"Office A'kes
DE Carpenter
Greeley, Colo."
EUGENE F. WARE

"INDIAN WAR OF 1864."

PLATTE RIVER.

The late Eugene F. Ware of Topeka, Kansas, counsel in the case of Kansas vs. Colorado, at one time Commissioner of Pensions at Washington and for years a leading figure of Kansas and the Rocky Mountain region, in his book entitled "The Indian War of 1864", published by Crane & Company of Topeka, Kansas, in 1911, and written by Mr. Ware just prior to his decease, he describes his experience at Fort Cottonwood (later Fort McPherson) in Nebraska and Fort Sedgwick or Fort Julesberg in Colorado, and also Fort Kearney, in Nebraska and Fort Laramie in Wyoming, during the years 1863-4 and 5. He was a Lieutenant of the Seventh Iowa Cavalry under Captain O'Brien (later Major O'Brien of Denver).

In the early pages of his book he describes the march from Omaha to the mouth of Cottonwood creek in Nebraska in September and October, 1863, in which he describes Fort Kearney and the region through which they traveled. Of the Platte river above Fort Kearney he says:

"From Fort Kearney, for many miles up, there was no water in the river," (Oct. 9-11-1863). "The water seemed to be in 'the under-flow'. We not infrequently rode down to the river, and with shovels dug watering-places in the sand of the bed. We always found permanent water within eighteen inches of the top, no matter how dry
the sand on top appeared to be. We were told that 75 miles of the river were then dry, and that generally about 125 miles of it were dry in the dryest season. At French's ranch the water began to appear on the surface in the shape of damp places and little pools." (pp. 56-9)

He describes the location of French's ranch as follows:

"In the evening of the second day, Oct. 9, 1863, we camped near a new cedar ranch, with sod enclosure for stock, built by a man named French * * * * * * * * * * * * * French's ranch was said to be fifty miles west of Kearney." (pp. 54-5)

Of the close of the travel of the day Oct. 10, 1863, he says:

"We camped for the night between seventy-five and eighty miles west of Fort Kearney. At the place where we camped the water was visible in the river, but there was no distinct current. The nights were becoming chilly, the elevation higher, and the wind more constant. About every ten miles from French's ranch west there was a store-building with a high, thick, sodded enclosure used as a corral. These places were also stage stations, and some had sod structures like bastions, built out on the corners, so as to make places of defense. And with each of these places there was generally a herd of cattle, a bunch of Indian ponies, some herders, and a lot of Indian-trading goods; for during the previous summer the Indians had some in to trade all along the line of the Platte valley from French's ranch west. They brought in lots of well-tanned buffalo- robes, quantities of antelope-skins, tanned and untanned, great quantities of buckskin, and many other articles of peltry. But trading with the Indians had stopped, for there was a growing feeling of hostility, although there were still some white men living with the Indians, who had joined them years before, learned the languages and married into the tribes. But unless the white
man could speak the language and had lived among them for several years, and had married into the tribe, he was not liked, and his life was in danger. These white men had all come in, and were to be found idling away their time at the various ranches which we passed; some were acting as herdsmen. There were also white hunters and trappers who picked up a great deal of fun, and much money, along the Platte, because at certain places there were beaver and other fur-bearing animals."(pp. 60-61)

Of Cottonwood Springs and the McDonald ranch he said as follows:

"We started early on October 11th, and passed Gilmans' ranch, which was built of cedar, and, going fifteen miles farther, camped at a spring called Cottonwood Springs. A man by the name of Charles MacDonald had built a cedar ranch at the mouth of Cottonwood Canyon, which canyon came down to the river near Cottonwood Springs. Cottonwood Springs was merely a seep in a gully which had been an old bed of the river, and which had curved up towards Cottonwood Canyon. The water-bed of the river being largely composed of gravel, the water came down in the underflow, and seeped out at a place down in the bank where there had grown a large cottonwood tree. This spring had been dug out, and was the only spring as far as then known along the Platte for two hundred miles. It was at the mouth of Cottonwood Canyon that we were to build our military post. The place was a great crossing for the Indians going north and south. The valley here was several miles wide. There was a large island in the river of several thousand acres, upon which grew the finest grass to be found in the country, and there were some scrubby willows and cottonwoods; so that the Indians coming from the north found it a good stopping-place to feed their ponies either in summer or winter, because in the winter the ponies could eat the cottonwood brush. In addition to this, Cottonwood Canyon gave a fine passage to the south. A road went up on the floor of the canyon, be-
tween the trees, until it rose onto the table-land twenty miles south. The canyon furnished fuel and protection. It was for the purpose of breaking up this Indian run-way that we were ordered to build a post at the mouth of the canyon. We arrived there at eleven o'clock in the morning of October 11, 1863.

Cottonwood springs, when we arrived there, was one of the important points on the road. MacDonald had a year or so before our arrival, built, as stated, a cedar-log store-building. The main building was about twenty feet front and forty feet deep, and was two stories high. A wing 50 feet extended to the west. The latter was, at the eaves, about eight feet high and fifteen feet deep in the clear. Around it in the rear was a large and defensible corral, which extended to the arroyo coming out of the canyon. It had been a good trading-point with the Indians, and there was a stage station there, and a blacksmith shop kept by a man named Hindman. In the stage station was a telegraph office. There was also on the other side of the road a place where canned goods and liquors were sold, kept by a man named Boyer, who had lost a leg, and whom the Indians called "Hok-sah," which meant "cut leg." MacDonald had dug, in front of his store, and cribbed up, an inexhaustible well, which was said to be forty-six feet deep; it was rigged with pulley, chain, and heavy oaken buckets. MacDonald and those at the place had formerly had a good trade with the Indians, but now it was all ended, and they were in danger. (pp. 61-64)

In the succeeding pages he describes the construction of Fort Cottonwood at Cottonwood Springs at the MacDonald ranch on the south side of the Platte river several miles below the forks of the stream, and says:

"Our fort was called 'Cantonment McKean', but the War Department afterwards named it 'Fort McPherson', after General McPherson, who was killed while with Sherman near Atlanta, Georgia; but the fort was popularly known as 'Fort Cottonwood'. (p. 84)"
The commanding officer of Fort Cottonwood was Major George M. O'Brien of the 7th Iowa Cavalry. He was the oldest brother of Captain Nicholas O'Brien under whom Lieutenant Ware served. (p. 95).

