

EXPERT OPINION AND REPORT OF JAMES SHEROW, PH.D.
ON THE COMMERCIAL NAVIGABILITY OF THE ARKANSAS RIVER
AT THE TIME OF COLORADO'S STATEHOOD

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SUBMITTED ON BEHALF OF
ROGER HILL, PLAINTIFF

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INTRODUCTION:

The Brief Amici Curiae of Professors submitted in *PPL Montana, LLC, v. State of Montana* on behalf of historian David M. Emmons and others, and Professor Sara Dant's "Expert Opinion and Report on the Commercial Navigability of the Weber River at the Time of Utah's Statehood," (2013), both state that the question of whether a river was commercially navigable at statehood is a "quintessentially historical question," one that "could be answered only by historical analysis."¹

In October 2016, the Alexander Hood Law Office, for client, Roger Hill, retained me to research and write an historical analysis of the commercial uses of the Arkansas River in the proximity to where Texas Creek forms one of its tributaries, and to provide my expert professional opinion on the question of whether the Arkansas River at that location was commercially navigable at the time of Colorado's statehood -- that is, whether it was used, or was susceptible of being used, in its ordinary condition, as a highway for commerce over which trade and travel were conducted in the customary modes of trade and travel over water in 1876.

I was recommended to the plaintiff as a professional historian who had the expertise to render an historically based opinion on whether or not the Arkansas River, in the proximity of Texas, was commercially navigable at the time of Colorado statehood. I have worked as a professionally trained historian for nearly 40 years. Currently, I am University Distinguished Professor in the Department of History at Kansas State

¹ *PPL Montana LLC, v. State of Montana*, U.S. Supreme Court, No. 10-218, Brief Amici Curiae of Professors, September 7, 2011, p. 5 (available at: http://www.americanbar.org/content/dam/aba/publishing/previewbriefs/Other_Brief_Updates/10-218_petitioneramcu7historyprofs.authcheckdam.pdf.)

University, Manhattan, Kansas. I received my BA-ED, with honors in history, from Wichita State University in 1976, and my MA in history from Wichita State University in 1978. I received my Ph.D. in history from the University of Colorado, Boulder, in May 1987. My dissertation, "Discord in the 'Valley of Content': Strife over Natural Resources in a Changing Environment on the Arkansas River Valley of the High Plains," received the Phi Alpha Theta/Westerners International/Phi Alpha Theta award for the Best Dissertation in Western U.S. History in October 1987.

My professional historical consulting work includes the following: In the fall of 1978, I worked as the senior research assistant for Dr. William Unrau of Wichita State University. The research involved ascertaining Tonkawa tribal rights to the Salt Fork of the Arkansas River, and the Kaw's rights to the Arkansas River in northern Oklahoma. From the fall of 1987 through summer of 1988, I worked as a professional consultant for Front Range Research and Associates, a historical firm specializing in Colorado water right issues. From October 2015 through February 2016, the law firm of Anderson & Berg, LLP hired me as an expert witness in water history as it related to the case, *LeRoy R. Elder, et al., vs Suburban Water, Inc.*

My academic credentials are as follows: Beginning in the fall of 1988, I took an assistant professor position at Southwest Texas State University (renamed Texas State University in 2003) in San Marcos, Texas. My teaching responsibilities included environmental history, American history, and student teacher supervision. In the fall of 1992, I began my professorship at Kansas State University in Manhattan, Kansas where I have remained to the present. My teaching responsibilities have included American history, environmental history, Kansas history, ethnohistory and the history of the

American West. I was promoted to associate professor in 1994 and to full professor in 2007. I also serve as a faculty and board member in the Natural Resources and Environmental Sciences Program. From 2012 to the present, I have served as the managing editor of *Kanas History: A Journal of the Central Plains*, the historical journal of record for the state. In the spring of 2018, the university conferred upon me the title University Distinguished Professor, the highest honor that the university bestows upon a faculty member. I have authored six books and over twenty refereed journal articles and book chapters besides numerous other minor publications. A majority of my work has focused historical water issues in the American West. (See: Appendix 3 for a complete list of my refereed publications).

During the course of this engagement, I have collected and reviewed primary and secondary sources regarding the commercial uses of the Arkansas River during the relevant time period. My analysis of these historical sources, all of which are listed and discussed in this report, leads me to conclude that in 1876, the Arkansas River was a commercially navigable river that regularly transported primarily, but not exclusively, railroad ties, and before 1876, served as a lane of commerce for the fur trade. This report details my historical observations and conclusions, which form the foundation of my expert opinion, as well as the basis for my opinions, and all of the sources upon which I have relied in reaching my conclusions and opinions.

SUMMARY OF OPINIONS:

1. On March 1, 1813, on the upper reaches of the Arkansas River, Ezekiel Williams, after caching his furs, launched a canoe into the river. As he floated downstream for four-

hundred miles, well past where Texas Creek enters the Arkansas River, he trapped beaver along the way. Details found in historic newspaper accounts.

2. In May 1814, at Boon's Lick, Missouri, Ezekiel Williams employed twenty men in an effort to retrieve his cached furs in the upper Arkansas River Valley. In July 1815, in the upper reaches of the Arkansas River Valley, Williams and company, with furs in hand, loaded several canoes and floated downstream well past where Texas Creek enters the river. Details found in secondary and historic newspaper accounts.

3. Charles and Robert May contracted for 60,000 ties in the spring of 1870. They cut the ties from a "mountain source," and floated the ties down the Arkansas River, following and guiding the ties in a "large skiff." Details found in historic newspaper accounts.

3. By 1872, the Atchison, Topeka, and Santa Fe railroad companies contracted for railroad ties cut near Fairplay, Colorado to be floated down the Arkansas River, across the state line into Kansas, to Great Bend, where railroad construction crew were working. Details of these log drives are found in primary and secondary sources.

4. During the 1870s, prior to and beyond Colorado statehood, railroad tie drives regularly occurred on the Arkansas River originating near Fairplay, Colorado, to various booms on the river located in Colorado at Canon City, Pueblo, Lamar, and in Kansas as far away as Great Bend. These tie drives are well documented in newspaper and secondary accounts.

5. The commercial uses of the Arkansas River near its junction with Texas Creek continued beyond 1876 when Colorado achieved statehood thereby making a vital

contribution to the economic development of Colorado and the West, particularly in the railroad, cattle, agricultural and mining sectors.

6. Based on the historical record, it is my professional opinion that the Arkansas River was commercially navigable at the time of Colorado's statehood, and that it was used, and was susceptible of being used, in its ordinary condition, as a highway for commerce over which trade and travel were conducted in the customary modes of trade and travel over water.

BASIS OF HISTORICAL CONCLUSIONS AND EXPERT OPINION:

A Note on Sources:

Writing about the past must go beyond opinion, faith, or "gut instinct" to convey an accurate and unbiased re-creation of events and conditions. To do this, historians rely on two kinds of evidence: primary and secondary sources. Primary sources are original accounts such as letters, diaries, eyewitness reports, journals, maps, speeches, treaties, newspapers, censuses, birth/death certificates, films, musical scores, oral interviews, etc. created by people or groups directly involved in or witnessing historical events.

Secondary sources are items such as journal and magazine articles, monographs, etc. that comment on and interpret the past, using primary sources as the basis for their analysis and synthesis.

Primary sources offer the best insights into the contemporary time period being discussed because they contain the words, ideas, and emotions of the participants in the event. Primary sources serve as the evidence an historian uses in developing an interpretation of the past and in building an argument to support that interpretation.

Primary sources also provide a good sense of “local color” - idioms, language use, slang, personal relationships, and the like. Because they are written by people of the day, however, primary sources are vulnerable to bias, selective memory, faulty memory, boosterism, and many other prejudices - people rarely tell stories about themselves that make them out to be the villain. Thus, a professional historian must not only evaluate the merits and validity of primary sources, he must also verify.

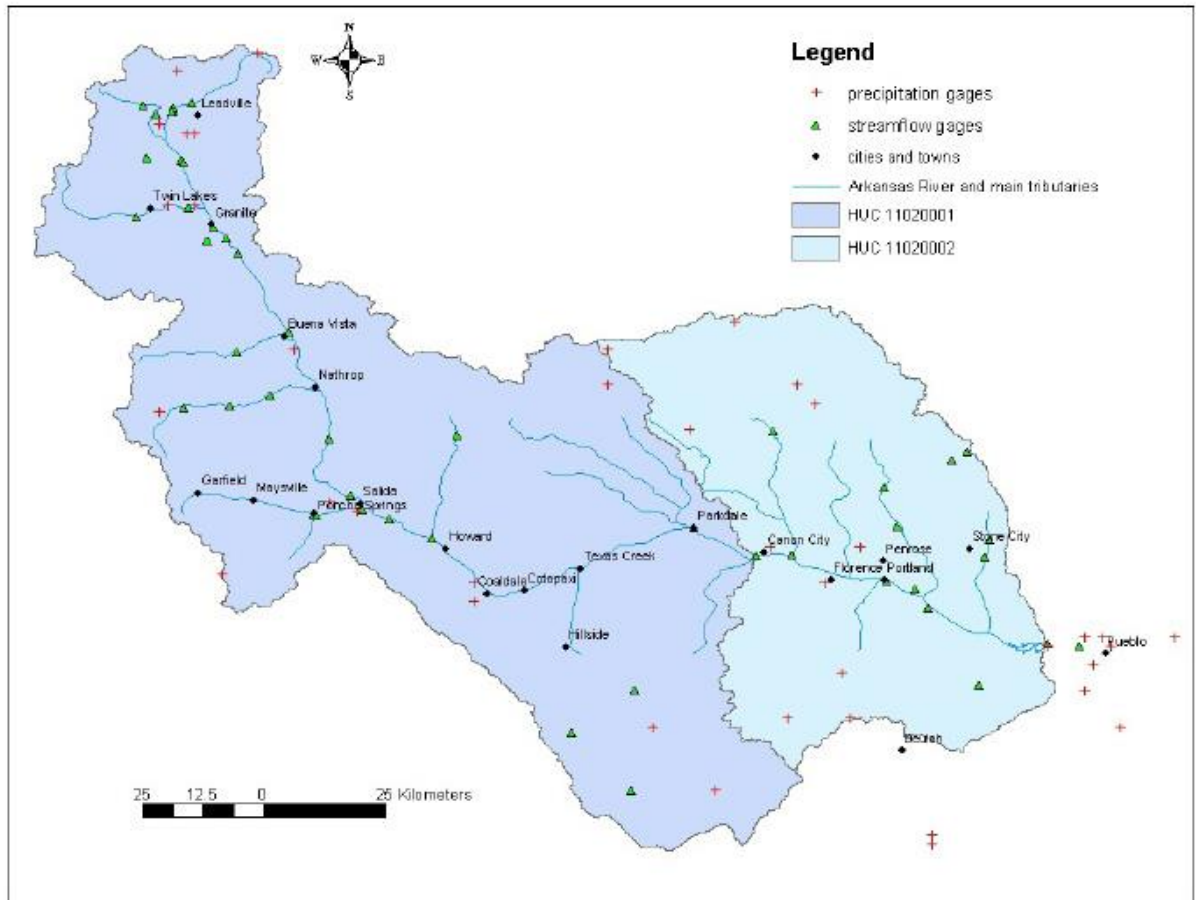
Secondary sources benefit from the advantage of 20/20 hindsight and can make connections between historical events that highlight continuity, cause and effect, and change over time. They offer a broader perspective of a particular event and can better place an event within its historical context. Yet, despite all of their best efforts, the historians cannot find *every* account written about a particular subject, nor can they possibly include every perspective and detail, consequently, a secondary source also has limitations. The other concern about secondary sources is the reliability of the author - is he or she a credible scholar or has someone published their work without critical or peer review? A professional historian must also analyze the credentials of an author, the press, the footnotes, and the reviewers before relying on a secondary source.

In this report, I rely heavily on primary sources - the evidence and data that relate directly to the upper reaches of the Arkansas River in Colorado, but I will also incorporate secondary sources when they help give depth and context to a particular historical event. Primary sources researched include archived manuscript collections, maps and historical photographs, and regional newspaper articles and advertisements. Secondary sources include biographies of contemporary participants, theses and dissertations, official county histories, monographs on relevant topics such as Keith L.

Bryant, Jr.'s History of the *Atchison, Topeka & Santa Fe Railway*, and Robert Athearn's *The Denver and Rio Grande Western Railroad*, peer-reviewed history journal articles, and Internet publications by historical societies and historians. The story of the early uses of the Arkansas River that emerges from this report is both unique and typical, and it demonstrates the vitality of this and other waterways in the West to the personal and fiscal success of the people who used these rivers as highways of commerce and trade to wrest a living in Colorado during the late 19th century.

Setting:

The Arkansas River heads in the Sawatch Range of the Rocky Mountains, about ten miles above the city of Leadville, Colorado. From its headwaters, the river winds through the Arkansas River Headwaters Recreation area for about 100 miles to Canon City, Colorado. The length of the river from its headwaters to the border with Kansas is 360 miles. From the headwaters to Great Bend, Kansas, the river flows for 875 miles. About 75 miles downstream from the headwaters Texas Creek enters the Arkansas River.



History:

Louisiana Purchase and the Fur Trade

Prior to 1803, besides numerous Indian nations, the Spanish and French governments had various claims to the headwaters of the present-day Arkansas River. In 1803, when President Thomas Jefferson sealed an agreement with Emperor Napoleon for the acquisition of the Louisiana Territory, from the 100th meridian west, the entire extent of the northern half of the Arkansas River Valley became formally a part of the United States. The Spanish crown lay claim to the middle of the river to the south. President Jefferson was eager to assess the resources and geography of this newly acquired realm, and set into motion a number of federally sponsored explorations. Of course, the most

famous of these was the Lewis and Clark expedition (1804-1806) up the Missouri River, across the Continental Divide, and on to the Columbia River Sound and the Pacific Ocean. The president also commissioned Zebulon Pike to command an exploration leading up to the headwaters of the Arkansas River.²

In July 1806, Lieutenant Zebulon Pike set out with twenty soldiers under his command. His instructions included to map the southern portions of the Louisiana Purchase, including locating the headwaters of the Arkansas and Red Rivers. Pike never fulfilled his orders to map the Red River, but he did traverse the upper reaches of the Arkansas River Valley, where he and men searched in futility for the headwaters of the Red River. In February 1807, while wintering along the upper portions of the Rio Grande River, detachments of the Spanish Army arrested Pike and his men, charging them with being spies in the Spanish domain. Spanish authorities eventually released Pike, and his journal found publication in 1810. His accounts stimulated interest in American endeavors to open trade routes to Spanish controlled New Mexico.

