

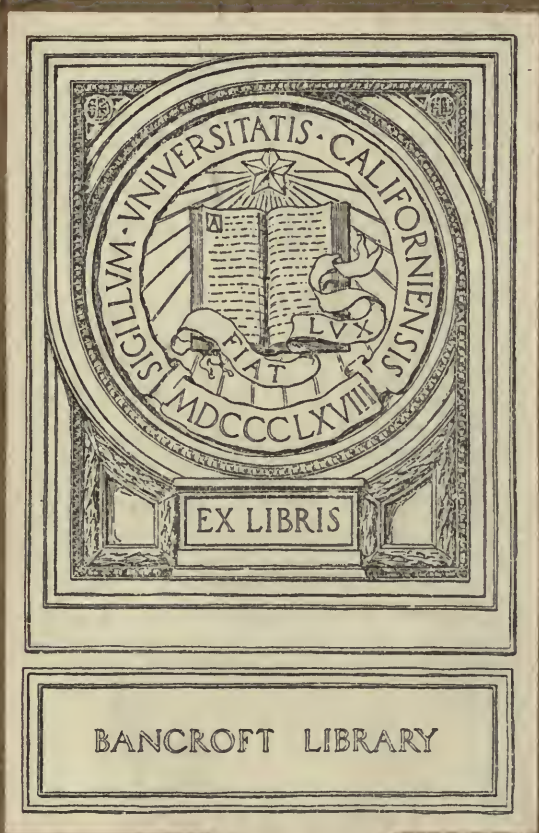
Paxson, The County Boundries of Colorado.

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THE COUNTY BOUNDARIES OF COLORADO

BY FREDERIC L. PAXSON

The early history of the state of Colorado is of necessity closely connected with that of the territories from which lands were taken to endow the new commonwealth. Kansas, Nebraska, Utah, and New Mexico were all levied upon, and out of the lands thus provided was erected, under the stimulus of the discovery of gold near Pike's Peak in 1858, the new territory bearing the name of Colorado, by the act of February 28, 1861.¹

The territorial history of the Colorado lands in connection with Nebraska, Utah, and New Mexico has not yet been made accessible. Kansas three times passed laws which are of interest in the history of the new territory.² In the year 1855 she created the county of Arapahoe, embracing all of her territory west of the one hundred and third meridian, while the county of Washington, south of thirty-eight degrees and thirty minutes, included the southeast corner of Colorado. Neither of these counties was ever organized, Arapahoe being attached to Marshall, as was Washington to Allen, for purposes of government, and both of them being reshaped before their local settlement justified any formal organization. The discovery of gold in Arapahoe county in 1858 brought about the repeal of the act of 1855, and the substitution for the two counties of Arapahoe and Washington, within Colorado limits, of the counties of Oro, Broderick, Montana, Arapahoe, El Paso, and Fremont, all lying west of the one hundred and third meridian. The southern end of the single degree east of this meridian, losing even its nominal Washington county in 1859, became in the following year a part of the county of Peketon. And in this condition all of Kansas west of the twenty-fifth meridian from Washington (approximately the one hundred and second from Greenwich) was cast adrift when Kansas was admitted into the union on January 29, 1861.

¹ F. L. PAXSON, "The Boundaries of Colorado," in *University of Colorado Studies*, Vol. II, pp. 87-94

² H. G. GILL, "The Establishment of Counties in Kansas," in *Kansas Historical Society Collections* Vol. VIII, pp. 1-23, with sixteen outline maps.

The first legislative assembly of the territory of Colorado met in Denver in the autumn of 1861 to pass, among others, a law dividing the whole territory into seventeen counties.¹ Of these original counties, six embraced large areas of plains lands of the eastern slope—Weld, Arapahoe, Douglas, El Paso, Pueblo, and Huerfano. Three covered the whole



MAP I.—1861—Before Admission of Kansas.

unoccupied western slope—Summit, Lake, and Conejos.² Two, Fremont and Costilla, divided the eastern and western slopes at the south while six mountain counties in the center of the state—Larimer, Boulder, Gilpin, Clear Creek, Jefferson, and Park—have until this day remained in their original limits as witnesses to the wisdom of the legislature which brought them into existence.³

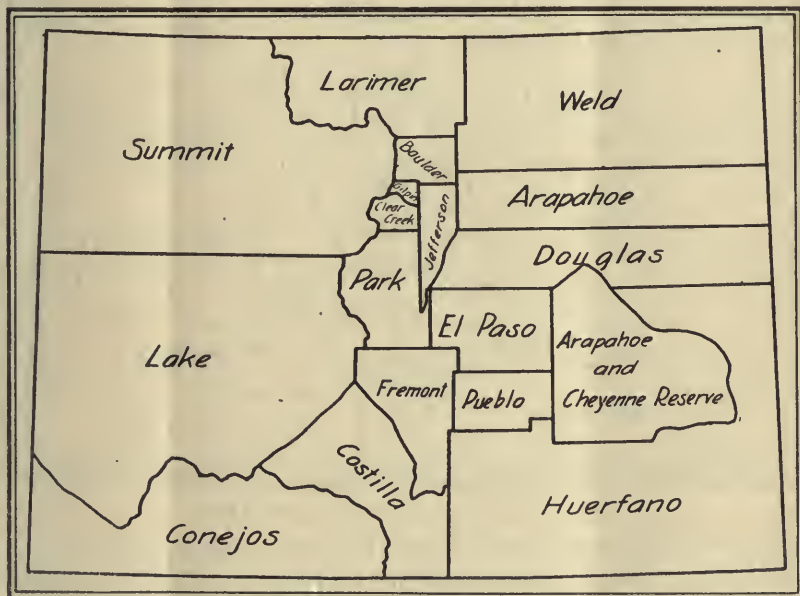
In defining the boundaries for these first counties the legislature made large use of the lines of the United States survey, which had begun in the

¹ Act of November 1, 1861 (First Legislative Assembly, *Session Laws*, pp. 52-57).

² The act of November 1, 1861, created a county of Guadalupe, whose name was changed by the act of November 7, 1861, to Conejos (*Sess. Laws*, 1861, p. 143).

³ These central counties contained most of the population of the territory, for here were the great mining camps.

territory a few months before the act was passed. The eighth guide meridian, passing through the town of Pueblo, gives the location to ranges in the whole state, save the southwest corner. And the base line of the fortieth parallel is used over the same area. In the southwest, and in later years, the New Mexico principal meridian replaces the eighth guide of the eastern slope. The six eastern counties were all defined with reference to these base and range lines, in existence or projected.

