was satisfied with the exhibition.

By the close of 1902 women were taking a hand in the automobile game. An interesting article by Roberta Balfour, which appeared in the *Denver Post* of November 16, 1902, lists the following as Denver woman automobilists: Mrs. D. W. Brunton, Mrs.

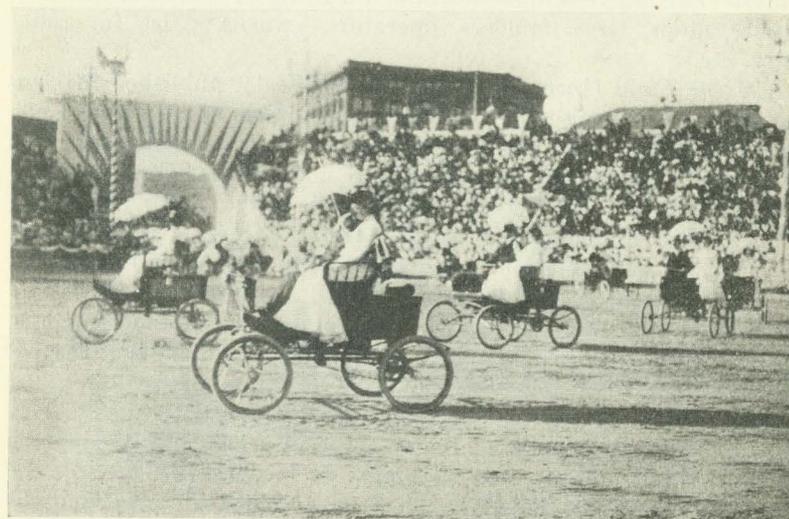
<sup>12</sup>*Ibid.*, May 9, 1902. Mr. G. A. Maxwell was Felker's mechanic and accompanied him on the trip. He had the cushion of the seat removed so he could work on the motor while the car was running, the motor being directly under the seat.

<sup>13</sup>This data was obtained from the diary and records of Dr. Bergtold, who has given to the State Historical Society a copy of the Constitution and By-Laws and List of Members of this first auto club in Colorado, together with certain clippings and records relating to early automobiling in this state. The Colorado Automobile Club was incorporated May 28, 1904. It disbanded in 1917, at which time the money in its treasury, amounting to \$500, was given to the fatherless children of France.

<sup>14</sup>*Denver Post*, July 4, 1902.

W. B. Felker, Mrs. J. M. Stover, Miss Julia Campbell, Mrs. Merritt Gano, Mrs. E. K. Buttolph, Mrs. J. C. Davis, Mrs. L. C. Phipps, Mrs. Alvin Daniels, Mrs. A. T. Wilson, Miss Wilma Felker, Mrs. Samuel Strong and Mrs. George Wood. Pictures of most of these women in their cars accompanied the story.

"Out of the 200 owners of machines in town today," says this article, "about a dozen women only have had the courage to take their levers and their destinies in their own hands, and face the world. . . . Miss Wilma Felker was the first young girl to drive her own machine, handling with great command the auto which



Courtesy of Dr. W. H. Bergtold

AUTOMOBILE PARADE AT THE MOUNTAIN AND PLAIN FESTIVAL,  
OCTOBER 1, 1901

A Maid of Honor rides in each of the cars. The Locomobile in the foreground is driven by Dr. Bergtold and carries Florence Pattock of Rocky Ford, Colorado.

was shown in the carnival to such advantage two years ago. She was then eleven years old. Since then other young girls have mastered the science, among them Miss Gladys Cheesman of Lincoln Avenue. Many of the women drive the electric runabout, but a few prefer the steam surrey. Mrs. G. M. Stover drives a steam auto, the Stanhope, and though the machinery is a little more complicated than that of the electric auto, says she prefers it and has used it successfully for two years. But the favorite style is the electric surrey car, or Victoria. . . .

"The most expert chauffeur is considered to be Mrs. Lawrence C. Phipps. She said, 'My first auto was an Olds. . . . There have been so few who ran their own autos. I think everyone has an

utter contempt for a woman who runs her own machine, especially if it is gasoline, which makes the most horrible noise. When people see a car tearing down the hill, puffing and snorting, and the figure of a woman at the lever, they turn up their noses in perfect disgust. There is no odium attached to the electrics though, for there is no noise and no odor'.<sup>15</sup>

The Colorado Automobile Club staged a grand automobile endurance test on May 30, 1903. The run was to be from Denver to Palmer Lake and return. Elaborate "rules and regulations," covering four closely printed pages, set forth the conditions of the contest—entries, fees, classification, weighing of vehicles, controls, repairs, stops, tires, mufflers, operators, awards, prize for reliability, etc.<sup>15</sup>

*Motor Field* (incorporating *Cycling West*), published in Denver and San Francisco, devoted the lead article of its June, 1903, issue to the Memorial Day endurance test, and characterized it as a "huge success." The first prize, a Solar auto lamp, was won by a Winton car driven by L. Lindahl.<sup>16</sup>

The first automobile to make a transcontinental trip by way of Colorado was welcomed with great enthusiasm in July, 1903. The car left San Francisco on June 20th and reached Denver, by way of Grand Junction, Glenwood Springs and Colorado Springs, on July 20th. It was a twelve-horsepower, one-cylinder Packard, driven by E. T. Fetch with M. C. Krarup as passenger. "At times," said Mr. Krarup, "the sand has been so deep that canvas had to be spread in front of the machine in order that it might be moved. Heavy chains were necessary to be wrapped around the wheels at other times in order that the steep mountain grades might be overcome."<sup>17</sup>

Denver automobilists went out to Littleton to welcome this transcontinental car, "Old Pacific." "The machines passed out of Littleton in a string," says the *Denver Republican*, "forming a procession that was somewhat new to the town. Among those who ran the wagons were J. H. Nichols, Jr., George Gorton, E. R.

<sup>15</sup>A copy of these "Rules and Regulations" were given to the State Historical Society by Dr. Bergtold.

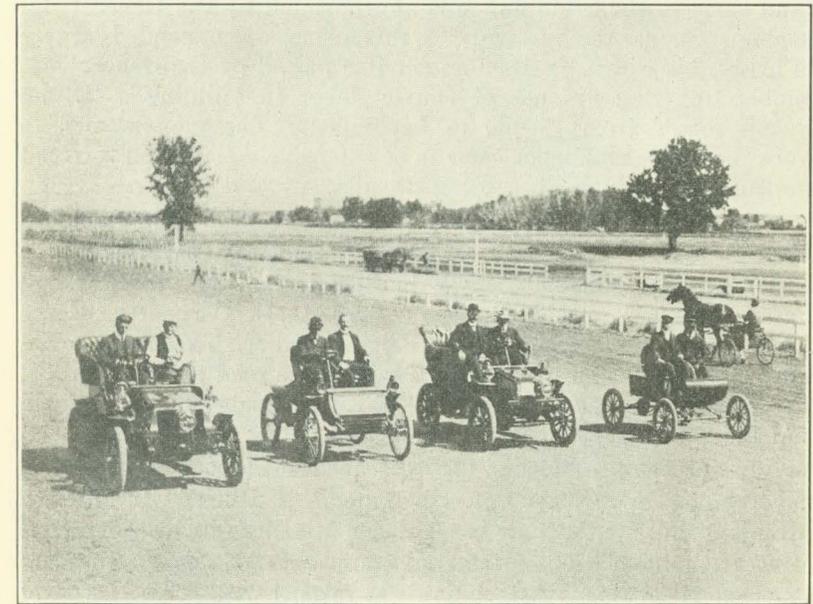
<sup>16</sup>The *Automobile* of June 20, 1903, lists the "First Class Certificate Winners" as follows:

| Class | Machine          | Type     | Owner                   | Driver           | Marks |
|-------|------------------|----------|-------------------------|------------------|-------|
| C     | Winton           | Gasoline | E. H. Hurlbut           | E. H. Hurlbut    | 425   |
| B     | Rambler          | Gasoline | E. R. Cumbe             | E. W. Swanbrough | 425   |
| B     | Rambler          | Gasoline | E. R. Cumbe             | George Eyster    | 425   |
| C     | Winton           | Gasoline | Colo. Auto Co.          | L. Lindahl       | 425   |
| C     | Rochet-Schneider | Gasoline | McNeil & Penrose        | R. A. Miller     | 421   |
| C     | Winton           | Gasoline | E. A. Colburn           | H. C. Colburn    | 416   |
| A     | Oldsmobile       | Gasoline | George Turner           | George Turner    | 422   |
| A     | White            | Steam    | Col. Motor Carriage Co. | M. R. Hughes     | 425   |
| B     | Autocar          | Gasoline | G. S. Riche             | F. Riche         | 425   |
| B     | Cadillac         | Gasoline | A. T. Wilson            | A. T. Wilson     | 416   |
| B     | General          | Gasoline | Colo. Auto Co.          | Robert Boone     | 421   |
| C     | Winton           | Gasoline | W. W. Price             | W. W. Price      | 425   |

<sup>17</sup>*Denver Post*, July 21, 1903, p. 8.