Jack Morrow's ranch near North Platte was visited by Lieutenant Ware and Captain O'Brien, December 23, 1863, and in the description thereof he also speaks of the comparison between the water flow of the North Platte and the South Platte:

"Jack Morrow's ranch was out in the prairie, nearly south of the junction of the two Platte rivers. North Platte had much more water in it than the South Platte. Between our post and Jack Morrow's the high hills of the tableland ran far north in a bold promontory, broken at the point into a sort of peak, which could be seen a long distance both up and down the river, toward which it projected. We had to go past this to get to Morrow's ranch. This point was called the 'Sioux Lookout'. Going up, we detected with a field-glass an Indian's head peering over the top of the ridge at us, but he afterwards scudded away and disappeared" (p. 96)

Further of Morrow's ranch and Jack Morrow he says:

"There was a canyon came in near there called 'Moran Canyon', ** ** ** ** **. Morrow had as large an outfit, nearly, as the Gilmans. ** ** ** **. He was a tall, raw-boned, dangerous-looking man, wearing a mustache, and a goatee on his under lip. He was said to be a killer, to have shot a man or two, and to have passed his life on the plains. He was said to have daily
altercations with pilgrims, and to have gone on drunks that were so stupendous in their waste of money and strange eccentricities that he was known from Denver to Fort Kearney and very largely in Omaha. He was said to have had an Indian wife, although I never knew whether that was true or not. He had a very large stock of goods, and a row of 'pilgrim quarters.' His ranch-house was built of cedar logs, and was two and a half stories high and sixty feet long. The third story was divided into rooms, and the cross-logs were not sawed out to admit doors, so that in going from one room to another it was necessary to crawl over six feet of cedar-log wall to get into these rooms. Yet he had people sleeping in those rooms a great deal of the time. He stored away great quantities of furs, robes, dried buffalo-meat and beef, and other stuffs, for shipment, in a sort of annual caravan, which he made down to Omaha. He had a very capable and accomplished First Lieutenant who acted as foreman, salesman, and cashier. His name was Hewey Morgan. When Morrow went on a spree Hewey Morgan's authority began, and he must have exercised it very capably, because Morrow trusted him implicitly."

(p97-8)

May 20, 1864 Lieutenant Ware and a detail of men made an investigation to ascertain the best ford across the North arm of the river at Fort Cottonwood, but failed so to do for the following reasons:

"The only result of our ride was that we found just at that time the norther bank of the river at that point was difficult to cross" (evidently referring to the north branch of the river) "It seemed that the coming warm spring had melted the snow on the mountains on the North Platte, and the river was running high and full and cold, on the north side of the island. (p. 192)

July 19, 1864, (p. 218) Ware's Company started for Fort Laramie, a distance of about three hundred miles from
Fort Cottonwood (p. 228). They got to Jack Morrow's ranch late that evening (p. 229). It was ten miles from Fort Cottonwood to Jack Morrow's ranch (p. 232).

July 20, 1864, they passed O'Fallon's Bluffs, which was about fifty miles west of Cottonwood Springs:

"and was another of the great crossing-places for the Indians going north and south, and General Mitchell afterwards ordered it to be fortified and guarded by a company of cavalry". (p.243)

July 21, 1864 they camped at an abandoned ranch which had belonged to a man named Jereux, 25 miles west of O'Fallon's. (p. 245)

He thus speaks of the California crossing of the South Platte and Jules' trading-post as follows:

"The Salt Lake trail went by Fort Laramie. The old route crossed the South Platte a considerable distance east of Julesburg, and went over the dividing ridge to Ash Hollow, and down Ash Hollow to the North Platte. But the hills of Ash Hollow were very steep, and another road had been laid out.

On the South Side of the South Platte, perhaps about a mile east of the mouth of "Lodgepole Creek," a Frenchman by the name of Jules had started a trading-post. The place was a great Cheyenne crossing-ground going north and south, and a frequent place of Cheyenne rendezvous. It was also much used by the Sioux. The Cheyennes had a great liking for the country on the South Platte at the mouth of Lodgepole, and had had camps there for many years. Jules was said to be a half-breed French-and-Indian trader, and to have established this post for the purpose of trading with the Cheyenne Indians. It was said his name was Jules Beni, but everybody called him 'Jules'.
He was a man of keen native shrewdness, an exceedingly dangerous man, with a peppery, fierce disposition.

At the time of which I write, nothing was left of the Jules ranch; it was gone, but the stage company had a large stable there, and a large boarding-house, a blacksmith shop, a telegraph station, a large sod corral, a wareroom built of cedar logs, and about eighty tons of shelled corn in sacks stored therein. There was quite a number of men there—blacksmiths, relays of telegraph operators, perhaps a dozen stage-drivers, and men who were taking care of horses. I would say there were fifty men there, all armed to the teeth, and with everything arranged so they could fight behind sod walls, and make a desperate resistance.

Ben Holliday claimed to be the owner and proprietor of all of this stage line and property, clear through to the Pacific Coast. He was a great celebrity. He was reputed to be very rich, and yet he had a reputation for great daring and a love for wild and dangerous life. His organization of this stage line across the continent in its then unsafe and lawless condition was a wonderful achievement. I saw him twice, passing on the road—once at Fort Kearney and once at Julesburg, and he impressed me as a man of restless and untiring vigor.

