
Sin, Sobriety, and Speeding: Victorian Mining Towns' Struggle for Respectability

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There'll be a hot time in the old town to-night," was the stock image of nineteenth-century mining communities for the fiction writers, Hollywood, and television of the twentieth-century. Not that there have been many of these venues in most stories from these three creators of the mythical West. Mining has never caught the lasting attention of the "gunsmoke and gallop" western writers.

Mining communities contained ingredients that should have captured the public's attention. Red light districts, a transitory drifting crowd, plenty of money—in some camps anyway—a great cast of characters, the threat of danger in everyday work, and the potential for violence just underneath the surface. To counter these things, urbanization characterized the setting. Mining offered the story of nineteenth-century industrialization, often featuring unions struggling against management, of urban problems in a boom and bust world, and of individuals being subverted by the larger story. Mining camp folk did not feel "naked" when they were not carrying a gun, nor did the overwhelming majority of them do that.

The setting might be striking, but no man on a horse rode in to overcome all obstacles. Neither did the cavalry bolt over the hill in the nick of time, nor marshals arrive to clean up Leadville or Virginia City, like legend has it they did in Dodge City. Miners, storekeepers, freighters, lawyers, tradesmen, smelters, blacksmiths, school teachers, ministers, boarding and rooming house operators, and ordinary families were not the usual stock in trade for larger-than-life

individuals. Some of those individuals who struck wealth, like Horace Tabor or George Hearst, emerged as prime candidates for celebration, but they seemed to float separate from the community where they made their strike, if they even stayed there long after their good fortune.

There was yet another reason for this apparent lack of attention. These people, at least those who planned to stay, worked to recreate the life they had left behind, whether they came from Council Bluffs, Iowa, Augusta, Maine, or maybe Truro in Cornwall. They craved order and struggled to create a sense of community in their transitory mining world.

Women played a major role in this scenario, even when in short supply, particularly in the early years of mining communities. The sex ratios were way out of balance when compared to a farming community. This situation, in a way, gave women more influence and allowed them more opportunity than they had in the more rigid, structured society back east. Victorian society, with its defined roles for women, was not so stereotyped in the mining West.

Recreating that Victorian life took place in numerous ways that might include any or all of the following: the court house, churches, the school house, the literary society, the latest fashions, formal dances, newspapers, architecture, specialized stores, fraternal organizations, an opera house, fancy restaurants or a hotel "equal" to the best back east. Actually, anything money could buy or the human imagination might imitate. Where possible, recreation might include planting trees and grass, laying out a park, creat-



Architecture looks similar in Sandwich, Illinois (above) and Durango, Colorado (below).

*(Above: courtesy of Gary Moss,
below: courtesy of the La Plata County Historical Society.)*



ing a boulevard for the best homes, and building mainline Protestant churches with their steeples and bells.

All this was done with malice aforethought. The appearance of "civilization," not frontier helter-skelter, would induce visitors, investors, and settlers to come. It would also show the town's prosperity, its stable nature, and its residents' faith in the future.

One of the intriguing ways to look at this phenomenon is through the ordinances passed by the city council. Their date of passage, relative to community settlement, exhibits an urgency, or fear, on the part of the people who resided there to build continuity. The subjects of these ordinances suggest the residents' concerns and their intent to "civilize" their community. The establishment of a funded enforcement agency or agencies, shows how serious was their intention to underwrite their laws. Without enforcement, ordinances might look good in the books, but they simply became dead letter expressions. In a western mining world which did not normally favor taxation, the fact that the residents were willing to pay for enforcement illustrates the depth of their attitude.

Sometimes not all agreed with decisions made by the "movers and shakers," backed by the middle class "good" people. That caused tension. Not everyone's aspirations marched hand-in-hand when defining progress and prosperity. Some taxpayers in Rico, Colorado, became so satisfied with the state of civic affairs that they wanted to stop paying the trustees and mayor, while neighboring Silvertonians became angry when that community's ordinances were not enforced. After all, Rico residents argued, their town was thoroughly organized and its laws framed; therefore, they looked forward to "beaming joyous prosperity" and no need to pay the city dads.¹

To examine how this happened and why, mining communities will be compared to an Illinois farming town and to a smelting, coal mining,

farming, and business center located on the edge of the San Juan Mountains in southwestern Colorado. For the sake of this study, selected mining towns and camps within the San Juan mining district will be examined.²

Permanent settlement came to the region in the mid-1870s and for the next generation, its mines underwrote urban birth and expansion. It did not happen all in one big rush, nor all at once. The coming of the railroads—the Denver & Rio Grande in the 1880s and the Rio Grande Southern in the early 1890s—brought the transportation system which every mining district depended upon and vigorously courted.

The towns selected—Lake City, Creede, Silverton, Ouray, Telluride, and Rico—had the richest mines near them, the largest populations, newspapers, specialized business districts, architecture that went beyond log cabins and simple frame buildings, and, while hard to define, an attitude that placed them beyond their mere mining camp neighbors. Every one of them had city governments and captured county seat designations.

Mining camps were far more numerous, but lacked almost all of the attributes of their larger neighbors. Some, like Animas Forks, nestled at 11,200 feet northward up the Animas River from Silverton, tried to emulate a town, with little hope of permanent success. Occasionally, one or two of them will take a quick bow in this study, when they briefly organize a city government.