Cumbe, C. V. Dasey, E. W. Swanbrough, George E. Hannan, O. T. Higgins, Dan Campbell, W. H. Bergtold, Charles Bilz, George E. Fell, W. F. Frazier, Joe Mino, Mr. Joslin and others. The ride into Denver was a corker. One of the local machines dropped in ahead of the transcontinental machine, but the driver of the latter was not satisfied with the pace kept up. He therefore pushed on ahead and showed the party how to approach a city.

"As the roads were rather dusty, the appearance was of a drove of cattle hustling along the highway. When the procession



Courtesy of the *Denver Post*

ON THE RACE TRACK AT OVERLAND PARK, DENVER, JULY 4, 1902  
The Winton at the left is being driven by Webb Jay. The car at the extreme right is an Oldsmobile, driven by George Hannan.

reached the edge of the city many of those having a wholesome fear of the city ordinances made for such cases, slowed their machines and dropped out of the rush. The others charged on downtown with horns sounding. A local car took the lead for the passage through the city, having a man standing up and shouting, "There they are—the across the continent wagon."<sup>18</sup>

The question of good roads was of vital concern to the automobilist, and as the number of cars increased the ardent cham-

<sup>18</sup>*Denver Republican*, July 21, 1903. *The Horseless Age* of August 5, 1903, also gives an account of the reception of the trans-continental car in Denver, together with a photograph of the car.

pions of good roads multiplied. But even before the coming of the automobile the question of passable roads had been of great concern to Coloradans. In the Territorial days of Colorado's beginning, most of the roads had been built as toll roads by private individuals or companies that collected toll to reimburse them for the labor expended in building and maintaining the road. Then in the early years of statehood the counties expended a part of their funds in road construction and poll taxes were levied for road work. There was also the Internal Improvement Fund, a portion of the money obtained from the sale of public land within the State. This fund came to the State and was appropriated by the General Assembly. During the '80s and '90s this money was expended largely in bridge building. In 1899 an act was passed by the General Assembly directing the use of convict labor in building a "State wagon road" from Pueblo to Leadville.<sup>19</sup> The plan seemed to work well and penal labor came to be extensively employed for road work during the two succeeding decades.

In October, 1900, a "Good Roads Convention" was held in Denver. Henry Michelson, of Denver, read a paper favoring a national highway from Denver to Salt Lake City via Berthoud Pass. Messages were read from "Prof. L. G. Carpenter, of the Agricultural College and State Senator Ed T. Taylor, of Glenwood Springs, the builders of the Taylor State road to Glenwood."<sup>20</sup> The convention went on record as favoring State and federal aid and the use of penal labor on the roads.

In the years following 1900 the good roads movement gained momentum. In 1905 the Colorado Automobile Club, F. L. Bartlett, president, initiated a State Good Roads Meeting to which delegates came from the various cities and counties. At this meeting the Colorado Good Roads Association was formed with J. A. Hayes, of Colorado Springs, as president.<sup>21</sup>

An important "Good Roads Conference" was held at Denver December 4, 5, 6, 1906, T. F. Walsh and the Denver Chamber of Commerce furnishing the \$2,000 to finance the conference. Logan W. Page, Chief of the Bureau of Public Roads, of Washington, was in attendance, and congratulatory telegrams were received from President Roosevelt and from James Wilson, Secretary of Agriculture. It was an enthusiastic meeting, with notable speakers present. A bill was drawn up to create a State Highway Commission and establish a system of State roads to be planned and constructed

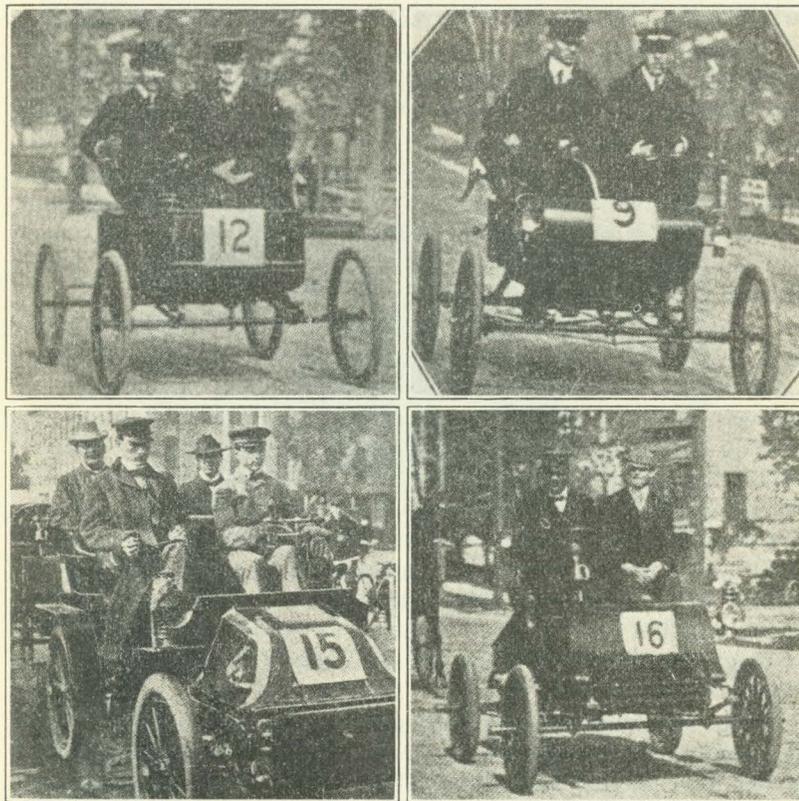
<sup>19</sup>Session Laws of Colorado, 1899, Chapter 63.

<sup>20</sup>Denver Post, October 31, 1900.

<sup>21</sup>"A Brief History of Road Building," written by F. L. Bartlett and read before the Colorado Good Roads Association at its Fourth Annual Meeting, in January, 1914. Copy of the resolutions adopted and papers read at this convention was given the writer by Dr. F. L. Bartlett.

under direction of this commission.<sup>22</sup> A measure embodying these proposals was presented to the legislature but failed of enactment.

Not discouraged, the good roads advocates inaugurated a campaign of education throughout the state. To augment their strength for the next legislative fight the Colorado Good Roads Association, the Colorado Automobile Club and its affiliated clubs, and the



PARTICIPANTS IN THE AUTOMOBILE ENDURANCE TEST, MAY, 30, 1903

No. 12. Gasmobile, entered by Eaton & McClintock. G. W. McClintock, operator.

No. 9. Oldsmobile, entered by George Hannan. Driven by Mathewson.

No. 15. Autocar. J. S. Riche, owner; F. Riche, operator.

No. 16. Cadillac, entered and driven by A. T. Wilson.

Rocky Mountain Highway Association joined forces in the fall of 1908. United effort resulted in the enactment of the highway bill by the General Assembly. The law, approved May 5, 1909, provided for the creation of a "State Highway Commission" of three members appointed by the Governor, and appropriated a sum of

<sup>22</sup>The proceedings of this "Good Roads Conference" of 1906 were published by the Denver Chamber of Commerce, in a pamphlet of 167 pages.

\$50,000 as State aid for road construction. Governor Shafroth appointed C. P. Allen, W. W. Wiley and Thomas H. Tulley as the first Highway Commission and this body appointed J. E. Maloney as secretary and engineer. The commission was directed to make a general survey of the roads of the State and to apportion the State aid to the counties, provided that no county should receive state aid unless it agreed to raise and expend an amount equal to twice that apportioned to it by the State Highway Commission.

During 1910 State roads were mapped and laid out and preliminary work was accomplished, but with the meager funds only a beginning could be made.<sup>23</sup> In January, 1911, under the auspices of the Rocky Mountain Highway Association and the Denver Chamber of Commerce, another good roads conference was called in Denver, having as its object the securing of additional funds for the Highway Commission. Charles A. Johnson was made president and four road bills were drawn up and presented to the General Assembly.<sup>24</sup>

Senate Concurrent Resolution No. 43, passed by the legislature in 1911, provided for a constitutional amendment calling for a \$10,000,000 bond issue for the construction and improvement of highways, but upon being submitted to a vote of the people at the ensuing election the measure was lost. The law approved June 3, 1911, which was to turn over the Internal Improvement Fund and the Internal Improvement Income Fund to the Highway Commission was, on a technicality, declared invalid by the Supreme Court in June, 1912, and these funds, amounting to about \$800,000, remained in the bank and were unavailable for road work.<sup>25</sup> Thus during the first three years of its existence the State Highway Commission was greatly handicapped by lack of funds. But better days were just ahead.