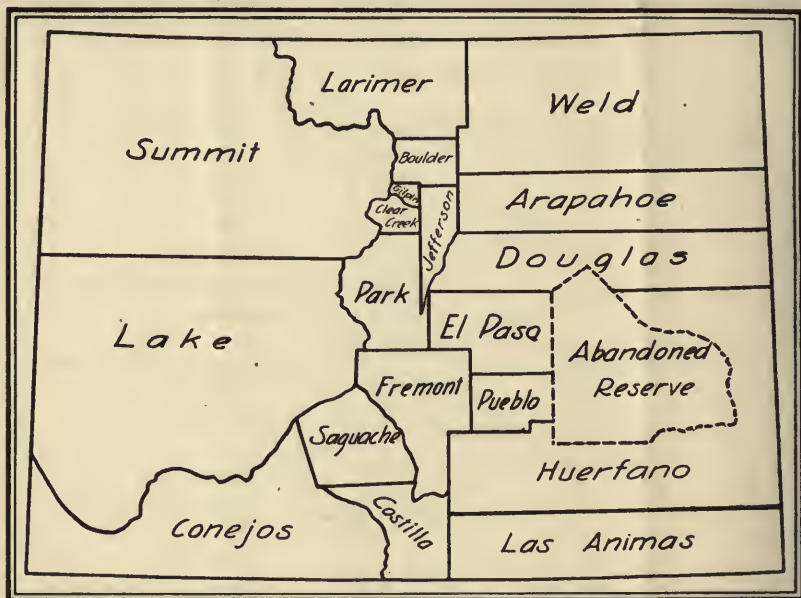


MAP II.—1861—First Legislative Assembly.

The central counties made much use of the Snowy Range, which the courts later determined to mean the continental divide when not further qualified by a local name, as Mosquito or Sangre de Cristo or La Plata range.¹ The western counties, beyond the region of accurate survey or actual settlement, were open to confusion in the case of the Lake-

¹ This ruling was made in a suit in which Grand county endeavored to establish the Medicine Bow range as its eastern boundary, which was by definition the "Snowy Range" (*Grand County v. Larimer Co. Colorado Supreme Court Reports*, Vol. IX, p. 268, April term, 1886). In the following year the legislature provided that disputed county boundaries should be determined and surveyed by the state engineer (Act of April 4, 1887, *Sess. Laws*, 1887, p. 288).

Conejos line which was defined as running along a range, the La Plata, which was misplaced in the maps used by the legislature; but this mistake was corrected before the opening of the San Juan country made it a matter of importance.¹ It is worthy of note that four of the eastern



MAP III.—1866—Second to Sixth Assemblies.

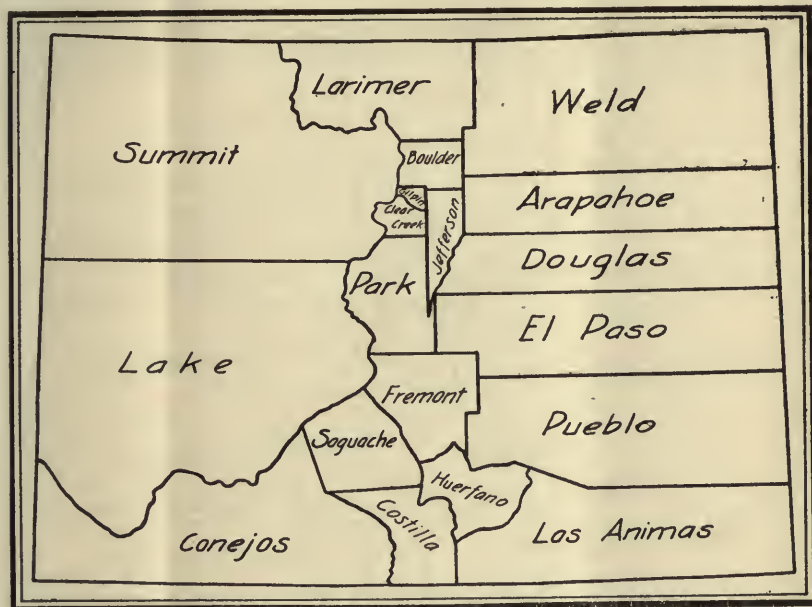
counties were bounded in part by the Cheyenne and Arapahoe reservation, established by treaty of February 18, 1861, and lasting until after the treaty of Little Arkansas, of October 14, 1865, which followed the serious plains war of 1864.² In no other instance did Colorado allow a reservation to interfere with the extension of county boundaries over its area. The Ute reservations in the west were always covered by these lines.

From 1864 until the arrival of the railways in 1870 Colorado failed to continue in the rapid growth which had been hoped for in the early sixties.

¹ There is a range indicated as "La Plata" in the position evidently contemplated in 1861, in "Map No. 4: From the Coo-che-to-pa Pass to the Wahsatch Mountains," in *Reports of Explorations . . . for a Railroad from the Mississippi River to the Pacific Ocean* (Washington, 1861), Vol. XI. This range separates the rivers San Juan and Dolores, along which divide the line is drawn in the maps accompanying this article.

² C. C. ROYCE, "Indian Land Cessions in the United States," in *Bureau of American Ethnology, Eighteenth Report, 1896-97, Part 2*, pp. 824, 838, and maps.

Her mines were in a measure discredited, statehood failed in spite of the exigencies of the Republican party in Congress, and population seems actually to have fallen away during these years. The county-process indicates this stagnation in its own leisurely development.



MAP IV.—1868—Seventh Assembly.

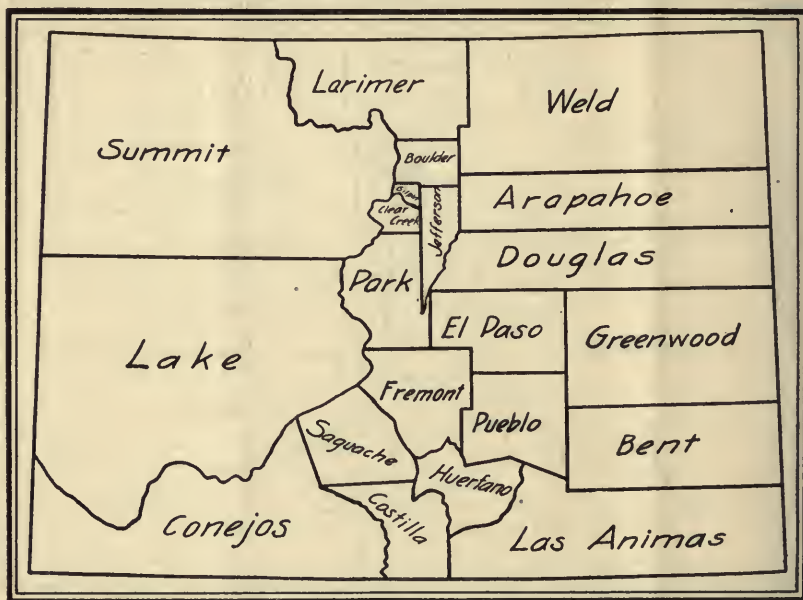
With the exception of Saguache, formed out of that part of Costilla north of La Loma del Norte and Moscow Creek,¹ no new county was created on the western slope during these years. Saguache was the work of the sixth legislative assembly sitting at Golden in 1866-67. Its north-west boundary was not the original Costilla-Lake line of 1861, but a new line erected for Costilla-Conejos by the third legislature in 1864, and extending from the top of Cochetopa Pass to "the mouth of the canon of the Snowy Range from whence flows the Rio Grande del Norte,"² the southern point being later determined by the state engineer as the town of Del Norte, situated in La Loma del Norte.³

¹ *Sess. Laws*, 1866-67, p. 54, act of December 29, 1866.

² *Sess. Laws*, 1864, p. 68.; February 24, 1864.

³ Cochetopa Pass was in 1892 defined by the state engineer as situated in S. W. Cor., Twp. 46 N., Range No. 4, East, of New Mexico Principal Meridian (*Colorado State Engineer, Sixth Biennial Report*, p. 49). The "mouth" of the Canon was located in this same report (p. 44).