To compare and contrast with the mining towns, the other two communities selected were Durango, Colorado, and Sandwich, Illinois. Durango came to life in 1880 as a result of the coming of the railroad, the area's coal mines, and the settlement's emergence as the region's smelting center. While dependent to a degree on the mines of the San Juans, Durango also developed an agricultural, business, and industrial economy that proved far more balanced than that of the typical mining town. Sandwich's livelihood de-



*A parade marches down
Silverton's Greene Street.
(Courtesy of the San Juan
County Historical Society.)*

pendent on agriculture and the manufacture of farming implements. Nearly twenty years old before the first San Juan hamlet took root, Sandwich, Illinois, had no ties to mining.

In organizing city government, similarity existed among all of the communities. Sandwich established city boundaries and three wards with two aldermen each, set a regular meeting on the first Monday of the month, organized the council, and established rules for the operation of local government. The last included an oath of office, bonds for certain officials including the mayor, salaries, procedure for calling special meetings, a quorum of two-thirds of the members, and the establishment of standing committees. In the case of Sandwich there were six committees: laws and ordinances, finance, streets and alleys, fire and water, wards and elections, and licenses.³

Silverton's residents petitioned the Board of County Commissioners in December 1876 "praying to be incorporated," a desire the board approved. Five men were appointed trustees until a regular election could be held. They immediately passed five ordinances—town seal, town officers, defining licenses, breach of peace, and an "ordinance concerning ordinances." They followed by creating standing committees, de-

fining the duties of town officials, setting salaries and bonds, and establishing procedures for meetings. Silverton had slightly different committees, for example printing and judiciary, than Sandwich. Initially, the trustees planned to hold meetings "every Saturday evening at 7," but soon changed this to the first and third Saturdays of each month.⁴

Durango followed a similar path. After six months of county government, residents petitioned for incorporation. This was granted and, in May 1881, the first election was held. The initial city council promptly established two meeting days each month on the first and third Mondays, the order of business, and four standing committees. They also started passing ordinances. Because the not yet year-old town already contained a population of over two thousand, the council needed to work quickly to catch up with the community's multiplying needs and concerns. None of the other towns had witnessed that quick growth. As a result, the Durango City Council met eight times in May, four times in June, and seven times in July—a record unequaled by any of its mountain or prairie contemporaries.⁵

The members of the various councils were strikingly similar. White, middle-class business-

men dominated this era. Many of them had Midwestern roots, and the overwhelming majority, at least on record, pronounced themselves Protestants. Early on, the Republicans held the advantage, but the silver question of the 1890s obliterated traditional party lines in the mining communities. Election times usually generated little contention unless some issue intervened. Sandwich, for example, battled over saloon licensing in the 1890s, and the lines became tightly drawn. On the other hand, The *Dolores News* of 27 December 1879 reported that the excitement of Rico's first election produced a parade, toasts, congratulations, and "three loud and startling cheers for each member" elected.

Businessmen predominated in the councils. Durango's in 1892, for example, had a real estate agent, a livery stable owner, a contractor, a blacksmith, and the smelter superintendent. Six years later, a newspaper owner, a hardware merchant, the owner of the monument works, and a machinist sat on Sandwich's council. Creede's council of 1892 featured a lawyer, a lumber company owner, an operator of a "hauling and transfer business," a mine owner, a hotel proprietor, and a saloon keeper. Silverton's town election in April 1879 placed an attorney, a butcher, a hotel man, a builder, and a brickyard owner on the board of trustees.⁶

It did not matter who sat on the council, citizens gave them plenty of advice, sometimes quite heatedly. They also petitioned to "set matters right" and occasionally sued. Ouray's outspoken newspaper editor, David Day, repeatedly suggested—none too politely—that the council should be more alert to a whole host of issues, from too many vagrants to fast riding, while Lake City wanted council salaries reduced, and some Durango folks once wished their council to resign in mass. Telluride residents felt that the ordinance prohibiting animals running at large had backfired. "Those greatest of all scavengers, the burros," were not given a chance to clean up the alleys which "are getting in very

bad shape." Ourayites objected to the large number of unlicensed dogs running about. Why was not the council doing something about it?

Creede residents petitioned for better fire protection, debated before the council whether a marshal should be kept, and worried about "fast riding and driving." The condition of sidewalks, an excess of dogs, and the high cost of business licenses alarmed Lake City voters who marched to the council. A Rico man became upset when his building was destroyed, by direction of the fire chief, to try to contain a fire. Some residents demanded the "removal of houses of ill fame," and others worried about an outbreak of small pox.⁷

The *Durango Morning Herald* of 15 September 1883, bluntly suggested to the city authorities that they, "stop" being "engaged in the absorbing occupation of catching and killing dogs. . . . Meantime, hardly a night passes when some burglary is not committed in town. We cannot help observing that it would be a good idea to give the dogs a rest for a few days and turn loose upon the house breakers." So it went. Residents fretted. Their neighbors, the members of council—whom they probably saw daily or weekly—found themselves told about it often, very frankly and very bluntly.

David Day, perhaps the most colorful newspaper editor in any of these communities, put his complaint into poetic verse:

He stood before the altar,
Leading the Sunday School choir
After he'd sold his proxy for \$25.50,
If he didn't, I'm a lyre.