At the time, even more important than attempts to open trade into New Mexico, the beaver fur trade figured first and foremost among American commercial endeavors in the newly acquired Louisiana Territory. Indisputably, Saint Louis commanded the center of the American fur trade. Emboldened by the reports of Lewis and Clark when they returned to St. Louis in 1806, Manuel Lisa, a fur trader and merchant in St. Louis, organized a trading expedition to the upper reaches of the Missouri River in 1807. With

² An excellent work on the Lewis and Clark expedition is James P. Ronda's *Jefferson's West: A Journey with Lewis and Clark* (Thomas Jefferson Foundation, 2000); and a superb work on the Pike expedition is Jared Orsi's *Citizen Explorer: The Life of Zebulon Pike* (New York: Oxford University Press, 2014).

some level of success, he partnered with prominent St. Louis businessmen, among them William Clark and members of the Chouteau family, to form the Missouri Fur Company.

The company established a network of trading forts on the upper reaches of the Missouri River in 1809 and 1810. These posts included Fort Lisa, where the Bighorn River enters the Yellowstone, and in 1810, the company built a post in the vicinity of the three forks rivers that formed the beginning of the Missouri River in present-day Montana. Among those traders in the 1810 company was an Ezekiel Williams of Boon's Lick, Missouri.³

Williams, and all of the others, had a hard time of time trapping and hunting in the region. The Blackfeet nation, with its strong trading ties to fur companies operating out of British Canada, resented the incursion of the MFC into its realm. The Blackfeet mounted a formidable assault on the MFC's Montana operation, driving its personnel out of the territory. At the time, Williams and others were hunting far to the south when word arrived that all access to the MFC posts to the north had been cut off by the Blackfeet. By October 1811, Williams and company found themselves in the upper reaches of the Arkansas River Valley where, according to Williams, they hunted "unmolested."

The outbreak of the War of 1812 created another flurry of Indian attacks on American fur traders operating throughout the Rocky Mountains. Williams remembered it as a time when "Indians commenced robbing and harassing our company in every quarter." The company gathered on near the headwaters of the Platte River, and there

³ For references on the plight of Ezekiel Williams see the following: Ezekiel Williams, "Communications," (St. Louis) *Missouri Gazette and Public Advertiser*, September 14, 1816; Braxton Cooper, N.T., *Missouri Gazette and Public Advertiser*, September 14, 1816; Frederic E. Voelker, "Ezekiel Williams of Boon's Lick," *The Bulletin – Missouri Historical Society* 8 (October 1951), 20-27; and LeRoy Hafen, "Coming of the White Men—Exploration and Acquisition," 299-300 in *History of Colorado*, 3 vols., edited by James H. Baker and LeRoy R. Hafen (Denver: Linderman Co., Inc., 1927).

they agreed to split into two parties, one group decided to cross the Rocky Mountains in an attempt to head back to MFC posts to the north, and the other group, including Williams, decided to head south toward the Arkansas River Valley. There the small group split again, about half going farther south to seek refuge in Spanish villages, and William's group that decided to remain and trap beaver along the upper reaches of the Arkansas River Valley. They spent a "wretched" winter in an Arapaho village, and in early spring, Williams decided to leave the valley while his other two companions decided to remain behind with the Arapahos.

By early spring of 1813, Williams had cached his furs, and built a canoe. On March 1st, Williams launched his canoe into the river, leaving his two companions behind. According to Williams, he floated down the river "about four hundred miles, trapping fore [sic] beaver the most of the way." This portion of his journey took him past Texas Creek, and placed him well into present-day Kansas, where for the lack of water he had to stop until the "June rise" filled the river at which time he resumed his float. He managed to return home to Boon's Lick, Missouri by the first of September, 1813. During the rest of the fall, and over the winter, he planned a return trip to the upper Arkansas River Valley to retrieve his valuable store of cached furs.

In the spring of 1814, Williams had organized a small company to proceed with him to the Arkansas Valley. On May 16th, Braxton Cooper, Morris May, and eighteen "Frenchmen" known as Phillebert's Company, set out with Williams. By early summer, Williams and company had reached the Arapahos who were living in the upper Arkansas River watershed. Williams could not find the two companions who he had left behind the year before, and assumed that they had been killed. With Braxton, May and one or two

men from the Phillebert Company, he collected his cached furs, built a few canoes to transport the haul, and set off again down the river sometime in July. They may have traveled a hundred or more miles into present-day Kansas before low river flows compelled them to cache the furs again. Given that the June rise had already ebbed, William's small company returned to Missouri on foot. The following spring of 1815, Williams returned to where he had cached his furs, and retrieved them. In short, with the right type of canoe, the Arkansas River flows served as water highway for the commercial transport of furs.

Despite William's success in trapping and transporting beaver pelts along and in the upper reaches of the Arkansas River, the beaver trade was slow to gather momentum in the valley. Comanche, Arapaho, and Ute dominance in the region made work their hazardous, and Spanish opposition to the presence of Americans anywhere near their settlements in New Mexico often led to arrests. However, the Mexican Revolution in 1821 completely changed the situation as the new republican government opened the door to American commerce along the Santa Fe Trail.

This commerce, given the difficulties of river transportation on the Arkansas River roughly from present-day Las Animas, Colorado to Great Bend, Kansas, was transported primarily in wagons drawn by draft animals along the Santa Fe Trail. Moreover, commerce in the upper portions of the valley fell off as the fur trade shifted to bison hides rather than beaver pelts. Even Ezekiel Williams had taken up leading caravans as he captained 52 wagons and 105 men on a venture to Santa Fe, New Mexico in 1827.⁴

⁴ Hiram Martin Chittenden, *The American Fur Trade of the Far West*, vol. 1, (Lincoln: University of Nebraska Press, 1986), 510.

The War with Mexico, which ended in 1848, and the gold rush to California beginning in the same, led to influx of Americans crossing many different routes on their way to the West Coast gold fields. Some routes led through the Rocky Mountains, and hardly had ten years passed when gold was discovered in the foothills above present-day Denver, and soon thereafter in 1859, gold was discovered in the Pikes Peak region, and later in California Gulch. Gold mining opened up a huge demand for lumber cut from the forests all along the Front Range up to the Continental Divide. Lumber was needed for shoring up mine tunnels, building houses and businesses, and for fuel. In 1859, down the South Platte River occurred the first recorded log drive to supply construction in Denver.

Connecting to eastern markets became a necessity in order to make the mining industry of the fledging state work. Railroad connections became the key in making those connections a reality. Even with the passage of the transcontinental railroad act of 1862, the Civil War precluded the building of railroads from the eastern settlements of Kansas to the Front Range cities of Pueblo, Colorado Springs, and Denver. With the end of the war, railroad building across the plains of Nebraska and Kansas began in earnest in 1866. By 1867 the Union Pacific line had reached Wyoming, and had stimulated the railroad tie industry in Colorado. The importance of the tie industry in Wyoming and Colorado is best summarized by William Wroten, Jr.

As a result of railroad building, the cutting of crossties became an important operation in Wyoming and Colorado, at time overshadowing other lumbering operations; indeed, it often became the major industry.

Railroad transportation was the key which opened the vast empire of the Trans-Mississippi West and its valuable resources to the people of the United

States. And it was the relatively cheap and available crossties which, to a great extent, permitted the numerous miles of track to be laid and maintained in Colorado and Wyoming prior to 1900.⁵

By 1870 the forests in the Mosquito and Sawatch Ranges were being harvested for railroad ties. In the Arkansas River Valley, contractors harvested these ties primarily, though not exclusively, for two railroad companies. The first was the Atchison, Topeka & Santa Fe Railway, which was incorporated in Kansas in February 1859. The Civil War stymied its construction, and not until after the conclusion of the war did serious construction work on the line begin. In 1873, construction crews had pushed the line to the border of Kansas and Colorado. Building through the Arkansas River Valley, construction crews had reached the town of Pueblo in March 1876.⁶

The second line building up the Arkansas River Valley was the Denver and Rio Grande Western Railroad. Construction began in Denver and reached Pueblo, Colorado by June 1872. Afterward, crews built west up the Arkansas Valley just short of reaching Canon City to tap the coal mining operations near Florence. In 1876 and 1877, a silver mining boom near and around Leadville triggered additional interest in the two companies to build up the valley through the Royal Gorge. However, the canyon bottom only allowed room for one line of tracks, and for two years the companies staged a legal and armed standoff to see which railroad line would occupy the route. The leadership of

⁵ William Harvey Wroten, Jr., "The Railroad Tie Industry in the Central Rocky Mountain Region: 1867-1900," (Ph.D. dissertation, University of Colorado, Boulder, 1956), p. 3 of abstract.

⁶ The best general histories of the Atchison, Topeka & Santa Fe Railway and the Denver and Rio Grande Western Railroad are Keith L. Bryant, Jr.'s *History of the Atchison, Topeka & Santa Fe Railway* (Lincoln: University of Nebraska Press, 1974); and Robert Athearn's, *The Denver and Rio Grande Western Railroad* (Lincoln: University of Nebraska Press, 1977). Additional details on the building of these lines is found in Wilbur Fisk Stone's *History of Colorado*, vol. 1 (Chicago: The S.J. Clarke Publishing Company, 1918), 346-382; and Frank Hall's *History of the State of Colorado*, vol. II (Chicago: The Blakely Printing Company, 1890), 363-405.

both companies reached a compromised agreement that allowed the DRG to build through the canon, and for the AF&SF to lease the line for its own use. The railroad building of these two companies, and smaller lines as well, stimulated an immense tie cutting operations that used the river to transport ties from the early 1870s to the 1880.

The Railroad Tie Industry in the Arkansas River Valley

The earliest recorded tie drive from the headwaters through and past the Royal Gorge occurred in 1870. Charles May and his brother Robert contracted to transport 60,000 ties down the Arkansas River. They took the ties from “a mountain source,” and followed the float in a “large skiff” loaded with six days of provisions.⁷ Skiffs, also known as “bateaus,” were shallow draft, flat-bottomed boats often used in the fur trade, commonly used to accompany tie floats. They were anywhere from 24 to 50 long, 5 to 8 feet wide, with flat bottoms with planked sides tapering to sharp ends at both front and stern.⁸

These boats were similar in construction to Whitehall boats used by John Wesley Powell’s expeditions down the Colorado River through the Grand Canyon in 1869, and again in 1872. An article in the *Chicago Tribune* described Powell’s boats as each 22 feet long, 4 feet wide, 22 inches deep, with water-tight compartments in stem, stern, and amidships.” Boats like the Whitehalls used by Powell, or the bateaus (skiffs) used by the May brothers, could navigate the Arkansas River anywhere from Salida to Pueblo.⁹

⁷ “A Terrible Situation,” *Saguache (Colorado) Chronicle*, July 26, 1879.

⁸ The terms skiffs and bateaus, also spelled bateaux, were interchangeable during this time. See: Worten, “The Railroad Tie Industry,” 278. Also, “Bateau,” <https://en.wikipedia.org/wiki/Bateau> (accessed May 31, 2018).

⁹ “Powell’s Whitehall boats,” <http://fretwaterlines.blogspot.com/2012/04/powells-whitehall-boats.html> (accessed April 2, 2018); “Whitehall rowboat,” https://en.wiki.org/wiki/Whitehall_rowboat (accessed April 2, 2018); “The Powell Exploring Expedition,” *Chicago Tribune*, May 8, 1869; “The Powell Expedition,” *Chicago Tribune*, May 29, 1869; and “Powell Expedition,” *Chicago Tribune*, July 1, 1871

Tie floating down the Arkansas River began in earnest in 1872 with the building of the Atchison, Topeka and Santa Fe railroad through the Arkansas River Valley across the Great Plains of western Kansas. By June of 1872, numerous articles in Colorado and Kansas newspapers reported on the progression of the tie floats during that summer. By July, over 200 men had been employed to cut ties in “the neighborhood of California Gulch.” J. S. Duncan, and his brother-in-law J. P. Green, had contracted with the AT&SF for 200,000 ties with the goal of floating them well over 600 miles to a catchment constructed on the river just below the town of Great Bend, Kansas. The plan was to float 20,000 ties at a time “and have a body of men follow in boats and otherwise, to prevent them from lodging.”¹⁰

Tie contracts like this were commonplace both in Colorado and Wyoming as transcontinental railroads were constructed across the Great Plains and through the mountains. Depending upon the route and design, a mile of railroad could require anywhere from 2,400 to 3,000 ties to bear the rails and rolling stock. Supplying railroad companies with ties required enormous work crews with access to public domain forests with stands of pine and spruce trees. This led to reports boasting that the “Arkansas river will become the outlet for the enormous wealth of timber growing on the mountains.” By September, the success of the drive settled any qualms about using the Arkansas River to transport ties. The first “drive” of 25,000 ties floated past Pueblo on September 8, 1872, and another 50,000 followed in its wake with ties reportedly lining the banks of the river.

¹⁰ (Pueblo) *Colorado Weekly Chieftain*, June 20, 1872; (Pueblo) *Colorado Daily Chieftain*, July 10, 1872; *Hutchinson (Kansas) News*, July 18, 1872; and “A Question Settled,” (Pueblo) *Colorado Daily Chieftain*, September 24, 1872.

The successful tie drives of 1872 led to a resumption of tie drives in 1873. The Denver & Rio Grande railroad had reached Pueblo in 1872, and the AT&SF continued building across the plains heading toward the Colorado-Kansas state line with the goal of reaching Trinidad to tap the coal loads and cattle herds, with another line intended for Pueblo. The Kansas Pacific also was building a line heading to Las Animas. By August, tie floats were a daily occurrence at Pueblo, Colorado. The firm Tabor and Bartels Brothers had the contract to supply the Kansas Pacific at Fort Lyon. They harvested their ties from the California Gulch forests, and by August had around 80,000 ties floating downstream. As usual, ties often became lodged along stream banks or against bridge piers, and were subject to occasional pilfering. The Bartles brothers placed an warning in newspapers warning people “not to remove any ties from the Arkansas River.” By the end of August, the last tie float had reached Las Animas as KP construction crews neared the town.¹¹

The Panic of 1873 stalled AT&SF construction at the Kansas-Colorado border. But in 1874, the D&RG resumed building from Pueblo to Canon City, and numerous tie drives were mounted to supply it. The reporters for the *Colorado Daily Chieftain* noted large tie drives reaching the city in late August. The Pueblo and Salt Lake Railway Company, incorporated in 1873, started making plans for building in the valley. In the fall of 1874, the company let a contract with a Mr. Welch, who was obligated for harvesting ties out of the mountains, and bridging nearly 80 miles of roadbed between

¹¹ (Pueblo) *Colorado Daily Chieftain*, August 1, 1873; (Pueblo) *Colorado Daily Chieftain*, August 13, 1873; (Pueblo) *Colorado Daily Chieftain*, Augusts 17, 1873; and (Pueblo) *Colorado Daily Chieftain*, November 11, 1874.

