

WEST WOOD

Old Colorado City Historical Society

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July - August, 2008

THE ELEVEN EL PASO COUNTY COURTHOUSES

by Dave Hughes

El Paso County has occupied no less than 11 Court Houses since it was established in 1861. Five of them were inside Colorado City before Colorado Springs stole the County Seat from it in 1873 and then moved it 6 more times.

The story of the moves reflects the politicking and arguments over money that still accompanies County decisions.

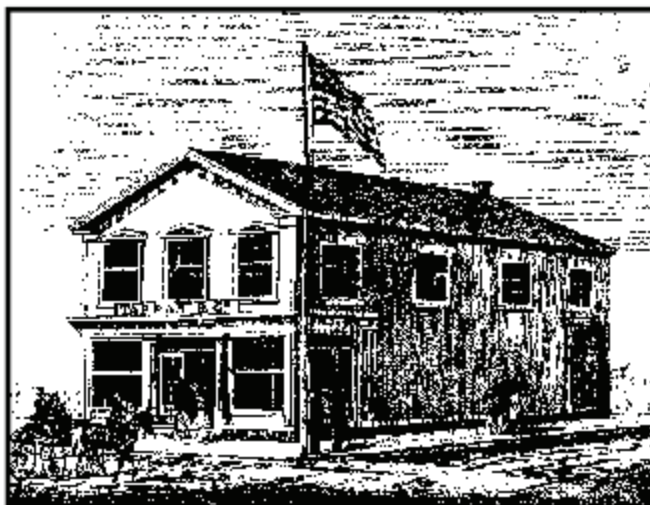
After Congress legally created Colorado Territory in February, 1861, the first legislative meeting was held in Denver September 9th. Those attending divided the territory into named Counties. Governor Gilpin, appointed Melancthon Beach, Henry Clark and A.D. Sprague as the first County Commissioners in El Paso County.

That Board met only once in Colorado City on November 16th, at the Tappan Merchantile Store, which made it, sort of, the first El Paso County 'court house.' This building stood on the northwest corner of today's 28th Street and West Colorado Avenue as the first frame building in Colorado City. We only have a distant actual photo of the Tappan Building. Some promoter had a fancier promotional sketch made of the building. I have included that here. It never looked that good!

In December A.D. Sprague, Benjamin Crowell and John Bley became the first elected Commissioners.

On January 6th, 1862 the Commissioners convened at Beach's office in a log building on the north west corner of what is now 27th Street and Colorado Avenue. That made it County Courthouse #2. We have no picture of that long gone building.

At their fourth meeting on January 18th, M.S. Beach, who was not a commissioner but in



1st Courthouse Location 1861

whose building they were meeting, proposed that the County 'rent an office for the use of the clerk and other offices.' They agreed and drew up a lease. Other than that 'business', dividing the County into three voting districts, paying the commissioners and the County Clerk a small stipend, and appointing Grand and 'Petite' Jurors nothing much else was done until 1863, a year later. The Treasurer Robert Finley had collected \$138.00 during the year, and the Commissioners spent \$105.10, leaving a balance of \$32.90 in the County Treasury.

By late 1863, however, lots more business had to be conducted. Three road districts were created. They had to deal with petitions for road changes and bridge repairs. Money was so scarce, they diverted funds from the School Taxes. Familiar tactic? They had to pay a

Continued page 3

Old Colorado City Historical Society

1 South 24th Street, Colorado Springs, CO 80904-3319

WEST WORD

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The Old Colorado City Historical Society

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LETTERS, PHOTOGRAPHS, ARTIFACTS AND STORIES CAN BE DELIVERED TO THE OCCHS CENTER OR MAILED TO:

WEST WORD Editor c/o OCCHS

1 South 24th Street

Colorado Springs, CO 80904-3319

or Don Ellis - spiderwort@pcisys.net

SUBMISSION DEADLINE IS THE 15th OF EACH MONTH

MISSION

Revised April 2004

The Old Colorado City Historical Society was founded as a volunteer organization to recognize the historical significance and unique culture of original Old Colorado City and early El Paso County. This spirit is perpetuated through the preservation of artifacts and archival materials, encouragement of research, education of the children and the community, through the membership and the operation of the History Center at 1 South 24th Street, Colorado Springs, Colorado.