On the eastern slope the corners of Fremont county were straightened out by the fifth and seventh assemblies of 1866 and 1868,¹ while the county of Las Animas made its appearance in the former year, formed from that part of Huerfano county south of thirty-seven degrees and thirty minutes.²



MAP V.—1870—Eighth Assembly.

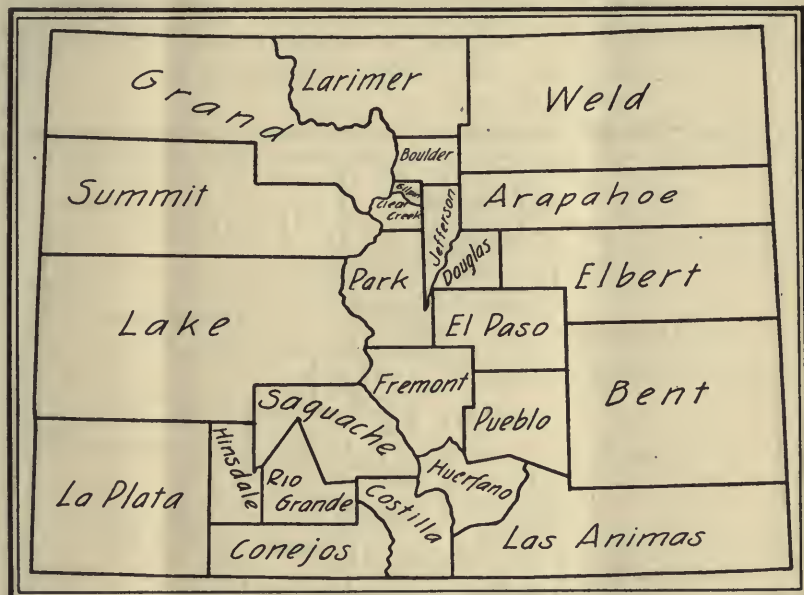
The disappearance of the Cheyenne and Arapahoe reservation, and the removal of the Indians, forced a revision of these southeastern lines in 1868, with the result that the seventh legislature restricted Huerfano county to its modern irregular bounds and divided its old territory between Pueblo and Las Animas, its neighbors on the northeast and southeast.³

¹ An act of March 11, 1864 (*Sess. Laws*, 1864, p. 69), had given a conditional modification to Fremont, depending upon a certain Beaver Creek. This act was repealed by the act of February 6, 1866 (*Sess. Laws*, 1866, p. 47). The later act of January 6, 1868 (*Revised Statutes*, 1868, p. 163), substituted the range of mountains east of the Arkansas River for the original northwestern line, the new line crossing the Arkansas three miles below the mouth of the South Arkansas in order to connect with the range mentioned.

² February 9, 1866 (*Sess. Laws*, 1866, p. 49).

³ Act of January 9, 1868 (*Revised Statutes*, 1868, p. 164). These *Revised Statutes* were authorized by the seventh assembly and form the first revision of Colorado laws.

The advent of the railway in Colorado left its necessary imprint upon county organization. The Denver Pacific, connecting Denver and Cheyenne, and the Kansas Pacific, otherwise known as the Eastern Division of the Union Pacific, reaching the territorial capital from the east, both came into operation in the summer of 1870. Greenwood and Bent counties



MAP VI.—1874—Ninth and Tenth Assemblies.

had preceded the Kansas Pacific by some months,¹ while the activity around the county seat of the former, Kit Carson, caused by the heavy Santa Fé trade springing from the railway at that point,² gave a considerable activity to speculation in territorial lands. The county of Elbert, south of Arapahoe, came with the tenth legislature in 1874 at the expense of Douglas and Greenwood,³ while the latter gave to Bent what Elbert did not need and itself disappeared from the map.⁴ In this condition,

¹ Act of February 11, 1870 (*Sess. Laws*, 1870, p. 53).

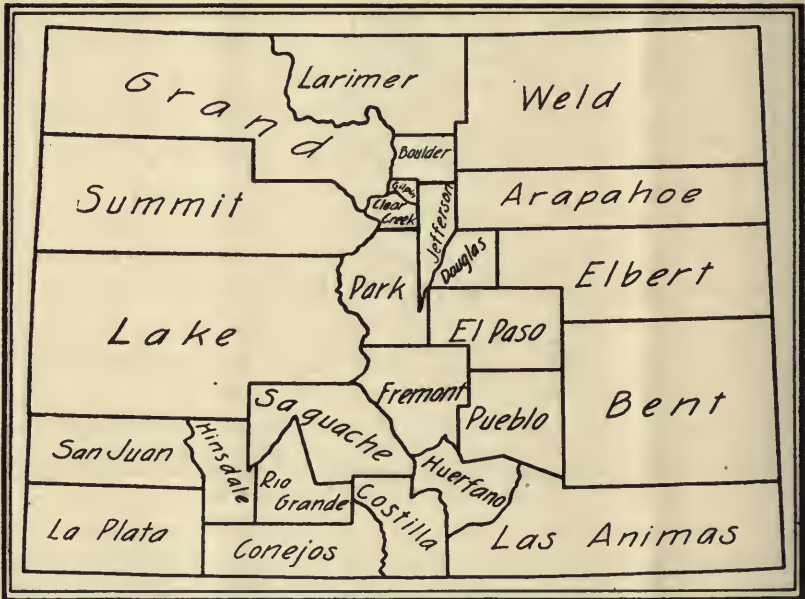
² The Arkansas Valley Railroad was constructed by Kansas Pacific interests to connect Kit Carson and Pueblo. It was built as far as La Junta, further extension being unnecessary since the Santa Fé had already reached Pueblo by La Junta. The Arkansas Valley was never a success, closed down in 1877, was sold under foreclosure in 1878, and is today abandoned. (*Poor, Railway Manual*, 1878, p. 894.)

³ Act of February 2, 1874 (*Sess. Laws*, 1874, p. 69).

⁴ Act of February 6, 1874 (*Sess. Laws*, 1874, p. 61). The *Ninth Census*, 1870, had given to Greenwood a population of 510 (*Vol. I, Population*, p. 16).

save for the county of Custer, made in 1877,¹ the eastern slope remained through the rest of the seventies and through the eighties to 1887.

On the western slope of Colorado the seventies show a greater county activity than on the eastern. The early counties beyond the range had lost much of their importance from the fact that the Ute reservation covered most of the useful lands. But the Indians receded before the prospector during this decade,² allowing the creation of many new counties in place of the original three—Summit, Lake, and Conejos.



MAP VII—1876—Eleventh Territorial Assembly.

Saguache county was the first to change in the early seventies, receiving in 1872 a new northern line in the latitude of Poncha Pass, and a new

¹ Act of March 9, 1877 (*General Laws*, 1877, p. 211). The first general assembly of the new state of Colorado published no *Session Laws*, but embodied the statutes of 1877 in a code of *General Laws*.