Pueblo and Las Animas. In addition, Welch had two saw mills in operation to cut the bridge timber besides the tie cutting crews in the mountains.

During the 1875 drive season, crews floated ties down the river for the Pueblo and Arkansas Valley Railroad Company (the PAV had absorbed the PSLR in January 1875, and was a shadow company for the AT&SF company) as it took up railroad building from Granada toward Las Animas, which the company reached in September 1875. On March 7, 1876, the PAV reached Pueblo, Colorado. At the same time that the PAV pushed westward from Las Animas, the KP had intentions to do the same. However, despite having construction contracts that included having ties floated out of the mountains in the Arkansas River Valley, the KP failed to acquire a successful bond vote from the citizens of Pueblo, and without adequate capital, forewent any further attempts at building up the Arkansas Valley from Las Animas. Most of the ties floated down the river in 1875 went to the PAV as it built toward Pueblo. In July, an article in *the Colorado Daily Chieftain* announced a float of 100,000 ties coming down the river in July bound for the crews of the PVA. On September 9, the tie drive to Las Animas was well underway.¹²

The long looked for drive of ties for the construction of that portion of the Pueblo and Arkansas Valley railroad lying between this city and West las Animas has a length arrived, and since midnight on Tuesday the river has been full of floating ties. The Pueblo and Arkansas Valley railroad is composed of a consolidation of the Colorado and New Mexico with the Pueblo and Salt Lake, and extends from the Kansas line, at Sargent station to the city of Pueblo. The

¹² (Pueblo) *Colorado Daily Chieftain* May 20, 1875; July 14, 1875; July 22, 1875; July 29, 1875; August 13, 1875; September 2, 1875; and September 5, 1875.

road is now constructed as far as West Las Animas, and as soon as the first installment of these floating ties reaches that point work will be commenced in this direction. The grade is already finished, the piles for the bridges all driven and a large portion of the bridge timber already on the ground.¹³

Heavy rains that led to high river flows also helped with the tie floats or as reported, making the ties “travel at a lively rate.” Once the flooding had ebbed in the river, some 200,000 ties were strewn “over the wide bottoms and piled up in drifts along the shore” of the Arkansas River from Pueblo below. Still, the work of sending ties down the river from the upper portions of the valley continued with another drive of 100,000 ties floating down the river by the end of September. By the end of February, 1876, the construction crews for the PAV had reached Pueblo, and on the 27th, the first engine and train arrived in the city.¹⁴

C.C. Welsh continued harvesting and floating ties down the upper portions of the Arkansas River throughout the 1876 season. By one account, he was going to prepare a float of 200,000 ties besides collecting, refloating ties that the flood waters of September 1875 had left scattered along the river banks throughout the valley below Pueblo. Even though some tie floats continued from the upper portions of the Arkansas River Valley past Canon City in 1877, the contest that lasted between 1877 and 1880 between the construction crews of the AT&SF and the DRG companies for control of the route through the Royal Gorge had a dampening effect on tie harvesting.

¹³ “The Big Tie Drive: Its Arrival at Pueblo,” (Pueblo) *Colorado Daily Chieftain*, September 9, 1875.

¹⁴ “High Water: Serious Damage to Bridges,” (Pueblo) *Colorado Daily Chieftain*, September 14, 1875; (Pueblo) *Colorado Daily Chieftain*, September 18, 1875; “The Flood in the Arkansas,” (Pueblo) *Colorado Daily Chieftain*, September 28, 1875; “Three Cheers and a Tiger for the A.T.&S.F. Railroad,” (Pueblo) *Colorado Daily Chieftain*, February 27, 1876; (Pueblo) *Colorado Daily Chieftain*, July 27, 1876; and May 24, 1877.

Conclusion:

By, or at the time of Colorado statehood in 1876, significant commercial uses of the Arkansas River had occurred in the proximity to where Texas Creek forms one of its tributaries. These uses demonstrate that the river was commercially navigable at the time of Colorado's statehood -- that is, it was used, and was susceptible of being used, in its ordinary condition, as a highway for commerce over which trade and travel were conducted in the customary modes of trade and travel over water in 1876.

In 1813 and again in 1814, Ezekiel Williams used the upper portions of the river to transport commercially valuable beaver pelts. In March 1813, he launched his canoe into the river, and floated downstream for four-hundred miles, well past where Texas Creek enters the Arkansas River, and trapped beaver along the way.

In May 1814, at Boon's Lick, Missouri, Ezekiel Williams employed twenty men in an effort to retrieve his cached pelts in the upper Arkansas River Valley. In July 1815, in the upper reaches of the Arkansas River Valley, Williams and company, with furs in hand, loaded several canoes and floated downstream well past where Texas Creek enters the river.

After the Civil War, railroad construction stimulated the tie harvesting and float operations from the headwaters of the Arkansas River to Great Bend, Kansas. An early example is Charles and Robert May's contract for 60,000 ties. They cut the ties from a "mountain source," and floated the ties down the Arkansas River, following and guiding the ties in a "large skiff."

By 1872, the Atchison, Topeka, and Santa Fe railroad companies contracted for hundreds of thousands of railroad ties cut near Fairplay, Colorado to be floated down the Arkansas River, across the state line into Kansas, to Great Bend, where railroad construction crew were working. During the 1870s, railroad tie drives regularly occurred on the Arkansas River originating near Fairplay, Colorado, and led to various booms on the river located in Colorado at Canon City, Pueblo, Lamar, and into Kansas as far away as Great Bend.

The commercial uses of the Arkansas River near its junction with Texas Creek continued beyond 1876 when Colorado achieved statehood thereby making a vital contribution to the economic development of Colorado and the West, particularly in the railroad, cattle, agricultural and mining sectors.

Based on the historical record, it is my professional opinion that the Arkansas River in the proximity of Texas Creek was commercially navigable at the time of Colorado's statehood, and that it was used, and was susceptible of being used, in its ordinary condition, as a highway for commerce over which trade and travel were conducted in the customary modes of trade and travel over water.

APPENDIX 1: SELECTED SOURCES

Newspapers

Canon City (Colorado) Times, 1872-1876.

Chicago (Illinois) Tribune, 1869-1872.

Denver (Colorado) Mirror, 1873-1876.

(Denver, Colorado) *Rocky Mountain News*, 1875-1876.

Las Animas (Colorado) Leader, 1873-1876.

Hutchinson (Kansas) News, 1872.

(Pueblo) *Colorado Daily Chieftain*, 1872-1877.

(St. Louis) *Missouri Gazette and Public Advertiser*, 1816.

Manuscript Collections

Atchison, Topeka, and Santa Fe Railway Company records, Textual records. State Archives, Kansas Historical Society, Topeka.

Denver & Rio Grande, MSS513, Boxes 3, 6, 12, 13, 23, 30, 39, and 134, Stephen H. Hart Library & Research Center, Denver, Colorado.

Secondary Works

Robert Athearn. *The Denver and Rio Grande Western Railroad*. Lincoln: University of Nebraska Press, 1977.

James H. Baker and LeRoy Hafen. *History of Colorado*, 3 vols. Denver: Linerman Co., Inc., 1923.

Keith L. Bryant, Jr. *History of the Atchison, Topeka & Santa Fe Railway*. Lincoln: University of Nebraska Press, 1982.

Hiram Martin Chittenden. *The American Fur Trade of the Far West*, 2 vols., foreword by James Ronda. Lincoln: University of Nebraska Press, 1986.

Frank Hall. *History of the State of Colorado*, 4 vols. Chicago: The Blakely Printing Company, 1890.

N.A. *History of the Arkansas Valley, Colorado*. Chicago: O.L. Baskin & Co., 1881.

Wilbur Fisk Stone. *History of Colorado*, 4 vols. Chicago: The S.J. Clarke Publishing Company, 1918.

Frederic E. Voelker. "Ezekiel Williams of Boon's Lick; *The Bulletin – Missouri Historical Society* 8 (October 1951), 17-51.

Dissertation

William Harvey Wroten, Jr. "The Railroad Tie Industry in the Central Rocky Mountain Region: 1867-1900." Ph.D. Dissertation, University of Colorado, Boulder, 1956.

Websites

"Bateau," <https://en.wikipedia.org/wiki/Bateau>, accessed May 31, 2018.

"Powell's Whitehall Boats," <http://fretwaterlines.blogspot.com/2012/04/powells-whitehall-boats.html>, accessed December 19, 2017.

"Whitehall Rowboat," https://en.wikipedia.org/wiki/Whitehall_rowboat, accessed April 2, 2018.

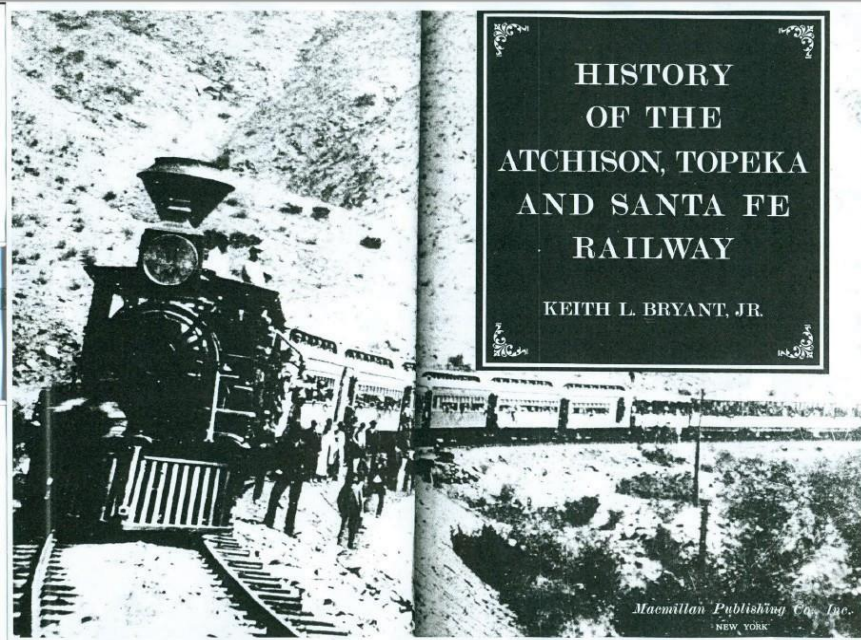
APPENDIX 2: Summary of Commercial Use of the Arkansas River from Settlement to Statehood

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Commercial canoe travel on the Arkansas River, circa 1816	Page 78

and, even more indicative of the rapid expansion, a large increment of locomotives and cars was purchased in 1872.

In the spring several new and handsome locomotives arrived at Topeka



COLONEL HOLLIDAY'S VISION

this hot, treeless plain as contractors cut the ties in the Rocky Mountains near Fairplay, Colorado, and floated them down the Arkansas River to a boom stretched across that stream near Great Bend. The 805-foot-long boom collected

nearly 200,000 ties, as men in small boats followed the river to prevent lodging. Disaster struck the construction

in 1872, when the company herder made off with 75 to 100 camp remuda, but many were recovered by a hastily organized posse. In Ford County the firm of Wiley and Cutler, a grading contractor, was contracted their work to Bat and Ed Masterson, who completed the grade that summer. The Mastersons soon abandoned the project to become notorious for other types of employment in Kansas. Track laying moved forward, and the ATSF reached Topeka in the summer. Regular passenger service from Atchison to Topeka and the train covered 291 miles in 17 hours and 40 minutes for a fare of \$16.60 for the privilege of riding the full-length of

the line. Passengers who traveled to Larned probably felt that no other town in the state merited the title of "meanest town in Kansas," but they stayed in Larned until October to see Dodge City. Located five miles west of Larned, the community quickly developed a deserved reputation as the end-of-track tent towns. A few frame houses, a saloon, and a few dugouts and adobe houses marked the location. The most notable structure housed a saloon, but the busiest business was the gunsmith. Pete Criley hustled his crews through the territory as fast as possible to get them away from a variety of temptations.

By the time the ATSF, however, as additional livestock were lost and a conductor on a passenger train had to engage in a

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“N.B. ties floated all the way to Great Bend, Kansas”

“Men followed ties in boats”

See newspaper comments for 1872

A Terrible Situation.

THE Denver (Col.) *Tribune* tells the following story of the Grand Canyon: Charles May and his brother Robert, in the spring of 1870, offered to pass 60,000 railroad ties down the Arkansas from the mountain source. He says:

"Our offer was accepted, when we started into the upper entrance of the canyon with a large skiff, provided with six days' provisions and two hundred feet of rope, with which, by taking a turn round some firmly-planted object, we could lower our boat a hundred feet at a time. In this way, at the end of three days, having set adrift many hundred ties, we reached the entrance to the Royal Gorge. Here we discovered that an attempt to descend the first waterfall with two in the boat was certain destruction, and to return was impossible. Accordingly, I determined to lower my brother down the fall in a boat, a distance of two hundred feet, give him the rope and let him take the chance of the canyon (life seemed more certain in that direction), while I would risk my physical ability to climb the canyon wall, which was about two thousand feet high.

"About ten o'clock in the morning I shook hands with my brother, lowered him in the boat safely to the foot of the fall, gave him the rope, and saw him no more. Then, throwing aside my coat, hat and boots and stripping the socks from my feet, I commenced my climbing way, often reaching the height of one or two hundred feet, only to be compelled to return and try some other way. At length, about four o'clock in the afternoon, I reached a height upon the smooth canyon wall of about a thousand feet. Here my further progress was arrested by a shelving ledge of rock that jutted out from the canyon side a foot or more. To advance was without hope; to return, certain death. Reaching upward and outward, I grasped the rim of the ledge with one hand and then with the other, my feet slipped from the smooth side of the canyon, and my body hung suspended in the air a thousand feet above the roaring waters of the Arkansas.

"At that moment I looked downward to measure the distance I would have to fall when the strength of my arms gave out. A stinging sensation crept through my hair as my eye caught the strong root of a cedar bush that projected out over the ledge, a little beyond my reach. My grasp upon the rim of the ledge was fast yielding to the weight of my person. Then I determined to make my best effort to raise my body and throw it sideways toward the root so as to bring it within my grasp. At the moment of commencing the effort I saw my mother's face as she leaned out over the ledge, reached down her hand and caught me by the hair. Stranger, my mother died while yet a young woman, when I and my brother were small boys, but I remember her face. I was successful in making the side leap of my arms, when I drew myself up on the ledge and rested for a time. From here upward my climbing way was laborious, but less dangerous. I reached the top of the canyon just as the sun was sinking down behind the snowy range, and hastened to our camp at the mouth of the canyon, where I found my brother all safe. 'Charley,' said he, 'have you had your head in a flour sack?' It was then I discovered that my hair was as white as you see it now."

"A Terrible Situation," *Saguache (Colorado) Chronicle*, July 26, 1879.

