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# Fishing and mayhem on Grand Mesa

By Staff Feb 15, 2016 Sep 28, 2017



The Grand Mesa Hotel near Alexander Lakes was destroyed in 1901 by a mob angry about the killing of William Womack. It is shown above as it appeared about the time William Radcliffe purchased it in 1896.

Staff

An unpopular provision in an 1899 fishing law allowed a wealthy Englishman to close access to 13 lakes on Grand Mesa while he profited by selling the fish from those lakes.

That eventually led to the killing of William A. Womack, and later, the burning of the Englishman William Radcliffe's resort.

It was an unfortunate mistake in Colorado's long effort to protect its fish and wildlife, an effort that began with the Territorial Legislature's first game law in 1861.



That emphasis on wildlife protection continued when Colorado became a state in 1876. The 1883 legislative session was devoted almost exclusively to game laws.

Fishing laws were especially important because lakes and streams were being emptied of fish. More ambitious fishermen, especially commercial operators, used dynamite to obtain trout.

"Streams and lakes which were alive with fish three or four years ago, are now totally depopulated," wrote Fish Commissioner John Pierce in 1885. "The greater majority of trout waters have been ruined."

Pierce was among the first state leaders to recognize that the real value of the state's trout would be for sport fishing.



Colorado embarked on a program of raising its own fish and restocking lakes and streams, while adopting new game laws.

In 1899, more than a dozen new laws were passed, involving everything from daily trout bag limits to more severe penalties for dynamiting fish.

One law, written by a friend of William Radcliffe, allowed individuals to lease selected lakes and parks to raise fish and wildlife. It allowed the private owners of these Class A leases to sell the fish year-round, despite state fishing rules. A portion of the fish raised was returned to the state to help in stocking other streams.

The holder of a Class A license could also exclude the public from fishing on the lakes he leased, even if he didn't own the surrounding land.

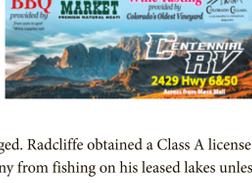


Proponents of the new law claimed it was necessary to reduce poaching and protect young fish being raised for stocking.

But others saw it as a boon only to a few wealthy people. A headline in the Telluride Journal on July 1, 1899, read: "Law Creates Fish Monopoly." The paper said that "favored individuals and clubs" could ignore rules which applied to the public at large. "They may also lease fishing privileges to whom they choose."

In purchasing the Grand Mesa Hotel in 1896, William Radcliffe had assumed leases to 13 lakes on the south side of Grand Mesa, including Alexander, Barren, Eggleston and Upper Eggleston and Island lakes. He owned the fish in those lakes.

Most of the lakes were within the Grand Mesa Forest Preserve, established in 1892. But fishing on many of them was already privately controlled, mostly through the Surface Creek Ditch and Reservoir Co., which owned the irrigation water. Members of the ditch company retained the right to fish in them.



With the 1899 law, that changed. Radcliffe obtained a Class A license and decided he could exclude members of the ditch company from fishing on his leased lakes unless they obtained a permit from him.

William Womack, a Cedaredge cattleman and stockholder in the ditch company, disagreed. In July of 1901, he and a party of friends went fishing, first at Alexander Lake, then Island Lake.

Frank Mahany, a wildlife ranger hired through the state to protect Radcliffe's property, ordered them to leave.

When they refused, Mahany began shooting, hitting Womack at least twice and wounding another man.



The party left at a gallop, leaving Womack behind. His wife and daughters arrived later, and found Womack lying in a tent near the lake. He died about eight hours after being shot.

Mahany turned himself in to the Delta County sheriff and was transferred by train to Gunnison to avoid an expected lynch mob.

The crowd of Womack supporters then turned its ire on Radcliffe declaring, "Down with Radcliffe; — if we catch him we will hang him to the biggest tree on the mesa," according to a July 19, 1901, Grand Junction newspaper.

But Radcliffe was in the Roaring Fork Valley, and he prudently headed to Denver once he learned what had occurred.



Without Radcliffe to string up, the angry mob turned its rage on his property, burning the hotel, then later, nearby cabins and Radcliffe's fish hatchery.

Radcliffe demanded \$65,000 for his losses. He eventually received \$25,000 from the U.S. government.

Mahany claimed the shooting of Womack was self-defense because he believed Womack was reaching for a gun.

He was ultimately convicted of voluntary manslaughter, and served 3 1/2 years of an eight-year sentence before being pardoned.



He moved to Grand Junction with his family, then later to Salt Lake City.

The Radcliffe property was purchased by the Grand Mesa Resort Co.

After several decades, the U.S. Forest Service opened the lakes to public access, it became illegal to sell the state's game and fish for profit.

Outdoor Life magazine, at the time published in Denver, declared the law that led to the problems on Grand Mesa. "There is no legal or moral excuse for a law which will permit trafficking in the state's property," it said in late 1901, "and what more valuable and sacred asset have we in this state than our game and fish?"



Information for this article came from James K. Wetzel of Delta and from his book, "Murder and Mystery on Grand Mesa," from "Colorado's Wildlife Story" by Pete Barrows and Judith Holmes; and from volunteers at the Museum of Western Colorado.

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