² The original reserve, west of 107° and south of fifteen miles north of 40°, was based on a treaty March 2, 1868. The Utes ceded the San Juan rectangle out of this by a treaty of September, 13, 1873, and the remaining portion, save for the fifteen mile strip of the Southern Ute reserve, by an agreement of March 6, 1880. (ROYCE, *Indian Land Cessions*, pp. 848, 864, 874, 899, 904, 908; *House Executive Document* 66 *Forty-fifth Congress, Second Session*.)

western line along the Ute reserve in one hundred and seven degrees.¹ The next legislature, the tenth in 1874, was able to take advantage of the cession by the Utes of their San Juan lands, and to create three southwestern counties at the expense of Conejos and Lake. The large county of La Plata received on the east a meridian six miles west of the mouth of Lost Trail Creek on the Rio Grande, and on the north a parallel ten miles north of the thirty-eighth parallel,² both of which boundaries were shortly to give way to more reasonable lines along the obvious summits. Conejos was in the same year forced back of the ninth correction line and the first guide meridian east of the New Mexico principal meridian, while the lands thus surrendered were divided by the New Mexico meridian itself into Hinsdale and Rio Grande. The county of Grand was erected by the same tenth assembly out of that part of the huge Summit north of the Ute reserve and the line between townships Nos. 1 and 2 south.³

The eleventh legislature, 1876, the last of the territorial series, added San Juan to the southwestern group, taking from La Plata for the purpose its lands north of nine miles south of the tenth correction line, and erecting a mountain line for most of San Juan's eastern boundary.⁴ The impossibility of the 1861 Conejos-Lake line was by this time clearly seen in that the La Plata range not only did not cross the western boundary of the territory, but did not even connect with the continental divide at the source of the Rio Grande, which the statute called upon it to do. With this legislature the territorial period ended, twenty-six of the counties of Colorado being in existence.⁵

¹ Act of February 9, 1872 (*Sess. Laws*, 1872, p. 81). The state engineer, under act of April 4, 1887, has determined the summit of Poncha Pass to be "Intersection Peak" as indicated on Sheet VII of F. V. HAYDEN, *Atlas of Colorado* (Washington, 1881). (*Colorado State Engineer, Fourth Biennial Report*, Part I, p. 116.) The court of appeals sustained his ruling in September, 1892 (*Gunnison Co. v. Saguache Co. Colorado Court of Appeals Reports*, Vol. II, p. 412).

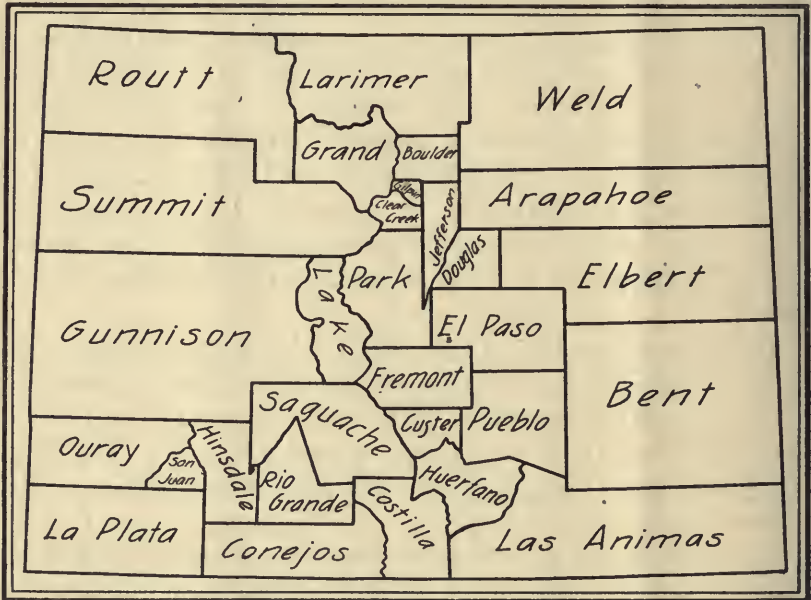
² Act of February 10, 1874 (*Sess. Laws*, 1874, p. 66). A single act defined the boundaries of the three counties, and in a later section (No. 13) established the tenth correction line as a new boundary between Costilla and Saguache.

³ Act of February 2, 1874, (*Sess. Laws* 1874, p. 71). The mountain boundary of the new Grand left the Snowy Range where it throws off a spur between the Williams' Fork and Blue Rivers, on the west boundary of Clear Creek, and follows the spur range to the township line mentioned.

⁴ Act of January 31, 1876 (*Sess. Laws*, 1876, p. 58).

⁵ The writer is indebted to one of his graduate students, Mr. Frederick Eugene Hagen, for assistance in the preliminary survey of the territorial period. He has, however, based all his conclusions upon a personal examination of the statutes involved.

The first general assembly of the new state, meeting in 1877, took up the process of subdividing the west so vigorously that three new counties made their appearance in this year. San Juan, which had come into existence only the year before, was cut down until it reached its present location and boundary, while so much of the original territory as lay west



MAP VIII.—1877—First General Assembly.

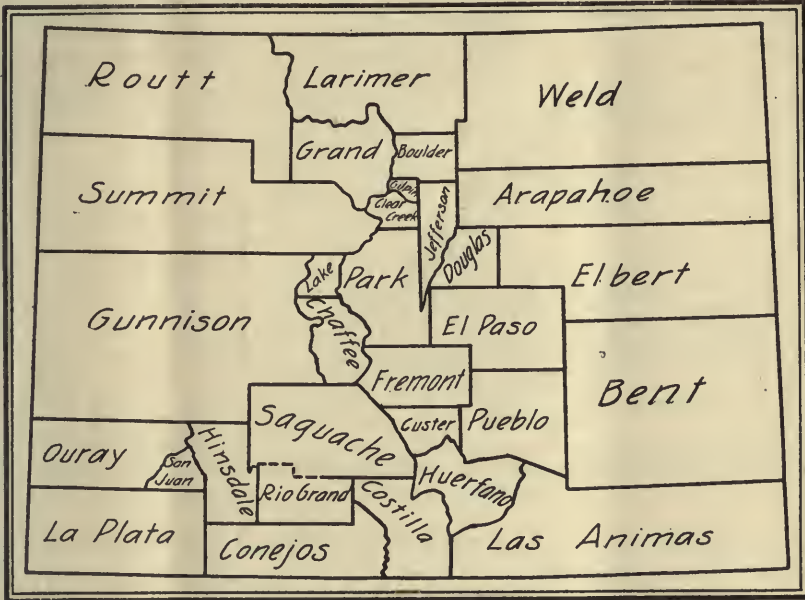
of an irregular mountain line became the new county of Ouray.¹ Lake county was confined to the east of the continental divide or Snowy Range, while its discarded portion received the name of Gunnison.² Routt county was cut off from Grand with an eastern boundary that was at a later day to cause litigation with both its mother-county and Larimer.³

¹Act of January 18, 1877 (*General Laws, 1877, p. 207*).

²Act of March 9, 1877 (*General Laws, 1877, p. 213*).