Preparations are now in progress to clear the Arkansas river of all obstructions, so that ties may be floated down for the Santa Fe railroad. Mr. L. Walto has the work in charge, and is now in Denver to hire the necessary men.

Preparing river to float ties down
6/20/1872
Colorado Weekly Chieftain, Pueblo

The information reaches us, in authentic form, that two hundred men are now in the mountains, on the headwaters of the Arkansas, engaged in getting ties for the Atchison, Topeka and Santa Fe railroad. These ties are to be "driven" down the river before low water ensues, and will be boomed at various points contiguous to the proposed line of that road. And this reminds us of the importance of asking the managers of the Denver and Rio Grande road if they propose to let the A. T. and S. F. road take the wind out of their sails. — *Denver Times.*

200 men in headwaters of Arkansas getting ties to float down
7/10/1872
Colorado Daily Chieftain, Pueblo

FROM THE RIVER.—We had a long conversation with Mr. J. S. Duncan, who with his brother has just finished a boom across the Arkansas river, between Zarah and Great Bend, against which to lodge ties floated from the mountains for the A. T. & S. F. R. R. Mr. D. says they will have no trouble in catching the ties. The boom is 805 feet long, 350 feet of which is very solid, made of heavy pieces of timber, bolted together with iron bolts, and swung angling across the stream, with large guys extending to the shore. Messrs. Duncan are brothers in law of Mr. Green, who has a contract with the A. T. & S. F. R. R., for getting out 200,000 ties. Mr. Green cut the ties in the Rocky Mountains, near Fairplay post office, and proposes floating them six hundred miles down the Arkansas river, to the above mentioned boom. We presume the floating operation has already commenced. It is proposed to throw around twenty thousand ties in at a time and have a body of men follow in boats and otherwise, to prevent them lodging. Mr. Green is sanguine of success, we think, and if the experiment succeeds it will throw a new impetus into the timber question of this valley. There is a vast amount of timber in the mountains, and if cross ties can be floated down other timber can. Mr. Duncan says that if the experiment succeeds a company will be immediately formed for getting down a general assignment of lumber. He promises to let us hear from the enterprise frequently.

From up the River.----We had a long conversation with Mr. J.S. Duncan, who with his brother has just finished a boom across the Arkansas river, between Zarah and Great Bend, against which to lodge ties floated from the mountains for the A.T.&S.F.R.R. Mr. D. says they will have no trouble in catching the ties. The boom is 805 feet long, 350 feet of which is very solid, made of heavy pieces of timber, bolted together with iron bolts, and swung angling across the stream, with large guys extending to the shore. Messrs. Duncan are brothers in law of Mr. Green, who has a contract with the A.T.&S.F.R.R., for getting out 200,000 ties. Mr. Green cut the ties in the Rocky Mountains, near Fairplay post office, and proposes floating them six hundred miles down the Arkansas River, to the above mentioned boom. We presume the floating operation has already commenced. It is proposed to throw around twenty thousand ties in at a time and have a body of men follow in boats and otherwise, to prevent them lodging. Mr. Green is sanguine of success, we [unreadable], and if the experiment succeeds it will throw a new impetus into the timber question of this valley. There is a vast amount of timber in the mountains, and if cross ties can be floated down other timber can. Mr. Duncan says that if the experiment succeeds a company will be immediately formed for getting down a general assignment of timber. He promised to let us hear from the enterprise frequently.

The railway ties for some time expected by the river passed here on last Friday. This is the first part of a contract made by J. P. Green, Esq. of Denver, to supply the A. T. & S. F. R. R. and consists of about 25,000, part of 100,000 now in the water, which have been cut and hewn in the neighborhood of California Gulch, about 150 miles up the river. The men employed in the arduous work of "driving" them, notwithstanding the hardships attending such a life, appear in very good health and spirits.

They are ably superintended by Mr. C. M. Scribner, who has had considerable experience in the business on the Cache La Poudre and other rivers.

This is the first enterprise of the kind ever attempted on this river and we are glad to find that it proves a thorough success, as it has hitherto been considered impracticable, owing to the difficulties presented by the immense cañons. - We now think that the Arkansas river will become the outlet for the enormous wealth of timber growing on the mountains above us.

**First part of 100,000 ties
9/19/1872**

Canon City Times

A QUESTION SETTLED.—As our readers are well aware, the Atchison, Topeka and Santa Fe railroad company, have had a large force of men engaged in the vicinity of California Gulch, the past few months getting out ties for their road, with the intention of floating them down the Arkansas river to Fort Zarah, or wherever needed. Owing to the deep canons of the Arkansas river, in the mountains and the sinuities of the channel, the experiment of floating down the ties was regarded as peculiarly hazardous by all railroad men, and was entered upon with many misgivings. The work was entrusted to the charge of Mr. C. M. Scribner, an experienced contractor, whose feat in floating 34,000 ties down the treacherous Cache la Poudre, for the Kansas Pacific road, is still remembered with

feelings of admiration. Mr. Scribner took hold of the contract with his usual energy, and about the first of August last, the first drive consisting of 25,000 ties was dumped into the river. This was followed in a short time after by another installment of 50,000 ties. The first drive floated past Pueblo last evening in charge of the contractor, J. P. Green and a well organized force of men. The ties travel from eight to ten miles a day and thus far no difficulty worth speaking of has been encountered. The drive, of course, is purely experimental, but there is no doubt in regard to the feasibility of the undertaking. Hereafter all the ties required for building railroads up the valley will be sent down in this manner,

“Question Settled” as to the feasibility of floating ties down Arkansas

9/24/1872

Colorado Daily Chieftain, Pueblo

Both banks of the river are lined
with Atchison and Topeka ties.

Both banks of river lined with AT&SF ties (upstream, ready to
float?)

9/26/1872

Colorado Daily Chieftain, Pueblo

About 75,000 A. & T. ties are now on
the way down the river and may be
looked-for-in about three weeks.

About 75,000 ties on way down

9/26/1872

Canon City Times

The drive after tie drive is going down
the river.

The Piquette Oblique Gold Pins at
Frontiers 28-11-1872

The narrow gauge ties passed down
the river a few days ago.

Tie drive after tie drive and narrow gauge ties

9/26/1872

Canon City Times

For the past couple of days, thousands of ties for the Arkansas Valley railroad have been floating down the river past our city. There are several drives of these ties following each other in close succession, and belonging to different contractors—the first, of ten thousand, being those of Bartels & Tabor.

“Thousands of ties floating down river past city” (Pueblo)
8/1/1873

Colorado Daily Chieftain, Pueblo

A “Tie Puncher” is the expressive if not elegant, title bestowed upon those amphibious individuals whose occupation is the driving of railroad ties down the river. Since the ties for the Arkansas Valley railway have been coming down, thousands of them lodged and formed a jam at each of the bridges spanning the river, and these “tie punchers” might there be seen, for hours yesterday, loosening the jams and starting the ties on. To do this, they are compelled to work standing in the water, from waist deep up to their armpits, almost all of every day—for jams occur often—and all for \$2.50 per day and board. Oh, isn't it

Tie Punchers described

8/2/1873

Colorado Daily Chieftain, Pueblo

From Pueblo Chieftain 1st.

For the past couple of days, thousands of ties for the Arkansas Valley railroad have been floating down the river past our city. There are several drives of these ties following each other in close succession, and belonging to different contractors—the first, of ten thousand, being those of Bartels & Tabor.

(From Chieftain) Thousands of ties floating past, first 10k Bartels
& Tabor
8/9/1873

Las Animas Leader

A drive of fifty thousand ties have floatedd by our town, in the past few days, bound for Fort Lyon, where they are to be delivered to the Kansas Pacific railroad company, to be used in building the Arkansas valley railroad to Pueblo. One drive of thirty thousand is some fifty miles below here, and are expected to reach Lyon by the 20th of this month. The two lots that are below here were cut last season in the vicinity of California gulch, on a contract with the Atchison, Topeka & Santa Fe company, but owing to a failure on the part of some who were interested in the matter, to come to time, they fell into the hands of some of the principal creditors, who are now pushing the enterprise through in order to save themselves from serious pecuniary losses. As they find a ready market at the hands of the K. P. company, it is presumed they will suffer

very little loss. Fifty or sixty thousand and more are being hauled from the mountains to the river a short distance above here, which are to be driven down as soon as those now on the way reach their destination. Messrs. Tabor & Bartels Bros. are at the head of the enterprise, and they have about fifty men in their employ.

“Drive of 50k,” “30k ties 50 mi below here” Tabor involved
8/13/1873

Colorado Daily Chieftain, Pueblo

70k ties, 100 teams needed 8/16/1873

Las Animas Leader

Territorial Railways.

ARKANSAS VALLEY BRANCH.

[From the Pueblo Chieftain of August 13.]

A drive of 50,000 ties have floated by in the past few days, bound for Fort Lyon, where they are to be used in building the Arkansas Valley Railroad to Pueblo. One drive of 30,000 is some fifty miles below here, and are expected to reach Lyon by the 20th of this month. Fifty or sixty thousand more are being hauled from the mountains to the river a short distance above here, which are to be driven down as soon as those now on the way reach their destination.

50k ties have floated by in last few days
8/24/1873

Denver Mirror

We hereby warn every person not to remove any ties from the Arkansas river. Any information given or sent to us of ties having lodged at any place will be thankfully received.

401d6t

BARTELS BROS.

Bartels Bros. to public: "Do not remove ties from river."

8/17/1873

Colorado Daily Chieftain, Pueblo

COLORADO RAILWAYS.

ARKANSAS VALLEY BRANCH.

The K. P. is laying iron at the rate of one mile and a half per day, south from Carson.

[From the *Las Animas Leader*.]

The first "drive" of 1,500 ties has arrived, and they are being taken out a short distance above town. The engineers have arrived and are staking off work on the last seven miles of grade. Mr. Hedge has commenced grading, and still advertises for more men.

First drive of 1500 ties has arrived 8/31/1873

Denver Mirror

both got away. The same correspondent says that the Arkansas Valley railroad is within ten miles of Las Animas. Messrs. Tabor & Co, arrived yesterday with their last lot of ties and they are being rapidly forwarded to the end of the track. About forty tie drivers have been paid off and they are making it lively in the town.

Tabor arrived with last lot of ties, 40 tie drivers paid off 9/16/1873

Colorado Daily Chieftain, Pueblo

A gentleman at Las Animas sends us the particulars of the escape of a number of jail birds from that place on election day, in the afternoon. They broke for the river closely followed by the officers of the law, and succeeded in crossing, notwithstanding shots were flying around them as thick as hail. After they had crossed the river one of them discovered a valuable horse belonging to Bartel Bros., which he mounted and was off with the speed of the wind. Pursuit was given, but they both got away. The same correspondent says that the Arkansas Valley railroad is within ten miles of Las Animas. Messrs. Tabor & Co, arrived yesterday with their last lot of ties and they are being rapidly forwarded to the end of the track. About forty tie drivers have been paid off and they are making it lively in the town.

Tabor paying off 40 tie drivers

9/18/1873

Colorado Weekly Chieftain, Pueblo

Newspaper clippings related to tie floating on the Arkansas River for 1874

THE RIVER.—On Saturday many persons visited the river to view the raging Arkansas while in its glory. Notwithstanding the fact that the dams have been partially washed out, a large body of water is rushing at a tremendous rate through the new channels and rapidly increasing their width. Had it not been for these cuttings the whole river bottom on the south side would now have been under water. Considerable quantities of drift wood are coming down and a favorite amusement seems to be fishing for stray logs and railroad ties. The water is still rising.

River high; people fishing for ties along banks

6/4/1874

Colorado Weekly Chieftain, Pueblo

A large drive of railroad ties is on its way down the river from the mountains. They are expected to pass this city to-day.

Large drive of railroad ties on way down river

8/26/1874

Colorado Daily Chieftain, Pueblo

A large drive of railroad ties is on its way down the river from the mountains. They are expected to pass this city to-day.

The ties which are on their way down the river reached bridge No. 2, on the Denver and Rio Grande railway, about seventeen miles above this city, yesterday morning, and the "tie punchers" were at work steering them through. They are looked for here on Thursday or Friday.

Large drive on way down

8/27/1874

Colorado Weekly Chieftain, Pueblo

The head of the mill ditch served as a trap to catch the railroad ties which have been seen going down the river for several days. A number were caught.

The "tie punchers" had a lively time on Friday, breaking the jams that occurred at the various bridges across the river. At the upper bridge the ties were lodged in vast numbers and it required a considerable amount of hard work to again start them on their journey down stream.

Tie punchers breaking jams at bridges
9/3/1874

Colorado Weekly Chieftain, Pueblo

The *Miner* says Mr. Welch, of Golden, who accompanied the railroad officials to Georgetown, Monday, informs us that he has the contract for putting on the ties and bridging some eighty miles of the railroad between Pueblo and Las Animas. The road bed will be graded this winter, ready for the ties as early in the spring as he can have them ratted down the Arkansas river. He has already two saw mills engaged in getting out bridge timber, and will soon have an army of men cutting ties in the woods bordering the Arkansas.

Welch has two sawmills in place to handle bridge timbers
10/7/1874

Colorado Daily Chieftain, Pueblo

Somebody is running a lot of railroad ties down the Arkansas.

"Somebody running a lot of railroad ties down Arkansas"

11/5/1874

Colorado Daily Chieftain, Pueblo

Shortly after the consolidation of the Kansas Pacific with the Union Pacific, it began to be rumored about here that work was to be begun on the extension of the branch road from this point. Rumor in this case was but the shadow of the reality which is now visible to our eyes. Last Saturday, a little in advance of the visit of the officers and directors to this place, came a special train bearing the grading force—men, teams, and scrapers—of Messrs. Hutchins & Hedge, of Denver. The party went into camp a short distance west of town, commenced work Sunday morning, and are now pushing forward the grade westward along side the Pueblo & Salt Lake road at the rate of one mile per day. Ties are also being hauled from the river bank and distributed along the line of the new road.

NOTICE.

WE HEREBY NOTIFY ALL PERSONS not to take up any RAILROAD TIES at present or hereafter floating or barred in the Arkansas River or on its banks, without our consent.

BARTELS BROS.

March 19th, 1875—[w:ktf]

Ties being hauled from river bank

5/14/1875

Las Animas Leader

The ties for the Pueblo and Salt Lake Lake road will soon start on their voyage down the river.

Ties for P&SL will soon start their float 5/14/1875

Colorado Weekly Chieftain, Pueblo

mer place with all possible speed. The ties for the line of road between Gren-ada and West Las Animas, are all on the ground, and those for the Pueblo and Salt Lake are cut and piled up on the banks of the river, and some are already in the stream on their way down.

