

Gilpin County Miner's Court
1860-1863
1 Ledger book

Mss. 267

Abstract

The Colorado Gold Rush of 1859 brought a flood of immigrants into a sparsely populated area lacking any form of organized government. In fact, the land that became present-day Colorado was claimed by four territories: Kansa, Nebraska, New Mexico, and Utah. With territorial government far way, and Federal authority farther still, immigrants organized into self-governing bodies for means of self-protection, regulation and promotion of their interests.

Miner's Courts served as one mechanism of organization, control, and authority. While the specific rules of the Gilpin County Miner's Court are not included in this collection, there is documented evidence of how Miner's Courts operated. For instance, court membership was open to all interested parties. Participants determined rules of conduct, offenses, and punishments. In cases of minor theft convicted offenders were required to make restitution in an amount double that of the property stolen. Grand larceny was also punished in a similar manor but with the addition of banishment from the mining district. Cases of man-slaughter or murder were tried by juries with sentences subject to the approval of court members at large. This provided a system of checks and balances.

Miners made the system work. When formal government organized in the Colorado Territory, the newly established courts often recognized the laws and precedents established by Miner's Courts and their counterparts in growing communities and towns, the People's Courts.

The collection contains one ledger of court cases dating 1860-1863. There are 480 pages in the ledger; however, information is recorded only on pages 1-325 and 472-479. Pages 1-325 record court cases with typical entries including the names of the accused or litigants, the charges or contested issues, a summary, court decision and attending court costs. Pages 472-479 list chattel mortgage agreements.

Subjects

Gilpin County
Miner's Court
Colorado Territory, 1860-1863

Additional Information

Provenance

Gift of Edward V. and Charles W. Bowles, March 1929.

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