Another time, while discussing the upcoming Easter church services, he recommended: "We trust the mayor, city council and officials will attend in a body, as it is idle to attempt to conceal the fact that they are sadly in need of advice of a sacred and elevating nature."⁸

Sandwich voters became so upset in 1895

that they organized a "Civic Federation" to demand "economic management of public affairs and honest and economic expenditure of public funds." The council also found itself sued by a prisoner for alleged damages suffered while in jail, and by another resident because of a sidewalk accident. They petitioned for a curfew and to stop bicycle riding on sidewalks. Even the mayor once chastised the council: "We must not forget that we have the best interests of the whole people to look after, the minority as well as the majority, and we as their representatives must work for that purpose."⁹

Yet not all condemned. Telluride's *San Miguel Journal* praised the mayor and board on 4 February 1882 for handling town affairs in a "very satisfactory and businesslike manner." The men who served on these councils, however, must have done so out of dedication to their city, love for their community, or their enjoyment of politics. The pay and the "prestige" did not match the problems and time spent on city matters.

Once the council or board had been established, the city fathers set about formulating a group of ordinances that looked strikingly familiar in all of these communities. Animas Forks, with its high elevation, isolation, and none-too-prosperous mines, seldom gathered in more than one hundred year-round residents, but still managed to organize a government just like its bigger neighbors. It passed an ordinance to license businesses—a fine way to keep general taxes lower. The camp was incorporated, the land patent completed, a jail built, a marshal hired, a fire ordinance passed dealing with chimneys, stoves, and similar matters, and the town well dug. Animas Forks stood ready to meet the world.¹⁰

Another small camp, Bachelor, near Creede, started just as enthusiastically in 1892. The aldermen passed sixteen ordinances at their first meeting in July, including the usual ones establishing rules and order of council business, appointing town officials, and creating the town

seal. Then came fire prevention, nuisances, regulating the speed of "driving or riding animals," prohibiting the carrying of concealed weapons, and two ordinances regarding those all important matters of health—establishing the office of a town physician and a board of health. The speed limit was established at six miles per hour; however, the ordinance provided no indication how violations of that limit would be determined. But somehow that would be done, because, on being found guilty, these fast folks could be fined from one to twenty-five dollars. Bachelor's aldermen also let the contract for a jail at that first meeting. Speeders beware!¹¹

Their larger and more prosperous contemporaries followed similar paths. Telluride—known first as Columbia, until the United States Post Office made it change its name to avoid confusion with the camp of the same name in California—incorporated and found itself in a fight over title to the land upon which it sat, which it finally settled. Meanwhile, its board established ordinances for business licenses, the familiar dog licensing and fire measures, appointed city officials—the clerk served a year without pay and, upon resigning, was tendered the thanks of the board—built a jail, and fined one board member for non-attendance.¹²

Durango's initial ordinances of May 1881 could have been written by any of the towns. Appointing and determining the duties of town officers, defining misdemeanors and nuisances, establishing business licenses and the ever popular dog licensing, and enacting laws to aid in fire prevention headed the list. Sandwich, once it got past the typical opening ordinances, within the first ten years of its existence passed laws similar to those passed much more quickly by the mining communities and Durango. The difference in pace must have reflected less concern over some issues.¹³

One thing each community did was carefully to define the duties of town officers. The timing might be different, and some revision usu-

ally was needed, but each one did it. Bachelor's town treasurer had to take an oath to support the United States' constitution and Colorado's laws and constitution, plus post a five thousand dollar bond. Most other town officials also posted bond in varying amounts. Furthermore, the treasurer had to give a receipt to each person paying money, "render monthly accounts" to the board, and was prohibited from using any town money or warrants for "his own use and benefit or that of any other person or persons." The town recorder—the clerk in most communities—had to keep the town seal and "affix it to all papers and instruments" as required, attend all meetings of the board of trustees and keep minutes, and countersign all warrants drawn on the treasury.

Silverton's town constable took charge of the jail and town hall, served all process papers and warrants issued by the courts against persons for breach of town ordinances, as well as "making summary arrests [for violations] committed in his presence" breaking those ordinances. Rico's fire department and all its apparatuses were under the "absolute control" of the town's chief engineer, who had to make reports to the Board on the condition or efficiency of his department. The town attorney of Lake City had to be "licensed," would appear on behalf of the town in lawsuits, give the Board legal opinions, and was authorized to execute affidavits or bonds as necessary in suits.

Durango's city scavenger had to "take and haul away all filth, night soil, dead animals and other such things," as might be directed by the city council. Cess pool work was "done at night only." Creede elected its city physician annually and placed him in charge of all matters relating to the city's sanitary condition. Sandwich's city marshal, besides enforcing ordinances and serving as "conservator of the peace," acted as fire warden. A mining community at its high tide of wealth and population employed a large group of city officers. Turn-of-the-century Telluride,

for example, had a city clerk, attorney, marshal, police magistrate, engineer, street supervisor, physician, sexton of the cemetery, superintendent of the water works, and scavenger.¹⁴

All of the communities defined a long list of misdemeanors and nuisances. The common theme inherent in all laws reflected what worried and upset the Victorians of that generation. Their ordinances also carefully defined what was expected of residents and visitors alike.

Sandwich meticulously spelled out what was acceptable and what was not. No gambling was allowed, and any person convicted of playing for money or any other valuable thing, "with cards, dice, chess, or at billiards, or with any other article or thing whatsoever," could be "fined from \$10-100." Contrary to this, the city allowed billiards, pigeon-hole tables, and other gaming instruments, if the proprietor obtained a license and, one assumes, if no one gambled. An individual defacing, injuring or damaging any school house, church, or related property could be fined up to two hundred dollars and/or jailed for not less than sixty days. Persons destroying public or private trees, shrubs, fences, or vines, also faced a fine up to two hundred dollars. Sandwich frowned upon riding, driving, leading, or hitching any animal or vehicle on a side walk, though exacting a much lower fine of from one to five dollars. Playing ball or any sport "having a tendency to annoy persons or frighten teams" was a "no-no." Since Sunday was the Sabbath, the opening of any business, excluding public hotels, was prohibited—except druggists selling medicines.

