

## SOL BARTH: A JEWISH SETTLER ON THE ARIZONA FRONTIER

by  
N. H. GREENWOOD

**E**ARLY IN THE SPRING of 1856 an energetic Jewish lad named Solomon Barth landed in New York<sup>1</sup> and quickly made his way to the West. From that year until the end of his life, the fortunes of Sol Barth were intimately involved with the settlement of the Southwest. These same fortunes were also associated, somewhat ironically, with the physical expansion of the Mormon Church from its core in Utah into Arizona Territory. Sol's mercantile goals usually placed him in opposition to the theocratic expansion of the Mormons, but there were moments of near empathy between the Jew and the Latter Day Saint. These relationships add a special flavor to the history of St. Johns, Arizona, and its region.

Barth's involvement with the Mormons began with his crossing of the Plains with a handcart company as a boy of thirteen. He came to the United States from East Prussia in the early months of 1856 with an uncle who had espoused the Mormon faith in Germany.<sup>2</sup> They went first to Grand Rapids, Michigan, where another uncle was established, but the two

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soon joined a Mormon handcart company — possibly at Council Bluffs but more probably at Iowa City, which was the railroad terminus in 1856. The Barths must have joined one of the groups departing in June (9th, 11th or 23rd) since they arrived in Salt Lake Valley well ahead of the ill-fated Willie and Martin Companies which suffered greatly in the early winter of that year.<sup>3</sup> Sol passed rapidly through Utah on his way to other territories, spending twenty years traveling and trading in the Far West. Some time in 1859 or 1860 Barth made acquaintance with Michel Goldwater, the Polish-Jewish trader, probably during Sol's travels from San Bernardino to San Francisco. Goldwater was to become the friend and sometimes the employer of the young man. Their careers were in many ways parallel.

The westward migration was surging when Barth left San Bernardino to work for Goldwater, first at Fort Mohave and then down the Colorado River at La Paz (across from Blythe), where a new gold rush was under way in 1862. From La Paz Barth extended the Goldwater interests. He went from Ehrenberg to the strike at Rich Hill (near Yarnell and Prescott); then on to the new town of Weaverville with Aaron Barnett. There they set up a store where the Weaverville miners were soon weighing out more than twenty-five pounds of gold a week.<sup>4</sup>

During the Weaverville period Barth hauled gold ore at Yarnell and even fought briefly with the Confederate Quantrellas at Tucson. In 1864 he expanded into government mail contracts covering the Prescott-Albuquerque run. He was also in the freighting business with a pack train of seventy burros. He later traded the burro train to Genung and Kirkland for the Peoples Valley Ranch just north of Weaverville. According to McClintock, Sol never really occupied the ranch or profited much from its ownership.<sup>5</sup>

The securing of government mail contracts was a shrewd move. It made secure a steady flow of capital in the money-short economy of the frontier. By 1868 Sol was also in the salt business, hauling the commodity to Prescott from the sacred lake

of the Zunis in New Mexico. In that year Sol and few of his associates in the salt enterprise were captured by Apaches under Cochise and Pedro. The Indians stripped the party of all belongings, including their clothing, and left them nearly a hundred miles from Zuni, the nearest settlement. They survived exposure, fatigue, hunger and thirst and made it to the Indian village. Their only food during the arduous journey was a small dog that followed them from the Indian encampment.<sup>6</sup>

Unlike Goldwater, who established and expanded a mercantile specialty, Barth kept open several channels of economic endeavor. In 1870 he and his brother Morris were listed as stockmen and traders. Another brother, Si, was accused of trade in illegal whiskey and firearms at Zuni. Only a year later Sol was sentenced to twenty-four hours in jail for the same type of illegal trade at Fort Apache, where he was the post trader.<sup>7</sup>

Barth continued to wheel and deal, keeping his finger in every possible pie—cattle, farming, trading. He seemed to be building an empire and he wanted it on a firm footing. Furthermore, he was tough enough to protect his interests even in the free-for-all conditions of the time. In the summer of 1873, according to the *Arizona Citizen* (Prescott) for July 27, he killed a man named Charles Davis in a fight on the Little Colorado beyond Camp Apache, probably because of some incident involving his freighting operations on the wagon road from St. Johns to Fort Apache. He made plenty of enemies, including one lawless group which made up its mind to hang him. According to one tale these outlaws captured what they thought was their man and took him to the appointed tree only to discover that they had "Old Man Cooley" (Corydon E. Cooley of Showlow and Fort Apache fame) instead of Sol. They let Cooley go.