'Julesburg Station,' as it was then called, was situated well down on the flats near where the course of the river then turned, and the main wagon road ran alongside of the houses. There is a present town Julesburg, but it is on the other side of the river, and several miles farther down. The wood that was used was most of it cedar, hauled from Jack Morrow's canyon, and the balance of the building material was sod.
Near this place, which I will call Old Julesburg, the river-crossing started in a little east of the station, not very far down the river, and went around in a curve, coming out say a quarter or half a mile farther up the river. There was another crossing farther up the river, that crossed over west of the mouth of Lodgepole; the two trails went up Lodgepole Creek on opposite sides, until they joined several miles farther up. Those present at that time were in the habit of calling the lower one the 'California crossing,' and the west one the 'Mormon crossing,' because it appears that the Mormon trains crossed there and went quite a distance up the west side of Lodgepole.

The fact that General Mitchell was coming up the Platte to make an inspection, and organize military protection, and visit Fort Laramie, was noised around in advance, a great deal, and before we got to Julesburg wagons for the Salt Lake route had congregated in great numbers at Julesburg, and wanted to go up the road behind General Mitchell. * * * * * We arrived, July 22, 1864, at Julesburg, and found nearly three miles of wagons there. They wanted to go through on the Salt Lake Trail. They were camped along the line of the river; the grass had been pretty well eaten out; everybody in the pilgrim trains was mad, and most of them quarreling. Having no organized head, they did not intend to go across the river until they knew that General Mitchell had crossed the river with his soldiers, and had started up. They wanted to feel safe. Major Woods of the Seventh Iowa Cavalry was with us; he was a most active, daring and capable man. I have spoken of him herein before. (pp. 247-52)

Of the water in the South Platte river July 21-22-1864 he says:

"There was at this time plenty of water in the river at Julesburg" (p. 252)

Of the crossing of the South Platte river at that period he says:
"The crossing of Platte River in those days with a train was a matter of very serious moment; but we had got used to the theory, and knew how to do it. It was to find a route that was the most firm, and then puddling it by marching one horse back of another until the quicksand became settled; then the road became firmer. The horses sometimes floundered greatly, but that served to settle the road. They were ridden across about ten feet apart.

So the first thing to be done on this occasion was to pick out a road for the crossing of the present train. The action of the water in the river was such that a good crossing today might be a poor one next week if untraveled, and so each crossing was a matter of its own. There was at this time plenty of water in the river at Julesburg.

On this occasion Major Woods started out with his horse to pick out a road across the river. He laid it out in a general way, so that he knew where he had been, and could see his own tracks. Then he came back, and the line of soldiers went over again right after him, and back, and made the road. In the meantime the wagons were ready, and the Major at the head of the wagon train, each wagon about one hundred feet behind the other, started across, with men of the train along the line standing in the water on both sides with whips to keep the horses stepping fast. If a horse should stop he would in course of time sink down in the quicksand, and the object was to have each wagon, one right behind the other, go as fast as the horses could pull it. The wagons started, and it was a roar of yelling from the time the first one went in, during all the afternoon, and well up into the night. The travelers had lanterns, and at night men with lanterns stood in the water on both sides of the track; and the Major kept bossing the job, hour after hour, riding backwards and forwards between the wagons, and once in a while changing his horse.

Along about midnight one of the mule teams got balky, and the mules turned out of the road, and in the effort to get them back the
wagon was halted until the mules could be backed again into line, and the result was that the wagon began sinking. The mules were taken out, and succeeding wagons went around the wreck, which was soon down to the bed in the mud. There was no way to stop a wagon alongside of the wreck, and take off its cargo, and Major Woods with some assistance struggled in vain to keep the wagon from sinking faster on one side than the other. In the work, and heroic tugging, which Major Woods did, he strained himself so that he himself had to be taken out of the river and carried over to his tent. The wagon slowly sank until it disappeared from sight in the fathomless sand below. Some of the natives around managed to save and confiscate some few things of the load, such as the bows and cover, meat, the driver's bedding, etc., but the wagon and almost its entire cargo disappeared—went down where it was never recovered or could be found afterwards. In the morning the train was almost all across, with a reported loss of the wagon and two mules which were being led or driven, and which got where they could not be relieved, and sank out of sight. The lost wagon was reported to have been loaded with nails." (pp. 252-4)

Of the vicinity North of Lodgepole creek he says:

"At the mouth of Lodgepole was a great area of flat, grassy land. It was a beautiful place for camp."(p.255)

July 23, 1864, (p. 260) they left the mouth of Lodgepole and started up the valley, which Ware describes as quite wide in places, but at other places "along the dry stream was broken into ragged and projecting bluffs". (p. 261)

Of Lodgepole some thirty-five or forty miles above the mouth where they camped the evening of July 23, 1864, he said:

"We camped on the banks of Lodgepole, several miles above what appeared far off on our right to be the ruins of an old adobe hut. There was no visible water in the bed of the
creek where we camped, but we found plenty of water by digging, and we were able to cook with the bunches of drift roots that the stream in its high career had dug up and floated down." (pp. 262-3)

It seems that the trail left Lodgepole and crossed over the divide to the North Platte some 35 or 40 miles above the mouth of the former stream, it being 32 miles across the ridge from one stream to the other (264) "This was the short line which Jules had laid out, so as to change the route and bring the pilgrim travel past his ranch. This particular strip of road was called 'Jules Stretch'"

The 'Jules Stretch' of road from Lodgepole to North Platte reached the latter stream at Mud Springs eight miles east of Court House Rock (p. 264).

They camped that night on Lawrence Fork, a little river east of Court House Rock, composed of two streams, "one called Pumkin Creek and the other Lawrence Fork".

July 25, 1864, they camped in the afternoon at a deserted old place "where it looked as if nobody had lived for a generation. It was called 'Ficklin's' and was situated on the river about sixty-seven miles east of Fort Laramie. It was named before the war, from one of the officers of the Overland Stage Company", and was about forty miles from Mud Springs (p. 269).