Ties for P&SL are cut and piled, some on way down

5/20/1875

Colorado Daily Chieftain, Pueblo

A gentleman from the Upper Arkansas announces that a drive of one hundred thousand ties for the Pueblo and Salt Lake railroad is on its way down the river, and will reach Cottonwood to-day. The remainder of the ties have been detained somewhat by low water in the creeks flowing into the river, but will be worked into the stream as quickly as possible.

100k ties in river on way down. Reach Cottonwood today
5/20/1875

Colorado Daily Chieftain, Pueblo

Mr. C. C. Welsh has started his flotilla of ties down the Arkansas, and their arrival here may be looked for at any time.

Flotilla of ties started down Arkansas
6/1/1875

Colorado Daily Chieftain, Pueblo

Mr. C. C. Welsh has started his flotilla of ties down the Arkansas, and their arrival here may be looked for at any time.

Mr. C.C. Welch started ties down 6/3/1875

Colorado Weekly Chieftain, Pueblo

The ties for the Pueblo and Salt Lake road are passing Canon City daily in the river.

Ties for P&SL passing Canon City daily
7/10/1875

Colorado Daily Chieftain, Pueblo

Messrs. Rice, Thatcher and Baxter, went up the river on Saturday morning to hurry up the ties for the Pueblo and Arkansas Valley railroad.

Rice, Thatcher & Baxter upriver to hurry ties,
7/11/1875

Colorado Daily Chieftain, Pueblo

Messrs. Rice, Thatcher and Baxter, went up the river on Saturday morning to hurry up the ties for the Pueblo and Arkansas Valley railroad.

Mssrs. Rice, Thatcher and Baxter sent upriver to hurry ties for
AVRR

7/15/1875

Colorado Weekly Chieftain, Pueblo

A gentleman from the Upper Arkansas announces that a drive of one hundred thousand ties for the Pueblo and Salt Lake railroad is on its way down the river, and will reach Cottonwood to-day. The remainder of the ties have been detained somewhat by low water in the creeks flowing into the river, but will be worked into the stream as quickly as possible.

100k ties for P&SL on way down
7/14/1875

Colorado Daily Chieftain, Pueblo

A "drive" of one hundred thousand railroad ties, to be used on the Pueblo and Salt Lake line, arrived at Cottonwood, Thursday, from the headwaters of the Arkansas.

100k ties arrived at Cottonwood yesterday

7/17/1875

Rocky Mountain News

Advices from the ties are very encouraging. A drive, consisting of one hundred thousand, is now on its way down the Arkansas, in charge of a

large force of men under the direction of Mr. Lewis Conley, of this city. It is probable they will be at Cañon City about to-day or to-morrow. The ties will be pushed along with all possible speed, and it is expected that forty thousand of them, at least, will be at West Las Animas within twenty days. Should this aim be accomplished, of which there is every probability, there will be no delay whatever when the tracklayers reach West Las Animas, and the work will be pushed right along.

Messrs. Rice, Thatcher and Baxter, the committee of the board of directors of the Pueblo and Arkansas Valley railroad company, who went to the Upper Arkansas to see how the ties for their road were getting along, returned on Monday evening. They report that the ties are all in the river and coming down, in charge of a force of seventy-five men, in charge of Mr. Welch, the contractor and Mr. Lewis Conley, of this city. The tie-drivers think they can get down to this city in about thirty days from this date.

Ties encouraging, 100k on way down
7/20/1875

Colorado Daily Chieftain, Pueblo

RAILROAD PROSPECTS.

Our railroad prospects are at present of the most encouraging character. The grading and bridging of the line between Pueblo and West Las Animas are almost completed, the ties are all in the river and are coming down as fast as a swift current and willing hands can bring them, and the prospect now is that the tracklayers will be detained at West Las Animas but a short time, if at all. The Kansas Pacific company, have for the time being, ceased their mean and fruitless persecutions, and until some fresh devilment can be hatched things will move on quietly. In the mean time the grading and tracklaying forces are working along up the valley, and those who are directing things say that they will have their road finished into Pueblo previous to the completion of the Pueblo and Arkansas valley line. Should they build here without interfering with the latter road everybody will be pleased, believing as we all do that a city cannot have too many railroads.

Mr. J. DeRemer returned on Monday from the grade of the Pueblo and Arkansas Valley railroad, after an absence of nearly six weeks. Mr. DeRemer was the first person on the ground in the interest of our people, traveling from here down to the disputed point at night. To Mr. DeRemer's energy, perseverance and undoubted courage is due in no small measure the success of our conflict with the Kansas Pacific railroad. Mr. DeRemer is certainly deserving of a large measure of praise for the faithful manner he has guarded the people's interest. We suggest to the proper authorities that Mr. DeRemer's services be secured in bringing down the ties, as this is the next most important item toward securing our railroad at an early day. He has proved himself peculiarly adapted for just such an emergency as we are in at present, and we believe the company would do well to tie to him.

Messrs. Rice, Thatcher and Baxter, the committee of the board of directors of the Pueblo and Arkansas Valley railroad company, who went to the Upper Arkansas to see how the ties for their road were getting along, returned on Monday evening. They report that the ties are all in the river and coming down, in charge of a force of seventy-five men, in charge of Mr. Welch, the contractor and Mr. Lewis Conley, of this city. The tie-drivers think they can get down to this city in about thirty days from this date.

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100k ties on way down Arkansas

7/22/1875

Colorado Weekly Chieftain, Pueblo

A letter received from the tie drivers' camp, up the Arkansas, gives most encouraging news of the progress of the ties for the Pueblo and Salt Lake railroad. They are coming down far faster than the most sanguine expected. Upwards of one hundred men are punching them up, and Messrs. Welch, Bush and Conley are superintending the work.

Ties coming down faster than expected

7/23/1875

Colorado Daily Chieftain, Pueblo

Most encouraging news reached this city from the tie drive on the Upper Arkansas, on Saturday evening. Those in charge of the work have succeeded in pushing it along far exceeding their most sanguine expectations, and should they continue to make as good time as during the past week there will be little danger that the completion of the railroad to this city will be delayed for want of ties.

Going better than expected

7/25/1875

Colorado Daily Chieftain, Pueblo

Most encouraging news reached this city from the tie drive on the Upper Arkansas, on Saturday evening. Those in charge of the work have succeeded in pushing it along far exceeding their most sanguine expectations, and should they continue to make as good time as during the past week there will be little danger that the completion of the railroad to this city will be delayed for want of ties.

Drive going better than expected
7/29/1875

Colorado Weekly Chieftain, Pueblo

tween Pueblo and West Las Animas are almost completed, the ties are all in the river and are coming down as fast as a swift current and willing hands can bring them, and the prospect now is that the tracklayers will be detained at West Las Animas but a short time, if at all. The Kansas Pacific company, have for the time being, ceased their mean and fruitless persecutions, and until some fresh devilment can be hatched things will move on quietly. In the mean time the grading and tracklaying forces are working along up the valley, and those who are directing things say that they will have their road finished into Pueblo previous to the completion of the Pueblo and Arkansas valley line. Should they build here without interfering with the latter road everybody will be pleased, believing as we all do that a city cannot have too many railroads.

Letter from tie drivers, coming down faster than expected
7/29/1875

Colorado Weekly Chieftain, Pueblo

The Cañon City *Times* says that the Pueblo and Salt Lake railroad ties have not yet put in an appearance, though they may be expected any day.

ties not yet at canon city
8/7/1875

Colorado Daily Chieftain, Pueblo

be at Pleasant Valley on Wednesday next.

Once there they will have easy sailing for about thirty miles and good speed can be made. Judiciously managed, the whole drive can be made to pass Cañon City from the first to the tenth of September. The directors of the Pueblo and Salt Lake railroad will leave no stone unturned to hurry up the coming of these ties and arrangements are now being made that will greatly expedite the work.

Ties now in Browns Canyon
8/10/1875

Colorado Daily Chieftain, Pueblo

THOSE TIES.

It is curious how people will allow themselves to be disheartened by foolish rumors which are set afloat with reference to disasters which are said to have befallen any enterprise in which they are interested, without for a moment examining into the source of such rumors and finding out whether they are reliable or not. We had a specimen of this kind of gullibility among our citizens on Monday last. All sorts of rumors were set afloat with reference to the ties for the Pueblo and Salt Lake railroad. It was stated that the contractors had sold out to the Kansas Pacific company, that the ties were jammed in the river and couldn't be moved, that the workmen who cut the ties had stretched a boom across the river and were about to seize them because their wages were not paid, and a dozen more tales of a similar nature. Men who ought to have known better, swallowed all of these stories and moved around with faces as long as clothes props.

Once there they will have easy sailing for about thirty miles and good speed can be made. Judiciously managed, the whole drive can be made to pass Canon City from the first to the tenth of September. The directors of the Pueblo and Salt Lake railroad will leave no stone unturned to hurry up the coming of these ties and arrangements are now being made that will greatly expedite the work.

In the meantime we would advise our citizens to take matters easy for a little while, and not allow themselves to be disturbed by the braying of every stray ass that happens to come along, always bearing in mind that those who are wisest in their own conceit generally know a little less than anybody else.

When we heard these terrible stories, we at once began to look around to discover, if possible, from whence they came. After a short search we discovered an individual who had been discharged from the tie punching force, and who, in his own opinion, knew more about running ties than any man living. He was making it his business to hunt up every crowd he could find, and spin a long yarn with reference to the incompetency of those in charge of the work, and the disasters likely to befall them. Now, as Messrs. Welch, Bush and Conley have charge of the work, and the next in command is a man whose name we have forgotten, but who has assisted in running every tie drive that has come down the Arkansas in the last five years, we think that perhaps those in charge of the work are about as well posted as the smart gentleman who has been showing his ears on our streets. The ties are now in the most difficult part of the river, viz: Brown's Canon, and it is expected that they will be at Pleasant Valley on Wednesday next.

“Those Ties” and man who has assisted every tie drive in last five years

8/12/1875

Colorado Weekly Chieftain, Pueblo

claims with reference to expediting the tie drive. The ties are at present running through Pleasant Valley, and with ordinary luck they will be in Texas creek cañon early next week. It has been decided to send up an additional force of fifty men immediately to string the drive out while it remains in the mountains, and as soon as it leaves the grand cañon to divide it up into small detachments and bring them down by forced drives. The prospect for getting the ties to West Las Animas at an early day is now excellent.

C.C. Welch ties in Texas Creek next week
8/13/1875

Colorado Daily Chieftain, Pueblo

Thirty men and four teams will leave this city this morning, in charge of Mr. Lewis Maloney, bound up the Arkansas to assist in the tie drive for the Pueblo and Salt Lake railroad. Mr. Maloney is a "rustler," and his force will make their mark on the job.

30 men and four teams upriver to help
8/14/1875

Colorado Daily Chieftain, Pueblo

A "drive" of 50,000 railroad ties, for the Pueblo and Salt Lake road, is coming down the South Arkansas river, and is expected to emerge from the Grand Cañon on Sunday or Monday.

50k ties coming down South Arkansas (N.B.)
8/14/1875

Rocky Mountain News

On Saturday last the ties for the Pueblo and Salt Lake railroad were fourteen miles this side of South Arkansas and coming down as fast as a swift current and a liberal supply of human muscle can bring them.

Ties 14 mi past South Arkansas (Salida)
8/19/1875

Colorado Weekly Chieftain, Pueblo

A letter from Mr. L. Conroy, received on Saturday morning, announces that the ties for the Pueblo and Salt Lake railroad have all passed South Arkansas, and are running at the rate of upwards of five miles per day. The men who left here on Saturday will reach the drive about Sunday night or Monday morning and will be set to work immediately.

Ties past South Arkansas (Salida), 5 mi/day 8/19/1875
Colorado Weekly Chieftain, Pueblo

Ties were reported going through the Grand Cañon in large numbers on Monday.

Ties going through Grand Canyon (Royal Gorge)
8/25/1875
Colorado Daily Chieftain, Pueblo

Tourists to the Grand Cañon of the Arkansas, near Cañon City, are requested not to roll rocks down into the cañon, as men are at work there driving railroad ties down the river. Southern Colorado papers please publish this item.

Tourists at Grand Canyon (Royal Gorge): "Don't throw rocks down on workers below"
8/21/1875
Colorado Daily Chieftain, Pueblo

A telegram from Cañon City, received about noon on Wednesday, announced that the ties for the Pueblo and Salt Lake railroad were then coming through the Grand Cañon, and the head of the drive was reported six miles above Cañon City.

Ties going through Grand Canyon, head of drive six miles above Canon City
8/26/1875
Colorado Daily Chieftain, Pueblo

AID FOR THE TIE DRIVE.

A large and enthusiastic meeting of the citizens of Pueblo assembled at the Lindell hotel on Saturday evening, for the purpose of devising ways and means to aid in driving the ties for the Pueblo and Salt Lake railroad, now in transit down the Arkansas, in order to expedite their movements and aid the contractor in delivering a portion of them at West Las Animas in the shortest possible time.

On motion James Macdonald, Esq., was elected chairman, and O. H. P. Baxter, Esq., secretary.

Remarks were made by Messrs. Baxter, Macdonald, Gardner and Gast, urging upon our people the necessity of these ties being on hand at West Las Animas at the earliest possible moment, in order that no delay should take place, and that the tracklayers now at work between Grenada and West Las Animas, may proceed at once to construct the line to this point.

The fact was announced that a telegram had been received from Cañon City, announcing that about one half of the tie drive had already passed that point.

It is now proposed to add a number of men to the large force now at work on the drive, cut out about seventy-five thousand ties and run them by forced driving to West Las Animas.

Need help, cut out 75k ties for forced drive to Las Animas
8/29/1875

Colorado Daily Chieftain, Pueblo

On Monday night the rear end of the tie drive was three miles above Cañon City, Messrs. Baxter and Thatcher, of the Pueblo and Arkansas valley railroad company, have gone up to the drive.

Tail end of drive 3 miles above Canon City
8/30/1875

Colorado Daily Chieftain, Pueblo

News was received last night that a party was organizing at that time, under charge of Mr. Lewis Conley, to take seventy-five thousand ties from the drive now below Cañon City and run them, by driving day and night, to West Las Animas, in order that the work on the Pueblo and Arkansas Valley railroad may be delayed as little as possible. The party will start from the camp near Cañon City this morning, and will push ahead without stopping until West Las Animas is reached. The ties that lodge will be left behind for parties following to gather up. It is estimated that by this method at least fifty thousand ties can be landed at West Las Animas within fifteen days.