The real force for change which shaped the pattern of development for the town, the thrust of Mormon colonization southward from Utah, had begun a decade and a half earlier.



In 1859 Jacob Hamlin discovered an easy route to the Colorado and crossed by raft at the mouth of the Pah-rea. This was the first crossing by Europeans since Father Escalante's in 1776, and established the location as a key point in the only possible emigrant trail in nearly 400 miles of river. Other immigrant routes bypassed St. Johns, but this north-south trail brought a steady influx of new settlers. Some time in the early 1870s a mail carrier named John Walker built a cabin on the Little Colorado near the present site of St. Johns. Permanent water, the open valley, and the strategic location on two developing trade routes — the Albuquerque-Prescott run and the north-south Fort Wingate-Fort Apache haul — gave the place great promise.<sup>8</sup>

Sol Barth had visited the site as early as 1864 with a prospecting party but gave no indication of an intention to return and settle. His direct involvement with the settlement of St. Johns began in 1873. Probably in the summer of that year (accounts differ) he played his famous game of cards with the Mexican ranchers at El Badito, thereby acquiring a central point for his activities as a merchant and freighter. Whatever the date, it was a lucrative game, carrying with it squatters' equities, water rights, several thousand head of sheep, and apparently several hundred dollars in cash.<sup>9</sup>

Mexican stockmen from the Rio Grande had drifted into the Valley as early as 1870, though few elected to make it a permanent home. As a consequence, the transfer of land titles from the Mexicans to Barth after the card game was simple and direct. The loss of livestock and money was considered far more important than the squatters' rights to the land. Barth was able to consolidate his interests and began to develop his newly acquired properties. Twelve hundred acres of valley bottom, well suited for irrigation, changed hands. With his brothers Morris and Nathan, who had recently come to the Southwest, and a small force of Mexican laborers, Sol constructed a dam across the river to divert and impound water and followed with a system of *acequias* to carry it to the dry lands. Thus St. Johns

began to take form. It was named, by Barth himself, for Señora María San Juan Baca de Padilla, its first female resident.<sup>10</sup> San Juan was Anglicized to St. Johns by the first postmaster, who wanted to give the correct "impression" of the new settlement.

Barth's home dominated the community. Built in Mexican style with thick adobe walls to shut out the winds which swept over the village in winter and spring, it faced the broad east-west thoroughfare, the main east-west wagon road through the county. The north-south road from Round Valley and Fort Apache dead-ended exactly in front. The river crossing was a few hundred yards to the east. The Catholic church rose to the east also, and westward Barth set up his growing mercantile enterprises. Southeast was a livery operation to serve the growing flow of traffic. The first Mexican homes lay along the river east of the Barth properties. The original Barth house of 1874 still stands, although the high, windowed tower which rose above the high-pitched roof was badly damaged by lightning in later years and had to be removed. With abundant room, a superb location, and a gregarious master, it soon became an inn.

It was from this adobe manor house that Sol Barth observed the transit of Mormon colonists as they passed through St. Johns. In 1876 came disquieting rumors that they were diverting water from the Little Colorado for the downstream settlements of Sunset Crossing and Ballinger's Camp. Sol had no reason to welcome them into his little empire, and he had one excellent reason for keeping Brigham Young's harbingers out: his bride, Refugio Landavazo y Sánchez, a Catholic from New Mexico. The marriage tied his fortunes to the Southwestern frontier, particularly to the people of Spanish blood. This hardly left the welcome mat out for the Mormon invaders, who definitely threatened the sovereignty and stability of existing systems.