On July 26, 1864, they camped at what was called the "Agency" on the south side of the North Platte River. Of the river and vicinity he says:
"There was water in the river all along the line. We passed Scott's Bluff, fifty-eight miles east of Fort Laramie. We also passed Alcohol Butte and the celebrated Chimney Rock. The Agency where we camped was called the 'Woc-co-pom-any' agency. It was the place where the Sioux Indians of the north came down to get their annuity goods. There was a large, long, one-story rambling stone house on the place, but there was not a soul there. In fact, there was nobody then living along the river at that time, from the Forks of the Platte River down at Jack Morrow's up nearly to Fort Laramie, over 250 miles, except near the Fort, at Julesburg." (p. 270)

July 27, 1864 they reached Fort Laramie garrisoned by three companies of Cavalry (p. 270).

Five miles down the river from Fort Laramie was the ranch of a Frenchman by the name of Beauvais and five miles still farther down was the ranch of Bordeaux. They were two wealthy French-Indian traders with Indian wives. (p.271)

Wade met Major Jim Bridger, celebrated scout and guide at Fort Laramie. (p.276)

Of Charles Elston, whom he met at Fort Laramie (p.276) he speaks with favor and also says:

"On one occasion he told a strange story of trying to take a load of furs down the Platte river in a bull-boat, that is in a boat made of bull-hide, with wooden ribs. He lost everything he had, and barely escaped with his life, while trying to navigate a Platte river freshet. (p.277)

Wade describes Jim Bridger on Pages 279-85.

Forts were ordered built at Ficklin's and Mud Springs on the North Platte (P. 298
The military district from South Pass, Wyoming to Mud Springs, Nebraska, was in charge of Lieutenant Collins, after whom Fort Collins, Colorado was named. He had a son, Lieutenant Caspar Collins, attached to his department who was killed by the Indians. Casper, Wyoming was named after young Collins. (p. 299)

He speaks of the ruins of an old irrigation ditch at the Woc-a-pom-any Agency, twenty-eight miles below Fort Laramie on the North Platte river. (p. 303)

Horse Creek was dry at the mouth August 31, 1864, although said to be a running stream some ten miles above its mouth. (p. 304).

Camp Shuman was a military post being constructed September 1, 1864, on the North Platte river bank on the south side, three miles west of the east gap in the Scotts Bluffs. (p. 304)

From pages 307 to 314 he describes the country in the vicinity of Scotts Bluffs and Chimney Rock, giving diagrams etc. He gives the following table of distances as given him by the Scout Elston:

"The Table of Distances which Elston gave, at that time, was as follows: Fort Laramie to Horse Creek, forty-two miles; Laramie to Scotts Bluffs, fifty-eight miles; Scott's Bluffs to Ficklin, nine miles; Scott's Bluffs to Chimney Rock, twenty miles; Scott's Bluffs to Mud Springs, forty-six miles. Lieutenant Ellsworth gave the telegraph distances, that is by the wire, as follows: Laramie to Ficklin, sixty-five miles; Ficklin to Mud Springs, forty miles, making a distance of one hundred and five miles, while by the road given by Elston it
was one hundred and four miles. These distances were the approximations of various methods of measurement. Elston said that the difference arose in this way: that from Laramie to Ficklin the telegraph line was a little shorter than the highway, but that from Ficklin to Mud Springs it was longer. (pp. 313-314)

September 3, 1864, Ware's Company camped on Lodgepole creek 28 miles up stream from its mouth and 7 miles below the point where the trail crossed the creek (p.315). It is very evident from this and other writings that the main trail from Julesburg went up the west side of Lodgepole from the north to a point about 35 miles where the stream was crossed and the trail struck across the tableland to Mud Springs, Nebraska.

September 4, 1864, the company reached Julesburg and there camped (p. 315).

Of the condition at Fort Julesburg on their arrival on the above date he says:

"They had fortified, and the road was being patrolled by soldiers from both ways. The Colorado soldiers patrolled down to Julesburg and our regiment patrolled from the east up the river that far, and brought through little trains consisting of rapid traveling horses or mule wagons, and stages; but there was no traveling either way on the road, owing to the lateness of the season, by "bull trains." It was too late for even to come up from the Missouri River, and it was too late for them to have started back, so that the road was practically clear of the usual freighting trains; but horse trains and mule trains going rapidly under escort were passing almost daily to Denver.

While we had been up at Fort Laramie, there had been great inroads made upon the ranches along the line between Kearney and
Cottonwood. Many ranchmen and freighters had been killed, several ranches destroyed, many horses and cattle run off, and a great deal of destruction done in the Platte valley, but it was all east of us, none of it along the line where we then were, but everybody was prepared to resist Indians. Nobody was particularly afraid of them when in a ranch or doby house, or wherever gathered together in squads of armed men. But, nevertheless, there were no white men going out to trade with the Indians, nor were they hunting out in the hills or trapping along the rivers and streams. On the contrary, they were all bunched together in little nuclei along the river, and going from place to place, when they went anywhere, with an escort. But around Julesburg at that time there had been no indications of Indians, and it was believed that the Indians who had inhabited that portion of the country were far off, either to the north or south, and either afraid or without a desire to make any attack in the neighborhood of Julesburg. But this all changed. (pp. 316-317.

Fort Julesburg was constructed almost exactly south of the mouth of Lodgepole creek, where in 1864 Samuel D. Bancroft had constructed a one-story adobe house, a store-room and a partly finished sod corral, also a fine well. The Government bought this place and built a Fort which Ware describes as 240 feet by 360 feet on the outside and which he illustrates (326-9).

