

County Seat Battle

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When Weld County was officially established by the territorial legislature in 1861, St. Vrain was designated as the county seat. St. Vrain earlier had been the county seat of St. Vrain which included an area of land 24 miles square immediately surrounding Fort St. Vrain, about four miles South West of the present site of Gilcrest Meetings of the county commissioners and county court sessions were held in various places. One was a log cabin located on the Andrew Lumry farm near Fort St. Vrain. Lumry had built the buildings as a spare when he hauled from the mountains. At various times it was used to house travelers through the area, as a granary, a storehouse and as a meeting place to conduct official county business while Lumry served as Clerk of the county.

About 1867, the county seat was moved to Fort Latham, the stage station on the south side of the Platte River, east of the present Evans and Greeley. While the county seat was at Latham, the county commissioners met and court was held first in the adobe house of Jim Baileys and later in a log house constructed on a small hill just south.

The Bailey house also served as a way station, dining room, sleeping room and a storehouse for arms supplied settlers of the surrounding area by the army to protect themselves from Indian attack. Mrs. Bailey also in the log house which had a kitchen built as a lean to on the main part.

In 1869, when the railroad ended in Evans, the commissioners moved the county seat to Evans. On November 16th that year the commissioners while in session at Latham, authorized construction of a "calaboose" (jail) at Evans. Commissioner Benjamin Eaton was chairman at the time. Commissioner, E.M. Perkins and Clerk, Frank E. Moyer were delegated to supervise the construction. At the same time the commissioners pondered acceptance of land for a courthouse in Evans which had been offered by the Denver Land Association, a subsidiary of the Denver Pacific Railroad.

On January 4, 1870, the board of commissioners accepted the offer which had been tendered by W. H. Pierce, agent for the land company. By resolution, the commissioners accepted the west part of block 36 in Evans. The block was near the south edge of town and northwest corner of it was cut off diagonally by the railroad right-off-way. The offer excluded lots 1 through 18, (the entire east half of the block) which no doubt would have made prime business locations.

The temperate minded Union Colonists disliked going into "wet" Evans to transact official county business, however, they were content to tolerate the situation with an eye to the future.

A petition was submitted requesting that an election be held to determine whether Evans should continue to be the county seat of Weld County. The request was granted and the election Day was set for September 9, 1872.

The long awaited election day arrived, both rallied voters behind them, each confident of victory. The total vote was about 1,000 of which Evans received a little over 600.

The next attempt by Greeley to get the county seat was made during the Fall election of 1874. They were successful by a majority. The total vote for Greeley was 439, while for Evans it was 194. The county commissioners ordered all books, records, and desired property belonging to the county to be moved to the Nicholas Building in Greeley.

The citizens of Evans refused to permit such action, claiming the election had been a fraud. The Weld County Building Association which had constructed the county court house, supported the "Evansites" and forbade the removal of any county material from the building. As a precautionary measure, locks on vaults containing county records were changed. The community virtually became an armed camp, as each town vowed to do their utmost in defense of what was felt to be rightly theirs.

Greeley was determined to secure the records. Under the leadership of wily "Nate" Meeker, the desired records and furniture were removed before the "caught-off-guard" Evans citizens realized what had taken place. Insult was added to injury when County Commissioner Jared L. Brush followed up the record removal by securing the vault doors and other property through legal action. Animosity between the two communities reached a new height, and traffic and trade were virtually at a standstill. Thus, on October 9, 1874, the county seat was fully and legally established in Greeley.

The citizens of Evans were enraged and wanted revenge. The Union Colonists knew well the flames of the struggle they had fanned, and as a precautionary measure called a general meeting and formed a citizen military group to meet their county seat-seeking-neighbors in event they attempted to invade the colony.

The case was appealed and tried before Judge Brazee in Denver, and his decision was unfavorable to Evans. It was then appealed to the Supreme Court of the Territory and this Court's decision was that the issue would be settled at still another election, which was to be held September of 1875.

Voting apparently was carried on in an orderly fashion. At the first counting it appeared that Greeley was to retain the county seat. Immediately the voters from Ft. Lupton contested the election because of the manner in which the votes had been counted, the County Clerk, pro- Greeley, having excluded the vote of that community, as he called their votes "irregular". After a heated meeting, the commissioners and election officials decided to count the votes again, and this time Evans proved to be in the majority by votes again, and this time Evans proved to be in the majority by 40 votes. It was this unethical trick by the clerk that almost brought serious hostilities between the two communities; men from Evans were determined to have the counting carried out properly if it had to be forced by arms.

The issue was settled once and for all according to the citizens met at Evans and continued to do so for the next two years.

The decline in the Evans community and the expansion and prosperity of Greeley gave support to the convictions of the "Bible-minded" colonists that a community founded and guided by certain Christian principles would win out over time that tolerated liquor and gambling.

Confident the "Greeleyites" filed another petition with the county commissioners and July 24, 1877 requesting that an election be held to determine whether or not the much sought after offices would remain in Evans. The petition was recognized and its request granted. The date of the election was set for October 6th of the same year.

Election day saw a great deal of excitement throughout the area. Many feared bloodshed was sure to result regardless of the outcome, but records do not indicate such, however, one can assume that many oaths were uttered and accusations made to the tune of clicking revolvers.

Evans did not receive the majority of the votes, so they contested the election on the grounds that the constitution of the Territory prohibited an election of this type to determine the location of a period and also that the law stated a three-fourths majority was required. The case was argued before the Board of Commissioners to avail and action was withdrawn.

October of 1877 saw the County Seat permanently established in Greeley. The move concluded almost two decades of near hostile instability. The wounds of the conflict did not heal easily, and it was many years before there was a merging of communities throughout the county without the fear that a casual remark or mere slip of the tongue during conversation would incite violence in one form or another.