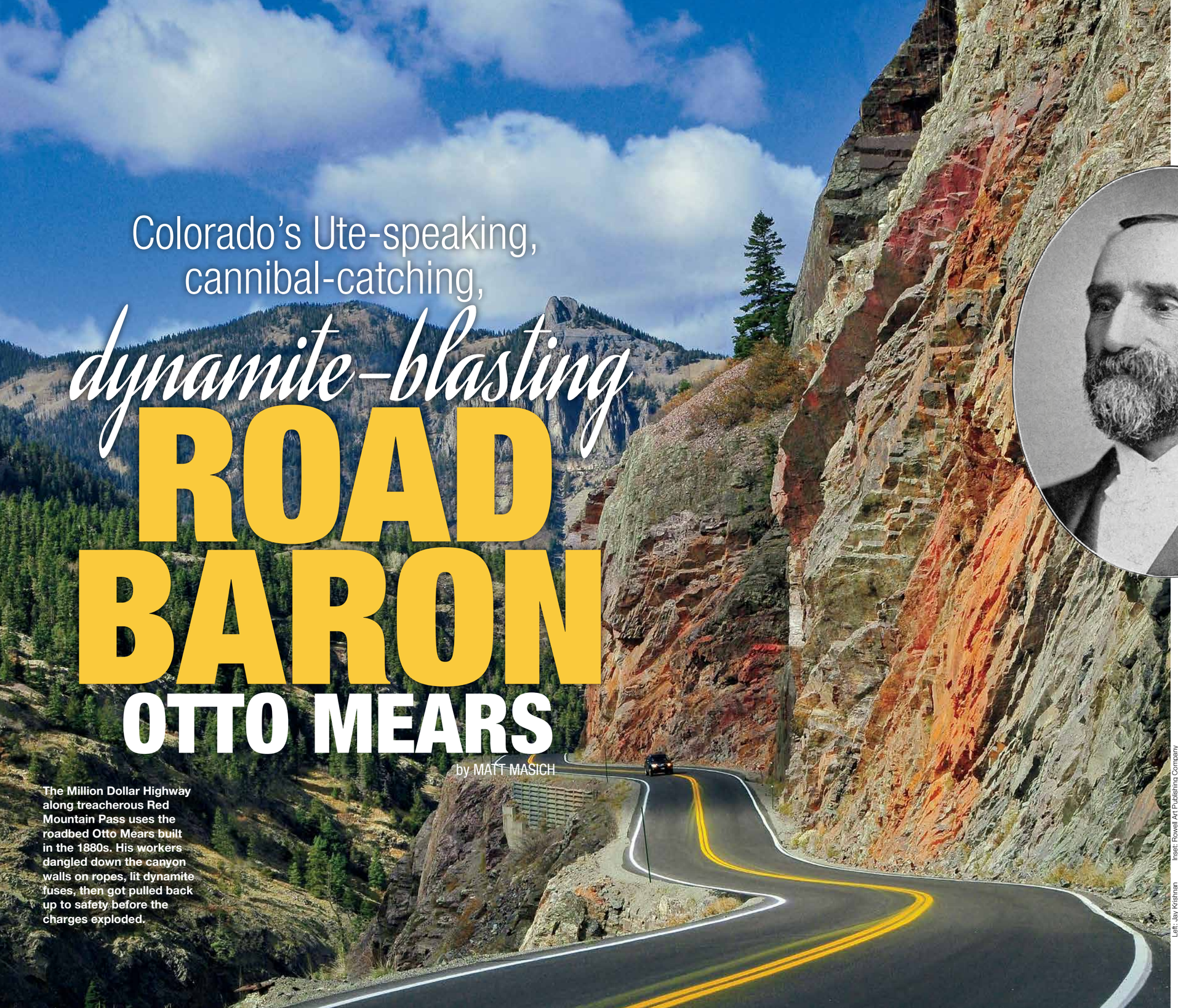
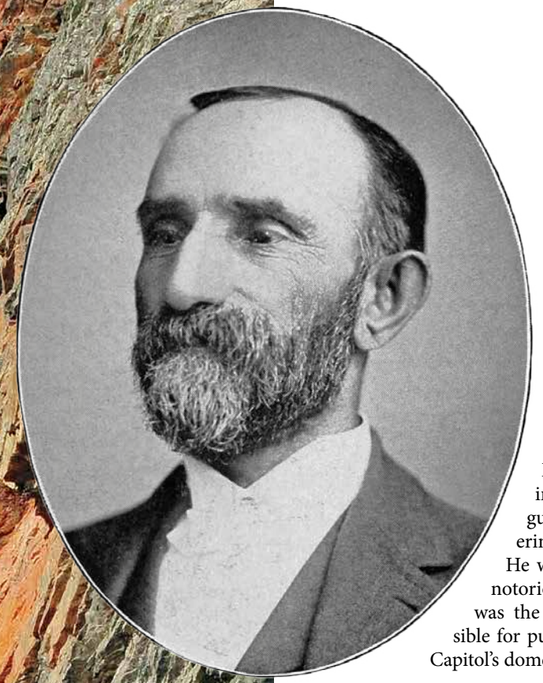
Colorado's Ute-speaking, cannibal-catching,