³The western boundary of Larimer was determined by the supreme court in *Grand Co. v. Larimer Co.*, (*IX Colorado, p. 268*). Routt county received a somewhat uncertain boundary in the act of January 29, 1877 (*General Laws, 1877, p. 209*). In one section it was to include that part of Grand lying west of a defined line, while the defined line, starting from the intersection of south line of Grand and the Gore Range, and running north to the Wyoming territorial line, ran, through half its length, through North Park and Larimer county. Thus a technical contention based upon the more definite boundary statement might have included in Routt a part of Larimer. The identity of Gore Range caused litigation between Routt and Grand over a twelve-mile strip. The state engineer, J. S. Green, identified the point of intersection at Yarmany Peak, his ruling

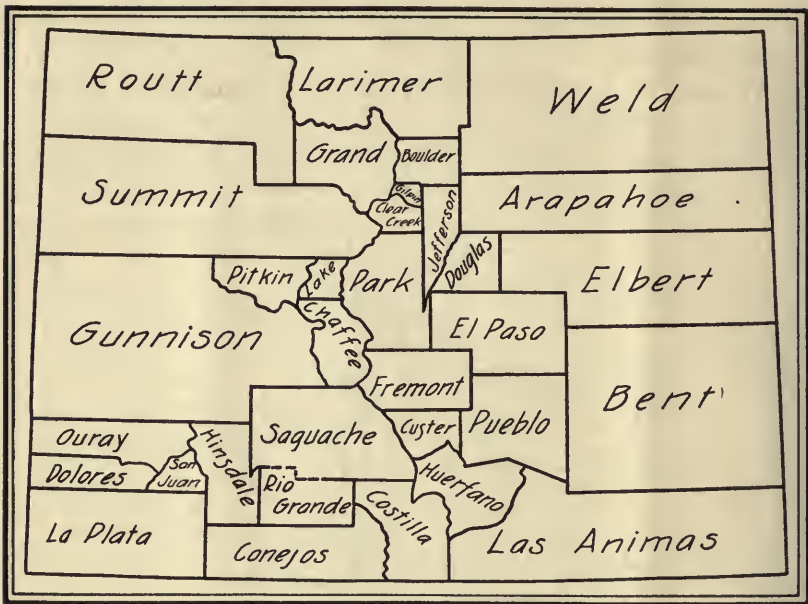
In 1879 the second state assembly gave to Saguache, already a much-bounded county, a new line on its south, and at the same time a ground for future litigation.² To the adjoining county of Lake, between Snowy



MAP IX.—1879—Second General Assembly.

being overturned and the point being placed twelve miles farther west by the district court of Grand upon appeal of Grand. The court of Appeals, in 1894, reversed the decision of the court below, and remanded the case (IV *Colorado Court of Appeals*, p. 306). Subsequently the county attorneys of Grand and Routt agreed to run the line from the southwest corner of township No. 1, range 82, west.

² An adjudication of the common boundaries of Saguache, Hinsdale, and Rio Grande occurred after the beginning of the mining boom at Creede and before the creation of Mineral county in 1893. In order to determine the location of certain of the new camps, appeal was jointly made by the counties to the state engineer, J. B. Maxwell, under the act of 1887. Maxwell sat at Creede in March, 1892, and handed down a decision defining the southern boundary of Saguache as running from the intersection of the tenth correction line north with the first guide meridian east of the New Mexico principal meridian, west to an intersection with a line running northwesterly from Del Norte to Cochetopa Pass, and northwesterly to said pass; thence southwesterly along the continental divide to the one hundred and seventh meridian. (*Colorado State Engineer, Sixth Biennial Report*, pp. 42-50.) This decision of the state engineer was later contested by Mineral county, and the district court of Chaffee reversed the decision on the ground that the procedure of the state engineer was illegal, his duty being to survey a line, not merely to adjudicate it. The court also took evidence and established the Rio Grande River, west of the New Mexico meridian, as the southern line of Saguache, in place of the continental divide. Upon the appeal of Hinsdale, this decision was reversed by the court of appeals at its April term, 1897 (*Colorado Court of Appeals Reports*, Vol. IX, p. 368). A year later, the court of appeals was itself reversed by the supreme court, upon the appeal of Mineral (*Colorado Supreme Court Reports*, Vol. XXV, p. 95). In the light of these decisions, the Saguache-Hinsdale line must be inter-



MAP X.—1881—Third General Assembly.

and Mosquito Ranges, its attention was called by the discovery of great silver lodes near the old town of Oro. At first it divided the county, giving its north end, north of five miles south of the first correction line, the descriptive name of Carbonate.¹ But before the session ended, Car-

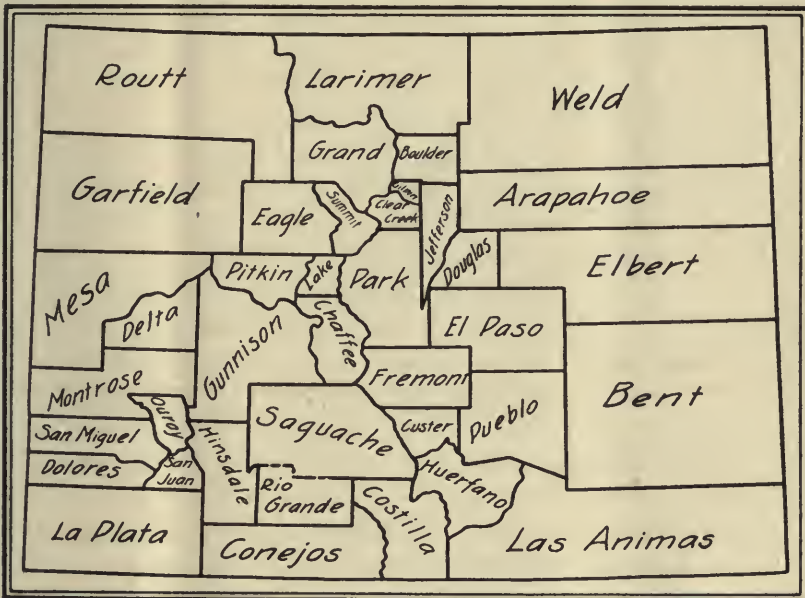
puted as running in part along the Rio Grande, although the writer has been unable to find any statutory authority for the ruling of the Chaffee county court, and inclines to the opinion that a better interpretation of the statute would have been reached had the court been able to pass the matter back to the state engineer for lawful action, rather than to decide the location of the line itself.

The Saguache-Rio Grande line is likewise in some doubt. When Rio Grande was erected in 1874 its northern line was the old southern line of Saguache, passing through Del Norte and Cochetopa Pass. In an act of February 8, 1879, Rio Grande was increased by all of Saguache lying south of the tenth correction line, from its intersection with the first guide meridian east, west thirty miles, north six miles, and west to the Hinsdale line (*Sess. Laws*, 1879, p. 48). It has been commonly held that this act transferred to Saguache all of Rio Grande lying north of the described line, and in this spirit the best maps are commonly drawn. But the text of the act contains no reference whatever to an increase of Saguache. The maps here presented accept the current assumption that such was the intent of the legislature of 1879, and that the statute was merely defective in phrase. But there is much reason to believe that a technical interpretation of the law would restore to Rio Grande its Cochetopa triangle. Such was the opinion of Maxwell in 1892, and the writer accepts his argument as conclusive. The Chaffee county court threw out his ruling because of the manner in which it had been made, not on any avowed ground of an incorrect interpretation of law (*Sixth Biennial Report*, p. 47).