The legislature of 1913 reorganized the State Highway Department, made a continuing appropriation for State roads, and turned over to the State Road Fund the accumulated money in the Internal Improvement funds.<sup>26</sup> It also enacted the first Colorado law for the registration and licensing of motor vehicles. This first license fee varied from \$2.50 to \$10, depending on the horsepower of the car, and the revenue thus collected was to be divided equally between the state and the respective counties.<sup>27</sup> This law

<sup>23</sup>First Biennial Report of the State Highway Commission, 1910.

<sup>24</sup>F. L. Bartlett, *op. cit.*

<sup>25</sup>Second Biennial Report of the State Highway Commission, 1912.

<sup>26</sup>Chapters 88 and 93 of the *Session Laws of Colorado, 1913*. As reorganized, the highway department consisted of T. J. Ehrhart, State Highway Commissioner; J. E. Malone, Secretary-Engineer; and an advisory board consisting of J. M. Kuykendall, Leonard E. Curtiss, Charles R. McLain, Charles E. Herr and L. Boyd Walbridge.

<sup>27</sup>*Session Laws of Colorado, 1913*, Chapter 114.

forbade any city or county thereafter to levy a motor vehicle tax.<sup>28</sup> This first motor license law gives us our first reliable check upon the number of cars in Colorado. There were 13,135 passenger cars and 2,753 motorcycles registered in 1913, and the total receipts for fees amounted to \$60,833.<sup>29</sup> Since that time the increase has brought the number of motor vehicles well over 300,000 and the revenue accruing from license fees amounted in 1929 to \$1,835,385.

Space forbids a further tracing of road development except in the barest outline.<sup>30</sup>

In 1914 a half mill state tax was voted by the people for highway construction and in 1919 an additional half mill was levied.



DR. W. H. BERGTOLD IN HIS 1904 FORD  
This car had a two-cylinder engine. The hole in the side was for insertion of the crank.

In this latter year was introduced the gasoline tax as a means of raising money for better roads. The first measure provided for a one cent per gallon tax, but this has been successively raised to four cents (1930), and has replaced the mill levies on general property. A bond issue of \$5,000,000 was voted by the state in 1920 and one of \$6,000,000 in 1922, the proceeds to be expended on state roads.

In 1916 a very important road movement was inaugurated when the federal government began to distribute money among the various states for road construction. This "federal aid" received by Colorado amounted to over a million dollars in 1919 and has been between one and two millions annually since that year. In

<sup>28</sup>Denver had passed an ordinance levying a license fee on motor cars as early as 1903. Dr. Bergtold retains the receipt for his first city license, his being number 2.

<sup>29</sup>Report of the Motor Vehicle Department.

<sup>30</sup>A fuller discussion of development in recent years is given in James E. Maloney's "History of Highway Progress in Colorado," in *Colorado Highways*, January, 1930. The April, 1930, number of the same magazine contains a valuable article entitled "Highway Accomplishments in Colorado in Seven Years."

addition, the government expenditures for road building in the national forests and parks of the state amount to approximately \$500,000 per year.

The counties, which once carried almost the entire burden of road construction and maintenance, have continued to expend large sums for improved roads. In the aggregate, the money expended in Colorado by county, state and nation for the construction and maintenance of highways has well exceeded \$10,000,000 per year during the past decade.

Well over \$150,000,000 is invested in automobiles, automobile factories, salesrooms and garages in Colorado, while the expenditure for gas and oil alone is approximately \$40,000,000 annually, or more than three times the value of the entire annual production of precious metals in the state.

Expenditures for Road Construction and Maintenance in  
Colorado, 1915-1930<sup>31</sup>

| Year | Expended by<br>the State<br>(Including<br>Federal Aid) | Expended by<br>the Counties | Federal Aid<br>Allotments | Total<br>Expenditure |
|------|--|-----------------------------|---------------------------|----------------------|
| 1915 | \$ 212,597   | \$2,386,000                 | -----                     | \$2,598,597          |
| 1916 | 623,133  | 2,814,000                   | -----                     | 3,437,133            |
| 1917 | 720,994  | 1,664,421                   | \$ 83,690                 | 2,385,415            |
| 1918 | 1,174,974  | 2,463,232                   | 167,380                   | 3,638,206            |
| 1919 | 1,555,559  | 2,919,938                   | 1,124,848                 | 4,475,497            |
| 1920 | 3,896,945  | 4,427,609                   | 1,648,384                 | 8,324,554            |
| 1921 | 4,053,853  | 6,230,778                   | 1,755,758                 | 10,284,631           |
| 1922 | 6,735,882  | 6,108,260                   | 1,341,175                 | 12,844,142           |
| 1923 | 5,453,446  | 5,131,802                   | 1,341,175                 | 10,585,248           |
| 1924 | 5,664,567  | 5,905,217                   | 1,183,041                 | 11,569,784           |
| 1925 | 4,587,089  | 5,423,975                   | 1,361,482                 | 10,011,064           |
| 1926 | 4,809,052  | 4,847,531                   | 1,385,547                 | 9,656,583            |
| 1927 | 4,164,805  | 5,467,000                   | 1,380,384                 | 9,631,805            |
| 1928 | 5,916,002  | 5,839,162                   | 1,376,520                 | 11,755,164           |
| 1929 | 5,769,234  | 5,501,625                   | 1,383,401                 | 11,270,859           |
| 1930 | 6,202,202  | -----                       | 1,388,755                 | -----                |

<sup>31</sup>Data from the State Highway Department, the State Board of Immigration, and the Bureau of Public Roads.

MESA DE MAYO DISTRICT

Pecked Petroglyphs

Highway 100

9 W 25 from Kim

Site R 105

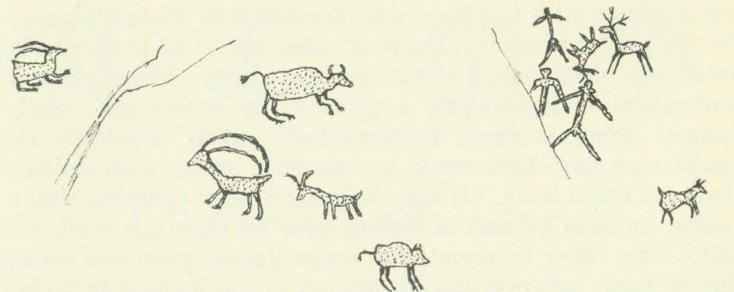


Figure 1

Figure 2

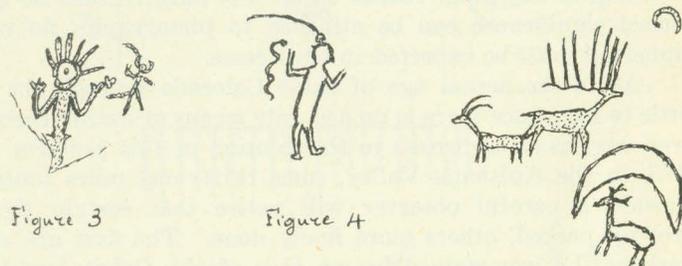


Figure 3

Figure 4

Figure 5

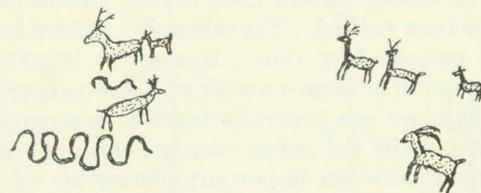


Figure 6

Figure 7

Petroglyphs pecked on lava blocks of a volcanic cone, near Mesa de Mayo, in Southern Colorado. They represent Indians, buffaloes, deer, mountain goats, snakes.

(All these pictures were re-drawn in scale from photographs and sketches taken on the field.)

Indian Petroglyphs of Southeastern Colorado

E. B. RENAUD\*

A petroglyph is a sign or figure drawn or painted, incised, pecked or carved on rock. The Archaeological Survey of Eastern Colorado, conducted during the summer of 1930, found only some thirteen sites with petroglyphs, as in most of the territory explored, fields, prairie, sand dunes, etc., there was no means for the Indians to produce pictographs on rock. So, it is only along canon walls and on the boulders of some rocky valleys that they could be encountered. Those seen and recorded come from: First, the foothills between Colorado Springs-Canon City and Pueblo, four groups of petroglyphs; second, at five sites in the valleys of the southern tributaries of the Arkansas River between Fowler and Las Animas; third, in three locations south of Lamar; and, fourth, on a volcanic cone north of the Mesa de Mayo. Except for this last case all pictographs were found on either red or Dakota sandstone. The

\*Dr. Renaud, Professor of Anthropology at the University of Denver, was Director of the Archaeological Survey of Eastern Colorado during the past summer. The article here presented gives a brief extract from one phase of his findings.—Ed.

great majority were made by pecking, some were incised and we have only one instance of a group painted red; two of doubtful origin had been drawn in black.