Mining communities followed suit with a few variations. Although gambling and prostitution were, of course, prohibited, they were, nonetheless, allowed to flourish in red light districts with fines being collected monthly. This profitably benefitted local businesses that catered to the masculine crowd and helped fund the local government while permitting lower taxes. Many voters thought this dichotomy a wonderful idea.

Telluride forbade women to drink in public or anyone to sell them alcohol. That seemed aimed more at women of easy virtue than all women, but the ordinance gave no specifications. In the end, this charade seemingly appeased Victorian sensibilities, even when overwhelmed by practicality and profit.

Sunday closing proved to be another matter. Sunday being one of the important business days of the week, it did not behoove the council to pass or enforce such an ordinance. Some Ouray residents tried to have business houses closed on the Sabbath in August 1889, for instance, only to have the council lay their petition on the table, where it remained. In a related move, Durango passed an ordinance stating that no person or persons "were to play the game commonly known as base ball," or run foot races, horse races, or engage in other athletic sports on the Sabbath. That one proved impossible to enforce, despite citizen complaints.

The police force, as well as the council, came into a great deal of criticism for not enforcing ordinances. Irrepressible Dave Day, in his *Solid Muldoon* in July 1880, took out after the marshal

and the council together. Why, he asked, did the trustees "persist in retaining" the town marshal, when his salary "is just that much thrown away. Let us have a marshal who is not too cowardly to make an arrest or else close up shop." In the next issue, on 16 July, Day noted that the marshal had purchased a "colt 38" and now "wobbles around looking as brave as a sheep."

Neighboring Silverton gave its police force many matters to handle which did not require a gun. It banned improper noise or disturbance, concealed weapons, and cruelty to animals. Fast driving or riding was defined as that over eight miles per hour, and fireworks were not to be sold or discharged. Owners of offensive or annoying pig pens, meat shops, and stables faced prosecution. All dead animals had to be removed within six hours of daylight "after death." Vagrants or tramps were a concern everywhere. Vagrants, defined by Ouray as "all able bodied persons having no visible means to maintain themselves and who live idly without support," could be fined up to three hundred dollars in that community. They could either work off the fine on public works projects or get out of town.



*Rico, nestled on the western side of the San Juan Mountains
(Courtesy of Duane A. Smith)*

Rico's ordinances stated that no person could ride or drive any horse, mule, burro, or horned cattle on the sidewalk, except by permission of the board, and forbade the throwing of any ball, snowball, or other missiles against public or private buildings or animals. Durango added bicycle regulation; anyone riding at twilight or night had to have a "lighted lamp and alarm bell."

Rico also prohibited the exploding of nitroglycerine or dynamite within the city limits, something that Sandwich did not have to worry about. Carrying concealed weapons and firing guns within city limits were also against the law in these communities. So much for the western legends about gunfights and the Colt-45 making everyone equal.

Creede banned riding or driving any animal "negligently or [in a] reckless" manner, as did other communities. It also passed an ordinance against "unseemly, profane, obscene or offensive language calculated to provoke a breach of peace." Lake City outlawed disturbing or disquieting of any worshipping congregation with rude or indecent behavior. It also forbade quarreling in a boisterous manner or fighting in a public place. Telluride, meanwhile, went as far as to make "obscene writing" against the law.

With every one of these measures came a range of potential fines. One hopes that they achieved some of the goals that the Victorians wished to achieve. What these ordinances did to the constitutional guarantees of freedom of speech and assembly, the courts would have to decide. Probably few councils, or residents, stopped to consider such ramifications.¹⁵

"Johnny, get your dog or the dog catcher will," warned the *Ouray Herald* on 8 October 1896. A "grand round up of unlicensed dogs" was underway, and that spurred the notice. Dogs persisted as a continual problem to city officials, or rather their numbers were. According to some reports, they nearly managed to overrun the towns at times and became health concerns because of rabies and hydrophobia—not to mention what

their nighttime serenades did for sleeping!

Sandwich's rules regarding dogs included mad and rabid, fierce, disturbances by, bitches, "who [was] deemed the owner" of erring pooches, license fees, and the definition of a dog. Silverton paid the constable one dollar each for "taking up stray dogs," instructed the marshal to build a pound, and ordered the dog ordinance strictly enforced. Licenses separated the saved from the doomed. Lake City required a ten dollar fee for bitches, five dollars for all others—downgraded in 1881 to four dollars and two dollars—and the city marshal was especially instructed to be on the lookout for bitches without collar and tax number. No person in Creede was allowed to keep a dog "notoriously vicious or dangerous," nor one addicted to "long, frequent, or habitual barking, howling or anything annoying or disturbing any neighborhood." Those with law-breaking dogs faced fines like Creede's, which ran from five to fifty dollars.¹⁶

Cats, on the other hand, roamed freely in a world ruled by dogs. While their nightly "singing" might have upset the neighbors, no apparent ground swell emerged to curb their feline instincts. The only mention they received appeared in some ordinances related to dead cats, dogs, and other animals that had to be removed from streets and public places.

Public health in these communities obviously concerned the locals. People littered, animal "chips" fell everywhere, sanitation matters could not be easily solved, and people crowded together, all creating potential problems. One of Durango's first committees was health. It handled a variety of problems, including one at the 5 March 1889 council meeting, when the committee reported that Park Avenue residents had created a nuisance. It recommended removal, at "an early date," of all rubbish, wagons, out houses, and "everything of an unsightly nature." Like Durango, Ouray hired a city scavenger to haul away, for a fee, garbage, night earth from vaults and cess pools, and dead animals.