MEMBERSHIPS

Memberships are welcome at any time. Membership renewals are due on the anniversary date of the initial membership. Members receive the *West Word* newsletter, discounts, local meetings and programs.

Annual membership classifications are:

Individual	\$20	Business	\$50
Family	\$25	Corporate	\$250
Lifetime	\$150		

Funds from a Lifetime membership are placed into a Perpetuity/Endowment Fund to be used only for projects which have been approved by two-thirds of the membership. Only the interest will be used for current expenses. We welcome gifts to this fund, which will be credited to the donor or as a memorial.

BOARD OF DIRECTORS

President	Joanne Karlson	475-2574
Vice President	Phil McDonald	532-0881
Secretary	Barb Barbaro	748-3483
Treasurer	David Hughes	636-2040
	Art Crawford	578-1158
	Janice deChadenades	598-7183
	Beverly Disch	634-5023
	Mel McFarland	533-1311
	Sharon Swint	630-8384

MEETINGS

OCCHS Monthly Meeting & Program is held at 11 a.m. on the second Friday of each month, except during June, July, and August. The History Center opens at 10 a.m. on the day of the meeting for refreshments and visitation. The program begins at 11 a.m. This meeting is free and open to the public.

WELCOME NEW MEMBERS!

Dennis Dosch
Maureen Ross
Stephanie Gamez
Lisa Haight
Don Sanborn
Steve Daigle
Marilyn Panco
John & Chrys Fotenos

LETTER TO THE EDITOR:

For all you volunteers who give your time to the museum, I, among many others, thank you. Could we ask you, in addition, to turn on the hose to the sprinklers while you are there, and, as needed, move them to the next needy location--any area with grass.

We can also use help with other yard work, such as weeding, trimming, and mowing. If you have the urge to help, please contact us at 636-1225 if you can.

Again, thank you all.

Jan de Chadenades

WANT EMAIL NOTIFICATION?

...announcements? ... OCC and Colorado historical info?... what's going on at the History Center between issues of *West Word*? ...responses to questions?...

No, we aren't creating an electronic newsletter (yet). This request is in response to requests to learn more local history, have more frequent contact with the History Center, and to reduce volunteer time spent phoning the telephone tree.

If interested, please email the following information to:

history@oldcolo.com

Your Name

Phone #

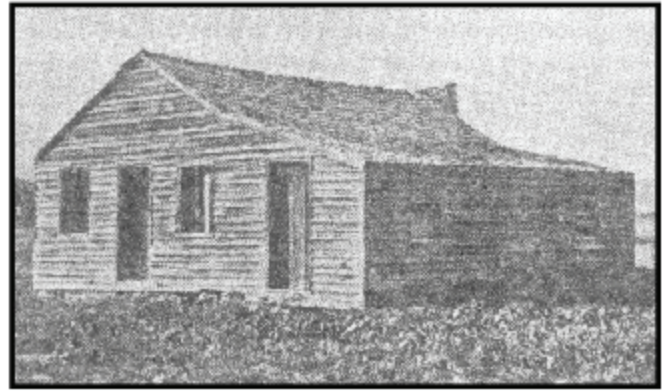
Email address Attn: (if needed)

surveyor laying out the road to Canon City, figure out how to board prisoners, and how to reimburse those who 'took up arms' against Indian threats. Juggling budgets is not new! But by April 1st 1866 the County Commissioners decided it was time to move into better quarters.

They decided to rent the 'Francisco House' - a one story frame structure - for \$6.00 a month. That building stood at what is today 2528 West Colorado Avenue. We have an historical marker there. The photograph I have included may be it. That building, about 200 feet east of where the Commissioners had first met, became Courthouse #3.

In October, 1869, Irving Howbert was elected County Clerk. He did not like the Francisco House as a Court House. He wrote in his 1925 'Memories' biography "The County Clerk's office was in the rear part of the building and the front room was set apart for court purposes. The Clerk's office was not plastered, and notwithstanding the fact that there was a big stove in the center, it was most uncomfortable. Ink froze in the bottles almost every night that I occupied the room. ...this condition becoming almost unbearable, I persuaded the County Commissioners to rent an adjacent log cabin and moved my office into it. While less pretentious, it was much warmer and more comfortable in every way than the room I vacated."