In the year that the first child was born to Sol and Refugio, Mormon scout Ammon M. Tenney recommended St. Johns as a site for settlement. Less than two years later Mormons were living at Salem, some two miles downstream from the Mexican

townsite. In January, 1879, the first offer, brought by Jesse N. Smith, came from the Mormon Church.<sup>11</sup> Barth rejected it. By November a satisfactory offer had apparently been made and negotiations had been completed for squatters' title to 1,200 acres in St. Johns and adjacent Meadows, with appurtenant water rights. The Mormons began farming at once and within the year had made surveys for a townsite adjacent to the Mexican village.

Barth's agreement to sell to the Mormons was unpopular with the few non-Mormon Anglos living in the valley, but until the initiation of the townsite survey on October 10, 1880, there was little opposition by the Mexican element. Several of the Mormon families, including that of the bishop of the new ward, were renting homes in the Mexican village. This facade of harmony proved to be illusory. As the Mormons prepared to subdivide, the Mexicans prepared to take action. Marcus Baca fired off a letter with thirty signatures, dated October 26, 1880, to D. K. Udall, the Mormon leader. It concluded: "We . . . will place all the means in our power and within our reach to impede the establishment of the Mormons in the surroundings of this town."<sup>12</sup>

The Mormons immediately rejected the letter and probably attempted to put pressure on the Barth brothers to make good their end of the agreement. Sol, fearing the loss of advantageous trade, successfully applied pressure on his vassals. On November 18, 1880, a new document was drawn. It was longer than the original bill of sale and more profitable for the Barths, bringing them 770 head of American cattle plus \$2,000 in other kinds of property. The Mexican houses and their immediate "apurtenances" were excepted. Their owners remained, however, filled with animosity toward the Mormon Anglos, and sometimes with fear.

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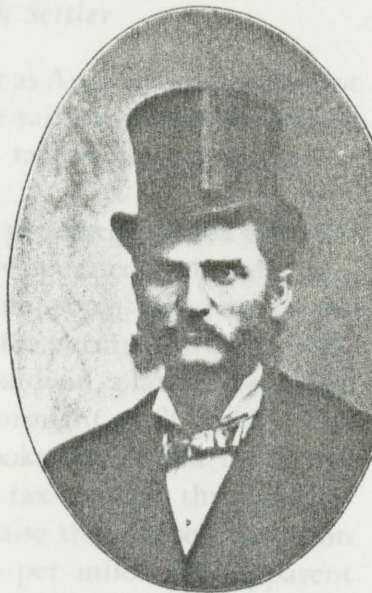
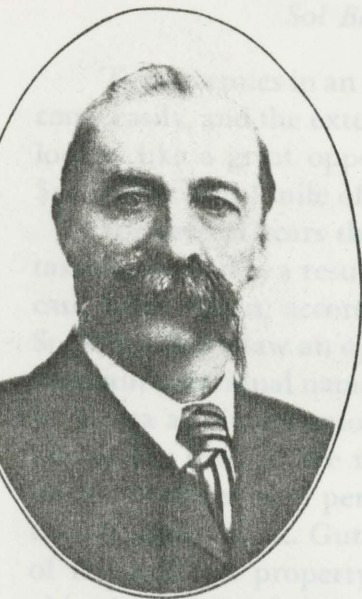
Tenney, emerged into the street. A single shot, fired from the tower of the Barth house, tore through the head and neck of the patriarch. He slumped over, dead, in the dusty streets of the Mexican town. The bullet may have been meant for one of the cowboys.

Almost immediately Sol Barth was accused. Some held him responsible, without blaming him for the actual shooting, since Mexican combatants had established themselves in the tower during the encounter. Whether or not there was any substance to the charge, it was effectively disregarded by the accused. Barth was never tried for the Tenney slaying.