*A jolly group of Ouray children and a most patient burro.
(Courtesy of the Ouray County Historical Society.)*

That system was fine as far as it went, yet other health matters worried locals even more.

Nothing scared residents like the threat of smallpox. Ouray's ordinance stipulated that all cases were to be reported immediately to the city physician. When, in December 1889, a rumored case failed to be reported, the council instructed the town attorney to investigate and institute the necessary proceedings. Lake City had among its public health regulations the power to quarantine "all contagious diseases" up to six weeks or longer, to post placards on buildings housing infected persons, with the "disease name plainly written," and the power to isolate patients with small pox and "every person exposed who was not vaccinated." Diphtheria, scarlet fever, and small pox remained the three illnesses specified in special regulations. With a scarlet fever case, no person in the affected house could attend school, Sunday school, or public meetings "for at least eight weeks."

Scarlet fever so worried Ricoites that they held a special meeting to discuss the subject on 2 April 1887. The family with the illness was quarantined and signals were arranged for them to communicate their needs to the outside world. All these things happened in the name of preventing the spread of an often deadly disease. Rico

further authorized its marshal to prohibit "all public gatherings, dances, concerts, church and public assemblages of any and all kinds" until the health officer declared that no further danger existed.¹⁷

Sandwich's response to public health issues, as can be imagined, proved very similar to that of its Colorado contemporaries. The mayor appointed a board of health to examine, inquire, and report on any unwholesome condition. Areas of oversight included, among other things, privies, sewers, cellars, stables, pigsties and any "other unwholesome or nauseous house or place or business or person afflicted with any contagious disease." The board, too, had the power to remove persons infected with a contagious disease to a "pest house." Residents were required to remove filth, dead animals, putrid meat, decayed vegetables, and other nuisances "detrimental to health, [and] offensive to sight or smell." Sandwichites were also not to throw or deposit any offal or other offensive substances into any water course, spring, well, cistern, ditch, street, alley or highway. The town fathers additionally passed regulations against selling diseased animals, poultry, and fish, or spoiled meat. Any person who arrived in town with a contagious disease was liable to be fined.¹⁸

Victorians fretted about their children and the temptations that they might encounter within the community. This, of course, remained more of a concern for mining town parents. Silverton's thirteenth ordinance prohibited the sale of liquor to minors under the age of eighteen and also prohibited them from "frequenting public places where liquor is sold." Minors, furthermore, were not to be allowed in gambling houses, houses of ill-fame, and billiard halls, or "places of obscene plays." Even being downtown after 9:00 *p.m.*, without one's parents or guardian, got youngsters into trouble if they were eighteen or less. The fire bell would be rung nine times as a warning, and that meant for children to be home. Rico prohibited children less than sixteen from loitering, playing about stores, offices, and saloons or upon streets after 8:30. The fire bell was rung eight times in these cases. Lake City, more interestingly, stated that no one under twelve could play billiards, or be in "pool halls, ball alleys or shooting galleries." No minor could "assist in a dance," or remain for "any purpose in a bawdy house or dance hall." Apparently, by thirteen they had matured enough to handle temptations! Sandwich's problem focused more on saloons, not having a red light district *per se* to tempt the youth. Here existed a major difference between farming and mining communities.

Sandwich's parents had to petition for a curfew before their council would act. In October 1898, a petition was presented to the council "praying for the passage of an ordinance of curfew." Three cheers exclaimed the *Sandwich Free Press* on the thirteenth; "Sandwich like all other progressive towns doubtless will have a curfew ordinance ere long." "Ere long" took until mid-December, when an ordinance went into force declaring that persons under sixteen had to be off the streets by 8:30 *p.m.* in the summer, 7:30 *p.m.* in the winter. With seven blasts of the whistle, or bells, boys and girls had better be at their home, their parents being responsible if they were not. Not everyone was happy with this

ordinance. On 31 December 1898, one letter writer, *Argus*, wondered where it might stop. Would the curfew be extended to the women's clubs and other organizations? That seemed like an unlikely possibility!

Mothers and fathers had every right to be concerned about what their children might see, learn, or participate in, because red light districts flourished in the mining towns and in Durango. Silverton's city dads found themselves having to call a special meeting on 21 May 1877 to discuss a petition signed by forty-eight "citizens praying the board to restrict dance houses within certain limits." A second petition, signed by eighty, "prayed the board to either suppress entirely" these houses or "take no notice of them." A year later, on 6 July 1878, a complaint was lodged against one of the saloon keepers for "keeping a disorderly house."

What to do? As mentioned earlier, the red light district was a vital part of the business community. The red light district was clearly defined—saloons, dance halls, cribs, parlor houses, gambling houses, and "low class variety theaters." Pool halls barely missed the classification and made it if they allowed any gambling. If a mining town or camp did not offer at least some of these diversions, however, it would lose business in the masculine mining world of the late nineteenth century. As discussed earlier, that fact sharply delineated the issue of morality versus profits. The result was that those city councils or boards took a practical way out by carefully defining such "sins," establishing a system of penalties, then allowing them to continue in business while busily collecting monthly fines. Telluride and Durango will be used as examples.

Telluride's ordinance left little to be debated, when a defendant appeared before the court. The following acts violated city ordinances:

Any person guilty of open lewdness or other act of public indecency, tending to debauch public morals or main-

tain or keep a lewd home or house of ill fame or place for practicing fornication or shall keep a common, ill governed and disorderly house to the encouragement of idleness, or fornication, prostitution or other misbehavior.

