A Calendar of
the papers of
DENVER: WATER SUPPLY CONTROVERSY, 1909 - 1914
by
Sherwin Rudnick

Prepared under the direction
of
Enid Thompson

University of Denver
Institute of Archival Studies
in cooperation with
Colorado State Archives
1969
TABLE OF CONTENTS

Foreword

Chronology

Correspondence

Miscellaneous Correspondence


Miscellaneous Legal Documents

Water Rates of Cities in U.S. in 1908 - 1910

Pamphlets and Magazines

Newspaper Clippings

Newspaper Clippings Unidentified as to Date
FOREWORD

Significance - The Denver Union Water Co. came into existence in 1894 by buying out its competitors in Denver. One of the companies which was included in the merger was the Denver Water Co., who had been granted a franchise in 1890. Along with the acquisition of the Denver Water Co. went the rights and privileges that had been granted to the company. Thus the franchise which had been granted to the Denver Water Co. was now in the possession of the Denver Union Water Co.

The franchise had been granted on April 10, 1890 and had a twenty year life span. Yet by 1889 the City and County of Denver wanted to buy the Denver Union Water Co. A court case in 1898 against the Denver Union Water Co. had been lost by the City of Denver. The case had been about the quality and quantity of water supplied by the company. This litigation was the first of a series of cases which were concerned with the rates charged by the company, and whether or not the City could purchase the water company or build a municipal water works.

The battle between the City and County of Denver and the Denver Union Water Co. was fought in the courts, newspapers of the city, as well as in the United States Supreme Court decision of 1917 which finally made the city buy the water company for $13,922,636.00.

Provenance - It is this author's contention that the Denver Water Supply Controversy Papers were collected by John H. Gabriel; however the actual provenance is unknown.
CHRONOLOGY

1890 Denver Water Co. given a 20 year franchise.
1894 Denver Water Co. brought by Denver Union Water Co.
1899 City offers to buy Denver Union Water Co. for the first time.
1904 Charter given to the city by the state to purchase or construct water works.
1910 Franchise expires and city votes to do nothing.
1913 U.S. Supreme Court decision: city in 1910 did not have to purchase or extend franchise.
1914 Electors again refuse to purchase or extend water company's franchise.
1918 U.S. Supreme Court decided fixing of rates in 1914 is a franchise; city buys water company.
<table>
<thead>
<tr>
<th>FF</th>
<th>No.</th>
<th>To</th>
<th>From</th>
<th>Place</th>
<th>Date</th>
<th>Form</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>Denver Union Water Co.</td>
<td>Robert W. Speer</td>
<td>Denver, Colo.</td>
<td>July 9, 1907</td>
<td>L</td>
<td>To hold an election to determine if city will purchase water company or extend franchise.</td>
</tr>
<tr>
<td>1</td>
<td>3</td>
<td>Robert W. Speer</td>
<td>D. H. Moffat</td>
<td>Denver, Colo.</td>
<td>July 23, 1907</td>
<td>L</td>
<td>To hold special election in May 1908 to solve the question of purchase or new franchise.</td>
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<tr>
<td>1</td>
<td>4</td>
<td>City Council</td>
<td>Robert W. Speer</td>
<td>Denver, Colo.</td>
<td>August 5, 1907</td>
<td>L</td>
<td>Speer is going to send correspondence between himself and Denver Union Water Co.</td>
</tr>
<tr>
<td>3</td>
<td>1</td>
<td>John Gabriel</td>
<td>Fred F. Syman</td>
<td>Denver, Colo.</td>
<td>Dec. 22, 1913</td>
<td>TLS</td>
<td>Announcement of Retail Association plans to mediate water question calling a meeting for Jan. 2, 1914.</td>
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<td>3</td>
<td>3</td>
<td>John Gabriel</td>
<td>Carle Whitehead</td>
<td>Denver, Colo.</td>
<td>Jan. 9, 1914</td>
<td>TLS</td>
<td>Indicating the return of a letter and petition for amendment (not enclosed).</td>
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<tr>
<td>3</td>
<td>6</td>
<td>John Gabriel</td>
<td>W. E. Sweet</td>
<td>Denver, Colo.</td>
<td>Feb. 4, 1914</td>
<td>TLS</td>
<td>Sweet's belief that the Retail Association's plan will settle the water controversy.</td>
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**MISCELLANEOUS CORRESPONDENCE**