The shoot-out in Mexican town was not the origin of the political problems of Apache County, but it served to make them highly visible. Barth was revealed as the boss of the region — a boss whose power was not limited to his own area. Well before the battle he was active at a higher level. In 1879 he and Albert Franklin Banta went up to Prescott to see what could be done about creating Apache County by dividing Yavapai County. A bill was introduced in the Territorial Legislature in February, 1879, and Banta says that "Sol Barth worked like a Trojan." The act was passed and Governor John C. Fremont signed it, together with provision for a special election to be held on the first Monday in June, 1879, to elect officers for the newly formed Apache County. In the first general election, November, 1880, Sol Barth was elected to the Eleventh Legislative Council (Senate), representing Apache County. Banta indicates that at this period "Barth was and is now a red hot Democrat."<sup>17</sup>

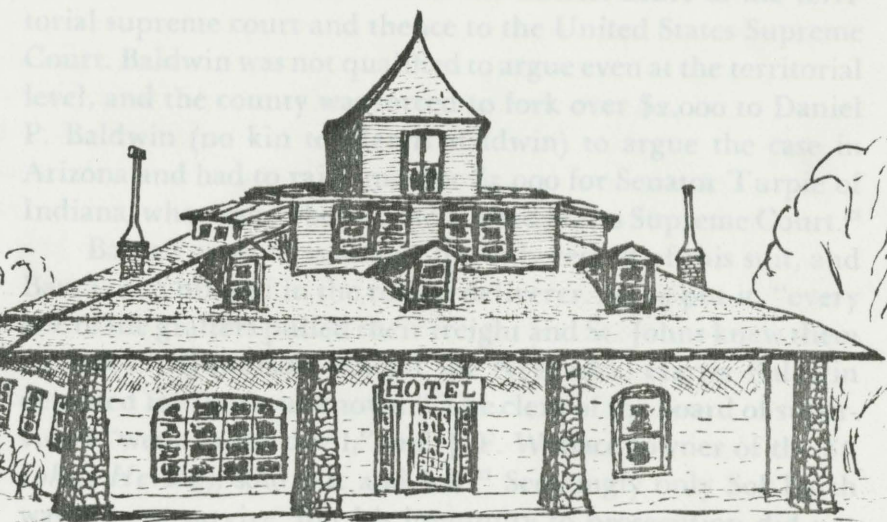
For the first part of the period 1880–1890, Sol retained control of Apache County largely through his influence with the Mexicans. Growing Mormon immigration threatened the status quo, however, and he was forced to seek continued control through political coalition with the non-Mormon Anglos. This alliance, the St. Johns Ring — known to the Mormons as the Anti-Mormon Ring — was composed of some of the community's prominent citizens, including Alfred Ruiz, E. S.





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*Sol Barth (left): freighter, gambler, legislator and benevolent despot. At the right, A. F. Banta: Sol's fair-weather friend; below, Barth's house and hotel at St. Johns.*



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Stover, J. L. Hubbell, C. L. Gutterson, George A. McCarter, and the Barth brothers. Their tactics were crude but effective. In the 1882 election, for instance, Mormon Bishop D. K. Udall was refused a ballot with the explanation: "We have decided that no polygamist should vote today."<sup>18</sup> Barth himself was accused of being the "ring leader" in the stuffing of the ballot boxes and he never completely lived down the charge.

In the 1882 election, A. F. Banta was seeking a seat in the legislature. According to Joseph Fish, Banta's brother Henry went to Pueblo, Colorado, to garner a few votes. There was some precedent for this action. In the preceding election, over eighty votes from Pueblo were registered and counted in Apache County. This time, however, although "Henry was on the ground promptly," the coup "did not come off so Banta did not even get a chance to put in his own vote." In a few days the returns from Pueblo arrived and all eighty-six were against Banta. The ballots were counted and recorded just as they had been in the previous election.<sup>19</sup>

The friendship between Sol and Banta terminated abruptly two years later, ending Banta's association with the St. Johns Ring. The cause of their dispute remains obscure, but it ended in a shooting scrape. According to Banta's account, "Sol became excited" and seized him by the throat. Nathan Barth then entered the fray and shot Banta through the neck, the .44 slug damaging Sol's thumb as it entered. Bleeding profusely from the throat, Banta pulled his own gun in an attempt to stop his fleeing assailant but Nathan got away. Sheriff Tom Perez arrested Banta but allowed both the Barths to remain free, thereby showing the weight of Barth's influence in the community. District Attorney Gutterson issued an indictment against the brothers, but Banta refused to prosecute.<sup>20</sup>

If personal safety was less than adequate in rowdy St. Johns, economic security was almost as precarious. The panic of 1873 was followed by difficulties over preemption (squatter's rights, supported by the act of 1843), and the railroad land grants. In 1885, however, these were submerged in the issues of the Railroad Tax Graft.