Any person guilty of being an inmate of a house of ill fame or disorderly or lewd house.

Any man or woman who live together in an open state of adultery or fornication or both. The offense shall be sufficiently proved by circumstances which shall raise the presumption of cohabitation and unlawful intimacy.

Houses of assignation or room or rooms used for such shall be found in violation of city ordinances if persons of immoral character shall frequent such house or rooms.

The council further passed an ordinance against "nudity and indecent exposure or persons appearing in dress not belonging to his or her sex or in any indecent or lewd dress." Indecent or lewd books or pictures, or an "indecent, immoral or lewd play," too, were banned.

The cross-dressing concern probably showed a desire to prevent women from dressing in men's clothes. "Crimes against nature," or homosexuality, apparently happened so rarely that they must have been classified under general misdemeanors, probably covered under "indecent or lewd" acts. They received no special notice and seemed more horrible than most Victorians could imagine.

Interestingly, both Durango and Telluride would not permit "bawdy houses, houses of ill fame or other places occupied for the purposes of prostitution" to operate outside carefully defined districts. Was this an early form of city zoning? Durango's city fathers prohibited the practice of fornication on "any highway or other place" within the city limits. They also

allowed the offense to be "sufficiently proved by circumstances which raise the presumption of cohabitation and unlawful intimacy." Like their contemporaries, Durango's council placed higher business license fees on saloons—not to mention even higher ones on those employing "waiter girls"—businesses selling liquor, dance halls, and billiard halls. Even legitimate theaters appeared a little suspect and thus paid higher fees to stay in business.¹⁹

There existed another problem that came under the definition of sin: drugs. Again this was found in the red light districts. In 1890, Rico passed an ordinance that made it unlawful to maintain or keep "any house or resort where smoking or other unnatural use of opium or any compound thereof is practiced." Both the proprietor and anyone found in such a house or resort could be fined. Silverton acted likewise against a person keeping a place to smoke opium or an inmate or frequenter of same. Durango's ordinance—passed earlier than most in 1883—carried one of the stiffest fines: up to \$550. This law exempted druggists and others dispersing drugs and medicines under a doctor's prescription. These ordinances tended to come a little later in a city's history, as awareness of drug addiction did not generally surface until the mid- or late 1880s.²⁰

Sandwich acted much later than its Colorado contemporaries to legislate such sinful matters. The council got around to it though, eventually outlawing "obscene, lewd, indecent or immoral" words, designs, or figures, and further, making it illegal to allow any male animal to mate with a female in "public view." That was different! One would think denizens of a farming community would be used to such facts of life! Sandwich created another law that did not appear in mining towns. Any person found on the streets, public places, or resorts after eleven o'clock had to "give a satisfactory account of himself." Anyone who could not might be jailed. That idea would not have gone over well in Creede

and its neighbors. In other areas, Sandwich did not vary from its mining contemporaries, sometimes even using the same wordage in sin ordinances. Indecent exposure, dressing in clothes not “belonging to his or her sex,” indecent or lewd dress, or books, pictures or other things deemed lewd or indecent also caught the council’s attention.

With regard to opium, Sandwich seemed to have little concern until the 1890s. Then the *Argus* reported on 13 October 1894 that the council had passed an ordinance regarding the sale of cigarettes. The law particularly mentioned cigarettes containing opium, morphine, gimson weed, belle donna or sugar or any other noxious weed or opiate. Sandwich saw the problem with cigarettes of any form long before the mining communities did.

While it never seemed to have had a problem with prostitution, Sandwich’s city fathers took no chances. Conducting or maintaining, any “bawdy or disorderly house, house of ill-fame, or assignation, or place used for the practice of fornication or adultery” was an offense, with a fine of up to two hundred dollars. They

also took care of the occupants or inmates of same with a fine to one hundred dollars for each offense, half of what the proprietor had to pay. There existed many more similarities than differences in the sin ordinances of these communities. Victorian ideals moved easily from one town to another.²¹

The older farming community had a few rules by the 1880s that its younger Colorado contemporaries did not. One such prevented and regulated “the rolling of hoops, playing of ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams and horses,” for instance. The city council could not grant any railroad the use of, or the right to lay tracks in, any city street. Voters had to approve such a plan. Interestingly, city council was granted the power to license, regulate, and prohibit wharf boats, tugs, and other boats used about the harbor. For prairie-locked Sandwich, this seemed an unneeded authority.

Speaking of railroads, Sandwich and Durango were both “pass through and destination” points; the other towns were the latter only, except for



Durango in the mid-1890s had about 3,000 population, two railroads, a smelter, coke ovens, and a flour mill. (Courtesy of the Amon Carter Museum.)

Rico. Even Silverton, served at its peak by four narrow gauge railroads, remained essentially a terminal. These realities resulted in slightly different sets of ordinances for the first two towns, Sandwich and Durango. With the main line of the Chicago, Burlington, and Quincy running right through Sandwich, the city council placed into effect a series of safety regulations. Locomotive bells were to be rung continually while going through town, no train could stand at an intersection for longer than ten minutes—later amended to five—unless “absolutely necessary,” ten miles per hour was the top speed within the city limits, and a flagman had to be stationed at crossings. Durango’s speed limit stood at four miles per hour, but as to how these limits would be measured, the ordinances again did not tell.