dynamite-blasting ROAD BARON OTTO MEARS

by MATT MASICH



The Million Dollar Highway along treacherous Red Mountain Pass uses the roadbed Otto Mears built in the 1880s. His workers dangled down the canyon walls on ropes, lit dynamite fuses, then got pulled back up to safety before the charges exploded.



Inset: Rowel Art Publishing Company

Left: Jay Krishnan

OTTO MEARS WAS known as "the ubiquitous Mr. Mears," and for good reason – any time something interesting happened in Colorado's early years, he tended to play a leading role.

Mears was the pathfinder who blasted roads into canyon walls, linking the rich mines of the San Juan Mountains with the rest of the world. But he also was the Russian Jewish immigrant who spoke the Ute language with a Yiddish accent while brokering peace between whites and Indians. He was the amateur sleuth who captured notorious cannibal Alfred Packer. And he was the master of political intrigue responsible for putting the gold on the Colorado State Capitol's dome.

OTTO MEARS MADE several fortunes in the course of his 91 years on earth and at one point was considered a more powerful figure in Colorado than the governor, but he started out with nothing. Whatever the opposite of a silver spoon is, that's what he had in his mouth when he came into the world.

Born in 1840 to Jewish parents in the Russian Empire, Mears was orphaned by age 3 and spent his early life with various relatives. At 11, he was shipped to San Francisco to live with his uncle, only to find upon arrival that his uncle had moved to Australia. He had to work to survive, selling newspapers, milking cows, driving a dairy wagon, tinsmithing and running a general store. It was the start of eight solid decades of hustling.

Mears joined the 1st California Volunteer Infantry Regiment when the Civil War broke out. His enlistment papers described him as having black eyes, black hair, standing 5-feet-5-1/2-inches and weighing 150 pounds. As a soldier, he campaigned against rebels and Indian tribes in Arizona and New Mexico, but the resourceful young man still had time for a side business, making a large profit baking bread for his regiment.

He mustered out in 1864 and used his bakery money to buy a store in New Mexico, moving it the next year to Conejos in Colorado's San Luis Valley. There he started a wheat farm, grist mill and sawmill to sell flour and lumber to the Army at nearby Fort Garland, moving his operation north in 1866 and founding the town of Saguache.

Joshua Hardin

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Red Mountain, five miles south of the city of Ouray, gets its distinctive color from iron oxide rocks, but it was the area's gold and silver ore that brought an influx of miners and spurred Otto Mears to build his Million Dollar Highway here. Mears went from building toll roads to building railroads, the most famous being the Rio Grande Southern. Here he poses in front of his favorite engine, which he named Ouray after his friend, the Ute chief.

WHILE MEARS' EARLY business ventures in Colorado were successful, he made his first real fortune thanks to a chance encounter in 1867. He was traveling alone with a wagon laden with grain over 9,000-foot Poncha Pass, where the road was little more than a rude trail big enough for a single donkey. The wagon toppled on the rough terrain, spilling its contents everywhere. Just then a rider approached: William Gilpin, Colorado's eccentric former territorial governor.

