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## Address by Honorable George F. Dunklee

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## ADDRESS BY HONORABLE GEORGE F. DUNKLEE

*At the Opening of the January Term, 1933,  
January 10, 1933*

*Honorable Judges, Ladies, Gentlemen and Members of  
the Bar:*

**A**S THE retiring Presiding Judge of this court, it was thought wise by the committee that I say a few words before turning over the proceedings to the new Presiding Judge who will have charge of the ceremonies. In a way we are here to dedicate this new building. It marks an epoch from the old court house to the new court house. We that are here today can see all that we see of the City and County of Denver, but how many can look back fifty years and see in a slight degree Colorado or Denver as it was? Fifty years ago last March I left the state of Vermont for the West, as many others were doing at that time. We had all read what Horace Greeley said about going West, young man, and at that time there was one of our native sons, Horace A. W. Tabor, who was raised in Holland, Vermont, a little town within a few miles of where I was raised, who had gone into Leadville in 1860, and in 1879, as we all well know, had struck those rich mines that advertised his name, Leadville and Colorado in every household throughout the nation, and particularly throughout Vermont; so many of us who were seeking new homes started our journey westward. In March, 1882, I arrived in Trinidad. One of the first persons I met was the now Judge Arthur C. McChesney, then a young lawyer from Missouri, who had just shortly before that arrived and opened a law office. I was then interested in law; I had studied law some, but was not admitted, and wondering what I would do in this new Colorado, so I called on him. Judge Gunter had just arrived in Trinidad. I can see him now, a young man just starting in the law business with John M. Johns. I also made the acquaintance of the Superintendent of Schools because in Vermont I had taught school and I did not know whether I would in the near future be in the law business or in the teaching business, so I met John M. Jones, who was one of the school trustees in Trinidad, and Dr. Beshoar, and Dan Taylor—and what a history Dan

Taylor had—a fine man, a prosperous real estate owner, banker, cattleman and statesman; he was a member of the legislature when it met at Golden, and when the question came up as to whether Denver should be the capital or some other place he cast the deciding vote and the capital came to Denver. Then up on the mountainside was Uncle Dick Wooten, who had the toll gate. He was the first man to open a store in Denver, down where the old city hall is, and was a very interesting character; he had written a book and knew more of the early history of Colorado and the West, perhaps, than any other man then living. I talked to him about the early days and about the Indians. He had a son, Richard Wooten, in the insurance business, and who was a member of the legislature. In looking around to determine what to do, some of my friends suggested it would be a good thing to go out and file upon some coal land out in the direction of Starkville, and I filed on 160 acres, not knowing whether it would be worth very much or what would become of it; there was land everywhere; you could pick out Government land or coal land or anything else you wanted; it was just simply a question of making inquiry and locating and taking out the papers. I soon went over to Raton, New Mexico, and that was a newer country still. Indians were still coming in. The Santa Fe trains were just running through to California and it seemed strange to see between every two passenger cars an armed guard with two six-shooters and a Winchester, who rode the train clear through to California. How well I remember the riots that took place when the land grant officials started to eject O. P. McMains from his ranch, when the cowboys and cattlemen came in a thousand strong, and, of course, no sale or ejectment could be had. Then at Raton a man by the name of Metzler had had some trouble with a constable and he shot him. The mayor of the town came out, the justice of the peace, and they started to arrest him and in almost less time than it takes me to tell it five men were shot—I might say killed immediately—and a trial was had in five minutes, a motion was put as to what should be done, it was ordered that he be hanged, and he was hanged in front of the Raton bank. Then notice went out that if anybody objected to it they could get out of town. I frequently went back to

Trinidad, and after a short length of time I heard that the Santa Fe Railroad Company, or the Starkville Coal Company, which was the same thing, would like the coal land. I came up to Pueblo and first met attorney Charles Gast, who made out the papers, and sold my coal land, and with that I had sufficient to come to Denver.

What a beautiful country this was at that time—different, perhaps, than now; it seems to me that the air was clearer; it seems to me we could see farther; it seems to me that the men were stronger and that there was greater vitality and greater movement. I do not recollect of seeing anybody that was really poor or anyone passing the hat. You could hear that this one had taken up land, that that one had found a mine, that another one had done something else, but everything was moving in the right direction for prosperity.

I first went to the law office of John Q. Charles, and through him I saw things as they were for years before I came. He left Iowa in 1849 and went through this country when there was scarcely a single white person except those that had located in Utah, the Mormons. He went near Sutters Ford and went to mining, and strange as it may seem to some of you now he took out thousands of dollars with his own hands, shoveling it through sluice boxes, and went back to Iowa with a fortune which he deemed sufficient, but in 1859, as he told me, he commenced to hear rumors about what had taken place in Colorado, and in the early sixties he could stand it no longer and he sold out and came to Denver. He bought six lots at the corner of 15th and Curtis streets, built a house, and started in the law business; Denver grew, and it was not long before he moved that frame building up to 11th and Broadway, built the Charles block, and just a short time after he landed here he went out on what is now East Colfax avenue and filed on 160 acres of land, and while I was with him he sold it to the Chamberlains for one hundred thousand dollars. It seems to me that men got rich with the least effort in those days than anything I ever heard of. There are rich men today, but very few ever made the amount that many that I knew at that time did.

Subsequently I went up to the court house, which was new at that time. It seems to me, and I believe it was, the

finest building that existed between the Missouri river and San Francisco, a beautiful place, situated out in the then residence district among the trees. How well I remember Judge Elliott, the first judge, and Judge Steele, who was then Clerk for Judge Herrington, and all those oldtimers that have now passed on. When I left that old court house on the 27th day of December my mind ran back to almost a lifetime of activity in that court house as a lawyer, as county attorney and as Judge, and it was with deep sadness that I left a place that I had known and worked in so long. Above its dome there stood the Goddess of Justice, the scales had fallen through the rust of time, and over the door where we entered that Latin phrase, "Dedicata Justicia," and when I came to this building, beautiful palace that it is, I missed those mottoes; nothing of the kind was engraved upon its walls or stood upon its dome; but when the hour of twelve came I heard the beautiful tones of the Westminster chimes, donated to us by Mrs. Robert W. Speer in memory of her late husband, Mayor Robert W. Speer, and, as the bell pealed out those tones by every stroke of the hammer I thought of the little prayer that they say:

"Lord, through this hour,  
Be Thou our guide;  
So through Thy power,  
No foot shall slide."

#### SOME NEW AND AMENDED RULES OF THE SUPREME COURT

The Supreme Court recently adopted some new and amended rules, effective May first, next. The principal changes are: In addition to the other requirements, the briefs shall have a subject index, and list of text and reference books and statutes alphabetically arranged.

The time for filing abstract and opening brief remains the same, while the answer brief is due thirty days *after service of copies*, and the reply brief is due twenty days *after service of copies*.

As to oral arguments: When desired, a separate written request therefor must be filed within fifteen days after the case is at issue. It is not sufficient to merely make the request in the printed brief.

Copies of these amendments may be had from the Clerk of the District Court or the Clerk of the Supreme Court.