¹ Act of February 8, 1879 (*Sess. Laws*, 1879, p. 47). The "Camp of the Carbonates," as Leadville was popularly known, brought Colorado into the public eye in 1878 and 1879. Some of the contemporary bibliography may be found in F. L. PAXSON, "Preliminary Bibliography of Colorado History," in *University of Colorado Studies*, Vol. III, pp. 19-24

bonate had been discarded for the old name of Lake, while the southern end received the new name of Chaffee.¹ Bancroft Library

Two years after the Leadville boom of 1879, the third assembly divided the county of Ouray, to erect that of Dolores, and cut off the northeastern corner of Gunnison to receive the name of Governor Pitkin.² But it was not until the time of the fourth assembly, in 1883, that the final



MAP XI.—1883—Fourth General Assembly.

removal of the last of the Uncompahgre Utes made it possible to reduce the counties of the west to reasonable dimensions. In this year, 1883, Summit was restricted to its present limits, while out of its western end were erected Eagle and Garfield.³ Gunnison was likewise reduced to its

¹ Act of February 10, 1879 (*Sess. Laws*, 1879, p. 48).

² Dolores was erected by act of February 19, 1881, and Pitkin by act of February 23 (*Sess. Laws*, 1881, pp. 92, 89). The joint line of Garfield, Pitkin, and Mesa was run by the state engineer in 1890 (*Fifth Biennial Report*, Part I, p. 14.).

³ Garfield, February 10; Eagle, February 11; (*Sess. Laws*, 1883, pp. 130, 127). The Eagle-Summit boundary was defined, in its northern end, as the divide between the Piney and Blue Rivers. A later and better geographical knowledge showed that two divides exist between these rivers, being themselves separated by the Sheephorn Creek and valley. The state engineer, John E. Field, surveyed the line in 1897 and accepted the eastern divide as the statutory line, throwing the Sheephorn valley into Eagle county (*Ninth Biennial Report*, p. 30). The line between Garfield and Eagle had been run by the same official in 1893 (*Seventh Biennial Report*, p. 221).

present dimensions, Mesa, Delta, and Montrose being created wholly, and Uncompahgre in part, at its expense.¹ The meridian of one hundred and seven degrees, thirty minutes, became the western line of the reduced county, while the Delta-Mesa line followed the edge of the Grand Mesa in part. A new county of Uncompahgre was created by this assembly, comprising all of the valley of the Uncompahgre River and its tributaries south of thirty-eight degrees and twenty minutes, and north of the San Juan county line. Before the session ended the name of San Miguel had been applied to the old county of Ouray, while the name Ouray had been transferred to the new county of Uncompahgre.²

The history of the western slope since 1883 is quickly told. Archuleta came with the fifth assembly in 1885, to reduce Conejos to its present limits west of the continental divide.³ In 1889 the seventh assembly divided La Plata along the mountain range of the same name, and gave the name Montezuma to its western end, in honor, perhaps, of its prehistoric ruins.⁴ It ran also an irregular line along the lines of the United States survey in creating Rio Blanco in the northern part of Garfield.⁵ The ninth assembly, four years later, separated Rio Grande and Hinsdale counties by the new county of Mineral, four ranges wide and running from the ninth correction line to the continental divide.⁶

During the eighties Colorado developed as an agricultural state more rapidly than before. Irrigation had ceased to be an experiment; while the assertion by the state of its rights to control its waters, together with the supervision of the state engineer over hydraulic conditions, founded

¹ Mesa, February 14; Delta, February 11; Montrose, February 11; Uncompahgre, February 27 (*Sess. Laws*, 1883, pp. 133, 124, 136, 139).

² Uncompahgre was created by act of February 27, 1883, and had its name changed to Ouray, March 2, 1883 (*Sess. Laws*, 1883, p. 139). The dividing line between the new Ouray and San Juan had been defined by act of January 18, 1877 (*General Laws*, 1877, p. 207). It depends upon the location of a certain Mineral Creek which empties into the Uncompahgre River, and is of great importance because it traverses a rich mineral district. The line is now (1906) in the hands of the state engineer, whose chief difficulty is to identify Mineral Creek. The northern line of 38° 20', calling for an astronomical location, is also in the hands of the state engineer.

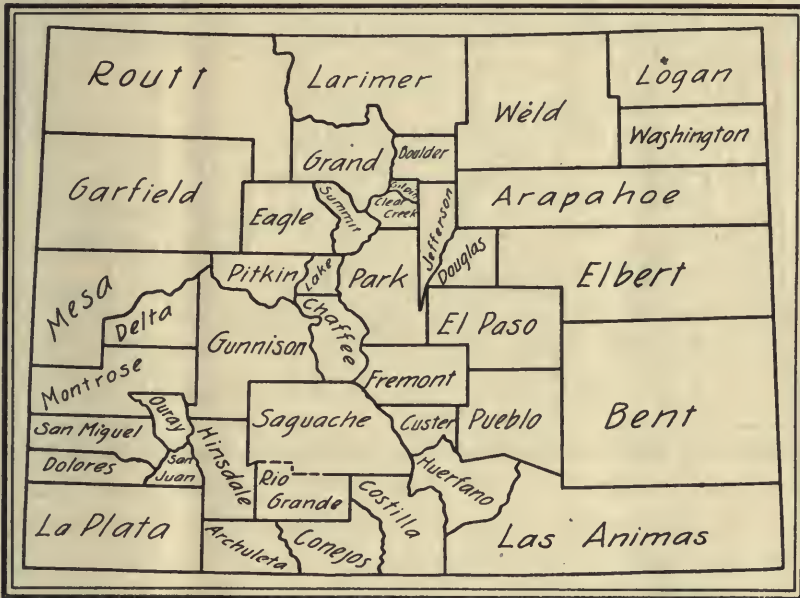
³ Act of April 14, 1885 (*Sess. Laws*, 1885, p. 40).

⁴ Act of April 16, 1889 (*Sess. Laws*, 1889, p. 262).

⁵ Act of March 15, 1889 (*Sess. Laws*, 1889, p. 325). The act is carelessly worded in its definition of the survey lines, but its intent can be easily seen.

⁶ Act of March 27, 1893 (*Sess. Laws*, 1893, p. 94). This act was carelessly phrased. A later act of April 24, 1895, was necessary to bring its wording into harmony with its intent (*Sess. Laws*, 1895, p. 205).

irrigation rights upon bases more equitable than had been known before.¹ The resulting expansion in the Platte and Arkansas valleys started anew the county growth on the east slope that had paused after the erection of Custer in 1877.

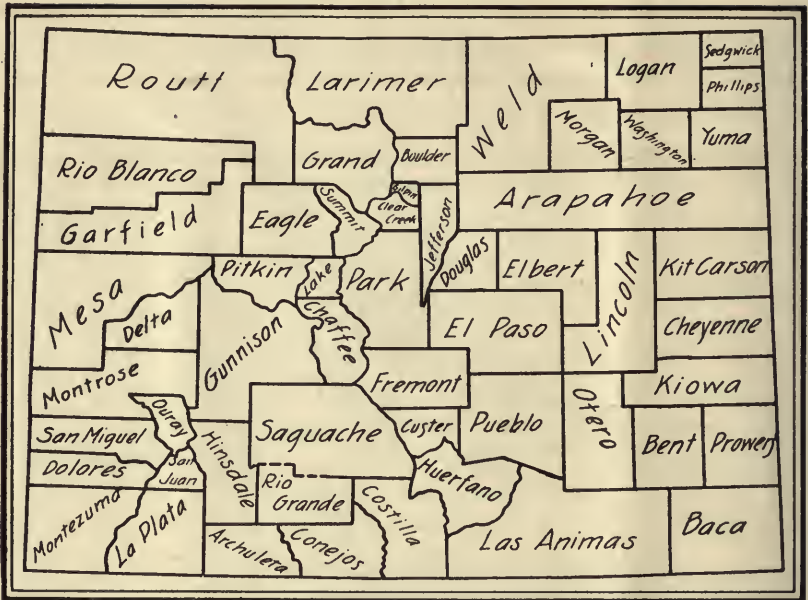


MAP XII.—1887—Fifth and Sixth Assemblies.

