

## Land grab may have been mistake, or claim-jumping



*This house at 1161 Main Street was built as a “spec” home by the Grand Junction Land and Improvement Co., in 1890. Property records show that Lizzie S. Van Buren bought the house for \$2,500 in 1893. Teddy Jordan photo.*

By Kathy Jordan

Whether he had intended to “claim-jump” or whether early-day records were simply haphazard, William Keith stirred up a pot of trouble when he filed his claim for what became Grand Junction’s Keith Addition.

Today the Keith Addition boundaries are 12<sup>th</sup> Street and 15<sup>th</sup> Street on the west and east and the south side of Grand Ave., to the south side of Pitkin Ave. on the north and south.

But in 1881 when William Keith staked his claim, the boundaries were Ninth Street on the west and 15<sup>th</sup> Street on the east, with the north and south boundaries remaining the same.

The section of land between Ninth and 12<sup>th</sup> Streets became a “disputed area” for almost 10 years.

On Sept. 26, 1881, George A. Crawford, R. D. Mobley, Rush Warner, William McGinley and J. Clayton Nichols staked out all four corners of Section 14. A few days later the five men left the site leaving a couple of hired men to build cabins to protect the claim.

According to M.D. Brainard’s “Legal Precedents”, published in 1884, Keith, who planned to build a home on his property, arrived in Grand Junction on Oct, 6, 1881. He staked his claim to 80 acres in the southeast corner of section 14 and 80 acres in the southwest corner of section 13. In doing so Keith overlapped Crawford’s claim. The 80 acres in section 14 became the “disputed” land.

Crawford returned to the town site on Oct. 31, 1881 and lived in a log cabin McGinley had built on Ute Ave. It was only a couple of days before he discovered Keith’s cabin and his overlapping claim.

The battle was on. It started in Judge J. P. Harlow’s court, where Crawford charged that Keith had been claim-jumping. When Harlow found in Crawford’s favor, Keith appealed, and the case ended up in the office of the United States Secretary of the Interior. The secretary of Interior found in Keith’s favor three times, but his decision had negated the town’s patent and clouded the titles held by any individual to the “disputed” town lots.

Because Crawford and the town company had filed the lawsuit against Keith, the townspeople felt they were hurting the growth and development of Grand Junction.

Kathleen Underwood summarized the situation in her book, “Town Building on the Colorado Frontier.” She wrote that the Board of Trade created a citizen’s committee to investigate “the causes of the present stagnation in all kinds of business” as well as “the apparent cloud of title to realty in our city.” The citizens’ committee then submitted a resolution to the aldermen asking that they drop the litigation stating that “The public interests would be subserved (promoted) by the dismissal of such suits.” The lawsuits were dropped.

The town received its patent about six months later, after completion of the federal land office investigation, and residents were once more able to secure titles to their land.

By 1889 Keith had tired of the fight and sold his entire 160-acre tract to George Arthur Rice, who subsequently sold to William Gelder, H.K. Devereux and C.W. Franklin from the Grand Junction Land and Improvement Company. Meanwhile, Keith moved to Denver.

In November 1889 George Arthur Rice told a News reporter that the Grand Junction Land and Improvement Company had contracted to lay two miles of sidewalks, put in 10 electric street lights and was drawing up plans for six residences costing from \$1,500 to \$3,000. The houses were to be built along Main Street from Ninth to 12<sup>th</sup> Streets. They had ordered 1,400 large shade trees to be set out in the subdivision.

One of the "spec" homes still stands today. It is located at 1161 Main Street. Mesa County Clerk and Recorder office records show that Lizzie S. Van Buren purchased the house on the three lots in block 111 for \$2,500 in 1893.

The Grand Junction Land and Improvement Company was able to clear up the deeds for the lots in the disputed area that had been clouded for years because of the various lawsuits. Once these were settled several prominent Grand Junction resident purchased lots and built their homes in that area.