Gilpin greeted Mears, who was scooping the loose grain back into the wagon. As Mears shoveled, the governor pontificated, launching into a speech outlining his vision for Colorado's future, a vision that saw the mountains' barely passable burro trails replaced by engineered stagecoach roads and eventually railroads. If Mears were to build a well-graded wagon road over Poncha Pass, Gilpin continued, he could easily recover his construction expenses by charging a toll. By the time Gilpin finished his pep talk, Mears had decided on a career as a toll-road baron.

Mears opened the Poncha Pass toll road in 1870, kicking off a roadbuilding spree that continued for the next two decades. He had an uncanny knack for walking through treacherous mountain terrain and finding routes with relatively gentle grades that wouldn't kill the poor draft animals pulling wagons uphill. Mears was no engineer, so he enlisted a team of talented associates to work out the details. By the time he was through, Mears had created 450 miles of new roads, connecting the booming San Juan mining towns of southwest Colorado and allowing people, supplies and money to pour in.

Making the impossible possible was Mears' specialty. His road from Ouray to the Mount Sneffels mining district succeeded where five other road builders failed, and his road from Ouray to the Red Mountain mining district to Silverton, known as the Million Dollar Highway, astounds travelers to this day.

Between Ouray and Red Mountain Pass is the Uncompahgre Gorge, which posed two major problems, even for the dauntless Mears: Building a road at the bottom of the gorge would be futile, as the flooding river would wash away any road each spring; but building a road above the river would be incredibly difficult, too, as the gorge has nearly vertical walls in some places, ascending as high as 800 feet above the canyon floor. Mears opted for the route along the walls of the gorge. To blast a ledge for the roadbed at the steepest parts of the canyon, workers would be lowered down on ropes, light long fuses on sticks of dynamite, then get hoisted up to safety before the charge exploded. It was incredibly hard work – and expensive, too.

Construction cost $10,000 per mile on average, but along some stretches it was a staggering $1,000 per foot. Despite these huge expenditures, which earned the road its Million Dollar nickname, Mears made a profit thanks to the tolls he charged. Modern motorists don't have to pay tolls, but they can still admire Mears' handiwork along the Million Dollar Highway, now called U.S. Highway 550, which follows the same roadbed.

The toll road system funded Mears' next big project: railroads. In 1887, two years after completing the Million Dollar Highway, Mears began work on a railroad connecting Silverton, which had become his home base, to the Red Mountain mines. The Silverton

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Otto Mears advised Chief Ouray in negotiating treaties.

Railroad was joined in a few years by his Rio Grand Southern and Silverton Northern lines. He employed thousands of men laying track at the height of his railroad baron phase, and he personally oversaw the operation.

"Otto now works 22 hours per day, leaving two hours for sleep and scheming; he never eats," the *Ouray Solid Muldoon* newspaper wrote.

MEARS NAMED HIS favorite locomotive Ouray, and the city of Ouray was the northern terminus of his Million Dollar Highway. Both were named after Chief Ouray, the Ute leader who was close friends with Mears. At the height of Mears' roadbuilding career, he took more than a year off to help Ouray and his people.

The pathfinder and the chief met not long after Mears came to Colorado, when he got a government contract to trade with the Utes. Mears was one of the few white men to learn the Ute language, and he was possibly the only person who ever spoke Ute with a Yiddish accent. In the 1860s, Ute land encompassed nearly all of Colorado's Western Slope, but their right to that land was threatened when silver and gold were discovered in the San Juan Mountains.

Mears realized there was no stopping prospectors from invading Ute territory, so he tried to persuade Ouray to sign a treaty giving

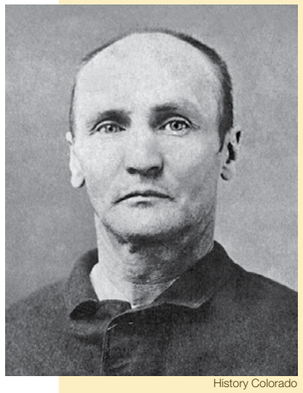
OTTO MEARS & THE
Colorado Cannibal

OTTO MEARS KNEW something was off about Alfred "Alferd" Packer from the moment they met in April 1874. Packer arrived in Saguache, the town Mears founded, looking remarkably well-fed for a man who claimed to have been lost in the San Juan Mountains without food ("The Mystery of Alfred Packer," March/April 2013). He claimed his five companions had gone ahead without him, yet no one had seen them since. And for a man who was flat broke when he began his trip, Packer had a lot of money to spend at the local saloon.