At nine sites there are Zoomorphic petroglyphs representing a variety of animals of fairly clear interpretation, such as deer, buf-

falo, horse, antelope, big horn mountain goat, bear, skunk, possibly coyote. The snake is very frequent near rivers and water holes. Birds, one at least of which is an eagle, another a turkey, were seen in five places. Anthropomorphic representations are rather rare although many conventionalized designs may stand for human forms. A single realistic figure of good size and outline representing a woman with smallpox was discovered in Picture Canon, near the Oklahoma border. Hands of man, tracks of bear, possibly of horse, are encountered at one or two places. Many signs are of conjectural interpretation, a great many others are totally unknown. Some intricate patterns look utterly hopeless. Certain marks may have been made by one man for his own guidance or that of a small band. It may indicate a good camping site, a successful hunting ground, a victory over an enemy, a trail, a water hole. This latter interpretation seems logical when one remembers that so many petroglyphs are located in the immediate vicinity of creeks and water holes. Some signs may record the repeated visits of a party at such places, or the thanks to the protective spirit of a spring, or any other fact or idea. For such reasons no great historical significance can be attached to pictographs, no ready deciphering must be expected in most cases.

As to the actual age of these Colorado petroglyphs there is little to say, since there is no accurate means of dating them. However, here is an approach to the solution of this problem. At site R75, in the Apishapa Valley, some thirty-one miles southwest of Fowler, a careful observer will notice that certain figures are broadly pecked, others more finely done. The first are almost as dark as the iron-stained brown face of the Dakota sandstone on which they have been pecked. The others are lighter because not so weathered and patinated by time. Hence, the latter are more recent. Examination of a large number of these petroglyphs reveals the fact that the older are generally made of conventional designs or symbolic signs, while the newer ones are usually realistic or approximating life forms—an important distinction of style. This group may even be divided into two, one of which, apparently intermediate in age, comprises figures pecked all over. Moreover, there is one clear instance of superposition of two pictographs, and the one of darker color, of simple or more conventional form, is under the other one, which is absolute evidence of the relative age of the two classes. This also confirms entirely the previous conclusion of the succession of styles on the basis of their appearance. Further, we may almost date the more recent class, as on the south-east cliff one sees the picture of a man on horseback and it is pecked in the newer technique. It is believed by the best informed scientists that the horse began to appear on the western plains at the

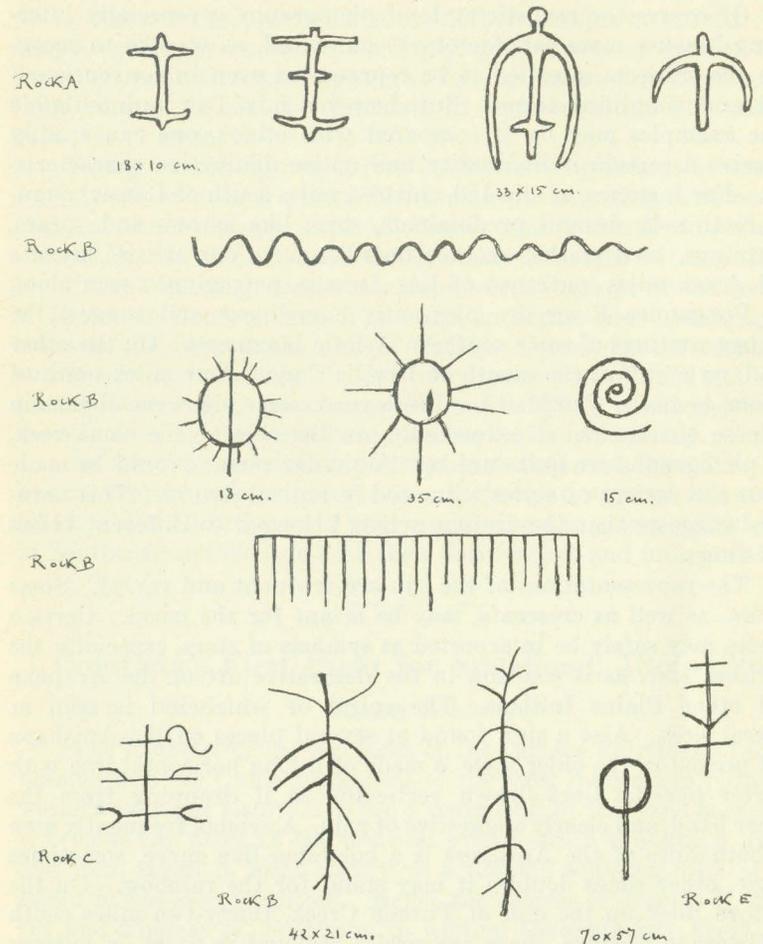
## APISHAPA DISTRICT

## Pecked Petroglyphs

## Older Style

Site R75-A

N.W. Bank



PETROGLYPHS FROM THE APISHAPA DISTRICT, SOUTH OF FOWLER  
These are figures pecked in the older style on sandstone boulders. Their probable interpretation is: First row, quadrupeds and birds; second row, snake; third row, sun and whirlwind; fourth row, rain; fifth row, trees and plants.

end of the seventeenth century and became more common in the eighteenth century. Hence, that rude representation of a horseback rider can hardly be older than 1680 and is probably more recent. The other pictographs of the same realistic style, finer pecking and lighter color, may date back to the eighteenth century, but no more.

As a consequence, also, the intermediate class pecked all over, and the simpler conventionalized figures and symbolic signs, broadly pecked and of darker appearance, would be older than the eighteenth century and possibly much more ancient, although no definite antiquity can be ascribed to them.

Of course the realistic style of pictographs is especially interesting because more satisfactory to our mind, as we like to recognize the subjects intended to be represented even in conventionalized and simplified forms. But, however mixed or unintelligible some examples may be, if compared with others, one can readily perceive a certain individuality and notice distinctive characteristics. For instance, at site 150, thirteen miles south of Lamar, angular rectilinear designs predominate, some like arrows and spears, lightnings, bird tracks, checker boards, etc. Contrariwise, at site R94, seven miles southwest of Las Animas, petroglyphs seen along the Purgatoire River are pleasantly curvilinear and suggest the strange writings of some southern Asiatic languages. On the other hand, on a cliff at the mouth of Devil's Canon, four miles south of Bloom, near the Trinidad-La Junta road, some signs recall certain Chinese characters. Unexpectedly, on the side of the same rock, the pictographs are quite unlike. A similar remark could be made about the variety of styles witnessed in animal figures. This naturally suggests that the Indian artists belonged to different tribes and times.

The representations of the sun are frequent and varied. Some circles, as well as crescents, may be meant for the moon. Certain crosses may safely be interpreted as symbols of stars, especially the morning star, as is common in the decorative art of the Arapaho and other Plains Indians. The spiral or whirlwind is seen at several sites. Also a sign found at several places on the Apishapa and pecked in the older style is made of a long horizontal line with shorter parallel lines drawn vertically, as if dropping from the upper band, and clearly suggestive of rain. A symbol frequently seen on both sides of the Apishapa is a horseshoe-like curve, sometimes single, other times double; it may stand for the rainbow. On the Picture Rock up the cliff of Turkey Creek, thirty-two miles south of Colorado Springs, there are circles, isolated in pairs, in various groupings, also connected in different fashions. For some tribes it is an expression of time, the circle meaning a day. A Phi-like sign, with variations, but essentially composed of a circle with a vertical transverse line, has been found on the cliffs of the Apishapa. It is pecked in the old style. It is sometimes surmounted with a small circle suggesting a head. In one instance the foot of the vertical line is ended with a small and solid triangle, recalling the sexual triangle of ancient figures. It is closely associated with a schematic

but clearly masculine form. It is very similar to pictographs seen in Spain and I am inclined to recognize in them also the same conventionalization of the feminine figure.

At several sites were seen signs essentially composed of a long vertical line with two, three and often many more cross lines, some plain, others forked, some horizontal, others oblique or curved. The simple cases may be meant for birds, quadrupeds or men as thus found in primitive art elsewhere. In the cases of multiple cross lines we may be in the presence of representations of plants, branches or trees.

Zigzag curved figures, symbolic of rivers, lightnings or snakes, were found at several places, but were especially abundant on the rocks of the Apishapa south of Fowler and in the Dykus Canon west of Pueblo, in both cases closely associated with water.

"Cup" carving, or circular depressions dug out of the rock, 8 to 10 cm. in diameter and 2 to 4 cm. in depth, were seen only in one site. It was on the cliff of Picture Canon, in the southeast corner of Colorado. The "cups" were numerous and did not seem arranged according to any special order. They recall those frequently seen on the megalithic monuments as in Brittany.

As for the inextricable patterns seen here and there it is useless to venture even a guess! In our present stage of knowledge this is about all that can be said concerning the petroglyphs found in Southeastern Colorado as to their location, age and interpretation.

## Colorado's First Fight for Statehood, 1865-1868

ELMER ELLIS\*

The histories of the struggles of the various Territories for admission into the Union form some of the most interesting phases of western political history. When a movement of this kind succeeded it became the pride of the political group which brought it about, and went down in local history as a notable achievement. If one failed it was soon forgotten. Hence the success of Jerome B. Chaffee and Thomas M. Patterson in leading Colorado into the Union in 1876 is a familiar story, while the more interesting failure of the sixties is less well known.