Railroads proved crucial to the survival of all of these towns, but Sandwich and Durango were sired by them. The mining towns begged to gain connections, because railroads proved indispensable to the success of a mining district—if their freight rates remained reasonable. In 1888, Ouray, with relief, granted the Denver & Rio Grande a right-of-way into the community, but only a year later the *Solid Muldoon* of 4 January 1889 complained that the railroads’ “unjust” rates were killing the district. On 4 January 1890, the *Silverton Weekly* griped about the same thing being the “great drawback to our young mines.” City governments could do little about the issue except with a letter or a protest.

Railroads were too important to fetter with ordinances, except perhaps the one about not stopping on street crossings for too long. While complaints might surface in these decades, the mining communities put up with such inconveniences. The *Engineering and Mining Journal* of 4 January 1892 placed it all in perspective: the recent completion of the Rio Grande Southern Railroad “insures large and increasing output from Telluride and Rico.”²²

In a variety of ways, railroads boomed these communities, a fact which their residents appre-

ciated. That aside, city fathers remained very aware of that nineteenth-century adage, “grow or die.” As a result, the towns all promoted themselves. Sandwich had its county fair, one far better and larger than any of the fairs that Colorado’s La Plata, Ouray, and other counties were able to muster. Sandwich’s industries also promoted themselves at the Chicago’s World’s Fair in 1893 and brought home some awards, much to the pleasure of local folks.

The mining communities discussed joining in Colorado’s exhibit at the Chicago fair. Durango, perhaps, gained the most because of the interest in the exhibit on the ancient people who once resided at Mesa Verde. The old cliff dwellings might be fifty miles away, but Durango was the nearest large town. Every newspaper promoted the town, its residents, businesses, the surrounding region, and its economic base. Sandwich never attracted many tourists; however, the mountain towns did. Not only did visitors come to see the scenery, but, perchance, to indulge in some “sin” that they might not have dared fall temptation to at home!

Creede, in the dark days of the crash of 1893, tabled a request to donate money to the *Colorado Magazine* in recognition of an article to be published about the town. Times could not have been worse, or the town would have gladly underwritten such publicity. After the turn of the century, beyond the scope of this paper, council was asked for space for cars to park and for money to advertise the city to attract visitors. That was a common pattern, except in Lake City and Rico which declined rapidly and always seemed to be short of funds. Ouray, the most tourist-oriented of the mining towns, worked hard to attract visitors to its hot springs, adjoining park, and surrounding mountain scenery. The council spent more money on parks than did any other community. Durango’s council came close to Ouray in allotting park funds. It invited the Union veterans of the Colorado District of the Grand Army of the Republic to have their annual en-

campment in the city, and, like other towns, advertised itself in magazines occasionally.

That residents wanted their city government to help with town promotion was obvious. The *Ouray Herald* suggested on 16 January 1896 that the city council and county commissioners should advance Ouray's interests: "we must advertise our resources thereby attracting outside capital." Ouray had no board of trade, the article pointed out, therefore it behooved the municipal government to take its place. All of this foreshadowed the future.

As these Victorians moved west and established their homes—whether permanent or transitory—they intended to recreate, as much as possible, the life they left behind. Their city governments and ordinances clearly reflected this goal. Sandwich and the San Juan towns overwhelmingly reflected each other in what their residents hoped to achieve.

In areas of regulation such as fire prevention, they could almost have interchanged their ordinances. Even the verbiage of their "sin" ordinances ran similarly, remarkable because Sandwich did not confront the problems that Durango or Lake City might. Of course, enforcement remained the key to achieving community goals, yet without question, all of these ordinances represented aspirations which the Victorians strove to accomplish. In that, they tell much about these people and their life and times.

Businessmen dominated city government during these decades, as mentioned. Being overwhelmingly middle class, white, and generally Protestant, their actions and reactions mirrored that group. These "movers and shakers" had more invested in their communities than many of their oft more transitory neighbors. A community which reflected Victorian standards and attitudes would be more likely to attract investors, residents, and visitors than one which flaunted those values. In the grow-or-die world of late nineteenth-century America, even the image of respectability, if not always the sub-

stance, was better than allowing a wide-open, devil-may-care, environment to prevail. The behaviors associated with the latter could be regulated into a specified segment of the town as needed—and needed it was in the mining communities because, as discussed earlier, those attractions constituted a plus for business overall by drawing men to the camp or town.

The Victorians understood the ambivalence in this; the juxtaposition of church and saloon, of home and parlor house, of respectability and license. They zoned it, fined it, and let it continue as long as the need and profit outweighed the cost and embarrassment. They had learned from experience what was needed and what could be accomplished. Mark Twain—himself a mining town resident in his younger days—understood this: "We should be careful to get out of an experience only the wisdom that is in it—and stay there, lest we be like the cat that sits down on a hot stove-lid. She will never sit down on a hot stove-lid again—and that is well; but also she will never sit down on a cold one anymore."²³

While this study represents just a small sampling of communities, comparing San Juan mining camps and towns and their larger smelting, coal mining, and commercial neighbor to an Illinois prairie farming town, a pattern emerges. It would seem most likely that a larger sampling would produce similar results. Middle-class Victorians and their culture took root everywhere.