<table>
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<tr>
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<tr>
<td>4</td>
<td>1</td>
<td>W. H. Bryant</td>
<td></td>
<td>Denver, Colo.</td>
<td>Memo</td>
<td></td>
<td>Indicates Mayor Speer never sent his correspondence with Denver Union Water Co. to Water Committee.</td>
</tr>
<tr>
<td>FF</td>
<td>No.</td>
<td>To</td>
<td>From</td>
<td>Place</td>
<td>Date</td>
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<tr>
<td>4</td>
<td>4</td>
<td>Speakers Committee</td>
<td>Executive Committee</td>
<td>Denver, Colo.</td>
<td>Jan. 21, 1914</td>
<td>TL</td>
<td>Water Consumers League setting up places to speak and speakers.</td>
</tr>
<tr>
<td>4</td>
<td>5</td>
<td></td>
<td></td>
<td>August 1910</td>
<td>Memo</td>
<td>Price of Water Co.</td>
<td></td>
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**REPORT OF HOLMAN AND LAIRD ON APPRAISAL OF DENVER UNION WATER CO.**

<table>
<thead>
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<td>5</td>
<td>1</td>
<td>Water Committee</td>
<td>Bush, Gunner, and Stahl</td>
<td>Denver, Colo.</td>
<td>July 20, 1907</td>
<td>Memo</td>
<td>To investigate water rate and possibility of city fixing rates (Resolution enclosed).</td>
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<tr>
<td>5</td>
<td>3</td>
<td>Denver Finance Committee</td>
<td>M. L. Holman</td>
<td>St. Louis, Mo.</td>
<td>June 7, 1910</td>
<td>TD</td>
<td>Answers to questions on Report of Board of Appraisers and Arbitrators.</td>
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<td>5</td>
<td>4</td>
<td>Denver Finance Committee</td>
<td>Holman and Laird</td>
<td>St. Louis, Mo.</td>
<td>June 28, 1909</td>
<td>TD</td>
<td>A 20 year schedule of water rates.</td>
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<tr>
<td>5</td>
<td>5</td>
<td>City Council, defendants</td>
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**MISCELLANEOUS LEGAL DOCUMENTS**

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<tr>
<td>6</td>
<td>2</td>
<td>Feb. 1910</td>
<td>D</td>
<td>Petition and Application for Writ of Mandamus.</td>
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<tr>
<td>6</td>
<td>4</td>
<td>May 17, 1910</td>
<td>D</td>
<td>Ballot.</td>
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<td>6</td>
<td>5</td>
<td>June 25, 1910</td>
<td>D</td>
<td>Restraining Order prohibiting use of water for irrigation.</td>
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<td>6</td>
<td>6</td>
<td>1910</td>
<td>D</td>
<td>A Bill to hold an election to allow Bond issue for buying Denver Union Water Co.</td>
</tr>
<tr>
<td>6</td>
<td>7</td>
<td>1910</td>
<td>D</td>
<td>A Bill to have an election on Sept. 1910.</td>
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<td>6</td>
<td>9</td>
<td>1910</td>
<td>D</td>
<td>Section 264 A on City Charter Amendment.</td>
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<td>6</td>
<td>10</td>
<td>1910</td>
<td>D</td>
<td>Legal questions concerning election of 1910.</td>
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**WATER RATES OF CITIES IN U.S. IN 1908 - 1909**

<table>
<thead>
<tr>
<th>FF</th>
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<tr>
<td>7</td>
<td>1</td>
<td>Various places</td>
<td>1908</td>
<td>D</td>
<td>Facts about Municipal Ownership.</td>
</tr>
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<td>7</td>
<td>2</td>
<td>Boston, Mass.</td>
<td>1908</td>
<td>D</td>
<td>Schedule of Water Rates.</td>
</tr>
<tr>
<td>7</td>
<td>3</td>
<td>Spokane, Wash.</td>
<td>1909</td>
<td>D</td>
<td>Water Rates and Rules.</td>
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<tr>
<td>FF</td>
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<td>Place</td>
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<tr>
<td>7</td>
<td>5</td>
<td>Spokane, Wash.</td>
<td>ca. 1909</td>
<td>D</td>
<td>Cards indicating water payment had not been made.</td>
</tr>
<tr>
<td>7</td>
<td>6</td>
<td>Various places</td>
<td>1909-1910</td>
<td>D</td>
<td>Water rates.</td>
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**PAMPHLETS AND MAGAZINES**