Colorado was not ready for statehood in 1864. Probably few people today would claim that it was. But the Civil War had brought about chaotic conditions in national politics. The exigencies of the dominant political group at Washington led to a desire for more States from the West, and enabling acts were passed pro-

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\*Professor Ellis, of the University of Missouri, wrote his Doctor's thesis upon the career of Senator Henry M. Teller.—*Ed.*

viding that Colorado, Nebraska and Nevada should hold elections to determine whether they would come into the Union under constitutions of their own making. The act for Colorado provided that a constitutional convention should assemble on the first Monday in July, 1864, to draw up a frame of government, and that the election should be held on the second Tuesday in September.<sup>1</sup>

The prospect of statehood was attractive to many Coloradans. The vision soothed local pride; it promised home rule and a better defense of Colorado's interests at Washington. Then, too, it stimulated the interest of those to whom the territorial status had been one long fast day. "Decrepit and windbroken politicians who clamored for the support of the general government," a contemporary later complained of that political condition, "were preferred to the first class native timber to be found here in exhaustless quantities."<sup>2</sup> Statehood soon had a following marshalled under the leadership of Governor John Evans and Henry M. Teller. It was advocated by the entire Colorado press, with the exception of the *Daily Mining Journal* of Black Hawk.

In accordance with the stipulations of the enabling act, local caucuses were held to choose delegates to the constitutional convention. The delegates met at Golden on July 4, only to adjourn to Denver for their work. Those favoring statehood were in complete control of the assembly, and proceeded at once to frame a constitution, which they probably modeled after a draft presented by Delegate William N. Byers. The result was a typical State constitution of its period, except for the salary schedule of the State officials. Sparsely populated and poor in taxable property as Colorado was, the statehood leaders correctly foresaw that the chief argument of their opponents would be the probable influence of statehood upon the annual tax bill. In anticipation of the campaign they included one of the lowest salary schedules any Colorado constitutional convention ever seriously considered. It provided such incomes as \$1,000 for the Secretary of State, \$400 for the Attorney General, and three dollars a day for the members of the legislature when in session. This was probably a tactical error, as it made the prospective State offices unattractive.

So confident were the advocates of statehood that they decided to hold an election for State officials at the same time that the vote was taken on statehood. A "Union Administration" party convention was held, which named a complete ticket, headed by D. T. Towne for Governor, and Colonel J. M. Chivington for Congressman. Besides this slate it was understood that should

<sup>1</sup>*Congressional Globe*, 38 Congress, 1 Session, pp. 788, 1227, 3087. The election date was originally set for October, but a supplemental law was passed changing it to September.

<sup>2</sup>Frank Hall, *History of Colorado* (Chicago, 1889-1895), I, 293.

statehood carry, Evans and Teller would be the party's nominees for the United States Senate before the prospective legislature. This convention handicapped the statehood movement badly. The "Union Administration" party, as the Republicans called themselves, was easily dominant over the Democrats, and if statehood carried their nominees would in all probability be elected. Among the large numbers disappointed in the convention there was a perceptible cooling off of enthusiasm that affected the successful candidates. The nominee for Governor, who had wired his acceptance, suddenly changed his mind and withdrew when the political breeze changed its direction.<sup>3</sup>

The brief campaign that followed was one "that, in bitterness, acrimony, and unscrupulousness on both sides, never was equalled in any other political contest during Colorado's Territorial period."<sup>4</sup> Describing the leadership of the statehood movement, the *Daily Mining Journal* declared, "Old John [Evans] works the lead, Gen. Teller on the near wheel, Col. Chivington on the off wheel, Byers is the horse 'to let,' and Rev. King the dog under the wagon."<sup>5</sup> The anti-State campaign was led by Dr. Worrall, A. A. Bradford, Judge Charles Lee Armour and Rodney Fench. Supporting them were the Democratic politicians—with the notable exception of that nomadic statesman, James M. Cavanaugh—who realized that statehood at this time would not give them any share in the spoils of office. To them was added the lethargy, if not always the active opposition, of many Unionists or Republican politicians who were not interested in the movement. Chaffee announced his approval of statehood so tardily that the "anti-State" convention seriously considered making him one of their candidates. The citizens of Mexican descent in the southern counties were unanimously opposed to any change that would leave them under a local government in which they were a minority. The "antis" charged that the statehood movement was merely an office seekers' scheme, and played constantly upon the unpopularity of Evans and Chivington to stimulate opposition. Statehood, they urged, would raise taxes to unreasonable heights to provide support for its institutions. Possibly with more effect, they warned that, if statehood carried, the national government's military conscription law would apply to the new State. The statehood leaders argued, on the other hand, that the changed status would give Colorado adequate protection at Washington. With two members of the Senate and electoral votes as well, such unfriendly legislation as the Pacific Railroad act, which appeared to leave Colorado off the transcontinental route,

<sup>3</sup>*Daily Miners Register*, May 18, July 8, 14, 15, 19, 31; August 3, 4, 1864; *Daily Mining Journal*, July 8, 1864.

<sup>4</sup>Jerome C. Smiley, *Semi-Centennial History of the State of Colorado* (Chicago, 1913), I, 472.

<sup>5</sup>July 27, 1864.

would have been prevented, and the proposed federal tax on mining profits could be fought with real weapons. They did not overlook the argument that statehood would end the terms of certain unpopular territorial officials now active against the proposed change. But their campaign was a losing fight from the beginning. In a vain attempt to save the cause, Evans announced that he would not be a candidate for the Senate in case statehood won, but the opposition never let up their attacks upon him and Chivington. When the ballots were counted, it was announced that statehood had been defeated 1,520 to 4,672, in a Territory that Senator Wade thought contained sixty thousand people.<sup>6</sup>

Immediately following this election occurred one of the strangest reversals in Colorado's political history. A few days after the defeat was admitted, the *Rocky Mountain News* recorded the rumor that some of the former anti-State leaders were organizing a new statehood movement, which they expected to control. Whatever the conferences were that went on behind the scenes, the following spring a call for a constitutional convention was published on the authority of the central committees of both parties, and that of the "Anti-State" committee as well! The leaders of the defeated statehood movement gave little or no public aid to this one, and others carried it on. No authority now existed to form a State government, as the enabling act provided only for the one election. But, it was argued, possibly with some encouragement from Washington, that Congress having once agreed to it, the national government would not refuse admission because of technicalities.<sup>7</sup>

The new leaders of the statehood movement, profiting by the experience of the year before, did not make the same mistakes. The convention was harmonious, chose W. A. H. Loveland chairman, and adopted resolutions favoring statehood by a vote of 43 to 6. The charter approved by it did not differ greatly from that of the year before, except that the usual salaries were attached to the State offices. Without muddying the issue by an election, the vote was to be taken on the question of statehood, complicated only by special vote on negro suffrage. The campaign began with many more prospects of success than the one of 1864. The *Daily Mining Journal*, which had damned the former attempt with enthusiasm, now joined the rest of the press in support. The leaders of the opposition deserted and either publicly recanted or kept silent, except for Dr. Worrall, who almost alone led the vocal opposition. When the votes were counted, the statehood advocates had overturned the sentiment of the previous year in most of the northern

<sup>6</sup>*Rocky Mountain News*, August 16, 27, 30; September 3; *Daily Miners Register*, August 1, 2, 4, 6, 12, 17, 20; September 1; *Congressional Globe*, 38 Congress, 1 Session, p. 788.

<sup>7</sup>*Rocky Mountain News*, September 15, 1864; *Senate Executive Documents*, 39 Congress, 1 Session, No. 10, pp. 3-15.

counties. The large majorities against the change in the southern counties made the contest close, however, but after some delay it was announced that statehood had carried by 3,025 to 2,870, or a majority of 155. That there had been questionable practices, if not downright frauds, in some precincts was freely admitted. Negro suffrage had been overwhelmingly defeated.<sup>8</sup>

Conventions were now held by the two regular parties and a temporary organization called the Sand Creek Vindication party. The Republican party was generally successful in the subsequent contest, electing its candidates for Governor and Congressman, William Gilpin and George M. Chilcott. Within the party, however, the usual harmony did not prevail. During the statehood fight the party machinery had come under the control of Jerome B. Chaffee, who directed his attention to the candidates for the legislature, with the result that most of them were friendly toward his candidacy for the Senate as well as that of Governor Evans. Chaffee's attempt to replace Teller as the Union-Administration party's candidate for the Senate was generally successful, except in Gilpin County, where the latter's friends were in a distinct majority, and the resulting split gave a local Democratic victory. When the legislature met, Evans and Chaffee were elected to the United States Senate, Chaffee defeating Teller in the Republican caucus 15 to 8. Evans, Chaffee and Chilcott now went to Washington to urge the acceptance of the new State by the federal government.<sup>9</sup>

President Johnson refused to recognize the "State" of Colorado because of its failure to conform to the enabling act, and turned the matter over to Congress. When no partisan advantage was to be gained by admission, Congress, in the early spring of 1866, was not as anxious to allow it as it had been in 1864. Nevertheless, a bill to accept Colorado as a State under the government recently set up was brought in, supported chiefly by western Senators and generally opposed by Easterners. Some of the latter objected to it because of Colorado's small population, and some because of the lack of negro suffrage. Senator Ben Wade, who had supported the bill of 1864, and later supported this one, talked of rotten boroughs, and the bill was defeated 14 to 21.<sup>10</sup>

Under ordinary circumstances the contest would have ended here. But 1866 was not a normal political period. The growing bitterness between President Johnson and the radical Republicans was rapidly coming to a head. Shortly after the vote on the Colo-

<sup>8</sup>*Daily Miners Register*, August 9-September 13, 1865; *Daily Mining Journal*, July 28-September 9, 1865; Hall, *Colorado*, I, 366-369.

