DEDICATION

To the memory of Dr. John Carlson who loved the people of Weld County and who gave his life in willing service, this book is dedicated by his mother-in-law.

THE AUTHOR.

Under Ten Flags

A History of Weld County, Colorado

By

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GREELEY, COLO.
1938

Published by
THE McVEY PRINTERY
Greeley, Colo.

FOREWORD

A Personal Statement By The Writer
(Given in the First Person, Singular Number; and, Perhaps, a Rather Singular Statement.)

When the idea of writing a History of Weld County first presented itself to my mind it brought with it the assurance that 100, or, at most, 150 pages would be sufficient to hold all the valuable data to be gathered. It was easy to see at a glance that Weld was a wonderful county, but even so a hundred pages ought to hold the story. This was late in 1932. But as the book goes to press in 1938, it has been revised, condensed and re-written three different times in an effort to crowd it into 300 pages.

I had almost said it had been boiled down and trimmed to the bone to get it within that space, but that statement would not have been correct.

Like a human body a story is built on a skeleton. A human skeleton is not a pretty thing; on the contrary, standing bare and unclothed, it is rather hideous; children and grownups and animals shun it; it is fit to be seen only through a glass case; but clothed with flesh and blood, soft tinted and harmonious in color, smooth rounded in contour and graceful in motion, it becomes a thing of beauty.

So with a story. Its skeleton, standing out alone, bare and grim, might be a nightmare, as, for instance, that of the Meeker Massacre or the Thornburg Disaster. Such must be clothed with flesh and blood, with life and spirit, with human emotions and reactions to make them tolerable in their bleak reality.

Most acutely is it realized by this writer that the stories of this book are not clothed with the beauty and grace that more gifted writers would have used; but their skeletons have at least not been boiled dry, nor cut to the bone and left to appear in stark nakedness.

And this has taken words, more than twice as many as at first anticipated. And so it is, that to get the book within the necessary limits, revision and condensation has been needed, with

many pages, even whole chapters, left out. It is with actual grief that the writer takes a last look at these pages, knowing that they are as good as, perhaps better than, many going in, and regretting that any should be left out.

It is quite possible, of course, that the court of last resort, the reading public, may decide that most of those left in had better been left out. Should such be the verdict, there will at least be this grim satisfaction in it, that the left out pages are the fortunate ones.

According to first plans many biographies were to be used; according to last plans, none. It is barely possible that a later Volume may appear containing such valuable records.

There have been two all-sufficient reasons for this cutting down process. First, the cost of publication, and, second, the desire for a book light enough in weight and small enough in size to be easily handled by children in the grades.

The publisher, the McVey Printery Company, L. L. Wilkinson, Manager, has been fair, even generous in business dealing, courteous and patient through all these harrowing changes. But the thing that has baffled both publisher and writer has been the vastly greater body of valuable historical matter available than could be crowded within our limits. The Meeker Memorial Museum alone has been found to be able to supply one whole volume of Pioneer material. Possibly, with luck, we may try again.

MARY L. GEFFS, Writer.

CHAPTER I

THE FIRST HISTORICAL EPOCH, 1492-1876.

Weld County through four hundred years; and Under Ten Flags. Emergence from prehistoric to historic times. Being the fortunes and vicissitudes of the fantastic first inhabitant.

If you reached the New World with Columbus in 1492 or touched the shores of South America with the same great discoverer six years later in 1498, if you crossed the mountains and plains to a point midway on the northern part of the continent and pitched your tent where the Weld County Court House now stands, never moved but lived on that spot ever since, you have lived under three different national governments and, in America, under seven different political jurisdictions. And, taking your nationality from the governments under which you have lived, you have been—twice a Spaniard, twice a Frenchman and once an American; and, as an American, you have been—a Louisianian, a Missourian, an Indianian, a Nebraskan, a Jeffersonian and twice a Coloradoan, first as a resident of the Territory and, second, of the State of Colorado. And you have narrowly escaped one other national government, England, one other American, Texas, and one other Territorial government, Idaho.

It has all been so long ago that you may not remember, but this is how it happened:

1492.

First you were a Spaniard because—

When Christopher Columbus made his first voyage of discovery in 1492 which ended at San Salvador, and the second in 1498 ending on the shores of South America, he was financed by the Spanish government, therefore, by the world accepted principle of the Right of Discovery, whatever was found by

Columbus belonged to Spain. The spot where the Weld County Court House now stands was a part of the continent discovered, and by that Right belonged to Spain. So, when you pitched your tent on a possession of Spain you owed allegiance to that country and became—if you were not already—a Spaniard.