Organize forced drive of 75k ties
9/2/1875

Colorado Weekly Chieftain, Pueblo

Henry C. Thatcher, Esq., who returned from the tie drivers' camp near Cañon City yesterday morning, informs us that the men who were detailed from the main body of tie drivers to make the forced drive of seventy-five thousand to West Las Animas, did not start yesterday, being detained by a small jam in the lower part of the Grand Cañon. The ties, however, are now all below Cañon City, and a picked body of men, in charge of Messrs. Conly and Hoffman, will start seventy-five thousand ties this morning. They may be looked for to arrive here with the main body of their drive about Sunday next, although straggling ties will put in an appearance before that time. Mr. Baxter remained in the camp to see the party off this morning. It is confidently expected that the ties will reach West Las Animas from the 15th to the 20th of this month, and as soon as there is a sufficient supply on hand the tracklayers will go to work and put down two miles of track per day until

Forced drive of 75k ties now below Canon City
9/2/1875
Colorado Daily Chieftain, Pueblo

A few stray ties were reported passing yesterday.

Few stray ties passing (through Pueblo)
9/3/1875

Colorado Weekly Chieftain, Pueblo

The railroad men report that the tie drive was between Carlile Springs and Beaver Creek, at noon on Friday, and a large force of men at work.

Drive between Carlile Springs and Beaver Creek
9/4/1875

Colorado Daily Chieftain, Pueblo

The body of August Blome, who was drowned while at work on the tie drive at Cañon City, was recovered on Friday, near that place, and will be brought here for burial to-day. It seems that deceased was at work in front of a number of jammed ties, when the jam suddenly gave way and he was overwhelmed and drowned in very swift water, which was about waist deep. It was his first day's work on the drive.

Worker drowned

9/4/1875

Colorado Daily Chieftain, Pueblo

Mr. C. C. Welch arrived in Pueblo on Saturday morning. He says that the tie drive is progressing in a most satisfactory manner. The leading drive, under charge of Mr. Hoffman, a man of large experience in this kind of work, is traveling at the rate of from seven to ten miles per day. Mr. Conley is along with this drive, and goes ahead selecting camping places and exercising a general supervision. The advance ties of this drive were coming through bridge No. 2, on the Denver and Rio Grande railroad, about eighteen miles above this city on Saturday morning, but the main body of the drive was in the neighborhood of Beaver creek. The second detachment of ties, under the charge of Mr. Lewis Maloney, is also being pushed along rapidly, making from five to eight miles per day. It was expected that this drive would pass Labran on Saturday. A large force is already

Saturday. A large force is already employed on the work but Mr. Welch wants to employ more men to whom good wages and first class board will be given. Men have been sent ahead of the drive whose business it is to clear all dangerous obstructions out of the river and construct dams across the mouths of the sloughs and ditches in order to prevent the ties from running into them.

mas by Saturday evening. The boom to be placed across the river at West Las Animas, to catch the ties now coming down for the railroad to this city, is ready to be placed in position as soon as needed. The shipment of bridge timber will go on rapidly.

Boom to catch ties to be placed at Las Animas, drive progressing satisfactorily

9/5/1875

Colorado Daily Chieftain, Pueblo

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Leading drive going well
9/5/1875

Colorado Daily Chieftain, Pueblo

Mr. J. J. Bush, who is at the head of tie driving operations, came into the city last night and stated that the tie punchers were camped at Rock Canyon. They will pass through the city to-day.

Tie punchers camped at Rock Canyon, will pass through city today
9/8/1875

Colorado Daily Chieftain, Pueblo

THE BIG TIE DRIVE.

Its Arrival at Pueblo.

The long looked for drive of ties for the construction of that portion of the Pueblo and Arkansas Valley railroad lying between this city and West Las Animas has at length arrived, and since midnight on Tuesday the river has been full of floating ties. The Pueblo and Arkansas Valley railroad is composed of a consolidation of the Colorado and New Mexico with the Pueblo and Salt Lake, and extends from the Kansas line, at Sargent station to the city of Pueblo. The road is now constructed as far as West Las Animas, and as soon as the first instalment of these floating ties reaches that point work will be commenced in this direction. The grade is already finished, the piles for the bridges all driven and a large portion of the bridge timber already on the ground. A large force will be placed upon the work and tracklaying pushed along at the rate of two miles per day.

Big tie drive has arrived
9/9/1875

Colorado Daily Chieftain, Pueblo

TIE TIE DRIVE.

All day long on Thursday the river as far as the eye could reach was full of floating ties, and bodies of men were at work at the bridges preventing the ties from jamming. In this work the tie punchers were assisted by large numbers of enthusiastic volunteers, every citizen seeming anxious to lend a hand in aid of the good work. But little trouble was experienced in getting the ties through the bridges up to about three o'clock in the afternoon, when a jam occurred at the railroad bridge which at one time threatened to be serious. Willing hands and strong arms, however, succeeded in preventing the jam from becoming

River full of ties, working at bridges to prevent jamming
9/10/1875

Colorado Daily Chieftain, Pueblo

The second tie drive, under the charge of Mr. Lew Maloney, was reported on Saturday about ten miles above the city. Some of the straggling ties have already passed, and the main body may be expected soon. The forced drive is making rapid headway, and the contractors are still confident that they can reach West Las Animas by the twentieth.

During the past two days we have investigated the process of tie punching and hardly think that it is an occupation in which invalids from the states should engage, neither do we think that we would like to take a hand ourselves, that is for more than about fifteen minutes at a time and at long intervals. On Thursday evening a number of our citizens gave the tie punchers a treat, of beer, etc., and all hands seemed to thoroughly enjoy themselves.

The second tie drive may be expected here about the middle of next week.

Second tie drive about ten miles above city
9/12/1875

Colorado Daily Chieftain, Pueblo

HIGH WATER.

Serious Damage to Bridges.

On Sunday last the straggling ties from the main drive of the Pueblo and Arkansas Valley railroad company commenced to pass the city. Towards evening a good many were running and it was deemed expedient to place men on the bridges to prevent jamming. About dark, heavy masses of clouds appeared in the west and northwest and a slight shower fell here, but soon ceased. About four o'clock in the morning the water in the river commenced to rise with great rapidity, until it became a roaring torrent, much higher than at any time during the high water of the present year. The stream was full of ties and these were piled in immense numbers against the railroad bridge across the new channel, driving it three feet out of line and almost tipping it over. It was secured finally by ropes attached to the trunks of the large trees on the banks of the river. Still the water rose and soon a large stream was running through the old channel, and piling the ties in immense numbers against both of the bridges spanning it. The blockading

Ties piled against bridges

9/14/1875

Colorado Daily Chieftain, Pueblo

The forced tie drive which passed this city on Thursday is making the most satisfactory progress. The camp of the men in charge will be located at the mouth of the Apishapa, forty miles down, and within a few miles of half of the distance to West Las Animas.

Tie camp at 40 miles down, half way to West Las Animas
9/14/1875

Colorado Daily Chieftain, Pueblo

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Straggling ties commenced to pass the city
9/14/1875

Colorado Daily Chieftain, Pueblo

ceased operations. Mr. Peek saw the rear end of the tie drive at a point about a mile below the mouth of the Huerfano, on Monday morning, and the leading ties are about fifteen miles further down the river. He was informed by some of the tie punchers whom he met, that the rise in the river had hastened the progress of the drive considerably. Mr. J. J. Brush had gone forward with a party of men to clear obstructions from the river channel and put in the boom at West Las Animas. There is now no doubt but what the head of the drive will be at West Las Animas by the 20th.

Drive at one mile below mouth of Huerfano River
9/15/1875

Colorado Daily Chieftain, Pueblo

On Thursday morning the ties belonging to the forced drive were passing Bent's Fort in great numbers. The present high water in the river is making them travel at a lively rate.

Ties of first forced drive at Bent's Fort

9/18/1875

Colorado Daily Chieftain, Pueblo

THE FLOOD DOWN THE RIVER.

The *Times* says that Wolff Londoner has just returned from Las Animas, and gives some interesting accounts of the recent rise in the Arkansas additional to the article from the *Leader* on the second page. On Thursday night the river rose five or six feet in two hours, flooding the country for miles around. The ties for the Atchison, Topeka Santa Fe road, which were laid in advance of the rails, were scattered for miles in every direction, and the track for thirty miles toward Granada swept away. It was rumored that the road had been swept away as far as Fort Dodge, a distance of seventy miles. When Mr. Londoner left, the Purgatoire bridge was hanging by a few stringers and its demolition was momentarily expected. To give an idea of the extent of the flood, the road bed of the Las Animas branch of the Kansas Pacific road is elevated ten feet above the prairie, and for a dis-

feet above the prairie, and for a distance of four miles from the river the water was level with the track, causing in some places slight damages. The flood is one of the heaviest ever known in the Arkansas valley, and will cause a tremendous destruction of property. The spread of the water has prevented communication, and consequently the full extent of the flood will not be known for several days.

The flood down the river scatters ties
9/22/1875
Colorado Daily Chieftain, Pueblo

THE FLOOD IN THE ARKANSAS.

The *Las Animas Leader*, of the 24th inst., says :

"A. A. Robinson, chief engineer, who came in yesterday evening from the west, reports the damage to the grade between this point and Pueblo, as comparatively slight. He estimates that \$2,000 will cover the cost of all needed repairs. But of the immense drive of two hundred thousand ties, it is believed that not one is left in the river, the flood having deposited them over the wide bottoms and piled them up in drifts along the shore. Collecting these together again will incur an additional expense to the Pueblo and Salt Lake company, of not less than \$10,000. The damage to this road east of us is confined to the Colorado division. In several places the rails and ties were bodily lifted from the grade and deposited in the ditch. The cost of repairs will not, however, exceed \$3,000. The repair trains are expected to meet to-day in the vicinity of

ceed \$3,000. The repair trains are expected to meet to-day in the vicinity of the Meadows, and trains will be through again in a day or two at farthest.

A section of two miles of the extension westward, of the Kansas Pacific, is more or less damaged. About one mile of track is thrown from the embankment. It will cost not less than \$1,000 to repair it, which is to be done immediately. The big wash out north of the river has been temporarily blocked up, but another week will hardly suffice to finish repairs. One hundred and fifty feet additional of pile bridging is being put in.

The flood in the Arkansas from the *Las Animas Leader*

9/28/1875

Colorado Daily Chieftain, Pueblo

The boom to catch the ties is in position at West Las Animas, and the ties are going down rapidly. Some of them were washed out some distance on the banks of the river by the late flood.

Boom to catch ties in place at West Las Animas
9/28/1875

Colorado Daily Chieftain, Pueblo

A DRIVE of 100,000 ties is floating down the Arkansas River, destined for the Pueblo and Salt Lake Railroad.

Drive of 100k ties heading down Arkansas River
9/30/1875

Colorado Banner

A few stray ties were reported passing yesterday.

Within a few miles of West Las Animas, plenty on hand
9/30/1875

Colorado Daily Chieftain, Pueblo

A DRIVE of 100,000 ties is floating down the Arkansas River, destined for the Pueblo and Salt Lake Railroad.

100k ties floating down Arkansas
9/30/1875

Colorado Banner

Latest advices from the tie drive state that the first drive, in charge of Messrs. Hoffman and Conley was at Rocky Ford on Saturday. The rear drive, in charge of Lew Maloney, was at a point opposite Mr. Fosdick's ranch, and there were many teams engaged in hauling ties that had been washed out by the flood, back to the river. There will be plenty of ties on hand at West Las Animas in time for the track-layers to begin operations. The boom has been placed across the river at the mouth of the Las Animas ditch, eight miles above the town, and the ties will be floated down the ditch to where the railroad crosses it.

Many teams hauling ties washed out back to river

10/2/1875

Colorado Daily Chieftain, Pueblo

Latest advices from the tie drive state that the first drive, in charge of Messrs. Hoffman and Conley was at Rocky Ford on Saturday. The rear drive, in charge of Lew Maloney, was at a point opposite Mr. Fosdick's ranch, and there were many teams engaged in hauling ties that had been washed out by the flood, back to the river. There will be plenty of ties on hand at West Las Animas in time for the track-layers to begin operations. The boom has been placed across the river at the mouth of the Las Animas ditch, eight miles above the town, and the ties will be floated down the ditch to where the railroad crosses it.

First drive at @ Rocky Ford, many teams hauling ties that were washed out by flood

10/5/1875

Colorado Weekly Chieftain, Pueblo

Forty thousand ties for the railroad between this city and West Las Animas, will be at the latter place on Tuesday next.

40k ties will be in place between Pueblo and West Las Animas next Tuesday

10/5/1875

Colorado Daily Chieftain, Pueblo

Latest advices from the tie drive state that the first drive, in charge of Messrs. Hoffman and Conley, was at Rocky Ford on Saturday. The rear drive, in charge of Lew Maloney, was at a point opposite Mr. Foadick's ranch, and there were many teams engaged in hauling ties that had been washed out by the flood, back to the river. There will be plenty of ties on hand at West Las Animas in time for the track-layers to begin operations. The boom has been placed across the river at the mouth of the Las Animas ditch, eight miles above the town, and the ties will be floated down the ditch to where the railroad crosses it.

Hauling ties that had been washed out by the flood

10/07/1875

Colorado Weekly Chieftain, Pueblo

Mr. Welch incurred great and unexpected expense in driving ties from Pueblo eastward, in consequence of the recent flood in the Arkansas river. W. H. Loveland and G. J. Stebbins, for the purpose of securing themselves and other creditors, have, by the consent of Mr. Welch, entered into the temporary possession of the ties. As soon as these claims are adjusted the ties will be turned over to the company. Mr. Loveland and Mr. Stebbins both assure us that their sole purpose is to secure the payment of the debts contracted by Mr. Welch on account of money advanced on ties that this step has been taken, and that they will immediately upon the payment of their claims relinquish all their right to the company. From the well known honorable character of both these gentlemen, no doubt can be entertained that they have been actuated wholly by the instinct of self-protection, without any intention on their part of delaying the work. In a very

Flood caused great expense getting ties past Pueblo
10/8/1875

Colorado Daily Chieftain, Pueblo

A gentleman just arrived from West Las Animas, informs us that it was expected that the number of railroad ties in the boom there would amount to forty thousand by Thursday evening. The ties will be piled on the bank at once, and the teams are there ready to begin hauling at a moment's notice. The construction train is also there, ready for business.

40k ties in boom by Thursday
10/15/1875

Colorado Daily Chieftain, Pueblo

Within the next fifteen days all of the ties for the railroad between this city and West Las Animas will be distributed along the line of the road. As soon as this is done tracklaying will proceed with redoubled vigor.

Within 15 days all ties for RR between Pueblo and West Las Animas in place

10/31/1875

Colorado Daily Chieftain, Pueblo

work. The difficulty in relation to the delivery of the ties is caused by a scarcity of laborers and the objection they have to working in the water at this season of the year, when they can find any other employment.