<sup>9</sup>*Daily Mining Journal*, October 13, 20, 24, 25, 26; November 6; December 12, 13, 21; *Daily Miners Register*, September 24, October 27-29; November 14, 15, 18, 1865; *Senate Miscellaneous Documents*, 40 Congress, 2 Session, No. 31; *Senate Executive Documents*, 39 Congress, 1 Session, No. 10, p. 32.

<sup>10</sup>*Congressional Globe*, 39 Congress, 1 Session, pp. 2033, 2169, 2179, 2180, 2372-2374, 2601; *Senate Ex. Doc.*, 39 Congress, 2 Session, No. 7, pp. 7-8.

rado bill, the President vetoed the Civil Rights bill. The majority of radical Republicans was large enough to pass this over his veto, but it was barely sufficient in the Senate. Anxious to increase their majority, the radical Republican leaders soon saw their error in refusing admission to a State whose Senators would add two to their majority. A reconsideration was moved by Senator Wilson of Massachusetts, and the following contest found most of the radicals now in favor of statehood, Charles Sumner being the outstanding exception. This genius of consistency wanted negro suffrage in the Constitution before he would vote for admission, and was willing to charge that "there were known and avowed arguments and there were arguments whispered in this Chamber, that these men should be admitted because we need their votes." The statehood bill now passed both houses, to the delight of its Colorado friends. President Johnson vetoed it on grounds that the population did not entitle Colorado to admission. As the bill had not received the necessary two-thirds majority on its original passage, it was useless to attempt to pass it over the veto.<sup>11</sup>

As the lines between the President and his opponents were more tightly drawn, the congressional leaders made another attempt to admit Colorado the next year, and thus add Chaffee and Evans to the Senate. In order to unite more of the radicals behind statehood for Colorado, they now brought in a new bill with a provision that its sponsors claimed would insure negro suffrage. Its real purpose was set forth by Senator Doolittle: "It is necessary to reenforce the majority of three-fourths in this body by the admission of the new members from the new State of Colorado and that is the reason why this is to be pressed." Nevertheless, it passed with large majorities, and again met with the presidential veto. Senator Wade now held the vetoed bill up until absences in the Senate made it a strategic moment to pass the bill over the veto. The strategy was ineffective, however, as it again failed to receive the necessary two-thirds majority.<sup>12</sup>

In the meantime the fight over statehood had been revived in Colorado, if indeed it can even be said to have died down after the election. Politics in Colorado, like railroad construction and capital location, had been forming two Republican factions, which differed from each other principally over the location of control. The "Denver crowd," under Evans' and Chaffee's leadership, was the chief force behind the demand for admission and controlled the State administration, which only needed congressional approval to

<sup>11</sup>The passage of the bill by the Senate was hailed by the *Daily Miners Register* (April 26, 1866), with these headlines: "Colorado Bill Passed the Senate Without Amendment! How Are You Anties and Worms!"

<sup>12</sup>*Congressional Globe*, 39 Congress, 2 Session, pp. 360-364, 481, 487, 535, 818, 1928; L. P. Stryker, *Andrew Johnson* (New York, 1929), pp. 430, 431, 458-461; J. D. Richardson, *Messages and Papers of the Presidents*, VI, 413-16.

become the government of Colorado. The other, the "Golden crowd," now under the leadership of H. M. Teller, was in direct opposition to statehood. Their antagonism had been growing since the defeat of 1864, and, soon after the results of the election of 1865 became known, Willard, the younger brother of H. M. Teller, had written letters to friends in the House of Representatives, urging them to oppose admission. H. M. Teller and Henry C. Leach went to Washington in the spring of 1866 to lobby against the bill, and thus counter-balanced the efforts of Chaffee and Evans.<sup>13</sup>

After the initial failure of the bill in Congress, public sentiment in Colorado seems to have grown steadily against statehood. If there was an actual majority for it in 1865, it is unlikely that there was in the few years following. Several attempts were made to get the territorial legislature to petition Congress for admission. Although such bills passed one house on some occasions, the only one that passed both was associated with a proposition to extend the boundaries of the proposed State north to include that part of present-day Wyoming containing the Union Pacific Railroad. Party conventions did not think it a popular move to vote an endorsement, and Teller was made chairman of the executive committee of the Republican party.<sup>14</sup>

In the spring of 1868, the last attempt was made to bring Colorado into the Union under the constitution and officials of 1865. The Senate Committee on Territories held hearings at which Evans and Chaffee submitted statements. H. M. Teller went to Washington again to present the anti-State case to the committee. Arriving too late to testify, he drew up a statement in the form of a memorial to Congress. The two testimonies were summaries of the two arguments. The first represented Colorado Territory as a growing commonwealth with a population of from 75,000 to 100,000, the great majority of whom were anxious for statehood. The latter showed a population of "not exceeding thirty thousand," which was not increasing and who did not desire the burdens of statehood. So confident was Teller of the unpopularity of statehood in Colorado that he challenged Congress to allow a vote on the question. "This is all we ask. The people of Colorado feel competent to decide this question \* \* \*."<sup>15</sup>

The publication of Teller's memorial lighted the fires of controversy again. To the "State" press it was an unpatriotic attack

<sup>13</sup>*Daily Mining Journal*, March 10, 13, 16, 19, 21, 1866; Irving W. Stanton, *Sixty Years in Colorado* (Denver, 1922), pp. 134, 144-145; *Congressional Globe*, 39 Congress, 1 Session, p. 1328. When the *Daily Mining Journal* made a bitter attack upon the elder Teller, charging his opposition to disappointment over the senatorial election, Willard Teller replied with a series of letters. Neither he nor his brother had approved the statehood movement of 1865, he insisted, which was "a farce and a swindle."

<sup>14</sup>*Senate Miscellaneous Documents*, 40 Congress, 2 Session, No. 31.

<sup>15</sup>*Ibid*; *Congressional Globe*, 40 Congress, 2 Session, p. 1287.

upon the prosperity and future of Colorado. "Let the curse of every citizen be upon him," fumed the *Rocky Mountain News*. "Let him be a dead man among us, so vile, so corrupt, so offensive, that the very mention of his name will excite loathing. Let the guilt of his own base acts be made to weigh so heavily upon him that he will only be too glad to escape where he cannot even hear the name of the territory he has so abused." A memorial was presented to Congress signed by a number of political workers denying the truth of Teller's statements. On the other hand, he was commended at a mass meeting in Golden, and the *Colorado Transcript* declared that Teller was supported by three-fourths of the people.<sup>16</sup>

Late in June the new bill came up in the Senate. In the meantime Teller had been active among the Republican Senators, and had found an able champion in Roscoe Conkling, the domineering Senator from New York. Using Teller's challenge of a referendum on the question to rally the opposition to statehood, Conkling attracted so much support that it soon became apparent that the bill could not pass without an amendment providing resubmission of the entire question to the voters in Colorado. This would have meant new elections, and possibly new Senators, if statehood carried. Confronted by these situations, the active advocates of statehood in Washington decided it was useless to push the case, and it never came to a vote. In September, Evans and Chaffee resigned "to clear the way for statehood." But that way proved to be a long one. Opposition in Congress and opposition at home were too strong to overcome, and it was not until after the rapid development of the territory in the period 1868 to 1872 that statehood became an unquestioned desire among Coloradans. And it was four years later before the national government also agreed that statehood was desirable.<sup>17</sup>

Cherokee Indians who followed this route on their way to the California goldfields in 1849.

Of all the expeditions and emigrant trains that traversed the Cherokee Trail from the Arkansas, over the Divide to the headwaters of Cherry Creek and on to its mouth in the Platte, two appear to be most important in a historical way.

Captain Marcy, in charge of a large train of war supplies from Fort Union, New Mexico, to Fort Bridger, for General Johnston's army, followed the Cherokee Trail from the Arkansas to the mouth



Photograph taken by A. B. Sanford in October, 1930.

CHARLES E. HARVEY at the Cherokee Trail crossing of RUSSELL GULCH. Scene of the first Russell gold discovery, on the headwaters of Cherry Creek.