Of course that 'adjacent log cabin' - County Courthouse #4 is the 1859 Garvin Cabin that stands today in Bancroft Park. It



3d Courthouse Location 1866

originally stood at 2610 West Colorado Avenue, a block west of the Francisco House. County business was still so small that Howbert was able to move the Court House records and furniture into the new building in less than 30 minutes.

While there always has been a dispute whether that cabin deserves to be called the 'First Colorado Capitol' building, there was no question that members of the 13 man Territorial Council - or Senate - caucused in that cabin in 1862, just as the House members met in the Francisco House. So what is a 'capitol' building anyway, with two legislative houses, an administration, and a court system? Seldom is all government in one building.

It was into that Garvin Cabin Court House that General Palmer first strode in late 1869 before he drove the first stake in 1871 that

was to become Colorado Springs three miles further east. It was obvious to Palmer that Howbert was a bright young man and as recorder knew who owned all the properties in El Paso County.

He persuaded Irving Howbert to be the front man to buy up the 10,000 acres east of Limit Street that became platted as Colorado Springs.

The growth of the new town of Colorado Springs triggered a political flap that involved both Colorado City and Colorado Springs which led directly to the 5th County Courthouse.

On July 5th, 1872, General Cameron one of the investors in



Courthouse #4 in Colorado City 1868

Colorado Springs approached the Commissioners with a petition asking that the removal of the Court House from Colorado City to Colorado Springs be put to a vote at the September 10th Election.

The politicking started in earnest. Colorado City folk knew what the loss of one of the few things they had - the seat of County Government - would mean. The pioneers remembered having lost the Territorial Capital to Denver ten years earlier.

So the alarmed Commissioners, none of whom were investors in Colorado Springs, promised to build a new County Court House in place of the cabin in Colorado City. They also pledged to set aside the Eastern Half of Colorado City Block 160 for the new structure.

But they were also obliged to put the question of location on the ballot.

The Out West newspaper of Colorado Springs (which became the Gazette) lobbied hard. When the votes were counted, though, Colorado City kept the County seat.

On October 7th Colorado City pioneer Anthony Bott appeared before the Commissioners, and offered the services of he and his associates - namely John Langmeyer - to build the new courthouse. He argued a building 25 feet by 45 feet would be too small, and that if they agreed to make it 32 feet by 50 feet his group would build it for \$2,500.

There was then a vigorous debate, as Commissioner Matt France argued that such an expenditure of County funds would have to be put to the vote of the people. Commissioners McShane and Woodbury disagreed and the argument was continued to the next day. The record showed that "After warm discussion, the motion of Commissioners McShane that the county entered into a contract with Anthony Bott and John Langmeyer was adopted."

Matt France still objected and insisted his 'protest' be put into the record that, first "that it was not the will of the people to spend such money and that the contract should not be let without advertising for bids."

The Colorado Springs Gazette jumped into the fray, agreeing with France, but also contended that if the building was built only the residents of Colorado City, not the entire County should be compelled to pay for it!

But the Commissioner majority prevailed. And on October 19th, after reviewing the plans, Attorney J. M. Davidson was instructed to draw up the contract, which was

signed on October 26th. Then Chairman of the Board of Commissioners Woodbury signed on behalf of El Paso County. Bonds in the penal sum of \$5,000 were signed by all.

The whole legal and political process moved so fast, that work was even begun before the final deed from the Colorado City Land Company for the plot of land - which is today Bancroft Park - was transferred and recorded.

Building did not move as fast, however. The first inspection of the two story brick structure to approve a warrant for \$1,000 did not happen until April 26th, 1873. It was not until mid May that the furniture was moved into the building and it was not until May 31st that the Commissioners held their first meeting there, from where they ordered the 'full and final payment' \$1,500 be made to Anthony Bott, Contractor.

Only then, in their haste, did the Commissioners realize they had forgotten to provide for an outhouse!