Perhaps sensing people in Saguache were getting suspicious, Packer went to Mears' store to purchase a horse and saddle to leave town. Packer took out his wallet and handed over some cash. Mears took a careful look and deemed one of the bills to be counterfeit. He demanded Packer use genuine currency, so Packer produced a second wallet to get it. Mears' suspicions were heightened: Not only was it odd that Packer carried two wallets, he also saw in the second wallet a Wells Fargo check exactly like those carried by one of Packer's missing comrades.

Mears told a local federal agent that he believed Packer was involved in foul play. The agent, perhaps joined by Mears, questioned Packer for hours until he made a confession: His companions were dead, and he had eaten their corpses to survive, though he claimed he only killed one man, and only in self-defense. After a futile search for their bodies, Packer was imprisoned on a Saguache ranch – the town had no jail.

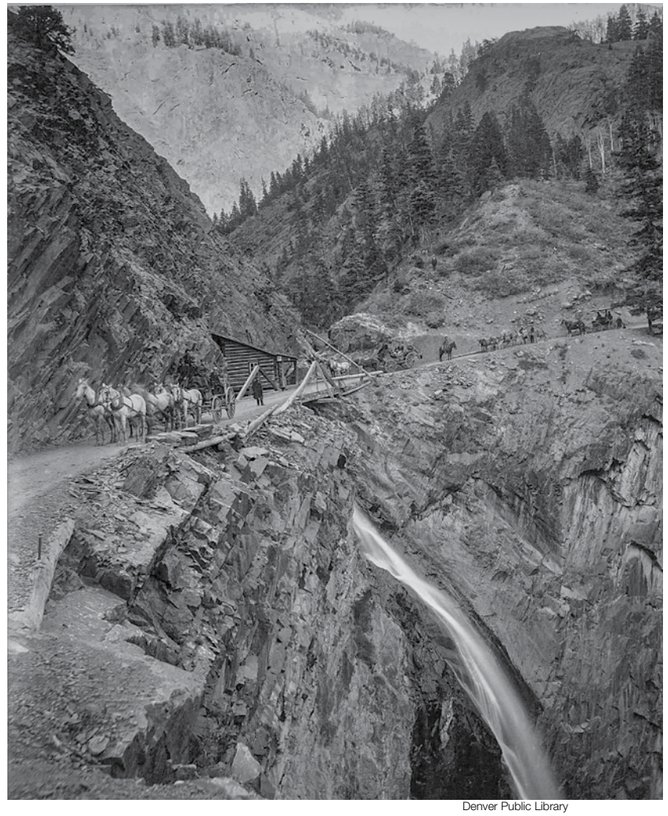
Packer spent three months in the makeshift jail, but no charges could be brought because no bodies had been found. Mears was more concerned with Saguache's finances than solving the mystery, so he hatched a plan to help Packer escape. Mears' friend John Lawrence later recalled: "Otto Mears came to me and talked the matter over in regard to Packer. … It cost four or five dollars a day for the sheriff to keep Packer. We had no jail. We had no evidence that the men were dead or that Packer had done any wrong. We agreed to turn Packer loose."



History Colorado

Alfred Packer in prison.

The bodies were discovered shortly thereafter, but it was another nine years before Packer was found, put on trial and convicted of murder based largely on Mears' testimony. In another Mears connection, the trial was held just a few miles from the scene of Packer's cannibalism in Lake City, which Mears had founded months after the incident.