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the County Board of Supervisors covering the issue of the warrants in question. The Banta warrant was allegedly raised from \$4 to \$94.

Regardless of sentiment against Barth,<sup>28</sup> the sentence of ten years seems excessive, especially in view of the harshness of living conditions on "The Rock" at Yuma. To his wife the time must have seemed an eternity. Her oldest child was only ten. The other five ranged in age down to two. Sol was not to serve the full sentence, however. He was pardoned by Governor Conrad M. Zulick less than two years after his conviction.

Once free, Sol lost no time in moving rapidly to regain whatever wealth, power or influence he might have lost. He was forty-five when he left Yuma, and it was an older, more congenial, somewhat subdued Sol who emerged. He was still the same shrewd Sol, however, and shortly after his release he sued Apache County for the "value of the warrants" which had got him into trouble. He recovered \$3,584.93. What he meant by "the value of the warrants" is not clear to us now and was not clear to his contemporaries. Joseph Fish remarked, "I do not know the basis for the successful lawsuit."<sup>29</sup> The point is that Sol Barth came out ahead on his warrant speculations after all.

Resentment against him seems to have subsided somewhat during his time in prison and he reentered politics successfully, winning for the second time the Apache County seat in the Legislative Council (Senate) of the Nineteenth (1897) Legislature. Some murmured that the road to the statehouse lay through Yuma, but Sol paid no attention. He was effective as usual whether he was legislating or horse trading.

The territory, like Sol himself, was coming of age and seeking for stability and maturity. The St. Johns Ring had faded to a mere shadow of its former self and the community was closer than it had ever been to political self determination. It was fitting that Sol should move with the current of the times to campaign actively for statehood.

Even Sol's anti-Mormon inclinations were tempered by time and in the end he requested that his funeral services be

As a supplement to their merchandising, frontier entrepreneurs were in the habit of dealing in county warrants, promises to pay issued in lieu of cash payment when money was short. These warrants could be bought at a discount by men with dollars on hand and cashed at full value later, when enough tax money had been collected to make payment possible. Warrants were notoriously unstable, and speculation on their fluctuations became an important sideline to developed business. Sol Barth speculated in Apache County paper. At ten o'clock in the morning on Saturday, April 23, 1887, he was sentenced to ten years in the Territorial prison at Yuma for altering county warrants.<sup>24</sup> According to testimony which led to conviction, his method was to raise the value of genuine warrants. Some details of the several indictments carry back to July of 1884. On the twelfth day of that month the firm of Patterson & Co. received an Apache County warrant in the sum of \$91.24 for materials and lumber for a county bridge. Anticipating such payment, J. T. Patterson had approached Barth and was offered eighty cents on the dollar. The transaction was completed when Patterson took the warrant to Barth's store and received a check for \$72 from Harry Silver, the clerk.

This warrant and others were sent to Barth's bank in Prescott. In his testimony Mr. Silver said: "I looked over the list of warrants and noticed that the warrant which Mr. Patterson had handed me was raised from \$91.24 to \$191.24. I spoke to Mr. Barth about it and he told me to keep my mouth shut."<sup>25</sup>

The package of warrants, of which this was one, went off to Prescott in the care of C. L. Gutterson and the matter was forgotten until June of 1885, when apparently the bank noted the discrepancy.<sup>26</sup> A series of indictments on two counts of forgery followed at Prescott. The trial and conviction of Barth at St. Johns followed.