They had to advertise for a new bid for several overlooked items. On June 10th when the bids were opened the low bid was \$435. All the Commissioners declared that was an outrageous sum. They rejected all the bids, and advertised for new ones in the Gazette Telegraph. On July 8th the bids were opened, and the 'Walsh Brothers' were awarded the contract for the low bid of \$395.

So the 5th El Paso County Courthouse came into being. We have no picture of that variously used, and badly built, structure. It settled, and swayed when the wind blew. We only have a picture of a drawing of Colorado City that was constructed by school children.

The privy was still under construction when, on July 26th a petition signed by 460 County voters was presented to the Board requesting that the issue be revisited at the September 9th, 1873 election. The Commissioners, having only met in the 'new' courthouse four times had to act on that



**They forgot to build an
Outhouse for
Courthouse #5 in
'Courthouse Square'**

petition, obviously pushed by those interested in getting the County Seat in Colorado Springs. Only after examining the names thereon "one by one" as they said, to ascertain if they were all legal voters" and having decided that they were, and the number was a majority of all voters of El Paso County they put the matter back on the ballot.

The politicking began again, in earnest. And an unlikely champion of Colorado City began orating at every opportunity. "Judge" Baldwin, the shepherd from Templeton Gap who had been scalped in South America, was shot and nearly scalped again in 1868 in what was to be Colorado Springs, and who had once judged sheep contests - which gave him the name 'Judge' - spoke out loudly and often. He had long since complained every time he passed through the 'new' Colorado Springs community enroute to the saloons of Colorado City from Templeton Gap, that he couldn't get a smile in that town and there were 'Shakespeare clubs running around all the time.'

He proclaimed, in his Irish brogue with his misshapen jaw from the Indian bullet that passed through it, and in his cups "Auld Town has got it and is goin' to kape it" - meaning of course, the County Seat.

Colorado Springs circulated a very long circular that, besides making the case why the County Seat should be in Colorado Springs where the railroad now passed through, promised to pay back the County \$2,500, the whole amount expended by the County for the current Court House, and a bonus of \$500.

It was a plain and simple bribe of the County taxpayers.

Additionally the circular, signed by 'The Committee' and invoking the name and credit of the "Colorado Springs Company" promised a building "as good and probably better than the one now in use" and land for a jail, and a whole list of other accouterments.

The voters listened more to the sweet promises backed by the dollar signs dangled by Colorado Springs than the appeal of 'Judge' Baldwin, or of the pioneer voices from Colorado City. They voted decisively on September 9th 1873 to take the County Seat away from Colorado City and give it to Colorado Springs.

On September 16th the Commissioners took the Colorado Springs Company up on their offer of a rent-free building until a new courthouse was erected. They moved into the 6th Courthouse, a long white frame structure which

no longer exists on the north west corner of Kiowa and Tejon street.

Moving the County Safe was left up to Irving Howbert, still Clerk and Recorder. (he was reelected 5 times) A man named Barlow, hired for \$25, only agreed to move the furniture. Howbert had to find a team of horses and a wagon to move the safe himself.

By November it was clear that the new building, now Courthouse #6, was not big enough for the Court Room. So they had to rent out Foote's Hall on the south east corner of Colorado Avenue (called Huerfano Street in Colorado Springs then) and Cascade. They also had to rent the Out West building for Grand Jury meetings.

Back in Colorado City the Commissioners gave School District #1 a quit claim deed to the property where the last courthouse stood, for \$40. School started in the 'new' Court House School, on November 3d. That lasted until it was torn down in 1888. A large new school was built - for \$17,000 - and the name Bancroft - after a noted Western historian - was given to the school and later the park in old 'Courthouse Square'.

Then, demonstrating that plans promised by politicians were often ignored after an election, the Commissioners, instead of building a new court house on the donated land, used the land for the County Jail! Which was not razed until 1975 under Urban Renewal.

Abandoning Court House #6 in September 1874, the Commissioners moved again into rented Court House #7 near the corner of Pikes Peak and Tejon, for \$125 a month.

But then the issue of a 'permanent' Court House was raised again. Since this article is more about Colorado City and early El Paso County than Colorado Springs I won't detail all that went on, politically and economically in Colorado Springs. Suffice it to say, a 'Temporary' Court House was erected in 1878 on the southeast corner of Kiowa and Nevada Avenue. That became Court House #8.