1682.

Thirty-nine years back of 1682, (1643) far across the Big Water in a country called France, a child was born who was destined to change the ownership of the spot where your tent stood from Spain to France and you, in consequence, from a Spaniard into a Frenchman.

This babe was the son of Jean and Catherine Cavelier and was christened Rene Robert. It was a family of wealth and refinement into which he came and the home estate was known by the name of La Salle. In France it was the custom to distinguish families by adding to the family name the name of their estate; so this family was known as the Caveliers of La Salle, much as Americans might say Abe Lincoln of Illinois; then, substituting "Sieur" for "Mr." the name by which was known one of the most intrepid of all early explorers, Sieur de La Salle, emerges.

As the boy grew to manhood he developed a consuming desire to be of real service to his country; to add to its material wealth, its prestige and power, and this led him to cross the waters and through new discoveries seek possessions for his king.

It is doubtful if so many crushing defeats, so many hardships and disappointments ever fell to the lot of any explorer as were crowded into the life of Sieur de La Salle during his twenty years wanderings on the American continent. But to La Salle the final achievement of his life's purpose was ample reward for all his years of uninterrupted disaster. He had discovered the place where the waters of the great river united with the waters of the Gulf of Mexico, and it is easy to understand how his whole soul was poured forth in the simple ceremony by which he took possession for his king, Louis XIV, of all land touched by the mighty river, "extending westward to the sea."

A leaden plate on which were inscribed the names of La Salle and his company of hardy sailors was planted on the spot and the colors of France erected, and devoutly the words were spoken that changed the ownership of the spot where the Weld County Court House now stands from Spain to France. The words were heard by no human ear other than those of the little company assembled, but they were potent to change the fortunes of a continent.

It is difficult for people of today to understand how that could be; but the happenings of the Seventeenth century cannot be justly measured by the yardstick of the Twentieth. Today nothing counts but deeds and records and other forms of legal transactions, but in 1682 these were unknown, at least in this western part of the New World. Not only were boundary lines indefinite, but all human concepts of the magnitude of this vast, unsurveyed territory were vague and uncertain. It was almost two hundred years before the advent of the surveyor, and ownerships were expressed in such terms as "From the Mississippi to the sea"; "From the summit of the Alleghenies to the summit of the Rockies"; "To lands unknown and regions unexplored." It was by these indefinite but far reaching boundaries that La Salle's possession for his king were founded. True, Spain did protest, but nothing ever came of it, and so, for eighty-one years the spot where your tent stood belonged to France and you owed allegiance to that country, hence was a Frenchman. La Salle had named the whole vast territory "Louisiana" in honor of his king.

1761-3.

Even before this date things were happening in the Old World to give back the spot on which your tent stood to Spain and make of you again a Spaniard. They culminated on February 10, 1763.

In 1761 England was making rapid headway in getting a foothold in the New World. She was firmly established along the eastern seaboard; the thirteen colonies that a few years later

fought themselves free by the War of Independence were then colonies under the political government of England. It was, therefore, no great wonder that both Spain and France "viewed with alarm" the rising power of England. Neither was aggressive as was England: neither reaching out for extended domain; but both saw that this rising power menaced their chances for even holding their own; and so, the most obvious thing in the world happened: they made common cause against the common enemy. This transaction they called a "Family Compact."

Here is a homely, schoolboy illustration of what happened:

It is a game of marbles being played "for keeps" by one big boy and two little ones. Now the big boy is about to get all the marbles and, seeing the little fellows are "scared of him," he swaggers a bit, throws out his chest, assumes the air of a conquorer and says: "Aw, come on; it's a fair game, and I kin lick the two 'o ye."

In other words, England declared war on Spain. She mentioned only Spain, but meant France, too. (See *History of Spain*, by James A. Harrison, page 443.)

This was on January 4, 1762, after France and Spain had entered into the "Family Compact"; but England did not know about the Compact. That is, the two little boys had not told the big boy about their private understanding.