Difficulty getting ties due to objection to working in water at this time of year

11/6/1875

Colorado Daily Chieftain, Pueblo

The ties are already distributed on the grade for about four miles this side of West Las Animas, and there are plenty of ties on hand in the different booms. The extreme of the last tie drive is now about thirty miles this side of West Las Animas. Mr. Henderson, who is in charge of the drive, came to this city on Monday in search of hands.

Plenty of ties in different booms

11/4/1875

Colorado Banner

used. Oak ties in large quantities have been purchased in Kansas and shipped out by rail to the end of the track in order that the men engaged in tracklaying may not be delayed by the slow delivery of the pine ties which have been floated down the river.

Slow delivery of ties which have been floated downstream

11/7/1875

Colorado Daily Chieftain, Pueblo

“On the 23d ult. they commenced laying iron on the extension west from Las Animas, and have laid about one half mile a day since. As soon as the Messrs. Stebbins, who have the contract for delivering the ties, furnish a sufficient stock, the company will increase the force of tracklayers, and put down about one mile of track per day. Mr. Stebbins informs us that he will without doubt have all the ties necessary delivered within forty days. They have a large force of men at work, and nothing but a freeze-up of the Arkansas will prevent the delivery of ties as fast as they are required. Mr. Nickerson, in his letter, urges rapid work. He is anxious to get the road through to Pueblo at the earliest possible date.”

Nothing but a freeze-up of Arkansas will prevent delivery of
ties

11/09/1875

Colorado Daily Chieftain, Pueblo

The progress of tracklaying on the Pueblo and Arkansas Valley road is slow, owing more now to a lack of hands than any other cause. Mr. Long, the contractor, is trying hard to increase the force, but there are about ninety-nine loafers in the country to every man who is willing to make a living by work. The track was laid on Saturday evening to a point sixteen miles from West Las Animas and within about four miles of King's Ferry, the present terminus of the Kansas Pacific track. Charley Welch is hard at work getting ties out of the river before they are frozen in. There are about thirty-five thousand ties yet in the water. The lower boom, containing nearly all of this number, broke the other day, letting through about ten thousand which floated eight or ten miles and lodged on bars. A new boom has been put in below to catch those afloat, so there is no danger of loss. This last boom is two or three miles above West Las Animas.

At King's Ferry there are about thirteen thousand ties piled up near the grade, and at the mouth of Timpas creek there are thirty-five thousand piled on the bank, so that there will be no delay on account of ties. Oak ties have been used on part of the track laid west of here, and there are still a large number of these on hand. There is plenty of iron on hand, and steadily coming, ten carloads having arrived yesterday. It is to be hoped the force will be increased, so that a mile per day, at least, will be laid from this time on, for at the present rate of progress the road won't reach Pueblo before spring. If Gen. Palmer and his narrow gauge boys were laying this track, they would put it down to Pueblo in sixty days, with McMurtrie and De Remer to boss the job.

Getting ties out of water before they freeze in

12/2/1875

Colorado Daily Chieftain, Pueblo

Woodard Hodgson desires us to state
that he does not need any more tie
cutters. He is now supplied.

“No more tie cutters needed”

12/3/1875

Colorado Daily Chieftain, Pueblo

Ties in considerable quantities are
still arriving from the divide for the
Pueblo & Arkansas Valley and the
Denver and Rio Grande railroads.

More ties arriving from divide for AT&SF and the D&RG
12/9/1875

Colorado Daily Chieftain, Pueblo

Three Cheers and a Tiger for the
A. T. & S. F. Railroad.

Which was completed to this City
Yesterday.

History of the work from its first
Projection.

Trials and Difficulties attending
Railroad Building.

Ad Astra per Aspera.

The suspense in which our citizens have lived for several years past, occasioned by doubts as to the future prospects of our city, is at length at an end. We have arrived at the fruition of our hopes, and long and patient waiting and much hard work are at length rewarded. The first engine and train upon the Pueblo and Arkansas valley railroad, arrived in our city yesterday, our great through line to the states is finished, and the commercial superiority and importance of Pueblo as a

C. G. Welch the railroad tie man of southern Colorado who furnished the ties for the Atchison, Topeka & Santa Fe last fall, has been in the city for the past few days raising and outfitting a crew to bring down the balance of last fall's drive. He left for up river Monday. Rumor has it that the ties are for the Kansas Pacific, but you "can't most always every time tell." + . . .

C.G. Welch raising crew to bring down balance of ties from
last fall's drive

5/04/1876

Colorado Weekly Chieftain, Pueblo

Mr. C. C. Welsh, who furnished the ties for the Pueblo and Arkansas Valley railroad, proposes this summer to get out 200,000 railroad ties in Lake county, and float them down the Arkansas to Canon City. It is expected these ties will be used in extending the Kansas Pacific railroad to Trinidad, but if that extension is not built at present, they will be used in replacing the old ties along the Kansas Pacific road.

Mr. C. C. Welsh's tie drive has passed Canon City, and may be expected here in seven or eight days. Sixty-five thousand of these ties Mr. Welsh had cut to fill his contract with the Pueblo & Salt Lake railroad company last year, but on account of low water and other obstacles failed to get them into the river. The remaining ties Mr. Welsh bought of parties who had cut them in the mountains. He expects to sell the ties to some of the railroad companies.

C.C. Welsh to cut 200,000 ties in Lake County and float down
Arkansas to Canon City
05/25/1876
Colorado Weekly Chieftain, Pueblo

Welsh's tie drive has passed Canon City
7/27/1876
Colorado Daily Chieftain, Pueblo

Tollett sets at G. P. Hayalip & Co's.

La Junta.

From the *Leader* we clip the following items from La Junta :

La Junta is the terminus of the K. P.

The engineers have returned and gone home, taking the extension with them.

The **ties** are making their appearance in the Arkansas. The boom has not been placed in the river yet and some are passing by.

Ties making appearance in Arkansas
(from *Las Animas Leader*)

8/31/1876

Colorado Weekly Chieftain, Pueblo

Alex. Delappe is down from the mountains. His tie drive is nearly all in the boom.

Tie drive nearly all in the boom
5/24/1877

Colorado Daily Chieftain, Pueblo

Woodie Hodgson and a party of ten men are going through the Grand Cañon of the Arkansas with the tie drive. Fine fun for those who like it, but none in ours, thank you.

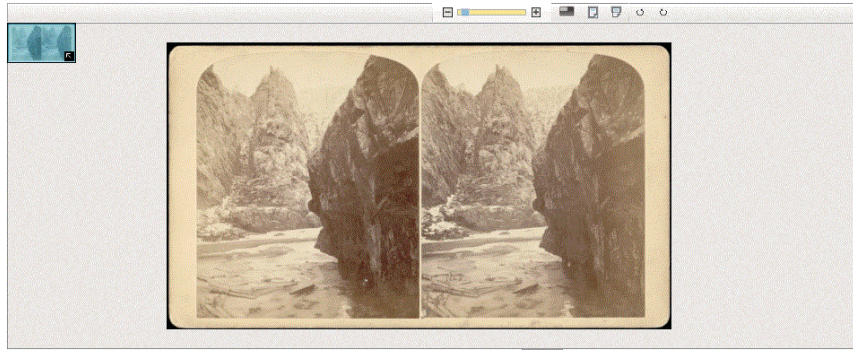
Party of 10 tie drive through Grand Canyon (Royal Gorge)
5/24/1877

Colorado Weekly Chieftain, Pueblo

Photographs of ties in Arkansas River dated between 1873-1877

Grand canon of the Arkansas

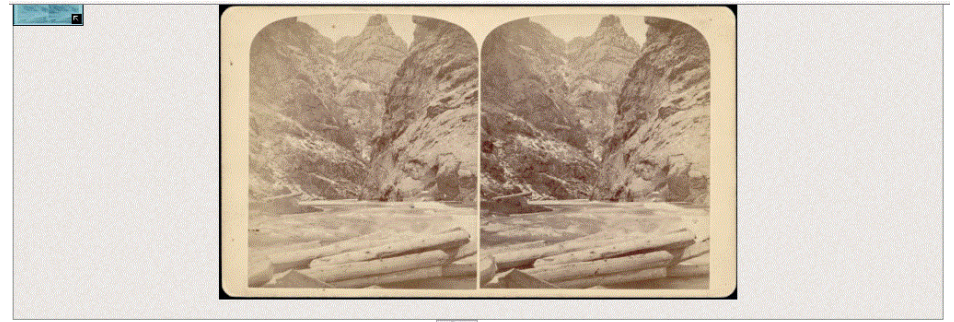
[View Description](#)



Description

Call Number	Z-7053
Title	Grand canon of the Arkansas
Creator	Talbot, Chalmers W.
Date	[between 1874 and 1877]
Summary	View of a rock formation at the edge of the Arkansas River in the Royal Gorge (Fremont County), Colorado. Snow and ice are beside the water in the narrow valley. Shows probably railroad ties suspended
Description	1 photographic print on stereo card : stereograph, albumen ; 10 x 18 cm. (4 x 7 in.)
Is Part Of	Talbot's series of the Grand Canon of the Arkansas.

From The Denver Public Library



Description

Call Number	Z-7054
Title	Grand canon of the Arkansas
Creator	Talbot, Chalmers W.
Date	[between 1874 and 1877]
Summary	Logs are piled near the Arkansas River in the Royal Gorge (Fremont County), Colorado. Shows whitewater rapids, steep rock canyon walls, and patches of snow in the valley.
Description	1 photographic print on stereo card : stereograph, albumen ; 10 x 18 cm. (4 x 7 in.)
Is Part Of	Talbot's series of the Grand Canon of the Arkansas.
Subject	Arkansas River--1870-1880 ; Fremont County (Colo.)--1870-1880 ; Royal Gorge (Colo.)--1870-1880 ; Canyons--Colorado--Fremont County--1870-1880 ; Logs--Colorado--Fremont County--1870-1880 ; Rivers--

From The Denver Public Library

**Commercial canoe travel on the
Arkansas River, circa 1816**

Missouri Gazette and Public Advertiser (St. Louis, Missouri)

Saturday, September 14, 1816, p. 2

I do hereby certify on oath, that on the 16th of May, 1814, I started and went with Ezekiel Williams from this place to go to the Arapahows [sic] on the head of the Arkansas, to assist said Williams to bring in some furs he had in that country. There were in company with, Morris May and seventeen or eighteen Frenchmen, called Phil-lebert's company, when we arrived at the Arrapahow town, Williams called a council of the Indians to know what had become of his comrades, Mr. Champlain and others, whom he had left there the year before. Two Frenchmen called Durocher and le France interpreted. The Indians informed us that after Williams had left his comrades (Champlain and Portan) in their village, that they made a hunt up the river, returned bought two horses, and started towards the Missouri with their furs, &c. on eleven horses. That they were were seen on road by two parties of their own nation, and that they had never seen them since, they believed that they were killed from the best information they had of them. They also stated, that their nation had killed William's other three companions before that he had left their nation: also, that three white men had come to their nation after that Williams left it, and wintered there and had gone off to towards the south with furs loaded on 3 mules and one jack. William insist that they were his companions, but the Indians said they were not. They produced the traps of the three men, which Williams examined and found not to be the traps of his companions. Sometime in July [1814] we left that [unreadable word/s] and started [unreadable word] the Arkansas four or five hundred miles where we were compelled to leave our canoes and loading, the water being too shallow to descend further; from which place we returned home by land. Sometime in the winter afterward, said Williams received information that a party was forming at St. Louis to go and steal his fur, to be piloted by

St. Clair, a Frenchman in Williams employ, who was present when the fur was hid; in consequence of which Williams set out with William Cooper and Joseph Cooper to get it. They returned the summer following [summer of 1815], and informed me that they had got off the fur before said party got there.

Braxton Cooper

March 1st, 1813, on the upper reaches of the Arkansas River, after wintering in an Arapaho village, Ezekiel Williams made a canoe, "determined to descend that river." He trapped beaver while floating approximately four hundred miles downstream. At that point, well pass Texas Creek, and beyond present-day Pueblo, Colorado, he stopped because of low water. Around June 1st, with the "June rise" beginning, the river flow was enough for him to float his canoe laden with beaver pelts. "

Ezekiel Williams, "Communication," *Missouri Gazette and Public Advertiser*, September 14, 1816, p. 2.

May 16, 1814, Ezekiel Williams sets out from Boon's Lick, Missouri, to retrieve the furs he cached at the site of the Arapaho village on the upper reaches of the Arkansas River.

July 1814, after meeting the Arapahos on the upper reaches of the Arkansas River, Williams, two companions, and the 17 or 18 "Frenchmen" call "Phillebert's company," set off down the river in their canoes [how many canoes is not known] loaded with furs. According to Braxton Cooper, "Sometime in July we left that [unknown word] and set down the Arkansas four or [five] hundred miles where we were compelled to leave our canoes and loading." Their float down the river would have taken them well past Texas Creek.

Braxton Cooper, *Missouri Gazette and Public Advertiser*, September 14, 1816, p. 2.

Also see: Frederic E. Voelker, "Ezekiel Williams of Boon's Lick," *The Bulletin—Missouri Historical Society* 8 (October 1951), 17-51.

Unquestionably, besides the canoes that carried William's cargo of commercially valuable furs, river drift boats were constructed that in 1876 could have easily carried furs as well. One such boat, modified Whitehall rowboats, were built by Thomas Bagley, a master boat builder with his shop in Chicago.

Bagley built these boats that carried John Wesley Powell's expeditions of 1869, and 1871. The river flows of the Green and Colorado are much rougher and dangerous than those of the Arkansas River between Browns Canyon and Royal Gorge. Boats of this design could easily navigate the Arkansas River.

Mr. Charles,

I beg leave through the medium of your *Gazette*, to answer the erroneous charges alleged against me by some unknown calumniator, published in the Western Intelligencer. I am positively charged with the murder of Champlain, of which together with every other fact alledged relative to the affair, I trust I shall be able to disprove to the satisfaction of a just people.