They stayed in that 'Temporary' building for 25 years.

Then in 1903, the 9th and largest Courthouse, was built in 'Alamo Park' which is today the Pioneer's Museum building.

That Courthouse was used for 58 years, until 1961.

In the spring of 1961 the current County 'Office' building fronting on Vermijo was built for \$1.5 million. That was #10. But then in the

1990s the County started the massive construction effort that has ended with the Terry Harris Judicial Complex for \$26 million. That's really the 11th Court House.



9th Courthouse - 1903

That \$26 million was a lot more than the day when in 1872, \$2,500 was considered by some an unpardonable fiscal extravagance. In 2002 the voters agreed and defeated a bond issue for new buildings and a jail. The County Commissioners quietly issued a series of Certificate of Participation Bonds, to pay for the huge County Court Structure by lease. That sneaky maneuver almost got the Commissioners recalled.

Nothing much has changed in El Paso County government over the past 147 years no matter where the Court House is.



11th and final Location 2002

From the President's Desk~

I've overseen a number of Territory Days, but this one was the best ever as we took in the most money. This event on May 24, 25, 26 took the help of many volunteers to do this. Pat Fejedelem took a letter with our tax ID to stores and got free soda and water to sell in our booth. Tom Hendrix took the tent, tables, and supplies to the cabin on Friday and he and Werner Karlson put up our booth next to the cabin Saturday morning. We were open from 10 to 6 each day with 2 shifts at the cabin and booth. These were manned by Merle & Don Ellis, Marge & Joe Knorr, Martha & Curtis Miller, Joanne & Werner Karlson, Dave & Patsy Hughes, Betty Baker, Kay Atteberry, Jo Cervone, Nancy Micelli, Leslie Bergstrom, and Barbara Barbaro. Kathy McBride, Bev Disch, and Sandy Hanzlian covered the Bookstore. Betsy Evans provided books and the cash box for the booth and she and I opened and closed the booth and cabin each day. Betsy was most helpful. Mr. Eugene, the artist, drew sketches by our cabin and gave us the proceeds. Also we rented five of our parking spots in our parking lot to the Gunslingers. I had over thirty people bake for the bake sale and some of these people baked 2 and 3 times so we would have enough for the three day sale. Bakers were Pat Fejedelem, Jan deChadenades, Dee Breitenfeld, Sharon Swint, Sandy Hanzlian, Bev Disch, Diana Francese, Nancy Stovall, Merle Ellis, Dorothy Vidmar, Joanne Karlson, Carol Stooddy, Linda Day, Marty Walker, Kathy McBride, Anita Schimmel, Pat Ebersole, Betty Magninie, Doris Morland, Bev Patterson, Verna Nelson, Cyndy Estes, Vera Westcott, Betty Grout, Marge Knorr, Jo Cervone, Barbara Barbaro, Merv Casey, Muriel Dunkley, Patsy Hughes. These bakers provided us with a wonderful selection of baked goods that went like hot cakes. Kudos to everybody who made this event such a good one.

Through the years, I've had to depend upon so many volunteers and I've had a deep respect for what so many were able to contribute. The running of our History Center and all the fundraisers and special events would never have been possible without them. I know as I continue getting volunteers for our Society, I will continue to have our volunteer's help.

Bev Disch, outgoing President

From the President's Desk~

It's 'transition time' at OCCHS as we prepare for 2009 and the 150 year celebration of the founding of Colorado City. We can look forward to an exciting year! Please let Board members know of any suggestions you might have for programs or events as well as where you are willing to participate and/or contribute.

The May 9th OCCHS annual meeting began with a light brunch followed by the business meeting and an interesting program, "Working Women in the Pikes Peak Region in the 1920s", presented by members, Michael and Patti Olsen. The meeting was called to order by President, Beverley Disch, with a quorum present. The annual Treasurer's report was given by David Hughes, and Betsy Evans reported on the Museum Bookstore. Copies of both reports are available in the History Center office. Sharon Swint presented the proposed slate for new Board members: Barbara Barbaro, Art Crawford, Janice deChadenades, Beverley Disch, and Joanne Karlson. With no further nominations from the floor, a motion was made and passed to cast a unanimous ballot for this slate. Those ending their terms were Arlene Casey, Board Secretary, and Tom Hendrix, Board Vice President. Many thanks for their volunteer hours and wisdom during these years!