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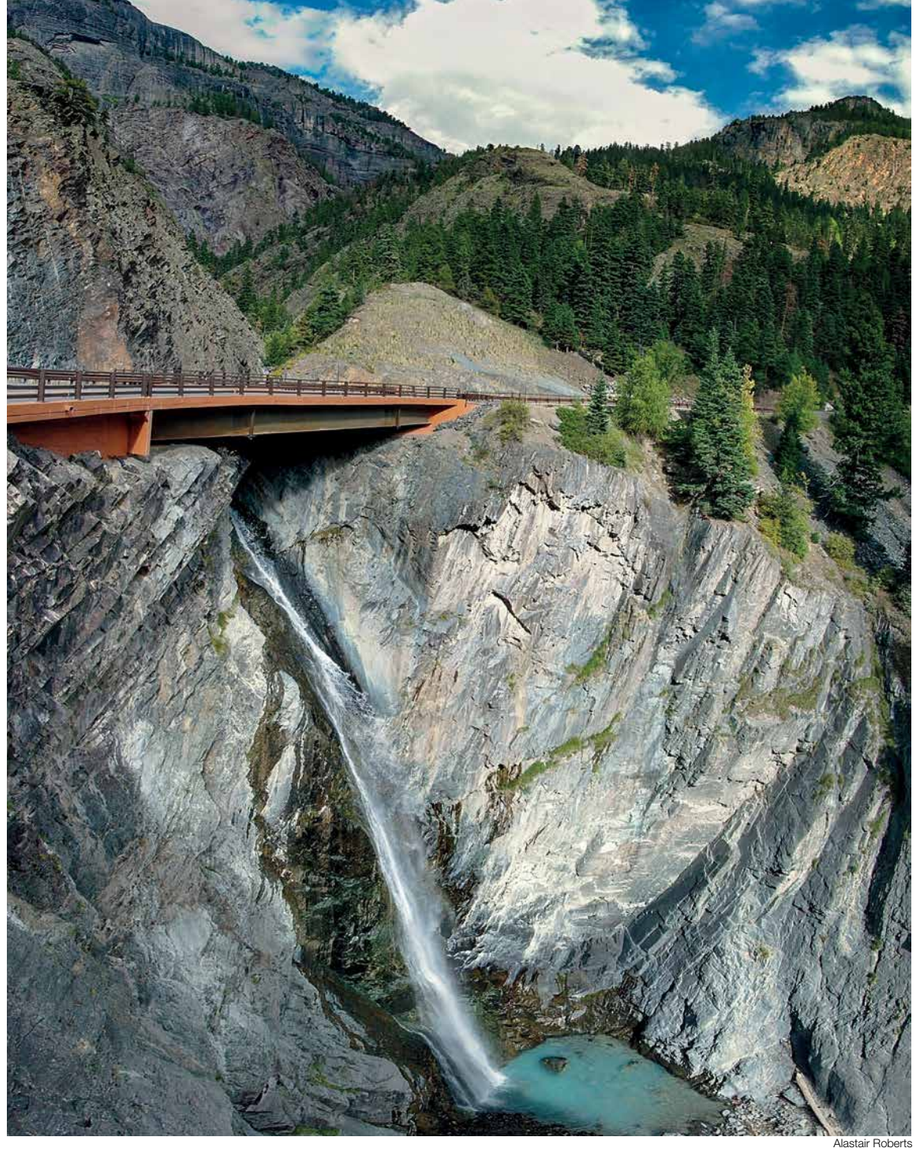
up 4 million acres of the San Juans in exchange for payments and a guarantee to the rest of their land. If the Utes didn't try to get something for it, Ouray reasoned, the whites would take it all anyway with no compensation. "It is much better sometimes to do what does not please us now, if it will be best for our children later," Mears told him.

Ouray and other chiefs agreed to the treaty in 1873, and afterwards Mears accompanied them to Washington, D.C., where he served as interpreter when they met President Ulysses S. Grant. Before returning to Colorado, Mears took Ouray and the Utes to New York, where the Indians were impressed by the Central Park Zoo. They coveted the camels, which they thought would be even better than their horses to ride, and dubbed the monkeys "long armed creatures trying to look like men."

Many Utes back home were outraged that Ouray had signed away the San Juans. When Mears took his wife, Mary, and two daughters to visit the chief near Montrose after the treaty, they witnessed Utes executing a fellow tribe member who was trying to incite a rebellion against Ouray. The Mearses continued traveling north, and when they passed by Ouray's home 10 days later, the executed man still lay in the middle of the road.