The old California-crossing was at Beauvais' ranch about 25 miles east of Julesburg and about 14 15 miles south of Ash Hollow (p. 335)

Colonel Shoup of the Third Colorado Cavalry came to Julesburg with some troops escorting travelers, about the
last of September, 1864. He was later senator from Idaho and his marble statute appears in the Hall of Fame in the rotunda of the National Capitol at Washington. (pp. 338-9)

Eighteen miles up Lodgepole from its mouth there was a place where ruined work indicated where some one had started to make a habitation prior to October 18, 1864. (p. 343)

November 4, 1864, Ware and a detail of men who had gone to Fort Laramie with him, camped on their return trip under orders to await an exploring expedition which had been sent up Lodgepole looking for Indians. He describes this Lodgepole Crossing about 35 miles above the mouth as follows:

"Pole Creek was a vast trough in the plateau. It had a bed wide enough for the Mississippi River at St. Louis. Through this bed the arroyo of the stream ran, a bed of beautiful tawny sand about a hundred yards wide, and cut down from ten to fifteen feet. Sometimes the arroyo was wider, and sometimes narrower, but from Julesburg to the crossing, thirty-five miles, there was nothing, as before stated, in the shape of a tree or bush. It was absolutely devoid of any vegetation except the grass. And above the arroyo the 'flood plain' of the stream, if it could be so called, was as level as a floor for distances out of sight. Occasionally in the arroyo there were little clumps of drift roots and brush, sometimes a small, dead, drifted pine. Lodgepole Creek was said to have a well-defined bed for two hundred miles, and to head at the Cheyenne Pass, in the Rocky Mountains.

Above the crossing, which, as stated, was thirty-five miles up from Julesburg, there
was no traveled roadway up Lodgepole. The only road from the crossing turned north across Jules Stretch; but, for a hundred miles up-stream from the crossing, the smooth bed of Lodgepole was said to furnish a most excellent route west to the mountains. The stream seemed to have no tributary of any consequence. A few miles above the crossing there was another arroyo coming in from the south, but hunters said there were no running streams whatever entering the creek. On November, 1864, the date of which I am speaking, there was not a drop of water in the creek-bed, nor did I ever in fact see a drop of water in it. We could get water by digging, but we had to dig down two or more feet, and the supply seemed at this time to be scanty." (pp. 284-65)

On page 366 he describes finding sixteen emigrant wagons deserted in the position in which they had gone into camp for the night, being formed in a sort of circle. The camp had the appearance of being from two to ten years of age with no indications of battle or any reason for their desertion. General inquiry failed to ascertain who had owned the wagon train or what had become of the people. The wagons were located fifty miles above the mouth of Lodgepole and fifteen miles above the crossing of the Julesburg road. Four of the wagons with four sets of harness were hitched up and taken to Fort Julesburg.

Gillett's ranch was about nine or ten miles west of Julesburg (371)

Fort Julesburg as completed is further described on pages 376-7.

In November 1864, "The boys had waded around in the Platte River and cleaned off all the willows up
and down the islands and banks" for use in the construction of the Fort. (p. 376)

The Dick Cleve ranch was seventeen miles east of Julesburg (p. 382).

Alkali Station was a military post about 25 miles east of Fort Julesburg. (p 405)

December 7, 1864, a 3 days blizzard, the first real storm of the winter, struck Ft. Julesburg. (p 405).

"The Platte river at Julesburg was frozen over from short to shore" Dec. 10, 1864, (p.406)

Ware describes taking out the ice across the South Platte river at Julesburg at the above time in order to assist a Mormon wagon train to cross, in which the ice had to be cut clear across the river in order to permit a fording. He said in Part:

"in some places the water was quite shallow and the deepest was about four feet. The deepest of the water was nearest to us on the south side". (407)

Ben Holliday went through Julesburg going west with a man named Leland of New York City, December 1864. Holiday described. (p. 423)

Indian conditions at the close of the year 1864 and Colorado the First and Third/Cavalry and the various troops in the field in Colorado and Western Nebraska at that time, described (pp.424-32)
November 29, 1864, occurred the 'Chivington Massacre' on Sand Creek. (p. 426)

The road from Julesburg to Denver was under the command of Colonel J. M. Chivington, of the First Colorado, and was guarded and patrolled by the First and Third Colorado Cavalry, but principally by the Third Colorado, under charge of Major Samuel M. Logan, who occasionally visited us at Julesburg. (p. 431)

Pawnee Station was 30 miles west of Julesburg on the Denver road. (p. 432).

December 31, 1864, two Companies of Eleventh Ohio Cavalry were located at Camp Collins now on the present site of Fort Collins, Colorado. (p.429).

At Fremont's Orchard on the South Platte in Dec. 31, 1864, was one Company of Eleventh Ohio Cavalry. (p.429.)

At Valley Station in the South Platte on the same date was one Company of Third Colorado Cavalry and one company of the same Cavalry at Junction Station (p.430).

January 1, 1865, Ware started for Cottonwood Springs, Nebraska. (p. 433)

Attack on Fort Julesburg January 7, 1865, with list of killed. (pp. 344-47-50)

January 29, 1865, Ware and Captain O'Brien started from Ft. Cottonwood to Ft. Julesburg after several days camping on the Republican river with General Mitchell and Ware describes the march up the river at pages 492-502.
Indian attack on Ft. Julesburg February 2, 1865. (pp. 497-523)

At Gillett's ranch ten miles west of Ft. Julesburg, occupants had fought off Indians and in the night had come down on the ice to Julesburg. (p. 510)

Telegraph lines cut from Ft. Julesburg to Gillett's Ranch (p. 520)

Buffalo Springs was located twenty-five miles west of Julesburg. (p. 535)

Valley Station 52 miles west of Julesburg reached by telegraph reconstruction crew under Ware February 13, 1865. (p. 536)

Third Colorado Cavalry were ordered to stop and garrison Valley Station, Feb. 13, 1865. (p. 540)

Photograph of present site of Old Fort Sedgwick at Fort Julesburg. (544)

February 15, 1865, Ware leaves Fort Julesburg (p. 544)

Description and photograph of present site of Old Fort Cottonwood (545-6)

Description of present site of Jack Morrow's ranch (p. 546-7)

Remainder of book devoted to Wares activities from Fort Cottonwood east and principally in vicinity of Fort Kearney and Omaha, etc.
NOTE.