It is not certain how many warrants had been tampered with, but most of the testimony centered on two: one to Patterson & Co.;<sup>27</sup> the other to Banta Brothers. Barth was charged also with destroying county records — specifically the minutes of

conducted in the Mormon church. He died in peace of old age on Thanksgiving Day, November 29, 1928. A man of strong will and sometimes violent action, he personified the bold pioneer spirit that could found and tame a frontier town. Forty-seven years before his peaceful Mormon burial he had stormed from the territorial capitol when a vote went against him saying, "Your damned capitol can go to hell. I am going home."

He may have been an opportunist, but through it all he was charitable. The son of a Mormon widow relates that during the extreme economic difficulties following her husband's death, she could obtain credit at Barth's when two Mormon firms refused her.

He made sure that his children were well educated both in school and through experience in the Barth enterprises. His three sons and two older girls were sent to Grand Rapids, Michigan, for their education. The younger girls were enrolled at St. Vincent's Academy Convent in Albuquerque. Isaac, the oldest son, became perhaps the shrewdest lawyer in the history of Apache County. The next two sons, Jacob and Maurice, took over the family holdings, keeping the ranching and commercial empires intact. The two younger girls, Clara and Cecelia, never married and made their careers managing the store and hotel in St. Johns. Clara had the distinction of serving as secretary to one of the constitutional conventions that eventually led to statehood for Arizona.<sup>30</sup>

The Barth firm, which has been operating for more than a century, maintains its solid footing in the ranching industry of Apache County. The mercantile operation, however, finally closed its doors, the venerable display cases and residual merchandise going to auction on August 9, 1973. The death of Clara and the advanced age of Cecelia made this outcome unavoidable since the brothers and sisters with children had left St. Johns. The heritage and lineage of Solomon Barth remain strong in the Southwest, however, the third and even the fourth generations being active in commercial and legal enterprises in Arizona and California.



## Sol Barth: Jewish Settler

### NOTES

- <sup>1</sup>James H. McClintock, *Arizona — The Youngest State* (Chicago: S. J. Clarke, 1916), Vol. 2, p. 609.
- <sup>2</sup>Solomon Barth thought that he was born in the Posen District of East Prussia and for that reason he attended the first term of the La Paz, Arizona, Territorial Court to apply for U.S. Citizenship. This was the impression held by the family as brought out in an interview with Cecelia Barth in 1967. James H. McClintock in *Arizona, The Youngest State*, Vol. 2, p. 609, however, indicates that Sol learned later that he was born in North Orange, New Jersey, and was taken to Prussia when his parents decided to return to their home a few months following his birth.
- <sup>3</sup>B. H. Roberts, *A Comprehensive History of the Church of Jesus Christ of Latter Day Saints* (Salt Lake City: Deseret News Press, 1930), Vol. 4, pp. 89–107.
- <sup>4</sup>The Barth and Barnett General Store is sometimes placed at Prescott. Apparently this is a substitution of the district for the town. Weaverville was an established town, even if newly so, when the site of Prescott was selected by the first Territorial Governor, John Goodwin, in April, 1864.
- <sup>5</sup>James H. McClintock, *Arizona — The Youngest State*, Vol. 1, p. 111.
- <sup>6</sup>Lorenzo Hubbell, "Personal Recollections" (1918), as quoted in Frank McNitt's *The Indian Traders* (Norman: University of Oklahoma Press, 1962), p. 87.
- <sup>7</sup>*Ibid.*, pp. 53, 240.
- <sup>8</sup>Charles S. Peterson, *Take Up Your Mission: Mormon Colonizing Along the Little Colorado River, 1870–1900* (Tucson: University of Arizona Press, 1973), pp. 32–33, 47, 76.
- <sup>9</sup>Solomon Barth was apparently a shrewd gambler, for in a game of cards with the Mexican ranchers at El Badito he won the most important land equities and water rights in the valley that was to become St. Johns. Probably the most accurate date of the game comes from Joseph Fish, manuscript, "History of Arizona," 1906 (copy in Arizona State Archives, Phoenix), but in Sol's testimony before the Grand Jury of Apache County, January 12, 1887, he stated that he had lived in St. Johns "eleven years."
- <sup>10</sup>James H. McClintock, *Mormon Settlements in Arizona* (Phoenix: Arizona Historian's Office, 1921), pp. 177–78.
- <sup>11</sup>David King Udall, *Arizona Pioneer Mormon* (Tucson: Arizona Silhouettes, 1959), p. 75.
- <sup>12</sup>*Ibid.*, pp. 78–79.
- <sup>13</sup>Certified copy made by the Recorder of Apache County in 1883 of the original deed dated November 18, 1880. Apache County Court House, St. Johns, Arizona, Deed Book No. 1, p. 78.
- <sup>14</sup>Lorenzo Hubbell refers to this wider conflict as taking the lives of some 295 individuals. See Frank Lockwood, "Lorenzo Hubbell," *Pioneer Portraits* (Tucson: University of Arizona Press, 1968), pp. 140–42.
- <sup>15</sup>Eliza M. Wakefield, *Texas and the Greers* (privately printed, 1952).
- <sup>16</sup>The best sources on the shoot-out on San Juan Day, 1882, are in a number of historical booklets published privately by the Greer family: *The Greers, Texas and the Greers, Greer Men and Ellen G. Greer*; included are excerpts from the diary of Gilbert Dunlap Greer, brother of Nat Greer. Also see McClintock, *Mormon Settlements*, and Robert L. Greer, "The Battle of San Juan de Dia 1882," *Apache County Independent News*, St. Johns, Arizona, June 18, 1971.
- <sup>17</sup>"Albert Franklin Banta, Arizona Pioneer" (edited by Frank D. Reeve), *New Mexico Historical Review* (continued from April, 1952, through April, 1953, Vols. 27 and 28), October, 1952, p. 39.
- <sup>18</sup>Udall, *Arizona Pioneer Mormon*, p. 92.