## The Cherokee Trail and the First Discovery of Gold on Cherry Creek

ALBERT B. SANFORD

One of the noted trails followed by early trappers, traders and explorers, and later by many of the emigrants coming north from the Arkansas River, passed through the present site of Denver. It was called "Trappers Trail." That portion from the Arkansas to the Cache la Poudre River and beyond to the Laramie Plains came to be better known as the "Cherokee Trail," because of a band of

<sup>10</sup>*Rocky Mountain News*, March 14, 1868; *Colorado Transcript*, March 4, 18, 1868; *Weekly Colorado Tribune*, March 18, 1868; *Senate Miscellaneous Documents*, 40 Congress, 2 Session, No. 40.

<sup>11</sup>*Congressional Globe*, 40 Congress, 2 Session, pp. 3348-3350, 3540-3549.

of Cherry Creek, where he arrived May 1, 1858. The Platte being at flood stage, he stopped here four days in order to build a ferry boat for crossing some sixty teams. It is reasonably certain that he continued north on the same trail to La Porte and, via Virginia Dale, to the Laramie Plains. His record leaves no doubt as to his crossing the Divide at the head of Squirrel Creek, where his command battled for life sixty hours in a terrific blizzard.

The other historic expedition to follow the Cherokee Trail was organized in Georgia by three brothers, Dr. L. J., J. Oliver, and William G. Russell. It was formed early in 1858 among neighbors of the Russell brothers and came to include a number of Cherokee Indians. At a point on the Arkansas River they were joined by a party of Missourians.

Rumors of the existence of gold in Cherry Creek in Colorado and the mountain regions had circulated among trappers and hunters, but all reports were indefinite as to location, and told nothing of production. The Russells were the first to organize a party for the purpose of proving the truth of such rumors, and Cherry Creek was their avowed destination. After prospecting the country south of the Divide as they journeyed from the Arkansas, they took the Cherokee Trail up Squirrel Creek to the crest of the watershed and along the head streams of Cherry Creek, without finding the least indication of gold. Crossing a low divide to another tributary, at its crossing they found their first "colors" of flaky gold. Here they made a camp, and remained long enough to determine that, while gold was widely distributed in the creek sands and even on the hillsides, it was not in sufficient quantity to justify permanent plans for its recovery.

There was enough, however, in evidence to inspire hope for further prospecting along Cherry Creek to its mouth, where, about the last of June, they arrived. After prospecting the neighborhood for some ten days with no better results than along Cherry Creek, all of the expedition, except the Russell brothers and ten other men, decided to quit, and left for home by the way they had come.

Undaunted, the remnant of the original party worked up the east bank of the Platte to the mouth of Little Dry Creek, where "pay dirt" was found.<sup>1</sup> Within a few weeks about eight hundred dollars in gold, worth twenty dollars an ounce, was recovered. This was accomplished by fashioning a hollow cottonwood log into a "rocker," and making a sluice box of hand-sawed boards. By January, 1859, news of this discovery had reached all parts of the country, and a little later the great rush of thousands of emigrants began across the plains from Missouri River points.

Where the Russell party filled buckskin pouches with gold "dust" from Little Dry Creek, the Sons of the American Revolution have placed a granite marker, but the place where, after long weeks of travel through an uncharted wilderness, they found their first gold, is practically unknown.

Recently the writer, in the interests of the State Historical Society, undertook to locate the exact spot on the headwaters of Cherry Creek, where that first gold was found. A number of local residents of Franktown, Douglas County, were questioned, none of whom could give more definite information than "up Russellville

<sup>1</sup>Mr. John J. Riethman, who came to Cherry Creek in October, 1858, told of visiting the Russell camp at the mouth of Dry Creek at that time. He bought from them a "quill" of gold dust to the amount of five dollars. About a year before his death in 1928 he accompanied Mr. Frank Byers and the writer to the site of Russell's, or "Placer Camp," and definitely pointed out the spot they occupied and the section of the creek they were at that time working.

Gulch," and in no case with mileage agreeing. After scouting for several hours we were extremely fortunate in meeting Mr. Charles E. Harvey, who has lived along Cherry Creek for over sixty years, or since he was in his twenties. With the particular object of our trip explained, he smilingly said: "I know the place and will be glad to guide you to it; have to go a little slow at first—am getting along in years, and have a touch of rheumatism at times, but can make it fine."

Mr. Harvey makes his home at the Smith Ranch on Russellville Gulch, five miles above Franktown, and from this place we followed the markings of the Cherokee Trail southwest and up the gulch for a quarter of a mile, or to the point where it crosses the gulch. "There," said Mr. Harvey, "is the place where the Russells found their first gold, and back there on the slope from the sandstone cliffs to the creek, is where they camped for several days." His knowledge came from pioneers intimately acquainted with the Russells, who, on subsequent trips over the old trail, pointed out to them the identical location of their camp, and the places they worked.

Careful checking of old maps in the library of the State Historical Society, in connection with the manuscript of Pierce, one of the Russell prospecting party, and particularly from geological conditions, brief mention of which appears later, leaves little room for doubt of Mr. Harvey's statement being true.

The source of the "Cherry Creek Gold," so called, has never been proven, though many theories have been advanced by geologists. It seems to be true, however, that south of a formation first appearing at Newlin Gulch, some twenty miles from Denver, and extending southeast and up Cherry Creek to near Franktown, thence up Russellville Gulch, there is no evidence of the precious metal. North and northeast of this ancient river channel, reef, or whatever it may be, the creeks and ravines, tributaries of the Platte and Cherry Creek, are more or less enriched with auriferous gravel and sands. But that is another story.

Of a number of good view points of Russell's first discovery, the writer found one on the south side of the creek in the center of the Cherokee Trail. This was looking north, and the field included the crossing and the old camp ground. Perhaps it was the thrill of my having just found a dozen or more golden "colors" from a pan of sand; perhaps the very charm of the spot seemed to visualize what my friend Harvey had related, for I seemed to see in shadowy picture:

Men working with shovels and pans in the channel and along its banks; great prairie wagons parked in orderly camp fashion; many oxen, some of them footsore and wearied, content to rest

while others grazed on the slopes or in the bordering pine-covered hills; from limbs of trees freshly killed deer and antelope were hanging, and great iron kettles were swinging over camp fires—suggesting plans for a feast that would fittingly celebrate the great event of that day.

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## The Story of Dead Man's Canon and of the Espinosas\*

As Told by HENRY PRIEST to ELSIE KEETON

I have heard so many different stories as to why Dead Man's Canon is so called that I am going to tell the true story about it. I came to Dead Man's Canon with my parents from Buckskin, Colorado, on March 12, 1863. At that time there was no road through this canon. It was just a wide canon filled with majestic pines.

Henry Harkens, the man who was murdered a week later, met us in what later became known as Dead Man's Canon and piloted us to the place where we were going to live. This place was just below where the Fountain Water Works stand, on what is now the Mary Helen Ranch. We had known "Uncle" Harkens, as every one who knew him called him, for two years before he came down from Buckskin. He was one of the best and kindest of men, always ready to help anyone in trouble, and loved by all who knew him. At the time he came to Dead Man's Canon he was about fifty-five years old, and he was not murdered by his partner for his money, as I have often heard, nor by Indians, but by a couple of Mexican desperadoes by the name of Espinosa, who went through Colorado in 1863, slaying white men wherever they found an opportunity to do so.

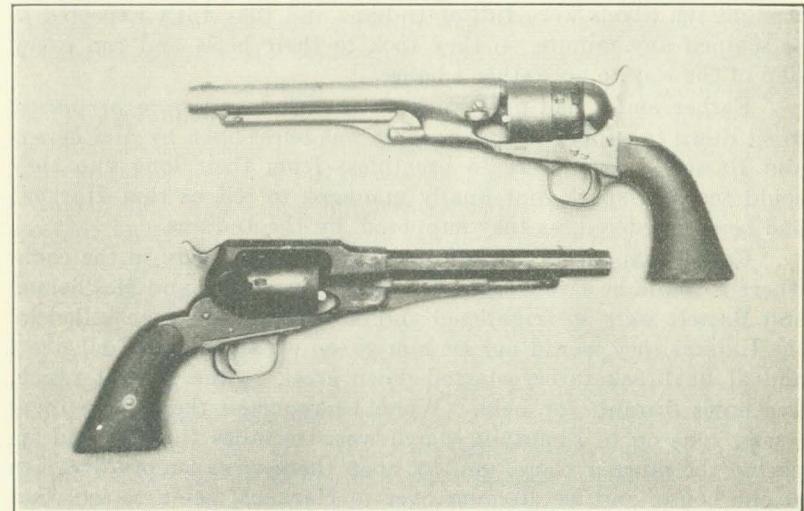
Harkens and three other men, McPherson, Bassett and Judd, had bought a saw mill in Canon City, and were moving it to Dead Man's Canon, which was then called Saw Mill Gulch. Our house was just a mile from where they were setting up the mill. Two teams and seven men had come over with the first load of machinery and while here, the men had cut logs and built the cabin where Harkens was afterward murdered. Four of the men went back to Canon City after more machinery and their families, which left Harkens, McPherson, and Alden Bassett to work on the mill while they were gone.