In Bulletin 157 U.S. Department of Agriculture Office Experiment Stations, entitled "Water Rights on Interstate Streams" by R. P. Teele, reference is made, page 45, to a statement made by Mr. Ware relative to their being no water in the South Platte river in the 60's and of buffaloes pawing in the sand for water. I have failed to note any such a comment in the above book by Ware, but presume the same was obtained through private between Mr. Teele and Eugene Ware, who was then Commissioner of Pensions.

D. E. C.
EARLY HISTORY SOUTH PLATTE RIVER.

(Bulletin No. 157 U.S. Dep. Ag. —C.E.S. Page 43)

The published reports of early travels and explorations along the South Platte River give little definite information as to its flow.

Long's expedition crossed the South Platte June 20, 1820. He described the Platte River as follows: "It is about 9,000 yards wide and very rapid, but so shoal that we found it unnecessary to dismount from our horses or unpack our mules." As this was in June, the river should have been in flood.

Thomas J. Farnham in his Travels in the Great Western Prairies, etc., London, 1843, speaking of the Platte, says: "This river is not navigable for steamboats at any season of the year. In the spring floods the bateaus of the American fur traders descend it from the forts on its forks. But even this is so hazardous that they are beginning to take down their furs in wagons. * * * During the summer and autumn months the waters are too shoal to float a canoe."

(Page 106)

Fremont's expedition went up the South Platte in July, 1842. He states that the stream was not navigable for anything drawing 6 inches of water.
Edwin Bryant, in What I Saw in California, states that he met a fur trader who had started down the Platte with furs and was obliged to leave his boats on account of the low water June 11, 1849.

Stansbury's expedition crossed the South Platte a short distance above North Platte June 28, 1849. He states that the river was easily crossed in low water. (Page 272.)

None of these early explorers speak of the river as being dry, yet all seem to agree that it got very low, in the summer at least. As Fremont says: "It is not navigable for anything drawing 6 inches of water."
EARLY HISTORY SOUTH PLATTE RIVER.

(Bulletin No. 157 U.S. Dep.Ag. --O.E.S. Page 44.)

There are yet living in the basin of the Platte a great many people who went to that section before irrigation began. Statements as to the condition of the river have been secured from a number of those early settlers.

W.R. Bryant, of Cheyenne Wyo., says that he "was along the Platte River in Nebraska and Colorado during the sixties in every year until 1870. He never saw the Platte dry but once; that was in the fall of 1864, for a distance of about 75 miles below the Colorado line. In that season water could be found anywhere in the bed of the Platte by digging 2 or 3 feet into the sand."

H.B. Kelley, of Cheyenne, Wyo., said that the Platte occasionally ran dry in the neighborhood of Julesburg. He remembered one or two occasions when it was so, but could not give the dates. He is of the opinion that in both branches of the Platte there was more water in the early days than now, and suggested as a possible reason for this the removal of the timber on the headwaters.

Maj. John Talbot, of Cheyenne, Wyo., stated that he came to Fort Laramie, Wyo., in 1854; he said that the South Platte never ran dry above the forks until about 1875, and once about 1864 or 1865 it ran dry at Fort Kearney.
John J. Brewer, of Irondale, Colo., stated that he came to Colorado in 1861. He said that he remembers well hearing the freighters who came along the South Platte say that down toward the Colorado line the river sank into the sand and they were obliged to dig holes to water their horses. He was of the opinion that this was in the years before 1870.

John Lillie, of Littleton, Colo., stated that the South Platte was dry in 1863 from a point 10 miles below Denver for 200 or 300 miles anyway, and he did not know how much farther. In some seasons there used to be some water in the South Platte in the neighborhood of the State line, and in other seasons it ran dry and disappeared in the sand for long stages.

Judge Ames, of Littleton, Colo., says that he came to Colorado in 1860. The season of 1863 was unusually dry. Water flowed down the river only a short distance below Denver. He remembered that in that year in particular the freighters told of having to dig holes in the sand in order to get water for animals.

Ed Montgomery, of Littleton, Colo., says that he came west in 1860. In the summers of 1862-1864 he was freighting along the river and found plenty of water. However, in 1863 the river went dry and it was necessary to dig holes to secure water.
C.C. Hawley, of Fort Collins, Colo. says that he came West in 1860. He went along the South Platte River in the summer of 1863 and from a short distance below the mouth of the Poudre all the way down beyond to the State line the river was entirely dry and they were obliged to dig for water. He went down the South Platte to Julesburg late in the summer of 1864 in connection with the Indian troubles, as he was in the Army. The river was then completely dry, as before, there being only now and then a hole with a little water in it.

Mr. Hawley understands from the oldtimers that, as a usual thing, the South Platte went dry every summer from below the mouth of the Poudre for a distance of 200 miles very nearly to the junction of the North and South forks.

Bruce Johnson, of Greeley, Colo., came out in 1859. He went up and down the South Platte two different years during the sixties, but did not remember which years. Both of these years the river was dry from Julesburg to the Junction, and in one of these years — he thought it was in 1864— the river was dry from the Junction to Fort Kearney, and farther down for all he knew. The river in the years mentioned was completely dry.
EARLY HISTORY SOUTH PLATTE RIVER.

(Bulletin No. 157 U.S. Dep.Ag. -- Φ.E.S. Page 45)

Hon. Eugene F. Ware, formerly Commissioner of Pensions, Topeka, Kans., who was with the United States troops along the Platte River in the sixties, stated that in 1865 he saw the buffalo pawing in the bed of the Platte to obtain water.

Mr. Ryan, conductor on the Burlington Railroad between Nebraska City and Lincoln, Nebr., was freighting along the Platte River from 1860 to 1865. He stated that in 1863 the river was dry west of Julesburg for 100 miles.

John Bratt, of North Platte, Nebr., says that he thinks the South Platte went dry in the sixties, the same as it does now. In the early seventies he bought land along the South Platte; since that time the river has usually gone dry at times in summer, usually in August, but in the early summer there was more water than than now.