The county of Weld, one of the original seventeen of 1861, had complete control of the waters of the lower Platte until 1887. An attempt to create a county of Platte out of its eastern end had been made in 1872, but had failed to secure the required approval at the polls.² And thus Weld remained unbroken until the sixth assembly of 1887

¹ The act of February 19, 1879, inaugurated the policy of control of irrigable streams by the state, by erecting ten irrigation districts with a water commissioner for each. Two years later, March 5, 1881, the administration of the system was centralized by the establishment of the office of state engineer to supervise the work of the local commissioners. Twelve *Biennial Reports* have been published by the state engineer, the last being for 1904. Since the act of April 4, 1887, this official has had the duty of adjudicating and surveying disputed boundaries (*Sess. Laws*, 1879, p. 94; 1881, p. 119; 1887, p. 288).

² The erection of Platte county was authorized, subject to popular vote, February 9, 1872 (*Sess. Laws*, 1872, p. 80). This statute was repealed February 9, 1874 (*Sess. Laws*, 1874, p. 82). The courts have decided that such a popular vote is not a constitutional prerequisite to the formation of a new county, although it is necessary in cases of transfer of land from one existing county to another (*Frost v. Pfeiffer*, XXVI *Colorado* 338). There is a general statute of April 4, 1887, for alteration of county lines in certain cases by mutual consent of adjacent counties (*Sess. Laws*, 1887, p. 71.)



MAP XIII.—1889—Seventh General Assembly.

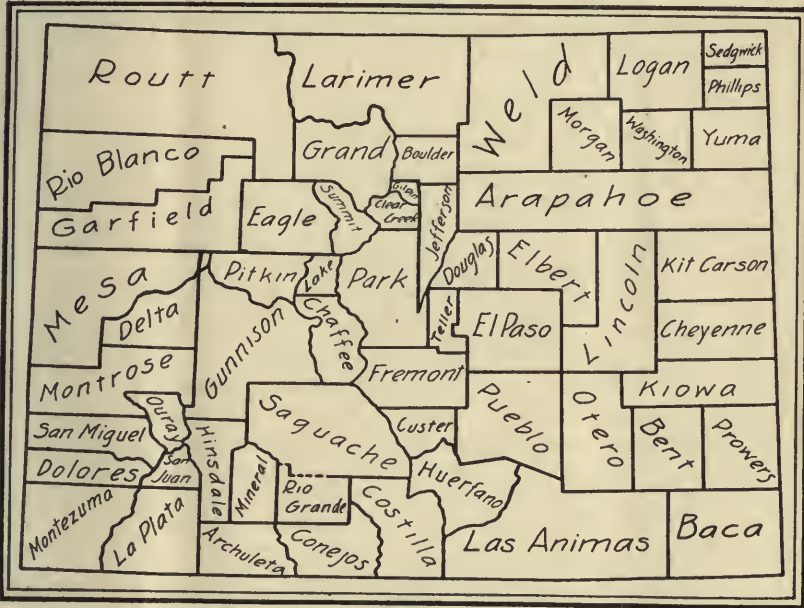
erected two counties of Logan and Washington, and began the process of the final subdivision of the east.¹

The seventh assembly, in 1889, created eleven counties on the eastern border of the state.² Logan parted with its eastern end to endow Sedgwick and Phillips; Yuma was erected in the eastern end of Washington; while Weld gave up, as its last contribution, the area of Morgan. South of Arapahoe, which came through the assembly untouched, perhaps because its eastern end contained no railways to develop the country or to pay taxes for new counties, Elbert and Bent suffered most in the division. From Elbert came Kit Carson and a part of Cheyenne on the Kansas line, with the greater part of Lincoln; while

¹ Washington, February 9; Logan, February 25, 1887 (*Sess. Laws*, 1887, pp. 251, 247).

² A study of this county expansion in connection with the railway development of the eighties shows the intimate relation existing between railway transportation and frontier development. A state commissioner of railroads was created in 1885 (*Sess. Laws*, 1885, p. 307). Two reports were published by this official in 1885 and 1892, and finally the office was abolished over the veto of Governor Waite in 1893 (*Sess. Laws*, 1893, p. 405; DAVIS H. WAITE, *Biennial Message . . . to the Tenth General Assembly* [Denver, 1895], p. 43). The *Eleventh Census. Report on Transportation Business*, Part I, pp. 4, 43, states that railroad mileage in Colorado increased from 1,385 in 1880 to 4,176 in 1890.

Bent not only contributed to complete Lincoln and Cheyenne, but parted with three complete counties in Kiowa, Prowers, and Otero. Las Animas lost Baca in this same destruction, giving up the one county of the eastern border with no railway in its endowment.¹



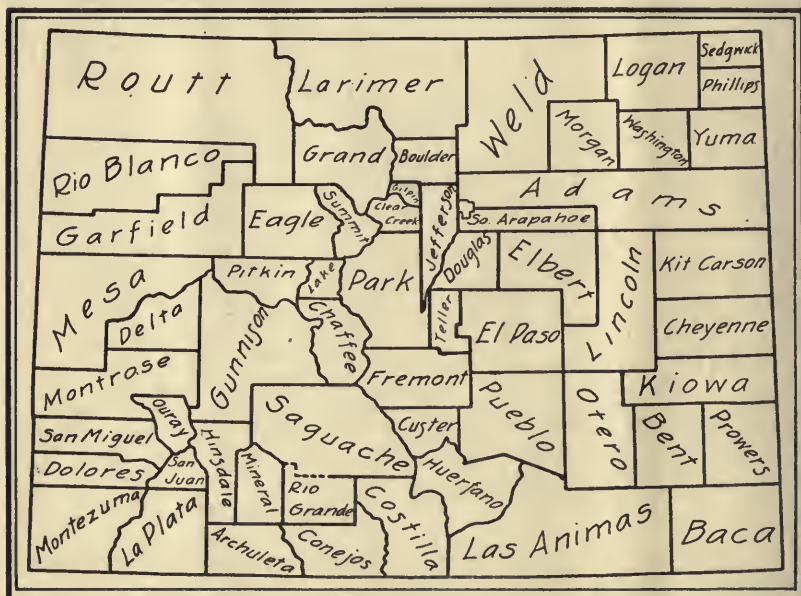
MAP XIV.—1899—Eighth to Twelfth Assemblies.

There was little left to be done on the eastern slope after the comprehensive accomplishments of the seventh assembly. Ten years later, in 1899, the twelfth assembly took the next step in response to the demands of the new Cripple Creek camp, creating Teller county at the expense of El Paso and Fremont.²

¹ Morgan, February 19, 1889 (*Sess. Laws*, 1889, p. 267); Yuma, March 15 (p. 476); Cheyenne, March 25 (p. 56); Otero, March 25 (p. 281); Phillips, March 27 (p. 288); Sedgwick, April 9, (p. 340); Prowers, April 11 (p. 294); Kiowa, April 11 (p. 222); Kit Carson, April 11 (p. 225); Lincoln, April 11 (p. 234); Baca, April 16 (p. 26).