Then the big boy took another marble away from one of the little ones. That is, England sent a strong fleet against Cuba, a possession of Spain, and took it. He did not win that marble easily, but had to maneuver skillfully to get it. It was a great, big, beautiful agate called "Havana," and tremendously valuable, worth at least fifteen million dollars. Of course it had cost the lives of a good many soldiers, but that was to be expected. Encouraged by his great success the big boy next took a whole handful of marbles; Trinidad in the West Indies, Manilla, capitol of the Philippines and the Acapulco galleon with a cargo worth three million dollars. Later, however, the big boy is said to have traded them all back for a better bargain.

By this time both small boys, France and Spain, were ready

to "play quits"; (who wouldn't be?) and the big boy said to the little boys, "all right, we'll play quits, but with the understanding that I keep all the marbles I have won and that you, Spain, give me one more, Florida." That was the Treaty of Paris.

It was a stunner to the little boys, for the Florida of that day was not the little peninsular shaped bit of land running out into the Gulf of Mexico that is seen pictured on the maps today, but embraced what is now South Carolina, Alabama and Mississippi and was Spain's outlet to the sea. It was a tremendously valuable marble to give up; a big concession to make to the winner of the game, and France was sorry to see Spain have to make it. So, on the spur of the moment, and with what seemed a purely altruistic motive, France said to England, "Please don't take that marble; let Spain keep it and I will give you one lots better, the finest in my whole kit; a reg'lar agate, awfully big and beautiful; its name is Louisiana. Now you let Spain keep Florida and this beautiful Louisiana is yours."

"Nuthin' doin'," said the big boy; "when I want Louisiana I'll take it." And so he kept Florida.

Then said France to Spain, "never mind, pal, let the big bluffer have Florida and I'll give you this great big beautiful Louisiana in place of it."

It was an unusual proceeding, the only one of its kind found in history. Here was one country willing to turn over to another a vast territory without any other apparent motive than a desire to make up to that country for a loss sustained in a common cause. But now comes the historian Bassett, who, in his *United States History Vol. 1* finds a wholly different motive. He states that Louisiana had been costing France 300,000 livres (approximately $60,000) a year without a sou (cent) in return; and that, with practically everything else on this continent already lost, the territory of Louisiana could never be worth what it was costing to keep it; hence it was to the advantage of France to give it away. But be the motive what it may, the fact remains that France did transfer Louisiana back to Spain, and that it remained in the hands of Spain for thirty-seven years, then passed

back to France. And by these two transactions the spot where your tent stood, on the site of the Weld County Court House, passed for the second time into the possession of Spain and again for the second time to France; you in the meantime becoming for the second time a Spaniard and a Frenchman. The better to understand how that happened it will be well to take a bird's eye view of the changes that had taken place in the two countries.

1800.

Spain was now under the rule of Charles IV, and France under Napoleon Bonaparte. Charles and his Italian wife, Maria Louisa, were not the wise and high minded rulers that Ferdinand and Isabella had been. James A. Harrison, in his *History of Spain,* gives Charles and Maria Louisa characters the very antithesis of those of the rulers who sponsored Columbus. He says, (page 448) "An imbecile sat on the throne and a weak, passionate and criminal queen scandalized all Europe by the open profligacy of her morals." Strong language, but backed up by the facts of history. They would have been incompetent even had they desired to be just, but they evidently had no such desire; they were selfish to the core, caring not for the sufferings of their people, but only for their own indulgences and so called honors. Spain was fast losing ground as an empire and no longer held the high esteem of other nations. So the soil was fertile for the proposition that now, in 1800, was forthcoming from the astute Napoleon.

While all this was developing, a revolution had taken place in France, and Napoleon Bonaparte, a hitherto obscure army officer, had stepped to the fore and performed brilliant and able services for his country. He had been rewarded, after peace was restored, by the office of First Consul, which under the new government was almost equal in power to that of President in the United States. If Napoleon had died at that time his name would have gone down in history as one of the most illustrious of the age. But he did not die. He lived to experience exile and dis-

honor and finally to die unnoticed and unhonored by the country that once had hailed him as a deliverer.

But in 1800 he was at the peak of his power and greatness and the future gave no hint of tragic failure. He had an unquenchable thirst for power and the keenness to see that it could only be attained through the advancement of his country. To this end he wanted that vast territory on the American continent that France had, he considered, so foolishly given to Spain. Knowing well the weakness of the rulers of Spain, he appealed to their lust for personal gain by offering them a province in Tuscany, to be raised to the estate of a kingdom, for the American territory of Louisiana. The bargain was quickly closed and thus Louisiana passed back into the hands of France. This transaction is known in history as the Treaty of Ildefonso, that being the name of the place in Spain where it had been consummated.