Charles McDonald, of North Platte, Nebr., was along the South Platte in the sixties. He says that the river went dry in 1862, and also in 1871.

Hon. John Evans, of North Platte, Nebr., says that he has been living in North Platte since 1871; that in early times the river went dry in exceptional years. Since 1895 it has gone dry every year.

W.A. Paxton, of Omaha, Nebr., who has had cattle
ranches on the Platte since the early sixties, states that the river went dry in 1863, 1866, and 1871, and that it has gone dry every year since about 1885 or 1886.

Henry T. Clarke, of Omaha, Nebr., built several bridges across the Platte River in 1874. He states that in that year the river was dry, and it was necessary to dig holes in the river bed to secure water for his cattle.
NORTH PLATTE CANAL.

(Canal diverts water from south bank North Platte two miles north and one mile west of Sutherland and irrigates land between North and South Platte rivers north and east of Sutherland and north of Hershey)

In 1883 the alternate sections of a block of land, lying between the North and South forks of the Platte were purchased from the Union Pacific railway. The area of the land bought was 13,440 acres. A ditch was taken from the North Platte twenty-three miles long, and with a rated capacity of 422 cubic feet per second. At fifty-five acres to the foot this gives an area of irrigation equal to 23,210 acres, or 290 eighty-acre water-rights. The unsold land is held at ten dollars per acre, and the eighty-acre water-rights at $600 apiece. The quantity of water to the eighty-acre right is 1.44 cubic feet per second, or a duty of about fifty-five acres, the same as in the "Larimer and Weld" canal.

As only the alternate sections were purchased by the company, the other sections, which were government land, were settled by parties who refused to buy water at first, this being held to be in the rainbelt. But the crops of those irrigating so far surpassed those depending on the
meagre rainfall, that nearly all are now taking water, and the enterprise appears to be quite a paying investment. Greeley parties own about half the stock which is $160,000. These parties are George H. West, James F. Benedict, J.E. Davis, W.M. Boomer and W.C. Packard. The remainder of the stock is owned by North Platte and Omaha parties. The land lies contiguous to North Platte and is of most excellent quality. Thomas Stimson is managing affairs in a very satisfactory way for the company. He has been farming quite extensively to show the people of Nebraska how to do it, and in this way has enabled the company to make sales readily. The potatoes raised under this ditch last year were in the Denver market competing with the Greeley product. As there is an abundance of water for all seasons, if the soil is only well adapted to potato culture, it is likely to prove a profitable crop. It is, however, claimed that the potatoes raised on this North Platte land are inferior in quality to ours.
HISTORICAL.

GENERAL G. A. CUSTER.

"My Life on the Plains."

Published 1874.

----------

In General G.A. Custer's "My Life on the Plains", published in New York in 1874, he describes his Indian campaign during the latter 60's.

In the first chapter, pages 5 to 12 inclusive, he describes generally the country known as the Plains, and particularly that portion between the Platte River and the Arkansas River. On page 10 he thus speaks of the streams of the Plains:

"For, although the Plains are drained by streams of all sizes, from the navigable river to the humblest of brooks, yet at certain seasons the supply of water in many of them is of most uncertain character" (p.10)

The following references to other portions of the work are to a greater or less degree pertinent to the issues in the South Platte litigation.

Smoky Hill route described on Page 41-42.

"On the 1st of June, with about three hundred fifty men and a train of twenty wagons, I left Fort Hays and directed our line of march toward Fort McPherson, on the Platte River, distant by the proposed route two hundred twenty-five miles,"

referring to the first of June, 1867 (p.47)
"It had been decided that my command should thoroughly scout the country from Fort Hays near the Smoky Hill river, to Fort McPherson, on the Platte; thence describe a semicircle to the southward, touching the headwaters of the Republican, and again reach the Platte at or near Fort Sedgwick, at which post we would replenish our supplies; then move directly south to Fort Wallace, on the Smoky Hill, and from there march down the overland route to our starting-point at Fort Hays. This would involve a ride of upwards of one thousand miles" (p.48)

"Nothing occurred to break the monotony of our march until we reached Fort McPherson, on the Platte river. The country over which we had marched had been quite varied in its character, and as we neared the Platte it became very broken and abrupt. It was only by availing ourselves of Comstock's superior knowledge of the country that we found an easy exit from the deep canons and rough defiles which were encountered.

At Fort McPherson we refilled our wagons with supplies of rations and forage. At the same time, in accordance with my instructions, I reported by telegraph my arrival to General Sherman, who was then further west on the line of the Union Pacific road. He did not materially change my instructions, further than to direct me to remain near Fort McPherson until his arrival, which would be in the course of a few days.

Moving my command about twelve miles from the fort, I arranged for a council with Pawnee Killer and a few other Sioux chiefs, who had arrived at the Platte about the same time my command had.* * * * * * * * * * * * * * * * * * *

General Sherman arrived at my camp next day. * * * * * * * #It was then judged best for me to move my command in a southwesterly direction to the forks of the Republican.* * * * * * * * * * * I could reach this point in three days' marching after leaving the Platte river, on whose banks we were then encamped.

Owing to the rough and broken character of the bluffs which bound the valley of the Platte on the south side, it was determined to march up the men about fifteen miles from the fort and strike south through an opening in the bluffs
known as Jack Morrow's cannon. General Sherman rode with us as far as this point, where, after commending the Cheyennes and Sioux to us in his expressive manner, he bade us good-by, and crossed the river to the railroad station on the north side."

(pp. 53-54)

"Starting nearly due south from the Platte, and marching up the canon, which forms a natural gateway through the otherwise almost impassable barrier of bluffs and deep ravines bordering the valley of the Platte river, we again set out in search of Indians. ** * * *  

The afternoon of the fourth day we reached the forks of the Republican and there went into camp. We were then located about seventy-five miles southeast of Fort Sedgwick, and about the same distance northeast of Fort Wallace. Intending to scout the surrounding country thoroughly in search of Indians, we selected our camp with reference to a sojourn of several days, combining among its essentials wood, water, good grazing, and last, but not least, facilities for defense.  