In 1810, I went with the Fur Company up the Missouri, near the head of the river, where I hunted two years; there I first became acquainted with Champlain. In August 1819, a party started to go towards the south to hunt; there were in all near twenty men, each man on his own footing, except two who were in Champlain's employ; myself and Champlain were of the company, Manuel Lisa who was an agent of the Fur Company, commanded a fort on the Missouri, from whence we started, promised to keep up the fort, and a good understanding with the Indians, so that our return should not be cut off. We journeyed south forty or fifty days, struck a river I since found to be the Arkansas, where we hunted the first fall unmolested. The next spring the Indians commenced robbing and harassing our company in every quarter. Some time in June, we all assembled on the head of a river, since known to be the Platte, where we held a council and agreed to part. Eight or ten crossed the Rocky mountains about as many started southward along the mountain, Champlain and myself were with the latter party, we proceeded until we crossed the Arkansas, where we were informed by Indians that the fort on the Missouri was broke up, that Manuel Lisa had fell out with the tribes near there, and that they were killing each other as they could find them. We now thought it impossible to return to the Missouri, we concluded to part again. Four of our company determined to find the Spanish settlements, six remained; Champlain his two hired men, two other Frenchmen and myself. We then set out to hunt in October, in a cove in the mountain, taking care not to go more than a few miles apart. About the first day of November, we found three of our men killed; there now remained Champlain, one Porteau and myself. We then took protection amongst the Arapahow nation of Indians; there we found the horses and equipment of our three men just killed. The head chief advised us as the only means to save our lives was to stay with him, which we did, and passed a wretched winter, filled with despair of ever being able to return home. The Indians told us that said Manuel's fort was broke up, and that if we attempted to go back that way we would certainly be killed. Champlain, and Porteau insisted that we should stay with the Indians until some white person came there who would be able to give the necessary information respecting the Fur company, or of the place where we were, and of the means of escaping from thence. I determined to find white people or some place of safety, or lose my life in the attempt. From the best information the Arrapahows could give me the river that we were on lead into the country of a nation, which from their description, I thought to be the Osage, and therefore determined to descend that river; my comrades assisted me to make a canoe, and on the first day of March, according to our reckoning, I was accompanied by my two companions and a numerous hand of Indians to the water side, where I took a final farewell of them. Champlain shook my hand and said farewell, the other turned his back and wept. A few minutes before we parted, they told me they would start about three days afterward, I have never seen them since. I promised to inform the people of St. Louis of their situation, if I should reach there before them. They made me a

similar promise. I traveled down the Arkansas about four hundred miles, trapping for beaver the most of the way. I could proceed no further because of low water. About the first of June the water raised and I started down until the last (nearly) of said month. I was taken by the Kansas; they soon distributed my little property between themselves and bound me fast. Luckily I had but little except the skins I had caught descending the Arkansas. I had hid all my furs before I left the Arrapahows, and never expected to see it again – The Kansas kept me with them. A part of the Osage were in that country, and heard the Kansas had a white man prisoner, and sent Messrs Danie Lariason & Joseph Larivee with ten Osage to demand me from the Kansas, they would not give me up to the Osages, but would keep me until they returned to their town and send me home; after forty days we set off. I gave my gun to a mulatto man to be my friend and to speak for me, the Indians returned me part of my furs, the balance was since demanded by the Governor and surrendered. Four Indians and all mulattoe brought me in, on the first day of September I arrived at Boons Lick. I was shortly afterwards in St. Louis, where I seen Manuel Lisa, who told me all the above difficulties they had with the Indians at the post were he was, that my comrades had not got in, but were certainly killed if they went that road, of which they talked when we parted. In the month of May following, I started from Boons Lick, to go and bring in my fur from the Arapahoe, in company with Morris May, Braxton Cooper, and 18 Frenchmen, called Philleberts Company. When we arrived at the Arapahows, I called a council of the chiefs in the presence of all the aforesaid men, two of whom Durocher and La France served as interpreters, and asked “what had become of Champlain and Porteau, whom I left in this village last year.” The chief said they had staid with them three days after my departure, they went up the river hunting, saying they intended to wait to see if some white men would come there, that they came back again to the village after begin gone some time, and determined to wait no longer but try to get back to the fort on the Missouri. That they bought two other horses, loaded on their furs, &c, having then eleven horses and started towards the Missouri. That they were seen on the road by two parties of their nation, and that Crow Indians told them they seen two whitemen dead in their camp, which they believed were my companions. The Arapahowe in the same council confessed that it was their nation that killed our three men in the cove before we took protection among them. They also told us, “that three white men had came from the south, wintered with them and went back the same way with furs loaded on three mules and a jack, that they had left their traps. I insisted these were my companions; they produced the traps but they were not the traps of our company – I despaired now of ever finding them, hired Michael LaClair, one of the Philleberts company, and with my two companions, Cooper and May, collected part of my fur and started down the Arkansas. We travelled down it about five hundred miles and could proceed no further on account of low water. There we hid the fur and came on home foot, intending to return in the spring following and get it.

Sometime in the winter, I had information that my man La Clair had told of my fur, and that a company were about to start to steal it, to be piloted by said La Clair. In consequence of that information, I got two men to go with me, they were Joseph and William Cooper. When I arrived at the little Osage village, I was told that La Clair and the aforesaid company were then at the Cheniers, on their way. I pushed with all force and got there first, and waited the coming of the plunderers but they did not appear. When the water raised in the spring, we set off with my fur down the Arkansas, and when I arrived at the settlement I met Messrs John and James Lemon’s, who told me they were at the Cheniere village, when the party retruend, which went to seal the fur,

and were told by said party that they (said party) were employed by certain men in St. Louis, and that their orders were to kill me if we had got there first, and take the fur and bring it in. That they were to have as many Indians to assist them as necessary, that they had hired a large party, but had not told them the particulars of their business until they had got within a few miles of the fur. When the indians were informed of it they abruptly left them and went back home. Messrs Lemon's asked the party the reasons why they were directed to kill us, they told them that the fur belonged to a company in St. Louis, that I had stole it, and if they killed us they would not be hurt for it. The above is a true and succinct statement of facts, the most important and material parts of which I am still able to prove by good men as any in our country. I refer to my fellow citizens to all men of my acquaintance in Kentucky, where I was raised, for my character and conduct from my cradle until I came to this country. I beg leave to refer them to Mr. Reuben Lewis, brother of the late Governor Lewis, and to Andrew Henry of the Mines, and to all others who recollect the facts relative to the circumstances of the company that went with me towards the south from the fort on the Missouri. I refer them to the depositions of Braxton Cooper, and to Morris May and Phillbert's company relative to the facts stated in the council by the Arrapahow chief, respecting Champlain and Porteau, and the other three men which were killed. I refer them to Messrs John and James Lemon's, respecting the facts stated, in which their names are mentioned, and finally I refer it to the impartial unbiassed opinion of all good men if I was the murderer of my friend Champlain? I profess myself an honest man and good citizen, and I believe have been so reputed and taken, until the aforesaid libelous and malicious charges have been propagated against me. I demand justice of my countrymen. I call upon the base liar who published the aforesaid slander to print his name out publicly. Let him no longer stab me from behind the scene.

Ezekiel Williams

Boons Lick, 7th Aug. 1816

APPENDIX THREE

Qualifications

I am University Distinguished Professor in the Department of History at Kansas State University, Manhattan, Kansas. I received my BA-ED, with honors in history, from Wichita State University in 1976, and my MA in history from Wichita State University in 1978. I received my Ph.D. in history from the University of Colorado, Boulder, in May 1987. My dissertation, "Discord in the 'Valley of Content': Strife over Natural Resources in a Changing Environment on the Arkansas River Valley of the High Plains," received the Phi Alpha Theta/Westerners International/Phi Alpha Theta award for the Best Dissertation in Western U.S. History in October 1987.

From the fall of 1987 through summer of 1988, I worked as a professional consultant for Front Range Research and Associates, a historical firm specializing in Colorado water right issues. Beginning the fall of 1988, I took an assistant professor position at Southwest Texas State University (renamed Texas State University in 2003) in San Marcos, Texas. My teaching responsibilities included environmental history, American history, and student teacher supervision.

In the fall of 1992, I began my professorship at Kansas State University in Manhattan, Kansas where I have remained to the present. My teaching responsibilities have included American history, environmental history, Kansas history, ethnohistory and the history of the American West. I was promoted to associate professor in 1994 and to full professor in 2007. I also serve as a faculty and board member in the Natural Resources and Environmental Sciences Program. From 2012 to the present, I have served as the managing editor of *Kanas History: A Journal of the Central Plains*, the historical journal of record for the state. In the spring of 2018, the university conferred upon me the

title University Distinguished Professor, the highest honor that the university bestows upon a faculty member.

Publications

I have authored six books and over twenty refereed journal articles and book chapters besides numerous other minor publications. A majority of my work has focused historical water issues in the American West. Below is a list of my refereed publications.

Books:

Joseph McCoy and the Great Faro Game: An Environmental History of the Chisholm Trail. Norman: University of Oklahoma Press, 2018.

and John Charlton (photographer), *Railroad Empire Across the Heartland: Rephotographing Alexander Gardner's Westward Journey.* Albuquerque: University of New Mexico Press, 2014.

Recipient of a Kansas Notable Book Award, September 2015.

Recipient of the Midwestern History Association's prize, the Hamlin Garland Prize, which recognizes the best popular book that increases public awareness of and reflection upon the Midwest, October 2016.

Manhattan, 1854-2012. Charleston, South Carolina: Arcadia Publishing, 2013.

The Grasslands of the United States: An Environmental History. Santa Barbara, CA: ABC-CLIO, Inc., 2007.

A Sense of the American West: An Anthology of Environmental History. Albuquerque: The University of New Mexico Press, 1998.

Watering the Valley: Development along the High Plains Arkansas River, 1870-1950. Lawrence: University Press of Kansas, 1990.

Refereed Special Publications:

In August 2012, U.S. Senator Chuck Schumer invited me to write one of ten essays that were to appear in the 2013 Presidential Inaugural Portfolio. The theme of the portfolio was the 150th anniversary of notable events related to

President Abraham Lincoln's administration. Topics included the Bank Act, the Transcontinental Railroad Act, the Homestead Act, the Emancipation Proclamation, the Gettysburg Address, among others which included the one I agreed to write titled "First Land Grant College." I asked the senator's office staff if I could co-write it with Professor Lynn-Sherow given her expertise in agricultural history. This was agreed to, and Professor Lynn-Sherow and I complete the essay that highlighted the role of Kansas State Agricultural College becoming first the operational land grant college under the provisions of the Morrill Land Grant College Act. All of the essayists had to adhere to strict word count limitations that made it possible to print each essay on a single sheet of vellum along with an illustration also printed on vellum that accompanied each essay. The essay was carefully vetted and reviewed by the Historian of the United States Senate. The portfolio is gold leaf embossed and leather bound, and was distributed to the two hundred select attendees at the Presidential Inaugural Luncheon on January 21, 2013. Obviously, Professor Lynn-Sherow and I were not invited to luncheon, but we were awarded tickets to the swearing in ceremony in the seated section in front of the Capitol. We took advantage of this opportunity. I consider Senator Schumer's invitation and the portfolio essay to be one the highest honors and privileges that I have ever received.

Refereed Book Chapters:

"Wes Jackson: Kansas Ecostar," in *John Brown to Bob Dole: Movers and Shakers in Kansas History*. Virgil Dean, editor (Lawrence: University Press of Kansas, 2006).

"Water on the Great Plains" a refereed, article-length critical essay for the *Encyclopedia of the Great Plains*, edited by David Wishart (Lincoln: University of Nebraska Press, 2004).

"The Decline of Agriculture in the Arkansas River Valley Was Predictable Due to the Limitations of Irrigation," in *Water and the Environment since 1945: Global Perspectives*. Char Miller, editor. Vol. 7, *History in Dispute* (Manly Inc., 2001), 11-13.

"Water, Sun, and Cattle: The Chisholm Trail as an Ephemeral Ecosystem," in *Fluid Arguments: Five Centuries of Western Water Conflict*. Char Miller, editor (University of Arizona Press, 2001).

"Greens and Farmers: Environmentalism and Agriculture in the American West, 1945-1990," in *The Rural West Since World War II*. R. Douglas Hurt, editor (Lawrence: University Press of Kansas, 1998).

Coauthor with Homer Socolofsky, "Kansas and Water: Survival in the Heartland" in *Politics in the Postwar American West*. Richard Lowitt, editor (Norman: University of Oklahoma Press, 1995).

Refereed Journal Articles:

“Why Abilene, Kansas?” *Kansas History* 40 (Summer 2017), 86-103.

“Kansans and Their Environments: 150 Years of Ambivalence,” *Kansas History* 34 (Spring 2011), 80-89.

“Storms on the Grasslands: Indian Peoples and the Colorado Gold Rush of 1859,” *Journal of the West* 49 (Spring 2010), 15-22.

“‘The Follow Who Has the Loudest Mouth and the Best Shotgun Gets the Water’: Water Regulation and the Montana State Engineer’s Office, 1889-1964,” *Montana, The Magazine of the West* 54 (Spring 2004), 56-69.

"The Art of Water and the Art of Living: Review Essay," *Kansas History* 25 (Spring 2002): 52-71.

Coauthor with William S. Reeder, Jr., "A Richly Textured Community: Fort Riley, Kansas, and American Indians, 1853-1911" *Kansas History* 21 (Spring 1998):2-17.

"On the Rim of the Desert's Heart: Kansas and Water" *Kansas History* 19 (Spring 1996):2-5.

"Book Review Essay" *Forest & Conservation History* 38 (October 1994): 193-5.

"Agricultural Marketplace Reform: T.C. Henry and the Irrigation Crusade in Colorado, 1870-1914" *Journal of the West* 31 (October 1992): 51-8.

"The Latent Influence of Equity in *Wyoming v. Colorado*, (1922)" *Great Plains Research* 2 (February 1992): 7-26.

"Workings of the Geodialectic: High Plains Indians and Their Horses in the Region of the Arkansas River Valley, 1800-1870" *Environmental History Review* 16 (Summer 1992): 61-84.

"The Contest for the 'Nile of America': *Kansas v. Colorado*, (1907)" *Great Plains Quarterly* 10 (Winter 1990): 48-61.

"The Chimerical Vision: Michael Creed Hinderlider and Progressive Engineering in Colorado" *Essays and Monographs in Colorado History* (Essays Number 9, 1989): 37-59.

"Utopia, Reality, and Irrigation: The Plight of the Fort Lyon Canal Company in the Arkansas River Valley" *Western Historical Quarterly* 20 (May 1989): 162-84.

"Watering the Plains: An Early History of Denver's Highland Canal" *Colorado Heritage* (Issue 4, 1988): 2-13.

"Rural Town Origins in Southwest Reno County" *Kansas History* 3 (Summer 1980): 99-111.

Online Journal Article:

“William Allen White and ‘What’s the Matter with Kansas?’ Once More,” Online Journal of Rural Research & Policy (No. 2, 2006),
<http://newprairiepress.org/cgi/viewcontent.cgi?article=1001&context=ojrrp>

Compensation

Professor Mark Squillace, and the Alexander Hood Law Office LLC for their client, Roger Hill, contracted with me to serve as an expert witness. The terms of the contact are a retainer fee of \$1,000 and up to an additional \$2,000 for all work done at a rate of \$75 an hour, for all costs including hotel, meals, parking, etc., and the use of my automobile at the current IRS mileage rate.

Prior Testimony

The law firm of Anderson & Berg, LLP hired me as an expert witness in water history as it related to the case, *LeRoy R. Elder, et al., vs Suburban Water, Inc.*, October 2015 through February 2016.