It is true that Charles did extract a promise from Napoleon never to sell the territory except back to Spain; but it is not likely that either party expected the promise to be kept. Charles, with his utter disregard for promises of his own could hardly have regarded it as sacred; and Napoleon certainly had no thought of keeping it, since his own interests were not to be conserved thereby. At any rate the promise was not kept. As soon as arrangements could be made without showing his hand too clearly, Napoleon sold the whole area to the United States government. And that brings the story down to the year 1803 when, through the Louisiana Purchase, your tent settled itself down on American soil and you became an American.

1803.

While all this had been happening in France and Spain, changes had been taking place on this side of the ocean also. The thirteen colonies had freed themselves from the rule of Great Britain and become an independent government. Thomas Jefferson was the third to fill the Presidential chair.

There was an element almost approaching humor in the

bargaining between President Jefferson and First Consul Napoleon. Each desired most deeply the consummation of the bargain, yet each held off with apparent indifference; but at last it was accomplished to the secret gratification of both. Napoleon, even then, may have seen the handwriting on the wall and thought to save himself by this one brilliant stroke, enriching his country's treasury by millions of livres; and Jefferson undoubtedly saw the time fast approaching when his country must suffer without this vast western field for expansion. But if he expected a united people back of him in this foresight for the future he was doomed to bitter disappointment; the p e o p l e did not stand back of him. He had paid $15,000,000 for Louisiana. It was considered a staggering sum; the magnitude of which was only matched, they said, by its utter uselessness. The President's act was called "an outrage"; "a shameful waste of money", "a usurpation of authority", and "wholly unconstitutional", which was the last word that could be said of it to prove that "no good could ever come of it".

But while the storms of criticism beat about him most fiercely President Jefferson held his ground and calmly said: "The time will come when every American will know that this act has been replete with blessings for unborn generations." And Jefferson was right. Long before the century had reached its middle his prediction was verified.

So, in 1803, you settled down in America, glad that your wanderings were over. Literally you had never moved a foot from where you first pitched your tent in 1492, but you had twice lived on a possession of Spain and twice of France.

In 1803 you had plenty of room. Your east lawn, reaching down to the Mississippi, was obstructed by only a few teepees, and your west, north and south lawns by still fewer. Occasionally a Spaniard came up from Mexico and once in a while you caught sight of a trapper.

1806.

Late in the fall of 1806 you may have noticed some tiny specks on the landscape far to the south of you; so far that you

could not make out that they were men and horses and, perhaps, a battered wagon or two; but that is what they were. They were an Expedition sent out by the United States government to explore the Rocky Mountains, and the Arkansas River to its source and to find out whether or not civilized man could ever live in your country. The head of the Expedition was a young army officer by the name of Zebulon M. Pike. This was an experiment on the part of the government, and, not knowing what would be needed, the expedition had been poorly provided for and the result was great hardships and suffering; but about the time you first noticed them they were all elated over their first good view of the Rocky Mountains. They passed on westward and you did not see them any more.

1812.

In 1812 was the time when you began traveling around over the United States—without moving a foot from your first location. It was in that year that your Uncle Sam, (that is what the "U. S." initials stand for, you know,) began dividing up this great Louisiana territory and giving first one state and then another ownership of the spot where your tent stood. First he divided it into two sections, a north and a south, calling the north Louisiana and the south Orleans; but very soon thereafter he changed his mind about the names, dropped the name of Orleans altogether and gave the south section the name of Louisiana; then he found a new name for the north; he called it Missouri. And that was how it happened that you left Louisiana and went to Missouri, or in other words, Louisiana left you and Missouri came.

But right here some confusion arises as to just who did own the land where your tent stood. Indiana seems to have had some sort of a claim, too, for the same Act that had named the territory Missouri had also "appended" it—whatever that might mean—to Indiana.

1820.

For eight years your Uncle Sam left you to puzzle over the question of whether you lived in Missouri or Indiana, and then he settled the matter for you. He decided that any way you had too much room, so he cut up your lawn in all directions. First he took the name of Missouri away from you altogether by making Missouri into a state with a western boundary about where it is now, leaving you far away to the west of the line. You must have been in Indiana then, for there is no record of his ever having un-appended you.