## THE JOURNAL OF ARIZONA HISTORY

<sup>19</sup> Fish, "History of Arizona," p. 647.

<sup>20</sup> "Albert Franklin Banta," pp. 59-60.

<sup>21</sup> *Ibid.*, p. 62.

<sup>22</sup> *Ibid.*, p. 63.

<sup>23</sup> *Ibid.*, p. 66.

<sup>24</sup> The sentence and sentencing date were included with the "Report of the Jury in the Case of the Territory of Arizona v. Solomon Barth, Forgery" (dated April 19, 1887), Court Records, Apache County Court House, St. Johns, Arizona, Indictment No. 18, File No. 2.

<sup>25</sup> "Territory of Arizona vs. Solomon Barth," Testimony given by Harry Silver, January 12, 1887, Court Records, Apache County Court House, St. Johns, Arizona, File No. 2.

<sup>26</sup> "Territory of Arizona vs. Solomon Barth," Testimony given by C. P. L. Gutterson, January 12, 1897, Court Records, Apache County Court House, St. Johns, Arizona, File No. 2. This is the same Mr. Gutterson who was mentioned previously in connection with the railroad tax graft, but this incident is not connected with his official business as district attorney.

<sup>27</sup> A copy of this warrant appears as evidence, *Ibid.*, File No. 2. There is an interesting sidelight pertaining to the drafter of this warrant (No. 117), Chas. Kinnear. Some time after Sol Barth quit the job of post trader at Ft. Apache (1870), A. F. Banta was placed in charge of commissaries. Banta was succeeded by "Charly Kinnear" and "within a year Kinnear left for Europe with fifteen or twenty thousand dollars." There is little question that this is the same individual.

<sup>28</sup> "At a session of the criminal court held in St. Johns in September, some five persons were sentenced and sent to prison, one being the notorious Sol Barth. This improved things still more and people began to think that their lives and property were safer than they had been." *Deseret News*, Salt Lake City, March 16, 1894.

<sup>29</sup> Fish, "History of Arizona," p. 650.

<sup>30</sup> Cecelia Barth, interview, St. Johns, Arizona, August 17, 1967.