That favorite Victorian author, humorist, and social commentator, Mark Twain—who lived in each type of community studied here—conceivably summarized their motivations as well as anyone: "Let us endeavor so to live that when we come to die even the undertaker will be sorry." He knew them well, he thought, those nineteenth-century Americans Twain lived with and wrote about. "I know all those people. I have friendly, social, and criminal relations with the whole lot of them." As Huck Finn observed, he might have stretched the truth a bit, but these

were his neighbors, friends, and contemporaries.²⁴

Ouray's *Solid Muldoon* of 15 May 1891 unblushingly pointed out what they hoped to achieve: "in many respects the city of Ouray is without peer among the towns and cities of the

world." The editor referred to scenery and climate specifically, but in all ways these communities planned to be right in step with their generation. That their achievements sometimes did not match their expectations does not diminish what these Victorians set out to do. ■

Notes:

1. *Dolores News*, 18 Feb., 18 Mar. 1882. *La Plata Miner*, 31 Jan. 1885.
2. The communities chosen were the San Juans' largest, ranging in population at the 1890 census from six hundred to over two thousand—Silverton, Lake City, Rico, Ouray, and Telluride. An 1890s silver rush gave birth to Creede. Durango had a population of 2,726 and Sandwich, 2,516.
3. *The Revised Ordinances of the City of Sandwich* (Sandwich, Illinois: Free Press, 1876), 1-2.
4. Silverton, No. 1 Minute Book, at town hall, Silverton, Colorado, 1-25.
5. Durango, City Council, Minutes, at town hall, Durango, Colorado, May-July, 1881.
6. *Durango Directory 1892* (Trinidad, Colorado: Benschel Directory, Co., 1892), 53, 57, 59, 63, and 69. *Sandwich Argus*, 2 Apr. 1898. (Denver) *Rocky Mountain News*, 31 July 1892. Allen Nossaman, *Many More Mountains* (Denver: Sundance, 1993), v. II, 255.
7. Creede, Minutes of the City Council, Book I, at town hall, Creede, Colorado, 84, 97, 371. (Lake City) *Silver World*, 14 Mar., 27 Apr., and 13 May 1876. Rico, Proceedings of the Board of Trustees, Book I, at town hall, Rico, Colorado, 8 Mar. and 29 July 1889, and 11 May 1891.
8. (Ouray) *Solid Muldoon*, 5 Sep. 1879, 27 Mar. 1891. *Ouray Herald*, 8 Oct. 1896. (Silverton) *La Plata Miner*, 31 Jan. 1885. (Rico) *Dolores News*, 18 Mar. 1882. (Telluride) *San Miguel Examiner*, 23 July 1878.
9. *Sandwich Free Press*, 26 May, 18 Aug. 1898. *Sandwich Argus*, 2 Mar. 1895, 8 May 1897, and 7 Jan. 1899.
10. *Animas Forks Pioneer*, 1882-86. Animas Forks blossomed in the 1880s before nearly burning down in 1891. It recorded sixty-nine residents in the 1890 census.
11. (Bachelor) *Teller Topics*, 22 July, 10 Sep. 1892.
12. Rico found itself in a similar land dispute. Its case landed in the Secretary of the Interior's lap before the town won the battle. The locals highly praised Colorado's first cabinet appointee, Henry Teller, for his wise decision.
13. Durango City Council, Minutes, Book I, 1-30. *Revised Ordinances . . . Sandwich*, 1876, 1-25.
14. *Teller Topics*, 22 July 1892. Minutes of the Proceeding of the Board of Trustees of the Town of Rico, Book 1, town hall, Rico, Colorado. Silverton, No. 1 Minute Book. Durango, City Ordinances Book 1, town hall, Durango, Colorado. Lake City Ordinance Book, No. 1, town hall, Lake City, Colorado. *Revised Ordinances . . . Sandwich*, 1876, 9. Telluride, Minutes of the Board of Trustees, Book 2, town hall, Telluride, Colorado, 14 April 1902. Creede, Book 1, 47.
15. *Revised Ordinances . . . Sandwich*, 1876, Ordinances 2, 4, 10, 11, and 18. Silverton, Ordinance Book A, Ordinances 4, 6, 7, 55, 56, and 74. Ouray, Book No. 6, 4 June 1889. Rico, Book of Ordinances I, Ordinances 50, 61, and 63. Creede, Minutes of the City Council, 18 July, 19 Sep. 1892. *Silver World*, 15 Jan. 1876. Durango, Revised Ordinances, 97, and Ordinance Book No. 1, 318, 336.
16. Sandwich, Revised Ordinances, 1909. *Silver World*, 24 Mar. 1877. Silverton, Ordinances, Book 1, 18 May 1878. Creede, Book 1, 28.
17. Durango, City Council Minutes, Book 1, 4. City of Ouray, Book No. 7, 19 Feb. 1894. Lake City, City Council Minutes, 10 June 1901. Rico, Minute Book, No. 2, 12 Dec. 1898.
18. *Revised Ordinances . . . Sandwich*, 1876, 5-6, 10, 11. Sandwich, Revised Ordinances, 1909, 55-56.
19. Telluride, City Ordinances, 87-91. Durango, Ordinances, Book 1, 4, 5, 65, 83, 144, and 165. Durango, Revised City Ordinances, 84.
20. Rico, Book of Ordinances II, Ordinance 96. *Ordinances of the Town of Silverton* (Silverton: Board of Trustees, 1905), 48. Durango, Ordinance Book No 1, Ordinance 68.
21. Sandwich, Revised Ordinances, 1909, 64-65. *Revised Ordinances . . . Sandwich*, 1876, 7.
22. Durango, City Ordinances, 2 Aug. 1881. *Revised Ordinances . . . Sandwich*, 1876, 13-14. Ouray, Book 6.
23. Alex Ayres (ed.), *The Wit and Wisdom of Mark Twain* (New York: Harper and Row, 1987), 72.
24. Doris Benardite (ed.), *Wit and Wiscracks* (White Plains, New York: Peter Pauper Press, 1998), 20.