But before the end of that year, 1820, another thing happened, close to your home, that made you forget about the puzzle; that was when something more than specks appeared on your landscape; this time the specks were close enough for you to see at a glance that they were men and horses and wagons, and were camping down at the junction of the Platte and the Poudre. You watched them carefully, not knowing what to expect, but after a day or two they crossed your lawn and disappeared into the west. It was another Expedition, this time headed by a man called Stephen A. Long, who had been sent out by the U. S. government to get more information than the first had been able to gather. The government had learned from its first experiment that an Expedition must be provided with food and other supplies to do effective work, so this crowd was not suffering. You treated them the best you could—by leaving them alone—yet they made a bad report to your Uncle Sam about your country; they said *it would never be good enough for civilized man, but was fit only for the wild animals and wild men that inhabited it.*

1854.

Next came a gap of about twenty-nine years, when nothing in particular seemed to be happening to you; then your peace was shattered by a lot of people and horses and wagons that grew into a continuous stream and beat a pathway across your lawn from east to west. They began in 1849 and kept it up for

about ten years. At first they passed only from east to west, but after a time they began coming both ways. This was the Gold Rush to California, and, so far as you were concerned, it seemed to be all bad. And, to make matters worse, in 1854 your Uncle Sam again picked up his geographical knife and began slicing up your lawn.

He cut it into four lots and named the pieces Utah, New Mexico, Kansas and Nebraska. Then he drew a line across from north to south somewhere in the Rocky mountains and gave the portion west of the line to Utah and New Mexico and that east of the line to Kansas and Nebraska. And last of all—for that time—he cut across the Kansas-Nebraska section east and west about where the southern line of Weld county runs now, just north of Brighton, and gave the territory north of the cut to Nebraska and that south to Kansas. At that he made no very clear cut lines, but left jagged edges as though his knife had not been sharp or else he had not been able to see right well; which is not surprising when you consider that he did all this at long range, from his headquarters in Washington. It was a long time before all the jagged edges were straightened. But you were far enough north of the line to be reasonably sure you now lived in Nebraska.

1859.

In this year new complications arose. Up to this time the men and horses and wagons that beat the path across your lawn had almost always passed on, east or west, but in 1859 they began to stop about fifty miles to the south of you and to back up into your lawn. The commotion that had shattered your peace and tranquility ten years before had begun to die down to some extent, but now it grew worse than ever; worse because the travelers kept stopping and backing up closer and closer to your tent, and you began to realize that you would never again have your country to yourself. That was the famous Gold Rush to Cherry Creek.

There was no fabulous gold on Cherry Creek, but by the time that was found out your lawn in all directions, but especially southward, was filled with shacks and cabins. Among the newcomers were those who did not behave well at all, but committed all sorts of crimes and depredations against those who did. But while some were like th ;, most of the newcomers really wanted to live in peace, so they asked Uncle Sam to give them land on which to raise food and build cabins. Uncle Sam gave it to them, and then the others began to "jump their claims," that is, to go on to the land themselves and take possession. That caused conflict, and killings and robberies became so common that it was soon seen that some sort of government would have to step in to restore order. Appeals were made to both Kansas and Nebraska but neither did a thing to help. Then the people called upon Uncle Sam, but he did no more than had Kansas or Nebraska. Then it was that in sheer desperation they got together and decided to create a government of their own. Expressed in language with which you later became familiar, this is what they did:

JEFFERSON TERRITORY

First they issued a call for a constitutional convention to be held in Denver on June 6, 1859. At that convention they outlined a definite area, described as between the 102nd and 110th meridians and the 37th and 43rd parallels. From the southeast corner of this area a line ran north across the western ends of both Kansas and Nebraska to a point near the present northern line of Nebraska, thence westward across Wyoming taking in the southern end of Idaho, then southward through Utah making a western boundary near the center, and for its southern line striking closely along the present southern lines of Utah and Colorado. This Territory they named Jefferson, in honor of the President who had bought Louisiana from France.

A constitution was framed that could be made applicable to either a state or territorial government and it was decided to leave the question as to which it should be to a popular vote of

the people. It was by such democratic means that they meant to conduct the affairs of the new government, whichever it should turn out to be. Two months time was allowed to give the people time to think it over and the convention adjourned to meet again in August. It met at the appointed time and prepared a formal ballot on which the people should register their decision.

The vote was taken on November 7, 1859, and, by a small majority the territorial form of government was chosen. The argument that swung the decision to the territorial form was financial, the conservative ones fearing to take upon the district the extra burden that a state government would entail. The convention that was later called to ratify the election, to organize and elect territorial officers under it, is said by historians to have been conducted with dignity and seriousness, and a full appreciation of the meaning of what they were doing. A territorial constitution was adopted and Robert W. Steele, (Ohio) elected first governor. Thus the first government of this region was launched.