The Annual Board meeting was held May 19th which included election of new Board officers. Those Elected were President Joanne Karlson, Vice President: Phil McDonald, Secretary: Barbara Barbaro, and Treasurer: Dave Hughes. Bev Disch has agreed to assume the role of Volunteer Coordinator and continues as chairman of the Annual Cemetery Crawl in August. We are indebted to her for many years of dedicated leadership and loyal membership. Thank you for so much, Bev!

We thank Don Ellis who has stepped forward as Editor, beginning with this issue of West Word. We are glad Merv Casey will continue to contribute his interesting historical articles and tease us with his observations. Many, many years of thanks to Merv as Editor!

Summertime is always busy in Old Colorado City. Please Bring your friends and visitors to attend some of our events and view our changing exhibits. Tuesday Nights in July will begin July 1st with an Old-Fashioned Ice Cream Social & Cake Walk...an evening on the History Center patio planned by Marge Knorr and her committee.

Have a good summer everyone!

Joanne Karlson

June Treasurer's Report

The painting of the exterior of our History Center was completed the last week of May. We have already had complements on it. We paid AM Painting \$11,800 for their work, which at one point had 5 painters working away with a huge lift putting two of them on the bell tower, where years of old birds nests had to be removed. \$6,800 of the cost came right out of our History Society's savings hide, and the other \$5,000 from an El Pomar grant to us.

The 30 Ladies Bev contacted came through for the 3 day Territory Day's Bake sales at the Cabin. We got \$885 in homemade Cookies and Pop sales. The book store sales were \$273. Eugene the Artist auctioned one of his 'Ladies' painting and we received \$65 from our share, and the Gun Slinger Reenactors paid us \$180 for some guaranteed parking in our lot. So we took in over \$1,400 for our efforts during Territory Days.

The expenditure for painting reduces our unobligated savings account balance to \$8,700. Which together with the \$4,300 left in our checking account gives us about \$13,000 flexible cash assets. Here's hoping our fund raising events, book store earnings, and interest from our \$90,000 Endowment fund builds us back up the rest of the year.

Currently our average, predictable recurring expenses to keep our History Center doors open, looks like this

	Monthly	Annually
Utilities	279	3,348
Security	42	504
Telephone	51	612
Internet	50	600
Trash	14	168
Wastewater	9	108
Insurance	95	2,342
Total	\$640	\$7,782

At our Annual Meeting I reported that we may earn about \$1,000 over costs by the end of the year, on a total budget of \$29,183. And we may possibly have about \$110,000 in total cash assets. We are on an even keel financially so far this year.

Dave Hughes, Treasurer

OLD COLORADO CITY HISTORICAL SOCIETY
ONE SOUTH TWENTY-FOURTH STREET
COLORADO SPRINGS, CO 80904-3319

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**MEMBERSHIP
RENEWAL DATE**

SUMMER CALENDAR

Tuesday Nights in July - at the History Center - 7 p.m.

July 1 - Old-Fashioned Ice Cream Social & Cake Walk, 7 'til 8:30, small charge

July 8 - "Art & the New Deal in El Paso County" with Pat Musick, free

July 15 - "A Colorado History Sampler" with Phil McDonald, free

July 22 - "Down the Santa Fe Trail to Colorado & Beyond"

with Mary Humphreys, free

July 29 - "New Year's Eve on the Top of Pikes Peak! - an 85-year tradition"

with AdAmAn member, Don Sanborn, and Don Kallaus, photo exhibit, free

Saturday, August 9 Annual Founder's Day Celebration

in Bancroft Park 10 a.m. 'til 3 p.m.

- Arts & Crafts, Entertainment, Contests, Tours, Talks, Garvin Cabin open

Sunday, August 10 Annual Cemetery Crawl Fundraiser at Fairview Cemetery

**A walking tour with historical vignettes by members and actors portraying life
(and death!) from earliest Colorado City days.**

Contact the History Center for tickets, time and more information. Bring friends!

For more information, call (719) 636-1225 or email history@oldcolo.com