<table>
<thead>
<tr>
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<tr>
<td>8</td>
<td>1</td>
<td>The Civic Review</td>
<td>Denver, Colo.</td>
<td>June 1909</td>
<td>To extend Denver Union Water Co. franchise, but to fix the rates and appoint an overseer.</td>
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<tr>
<td>8</td>
<td>3</td>
<td>Denver Water League</td>
<td>Denver, Colo.</td>
<td>1910</td>
<td>The need for municipal ownership of water works.</td>
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<tr>
<td>8</td>
<td>4</td>
<td>Wolfe on the Water Question</td>
<td>Denver, Colo.</td>
<td>ca. 1910</td>
<td>Articles for municipal ownership of water works.</td>
</tr>
<tr>
<td>8</td>
<td>5</td>
<td>Water Question</td>
<td>Denver, Colo.</td>
<td>ca. 1910</td>
<td>Appraisal of water rights.</td>
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**NEWSPAPER CLIPPINGS**

<table>
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<tr>
<td>9</td>
<td>1</td>
<td>Rocky Mountain News</td>
<td>Denver, Colo.</td>
<td>August 27, 1909</td>
<td>Platte Water Co. is rightly owned by City.</td>
</tr>
<tr>
<td>9</td>
<td>2</td>
<td>Rocky Mountain News</td>
<td>Denver, Colo.</td>
<td>Dec. 12, 1909</td>
<td>Denver Union Water Co. should sell or City will build.</td>
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<tr>
<td>9</td>
<td>3</td>
<td>Rocky Mountain News</td>
<td>Denver, Colo.</td>
<td>Jan. 5, 1910</td>
<td>Denver is free to build water plant.</td>
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<td>Place</td>
<td>Date</td>
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<td>9</td>
<td>5</td>
<td>Rocky Mountain News</td>
<td>Denver, Colo.</td>
<td>Feb. 1, 1910</td>
<td>Denver Union Water Co. claims on water costs are proven false.</td>
</tr>
<tr>
<td>9</td>
<td>6</td>
<td>Rocky Mountain News</td>
<td>Denver, Colo.</td>
<td>Feb. 11, 1910</td>
<td>The appraisal of water company's assets.</td>
</tr>
<tr>
<td>9</td>
<td>7</td>
<td>The News-Times</td>
<td>Denver, Colo.</td>
<td>Feb. 20, 1910</td>
<td>Water from the western slope is a feasible undertaking.</td>
</tr>
<tr>
<td>9</td>
<td>9</td>
<td>Denver Republican</td>
<td>Denver, Colo.</td>
<td>April 21, 1910</td>
<td>If franchise is not approved, chaos will follow.</td>
</tr>
<tr>
<td>10</td>
<td>1</td>
<td>Denver Express</td>
<td>Denver, Colo.</td>
<td>August 6, 1910</td>
<td>Price to pay for Denver Union Water Co.</td>
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<tr>
<td>10</td>
<td>2</td>
<td>Rocky Mountain News</td>
<td>Denver, Colo.</td>
<td>May 11, 1911</td>
<td>U.S. Circuit Court of Appeals decision that Denver cannot build its own Water Works. Full text of decision.</td>
</tr>
<tr>
<td>10</td>
<td>5</td>
<td>Rocky Mountain News</td>
<td>Denver, Colo.</td>
<td>Dec. 1913</td>
<td>Approval of Retail Association entering water dispute.</td>
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<tr>
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<tr>
<td>11</td>
<td>1</td>
<td>Denver Post*</td>
<td>Denver, Colo.</td>
<td>Jan. 11, 1914</td>
<td>A series of articles by prominent Denverites against extending Denver Union Water Co.'s franchise, and for establishing a Public Water Co.</td>
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**NEWSPAPER CLIPPINGS UNIDENTIFIED AS TO DATE**

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<td>12</td>
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<td>Rocky Mountain News</td>
<td>Denver, Colo.</td>
<td>Public should own its own water works.</td>
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<tr>
<td></td>
<td>2</td>
<td>Rocky Mountain News</td>
<td>Denver, Colo.</td>
<td>Who owns water rights in Denver.</td>
</tr>
<tr>
<td>12</td>
<td>3</td>
<td>Express</td>
<td>Denver, Colo.</td>
<td>Should buy Denver Union Water Co. for $12 million.</td>
</tr>
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</table>

* Use xerox copies; paper is very fragile.