It was the earnest hope of the sponsors of the new government that the fact of its coming into existence in answer to the crying need of the times, and its declaration that it stood ready to abdicate at any time that efficient government should be extended by those already in existence, would insure their hearty approval and move those governments to offer the right hand of fellowship in the common cause of social order; but such was not the case. History has been searched in vain for a reason why, but only the stark fact has been found that neither Kansas nor Nebraska nor yet the U. S. government ever recognized Jefferson Territory, either legally or socially.

Had this commonwealth been made up of a less sturdy and right minded citizenry it must have yielded to the discouragements that were its continued portion at the hands of existing governments, and this future great country must have become the rendezvous of banditry and lawlessness and furnished easterners with proof of their erroneous ideas of the "wild and woolly West." But it was of a different type, and, despite the lack of encouragement or co-operation the people forged ahead,

maintaining their own government, as one historian puts it, "in spite of bleeding Kansas or incompentent Nebraska." For two years the people of Jefferson Territory went systematically forward, bringing order out of chaos and building a government that commanded the respect of the world. And then—

1861.

On February 28, 1861, the U. S. government did take notice. The thing it did was not wholly satisfactory to the people of Jefferson Territory, but was accepted by them without protest because of their great desire for fellowship in government. The Territory was admitted into the Union, *but its name was changed from Jefferson to Colorado.* The only reason assigned for the change was that "no State or Territory should ever be named for a President unless it be for the First President."

Colorado is a good name; it adds color and harmony of sound to the Family of States, and it certainly is not for the people of this day to object since the people of that did not. In the selection of the name Jefferson had one supporter in Congress, but only in a negative way; he did not especially favor that name. in fact did not care what the new Territory was called so long as it was NOT called Colorado. He was Senator McGwin of California and this is what he said: (Smilie's *History of Colorado,* Vol. 1, p. 317) "I am opposed to changing the name of this Territory to Colorado; I feel that I have been cheated out of the name. The Territory through which the Colorado River flows should have that name. It is the handsomest name that could be given to any Territory, and I want it for Arizona."

It was a lame argument all the way through, not the weakest part of which was its reference to the river. True. the Colorado River does flow through Arizona; it also flows through Utah, Nevada and southern California, but it *rises* nowhere but in Colorado; and surely the state that gives it rise has a better claim to it than any one through which it simply *flows.* And the Senator's other point was weak, too; "Colorado" is a "handsome" name, but none has a better right to it on that account than the one that now bears it.

When Uncle Sam admitted this Territory he drew in the boundary lines to practically what they are now, ignoring the larger dimensions of Jefferson.

On the re-organization of the Territory the Jeffersonians would have been honored by the reappointment of their own governor, Robert W. Steele, but William Gilpin was appointed instead. The new governor had a brave record behind him. He had explored the territory with Fremont, been Major in the War with Mexico, led a campaign for the protection of settlers through chaotic early days and through it all had rendered acceptable services. The people and the retiring governor gave him a loyal welcome. But even had the appointment been less satisfactory it is morally sure that it would have been borne in mind that it was made by President Lincoln, and that at that time the most weighty and far reaching questions ever to come before a president were facing him. In 1861 the question of slavery was about to break the Union in two; the preservation of the Union and the abolishment of slavery were the two great questions merged in one that paled all others into insignificance, and made the naming of a Territory and the appointment of its governor matters of minor importance.

1861-1876
COLORADO TERRITORY, COLORADO STATE,
And the Struggle That Lay Between

Colorado Territory was born when war clouds were lowering and the sound of approaching conflict fell with disturbing effect upon the ears of the new born government; and throughout its infancy the inevitable struggle went on, the very cradle of the new born government being involved in the conflict. It would have been unreasonable to expect tranquility to prevail or the arts of peace to flourish; they did not in the older governments, farther removed from the scenes of conflict. But the precocious infant Territory dug its toes into the sands—albeit not the golden sands once reputed—and *stuck,* not only maintaining a foothold but taking strong hold through the perilous days.

In the fall of 1861 the first legislative assembly of the Territory convened in Denver and organized for business. One of its first Acts was the division of the Territory into seventeen counties—alphabetically, Arapahoe, Boulder, Conojos, Costilla, Clear Creek, Douglas, El Paso, Fremont, Gilpin, Huerfano, Jefferson. Lake, Larimer, Park, Pueblo, Summit, Weld.