When I parted from General Sherman the understanding was, that after beating up the country thoroughly about the forks of the Republican river, I should march my command to Fort Sedgwick, and there I would either see General Sherman again or receive further instructions from him. Circumstances seemed to favor a modification of this plan, at least as to marching the entire command to Fort Sedgwick. It was therefore decided to send a trusty officer with a sufficient escort to Fort Sedgwick with my despatch, and to receive the despatches which might be intended for me. My proposed change of programme contemplated a continuous march, which might be prolonged twenty days or more. ** * * *  

At the same time the officer selected for that mission could proceed to Fort Sedgwick, obtain his despatch, and return.  

Major Joel A. Elliot, a young officer of great courage and enterprise, was selected as bearer of despatches to Fort Sedgwick. ** * * *  

In this way the little party took its departure on the night of the 23rd of June." (pp. 55-56)
On page 62 he describes the return of Major Elliot from Fort Sedgwick on June 27, 1867.

General Custer then describes the march from his camp on the Republican to Riverside Station on the South Platte commencing June 28, 1867. Riverside Station is the same point known as the Riverside Ranch of John Iliff (see statement of John Dillon—this case). He in part says:

"The despatches brought by Major Elliot from General Sherman directed me to continue my march, as had been suggested, up the North Republican then strike northward and reach the Platte again at some point west of Fort Sedgwick, near Riverside Station. This programme was carried out. Leaving our camp on the Republican, we marched up the north fork of that river about sixty miles, then turned nearly due north, and marched for the valley of the Platte.

The only incident connected with this march was the painful journey under a burning July sun, of sixty-five miles, without a drop of water for our horses or draught animals. This march was necessarily effected in one day, and produced untold suffering among the poor dumb brutes. Many of the dogs accompanying the command died from thirst and exhaustion. When the sun went down we were still many miles from the Platte. The moon, which was nearly full at the time, lighted us on our weary way for some time; but even this was only an aggravation, as it enabled us from the high bluffs bordering the Platte valley to see the river flowing beneath us, yet many miles beyond our reach.

Taking Lieutenant Moylan, Dr. Coates, and one attendant with me, and leaving the command under temporary charge of Major Elliot, I pushed on, intending after arriving at the river to select as good camping ground as the darkness and circumstances would permit. We then imagined ourselves within four or five miles of the river, so near did it appear to us. Mile after mile was traversed by our
tired horses, yet we apparently arrived no nearer our journey's end. At last, at about eleven o'clock, and after having ridden at a brisk rate for nearly fifteen miles, we reached the river bank. Our first act was to improve the opportunity to quench our thirst and that of our horses. Considering the lateness of the hour, and the distance we had ridden since leaving the command, it was idle to expect the latter to reach the river before daylight. Nothing was left to us but to bivouac for the night.**

Had we known that the Indians were then engaged in murdering men within a few minutes' ride of where we slept, and that when we awakened in the morning it would be to still find ourselves away from the command, our sleep would not have been so undisturbed. Daylight was beginning to make its appearance in the east when our little party of slumbering troops began to arouse themselves.************

Being the first to awake, I rose to a sitting posture and took a hasty survey of our situation. Within a few feet of us flowed the Platte river.**

Arousing my comrades, we set about discovering the circumstances of our situation. First, the duties of a hasty toilet were attended to.**

The river flowing at our feet afforded a lavatory which, if not complete in its appointments, was sufficiently grand in its extent to satisfy every want.**

Much to our joy we discovered the bivouac of the troops about three miles down the river.**

Breakfast disposed of, the next question was to ascertain our exact location and distance from the nearest telegraph station. Fortunately Riverside Station was near our camp, and from there we ascertained that we were then about fifty miles west of Fort Sedgwick. The Party obtaining this information also learned that the Indians had attacked the nearest stage station west of camp the preceding evening, and killed three men. This station was only a few minutes' ride from the point on the river bank where myself and comrades had passed the night in such fancied security.

Believing that General Sherman must have sent later instructions for me to Fort Sedgwick than those last received from him, I sent a telegram
to the officer in command at the fort, making inquiry to that effect. To my surprise I received a despatch saying that, the day after the departure of Major Elliott and his detachment from Fort Sedgwick with despatches, of which mention has been previously made, a second detachment of equal strength, viz., ten troopers of the Second United States Cavalry, under command of Lieutenant Kidder and guided by a famous Sioux chief Read Bead, had left Fort Sedgwick with important despatches for me from General Sherman, and that Lieutenant Kidder had been directed to proceed to my camp near the forks of the Republican, and failing to find me there he was to follow rapidly on my trail until he should overtake my command. ** * * * * 
The instructions of General Sherman were for me to march my command, as was at first contemplated, across the country from the Platte to the Smoky Hill river, striking the latter at Fort Wallace. Owing to the low state of my supplies, I determined to set out for Fort Wallace at daylight next morning." (pp. 69-71)

General Custer then describes the search for and the finding of the remains of the Kidder Command, which had been massacred by the Indians, and further describes his experiences on that portion of the Plains on the Smoky Hill route during the remainder of the year 1867. In chapter ten, pages 86 to 98 inclusive he describes the fight at Beecher's Island on the Arickaree fork of the Republican river near Wray, Colorado. In this description he thus describes the water courses of the Plains country in describing the conditions that existed on the Arickaree, September 17, 1868:

"The water courses in this part of the country in the dry season are mere threads of water meandering along the broad sandy bed of the river, which during the months of May and June is generally full to its banks, and at that time capable of floating an ordinary ship, while later in the season there is not enough water to float the smallest row-boat. In fact, in many places the stream sinks into the sand and disappears for a considerable distance, finally making its way up to the surface and flowing on until it again disappears and reappears many times in the course of a long day's journey."