On Wednesday, March 19, 1863, Harkens worked all day on the cabin, daubing it and hanging a blanket for a door. McPherson

\*Dead Man's Canon is about eighteen miles south of Colorado Springs on the Colorado Springs-Canon City road. The Espinosas were the notorious fanatics who terrorized Colorado in the early sixties. Miss Keeton, of Colorado Springs, obtained this interview about two years ago from Henry Priest, early pioneer. It was brought to the Historical Society by Edward Fulmer, of Portland, Colorado.—Ed.

son and Bassett worked on the mill, and my father and I worked all day on the hill near where Paul Dingel's house now stands, where we were building a road to haul lumber away from the mill when it got to running. At quitting time that evening McPherson and Bassett went to the cabin, got their gun and sixshooter, and told Harkens they were going down the canon to see how Priests were getting along with the road while he got supper, and as they left, Harkens threw down his trowel preparatory to getting the wood with which to cook supper.

As we found out afterwards, the two Espinosas had lain up on a little bluff about a quarter of a mile from where Harkens and



REVOLVERS USED BY THE ESPINOSAS

Upper: Cap and ball revolver used by one of the Espinosa brothers. It was given by Charles Mullin to W. D. Todd of Denver in 1868, and was presented to the Historical Society in 1897.

Lower: Revolver used by Julian Espinosa, the outlaw killed by Tom Tobin. These revolvers are in possession of the State Historical Society of Colorado and are on exhibition in the State Museum, Denver.

the two men were working, and had watched them at work on the mill and cabin all day. They had their horses picketed there, and as soon as they saw McPherson and Bassett leave the cabin they had evidently mounted their ponies, rode down to the cabin, and murdered Harkens.

When McPherson and Bassett got in sight of the cabin on their return from the road, McPherson remarked, "I wonder what's the matter that the old man hasn't got a light?"

"You must remember he daubed the cabin today and hung a blanket for a door, so we couldn't see a light if he had one," replied Bassett.

It was getting dark when they reached the cabin, and the first thing that met their gaze was Harkens, lying dead within six feet of the cabin door, his head split open with the ax, and two ugly gashes in his left breast. McPherson thought the murderer must be in the cabin, so cocked his gun, and with the barrel cautiously pushed aside the blanket which served as a door. There was no one in the cabin, but everything was topsy-turvy. McPherson's suitcase had been slashed open with a knife and the contents were scattered about the cabin, and there was a great white splotch on the floor just inside the door, where the Mexicans had emptied a hundred pound sack of flour they found in the cabin. That frightened McPherson and Bassett nearly out of their wits, for they thought the woods were full of Indians and they fully expected to be scalped any minute, so they took to their heels and ran every step of the way to my father's house.

Father and I had quit work on the road and were preparing to sit down to supper when the door was burst open by McPherson and Bassett. They were so breathless from their long run they could scarcely speak, but finally managed to tell us that Harkens had been murdered, as they supposed, by the Indians.

Father wanted to go right over and put the body in the cabin where it would be safe from wild beasts, but mother and McPherson and Bassett were so frightened and so sure he had been killed by the Indians they would not let him go, so we stood guard all night and at daybreak father started down creek to the nearest ranch, five miles distant, for help. When he reported the killing there a man rode on to Fountain, which was five miles further, and reported the murder there, and by noon there were twenty-five men at our house, and we all went over to Harkens' cabin to see what had happened to him and whether there were any Indians about. We found Harkens had been shot in the middle of the forehead with a Colts Navy revolver, then the murderers had taken the ax and split his head open from the top to the mouth, and then, judging from the appearance of his head and the ax, they had hit him on each side of the head with the head of the ax, and two pieces of skull and his brains lay on the ground at the top of his head. He was also stabbed twice in the left breast; two four-inch gashes about three inches apart. He must have been killed shortly after McPherson and Bassett started down the canon, for he had not yet cut the wood with which to cook supper.

The murderers must still have been ransacking the cabin when they heard McPherson and Bassett returning, for judging from their pony tracks they had mounted them and hastily ridden away toward the red cliffs west of the cabin. They had ridden right through the pine tree tops, which were scattered about where the

logs for the cabin had been cut, and in one pile of the tree tops we found a chunk of beef they had lost in their flight. They rode back to the red cliffs where there was a sheltered place in a gulch by a ledge of rock and here we found they had evidently cooked their supper; then they mounted their horses and had taken the old trail to Colorado City. This old trail passed within a few rods of father's house, and while we were standing guard the night of the murder the bandits must have passed right by us.

As we could find no more traces of the murderers, we prepared to bury Harkens. We chose a spot on a little knoll under a sheltering pine tree, and while the other men were digging the grave I stood guard up on a bluff where I had a fair view up and down the canon. While they were digging I spied two horsemen coming at a brisk pace down the canon and I hastened to tell the diggers. When the riders arrived they proved to be a sheriff and his deputy from Hardscrabble, and they told us the Espinosas had murdered an old man by the name of Bruce, at the head of Hardscrabble, the day before they murdered Harkens, and at about the same hour. The sheriff said Bruce had apparently walked to the door of the blacksmith shop and the Espinosas had shot him several times. The sheriff and his deputy did not stop long and were soon off again on the trail of the bandits.

We learned that the murderers had killed a beef on Turkey Creek, at what is now called Aiken's Spring. (This spring was once owned by Mr. Aiken, father of Charles, Jessie and Mrs. Fannie Aiken Tucker, all of Colorado Springs, and is on the Glen Cairn Ranch, now owned by Mr. A. N. Jordan of Colorado Springs.) The bandits had cut about ten or twelve pounds out of the ham of the beef and left the rest. The meat we found in the tree tops back of Harkens' cabin was without doubt a piece of the beef they had killed at Aiken's Spring.

After the sheriff and his deputy had gone, we resumed our sad work. My father took small logs, and in the grave they had dug he laid the logs as though building a cabin, only he fitted them together as closely as he could. Then we lined the box with fragrant boughs and in this rude casket we placed the body, covered the top tightly with little poles and boughs, then covered all with the soil, and on a rough headstone we carved the words:

"Henry Harkens, Murdered Wednesday Eve.,  
March 19th, 1863."

The sheriff and deputy from Hardscrabble followed the Espinosas to Colorado City, up through Manitou and on up through Ute Pass, and were first to find two men the bandits had murdered at the stage stand up Ute Pass the morning after they had mur-

dered Harkens in Dead Man's Canon, and they returned to Colorado City and reported that murder there.

From there the Espinosas went to South Park and killed wherever they caught a man alone. They waylaid cabins, roads and mining camps and murdered ruthlessly wherever they found an opportunity to do so. Finally six cavalrymen were sent after them and chased them all summer, but never got a glimpse of them. When the bandits reached California Gulch and killed two or three miners there, it aroused the wrath of the whole camp, and twelve old miners shouldered their guns and took the trail of the bandits. They caught up with the Espinosas at Cripple Creek, at what is now called Espinosa Peak. The bandits were camped on top of that peak, and there the miners had quite a battle with them and killed the oldest bandit, but the younger one escaped. In the camp where Espinosa was killed the two bandits had nothing to eat except half of a beaver. On Espinosa's person the miners found an article of agreement that they, the Espinosas, were to kill six hundred whites in revenge for the loss of their money and property during the Mexican War. They had treated the older men they killed much more brutally than they did the younger ones, presumably because they reasoned the older men had had more to do with the Mexican War than the younger men had. Where Espinosa was killed they found all the bandits' camping equipment except what the one who escaped took with him. Espinosa had only two or three dollars on his person when killed, but among his effects they found Harkens' gold rimmed spectacle frames, McPherson's gold watch and chain (worth about \$25 or \$30), his old-fashioned satin vest with embroidered flowers on the front, and his day-book. They also got the bandits' guns, revolvers, bowie-knives, ponies and saddles.

The younger bandit went back to Mexico, got his nephew, a boy twelve years old, and started out again.

The State offered a big reward for their capture, and Tom Tobin, an Irishman and an excellent marksman, killed both of them near Fort Garland, Colorado, and got the reward, though in small installments, receiving the last payment on it shortly before he died.

"And that," said the old-timer in conclusion, "is the story of Dead Man's Canon."

So the reason the name of Saw Mill Gulch was changed to Dead Man's Canon was because Henry Harkens was murdered there, and there, within fifty feet of the Colorado Springs-Canon City highway, where the morning shadows of Indian Head Ledge fall cool and deep, and the afternoon sun silvers the needles on the pine that has guarded it so faithfully all these years, is Harkens' grave; a totem faintly scrolled along the trail of the pioneers.