² Act of March 23, 1899 (*Sess. Laws*, 1899, p. 359). The difficulties in administering a county containing, as in the case of El Paso, two large centers of population, Colorado Springs and Cripple Creek, were made clear during the great strike of 1893-94 (B. M. RASTAL, "The Cripple Creek Strike of 1893," in *Colorado College Studies*, Vol. II, pp. 1-48). The case of *Frost v. Pfeiffer*, cited above, was decided in connection with the creation of this county (XXVI Colorado, 338). The western line of Teller had been run, on appeal of El Paso and Park, in 1893 (*Colorado State Engineer, Seventh Biennial Report*, p. 221).

The thirteenth assembly was induced by the needs of the city of Denver to prepare a constitutional amendment providing a special type of government for counties of more than seventy thousand inhabitants, and a statute erecting the city and county of Denver as coterminous



MAP XV.—1901—Thirteenth Assembly.

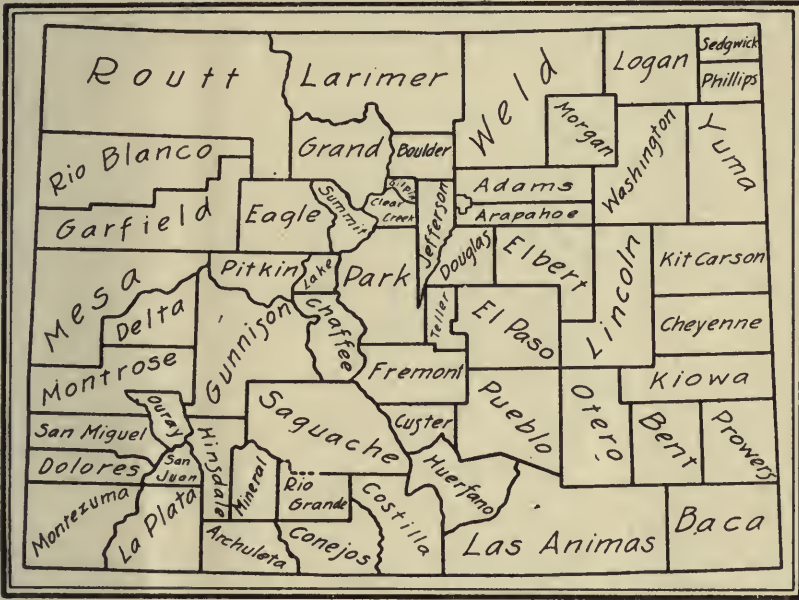
divisions.¹ It provided also that upon the acceptance of this amendment on November 4, 1902, the remainder of Arapahoe county should become Adams and South Arapahoe.² Two years later the fourteenth assembly cut away from the cumbersome Adams county, and gave vigor to the notion of the necessity of the railroad to county life by adding portions of the discarded Adams to Washington and Yuma.³

¹ Act of March 18, 1901 (*Sess. Laws, 1901, p. 97*; DAVID A. MILLS, *Legislative Manual, State of Colorado, 1903, p. 267*).

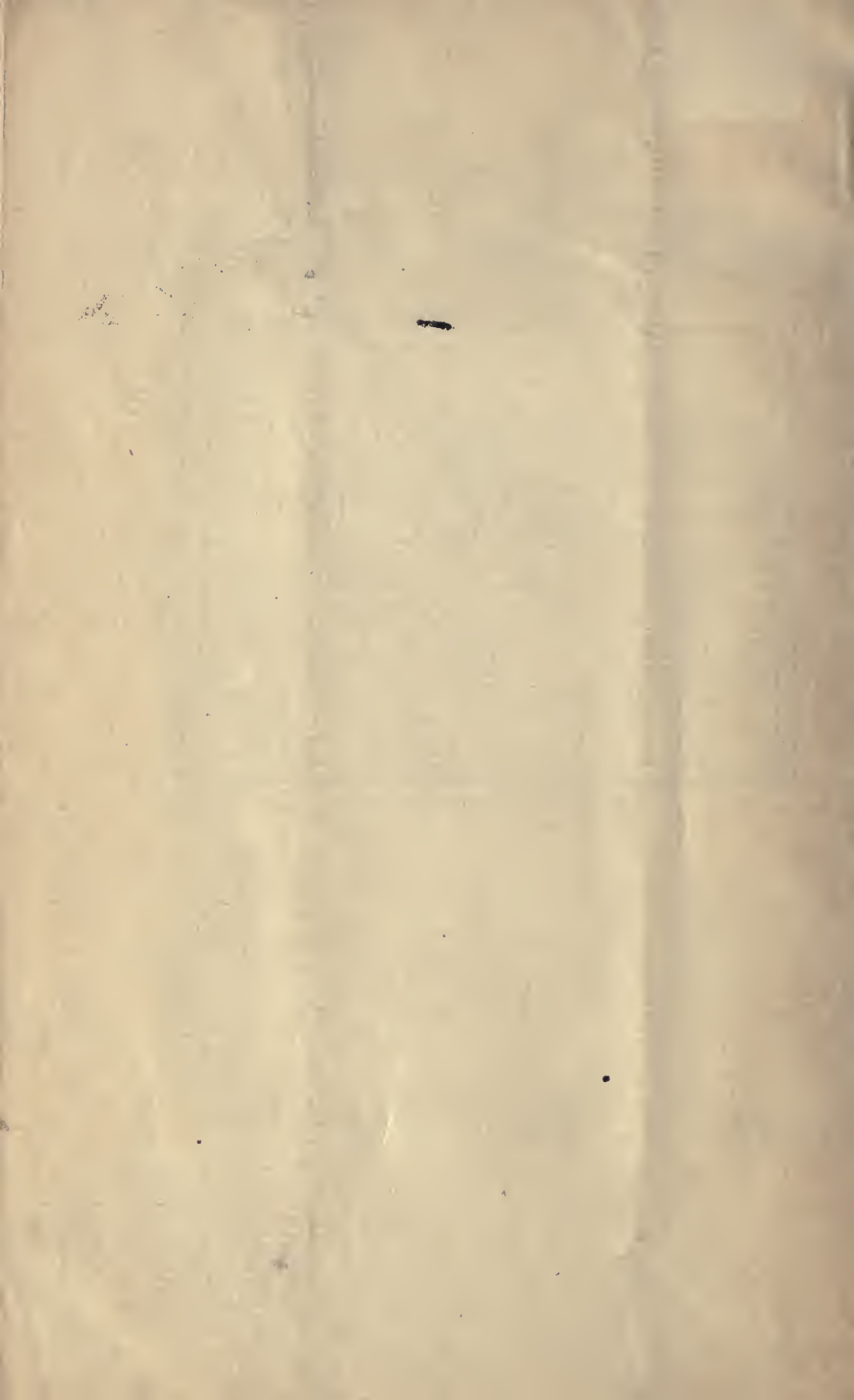
² Acts of April 15, 1901 (*Sess. Laws, 1901, pp. 133, 138*).

³ Acts of April 10, 1903 (*Sess. Laws, 1903, pp. 169, 173*).

The fifteenth assembly, in 1905, made no territorial changes, ignoring some demand for a new county in North Park at the expense of Larimer, and devoting itself to the administrative problems arising from the strikes of the preceding year.



MAP XVI.—1903—Fourteenth Assembly.



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PAT. JAN 21, 1908