In spite of the turmoil of the times Colorado Territory began to dream dreams of statehood. But slow of realization were those dreams, fifteen uncertain years lying between the birth of the Territory and its admission as a state, and thorny indeed was the pathway that lay between. A veritable nemesis haunted the struggling Territory, a nemesis by no means subtle nor hidden but firmly intrenched in the highest place in the Union and using methods of open hostility. For years Congress and the President "played ball," so to speak, with Colorado's hopes for statehood, Congress on the side of statehood and the President opposing it.

As early as 1864 Congress was ready to grant statehood and passed an Enabling Act to that effect. The year 1865 witnessed the tragic death of Abraham Lincoln and the succession of Andrew Johnson to the presidency.

The new president opposed the admission of Colorado as a state and did it in no friendly way. He first based his disapproval of the Enabling Act on technical grounds; then Congress passed another and he promptly vetoed it. This was on May 16, 1866. Congress did not quietly accept this second defeat, but passed another Enabling Act before the adjournment of that Congress; but neither did this get past the president, for again he vetoed it. And that was not the worst of it. If he had simply vetoed it and said nothing it would undoubtedly have passed as other vetoes had done; but this time he was probably goaded by a persistent Congress to come out with his real reasons, and the result was that the people of Colorado were so angered that they arose in their united might and took decisive action.

What President Johnson had said when he lost his temper and came out with his actual sentiments, was that *Colorado was*

too young and poor and small to be admitted into the proud Family of States; that she was not worthy of such high association and could only be a reproach and disgrace to the Family.

After what Colorado had suffered and overcome, unassisted by the parent government, this was a little too much; it was not in keeping with the spirit of the West to accept it meekly. It was the proverbial last straw that broke the camel's back, and that patient, docile ranger of the desert reared up and showed the latent fight that was in him (or her). Colorado put on her fighting clothes and went into the fray. She won in the end, but it was not until another president sat in the White House and proved as determined a friend as this one had an enemy. But that did not happen for several years, and of course there was no way Colorado could know it was going to happen at all.

President Johnson had said Colorado was "too small," and, unfortunately, the statistics gathered under his administration did look that way, the whole population numbering only 39,841; lacking 159 of even reaching 40,000.

Edward McCook became governor of the Territory in 1869, and in his administration, backed by an indignant people, he took up the fight. By giving tables of taxable values, agriculutral statistics, railroad growth and other unassailable figures he proved that the President's figures were wrong. Congress watched the struggle with much interest and again reported favorably on statehood. By the time Congress made its last stand for statehood national conditions had changed and Ulyssus S. Grant, elected in 1873, sat in the president's chair. He did not at once show his hand in open friendship, but took time for a thorough investigation. He liked the spirit of the young western aspirant for statehood and decided that the Family of States needed just such a member. And the sooner the better. He could count on the co-operation of Congress, but he found a quicker way. He delved deeply among the Acts passed by Congress through the years and found one passed by the 43rd Congress allowing the president to change the status of a Territory to that of a State by the simple Act of presidential declaration. So, on August 1,

1876, Ulyssus S. Grant, President of the United States, *Declared Colorado a State.*

Although throughout the long struggle congress had, by majority vote, always stood by Colorado, yet there were those—a small minority, who stood with President Johnson, and even yet held an unfriendly attitude toward the new state. So when James W. Belford, the first representative sent to Washington, knocked at the door of Congress for admission, the door was not opened promptly nor the new member greeted with the hearty handshake and cordial, "Come right in, Mr. Belford, and take a seat; glad to see you." Instead of this some members were inhospitable enough to say there wasn't any seat for Mr. Belford and he couldn't come in. But several of the big members rose right up then and there and declared there was a seat for Mr. Belford and, backed by the powerful judiciary committee, they brought him in and gave him the best seat they could find.

After that all opposition seemed to fade away into thin air, and ever since then Colorado's representatives have been as good as anybody's and better than some; and the proud Family of States has never again snubbed its ambitious western member.

1876.

Again reverting to the mythical character who pitched his tent on the site of the present Weld County Court House in 1492:

Now Colorado is a state, and all your changes of nationalities and states are over. The Chapter on Colonization will show your absorption into the new civilization, since which time you have been simply *one of us.*