The trouble for the Utes got worse in 1879, when some Northern Utes took arms against whites in what was called the Meeker Massacre. Many white Coloradans were outraged and called for vengeance. The next year, Mears once again traveled with Ouray to



Alastair Roberts

Otto Mears charged tolls to use his Million Dollar Highway, and he put a tollbooth in a place no one could avoid it: at the bridge over the precipitous Bear Creek Falls. Present-day U.S. Highway 550 has a bridge at the same location, and a nearby marker honors Mears as the pathfinder who created this road.

Washington, D.C., this time to negotiate a treaty that would send the Utes to much smaller reservations to avoid a major war. While changing trains in Pueblo, Mears was with the Ute delegation as an angry mob pelted them with coal and threatened to lynch them.

Ouray, who had long been sick, died shortly after returning from the nation's capital, leaving the treaty process in limbo – the agreement wouldn't be valid until a 3/4 majority of Utes had ratified it. Mears took up his friend's cause, traveling across Ute territory and paying $2 from his own pocket to any Ute who would sign the agreement until he had collected enough signatures.

The treaty offered a choice of two reservation locations: Colorado's Grand Valley or Utah. Mears pushed for the Utah reservation, either because he wanted the Utes to be safely away from encroaching whites or because he wanted to enrich himself by developing the Grand Valley. In all likelihood, it was both. Further muddling the question of whose interest Mears was looking out for in the Ute case, he charged the Army $100,000 in tolls when they used his roads to resettle the Utes in Utah.

MEARS' NAME BECAME familiar to Coloradans thanks to his roads and his exploits with Ouray, but also for his political scheming. During the first decades of Colorado's statehood, he was one of the big players in Republican state politics. He was a state legislator for two years, where he helped decide what to do with the recently evacuated Ute land, but his real skill was behind the scenes.

Mears made no distinction between persuasion and bribery. He was called "the joker in the Republican deck" while in office for changing his vote under questionable circumstances. In later years, when bills adverse to railroads came up for vote, legislators often found free railroad passes on their desks, compliments of Mears. A

state legislator once accused him of offering a $500 bribe, but the allegation was dismissed as implausible, and not because people thought him incapable of bribery – it was simply that everyone knew Mears would never offer such a small bribe.

It was common knowledge that any bill Mears favored was guaranteed to pass, and any he didn't was doomed. For years, it was said no one could become governor or U.S. senator without Mears' consent; some people considered him Colorado's de facto governor. In 1895, not long after Gov. Albert McIntire took office, he boarded a Denver streetcar only to realize he had no money to pay the fare. When McIntire pleaded with the conductor that he should be allowed to ride anyway, as he was the governor, the conductor replied, "Can't help that. If you were Otto Mears himself you would have to pay or get off."

The Colorado State Capitol Building owes a lot to Mears, who chaired the board overseeing its design and construction in the 1890s. The Capitol was completed in 1901, looking much as it does today, with one exception: Its dome was clad in copper. The copper dome was tarnished in a few years, which Mears found inexcusably ugly, so he persuaded the Colorado Mining Association to donate 200 ounces of gold to gild the dome in 1908.

In recognition for all Mears had done for Colorado, the state legislature commissioned a stained-glass-window portrait of him, which has been displayed since 1904 in the Capitol above the entrance to the Senate chamber. The legislature passed a resolution stating it was "a well recognized fact" that Mears had "done more than any single individual, by the construction of roads, railroads and otherwise, to open for settlement and development an immense area in southwestern and western Colorado … ."

It seems appropriate, somehow, that Mears himself was thought to be the driving force behind the resolution and the portrait window.

MOST MODERN VISITORS to the Capitol don't notice the Mears window. In fact, since his death in 1931, Mears' memory has been largely overlooked by subsequent generations of Coloradans. One of the few monuments to him is a stone marker along the Million Dollar Highway near the spectacular Bear Creek Falls where his tollbooth once stood. It reads: "In Honor of Otto Mears, Pathfinder of the San Juan, Pioneer." But more than this little marker, the Million Dollar Highway itself stands as a monument to a man who dreamed big and made those dreams real.

A stained-glass window depicting Otto Mears is directly above the entrance to the Colorado Senate chamber.

Joshua Hardin