

THE FLUME

The Park County Republican & Fairplay Flume

A. E. Cook, 1894 Como marshal, to be inducted into National Law Enforcement Memorial

By Laura Van Dusen - Correspondent Jan 13, 2011



Early Como This street scene in early Como, circa late 1890s to early 1900s, was familiar to Como residents at the time that Marshal A. E. Cook was shot. The building is Allen's Saloon, now known as the Como Mercantile building, at the corner of 6th and Rowe streets. (Photo courtesy of the Park County Local History Archives, Tom Klinger collection)

Marshal A. E. Cook of Como was probably not expecting trouble when he knocked on the door of Levi Streeter's

home in Como a few minutes before midnight on Friday, April 6, 1894. Newspaper reports and witness

testimony indicate that when the door was opened, Streeter fired his revolver immediately. Cook had three bullet wounds, "one in the breast and two in the head, and further that his head had been badly crushed with some blunt weapon, probably the butt end of the revolver," said the April 12, 1894, Flume.

Cook fell into the open doorway and was dead "within moments," The Flume reported.

Cook is the only law enforcement officer in Park County ever to be killed in the line of duty, said Park County Sheriff Fred Wegener via telephone.

More than a century later, Cook is continuing to receive recognition for that.

Cook will be "formally dedicated on May 13th at the 23rd Annual Candlelight Vigil during National Police Week," said Berneta V. Spence, director of research with the National Law Enforcement Officers Memorial (NLEOM) Fund, in a Dec. 8 letter to Park County Office of Historic Preservation Director Linda Balough.

"An officer shall be included if a department states that the officer died in the line of duty and there is no information to believe otherwise," says the NLEOM Web site at www.lawmemorial.org.

Wegener was contacted by a Colorado Law Enforcement historian in the fall of 2010 asking if the Sheriff's Office would complete the national form for Cook so he could be included in the ceremony in Washington, D.C., in May 2011. The application form has to be completed by the agency the officer worked for.

Cook was included on the Colorado state memorial for officers slain in the line

of duty at Camp George West in Golden in May of 1999, Wegener said.

Who was Cook?

Cook had been marshal of Como since at least October of 1887. He had just been elected to another term on April 3, 1894 - three days before he was murdered. He had lived in Como since at least the fall of 1884. An article in the Nov. 5, 1884, Como Headlight mentioned his presence at a masquerade ball on Thursday, Oct. 29, of that year. He dressed as a cowboy.

Cook was prominent in railroad circles and had previously worked as foreman of the South Park shops in Como where "he would have been in charge of the section of the work force that repaired engines, cars, snowplow, etc.," said Tom Klinger, co-author of two books and frequent speaker on the railroading history of Park County.

Cook was about 45 years old at the time of his death. He lived in Como with his wife and three daughters; the eldest was then 12 years old. The Flume of April 12, 1894, reported that he "was a quiet and well-liked official."

"There was no known trouble between the two men (Cook and Streeter)," it said.

Cook was a member of the Independent Order of Odd Fellows (IOOF) and the Knights of Pythias. His body was taken to Denver by those societies, and he was buried there.

Who was Streeter?

Streeter had lived in Como since at least December 1890. He was described in the April 12, 1894, Flume as "a single man, and if reports be true, has borne none to savory a reputation in Como where he has lived for several years and carried on

business." Among residents there he was considered "somewhat flighty at times, but not dangerous." In another part of the same Flume edition, it was said that Streeter "was considered a peaceable man."

Streeter lived in a two-room house; one room was used for living quarters and one room was used for his business of shoe making and repair. Park County Clerk and Recorder records show that one of two properties that Streeter owned in Como was at the corner of 8th and Broadway. It is almost certain that this is where his home was and where the shooting occurred.

The crime

The following paragraphs are taken from the front page of the April 12, 1894, edition of The Flume:

"On the night in question a little party of men and women, of doubtful character to say the least, were holding a jollification at Streeter's place, finally becoming quite convivial (sociable) and noisy through partaking of frequent draughts of beer. It is believed that there were present at the time three women and two men besides the proprietor of the place, though but two of the women are as yet known, these being Mrs. Anna Speas, whose husband was temporarily absent in Denver, and Mrs. Lillie Robinson. Suspicion attaches to another woman and also to two men, it is said, as the last mentioned were seen running away from the direction of the house after the shooting."

"Streeter's statement is that, upon opening the door, the man outside ordered him to throw up his hands, when, thinking he was about to be robbed, he fired at the intruder, not knowing who he was."

"This story is not generally credited, and there is a strong belief that he suspected his visitor to be Mr. Speas, whose wife was then inside and that, anticipating trouble from the call, he lost no time in taking the initiative."

"As soon as the shooting began it is supposed that the women ran into a sort of shed attached to the rear of the house and jumped out through a window, breaking the sash and cutting themselves on the glass, the blood serving as a means to track the two above named to their homes. The two men seen running away are thought to have emerged from the front door, going out over the body of Cook as it lay."

"Coroner Mayne held an inquest over the remains Saturday. The jury found that Cook had been killed by Streeter, but whether with felonious intent or otherwise they could not decide, recommending that the prisoner be held to await the action of a grand jury."

"Mrs. Speas and Mrs. Robinson were examined as witnesses and disclaimed any knowledge of the crime beyond having heard the shots fired. Later, at the instigation of Mrs. Cook, they were placed under arrest as accessory to the killing. They were brought to Fairplay Saturday evening and remained till Monday, when they were taken back to Como and are still under bonds."

Speas Family

Sam Speas, the husband of Anna, was an engineer with the railroad, which in 1894 was called the Denver, Leadville & Gunnison. He was a handsome man, just under six feet tall, with broad shoulders and bright red hair.

Engineers were at the top rung in the railroad hierarchy. They were the highest-

paid, worked long hours, and sometimes were gone from home for days or even weeks on end. Their wives were left at home to care for the children, do the chores and keep the home in repair. At least that's the picture portrayed in "Goin' Railroading" by Margaret Coel, as told by Sam Speas (Jr.), which is a book about the Speas family, their railroading careers, and life in Como at the turn of the 20th century.

Coel is the granddaughter of Sam Speas Sr., who was married to Anna, and the daughter of Sam Speas Jr.

Anna Blythe and Sam Speas were married on Sept. 30, 1886. They met in Boulder at a boarding house where Anna worked, and which was run by Anna's mother and sister.

Anna Blythe was "the belle of the town, quite beautiful and sought after," said Coel in an e-mail. Soon after the marriage, in November 1887, Sam Speas was transferred to Como with the Denver South Park & Pacific.

"Anna was very young, only 17 years old, whereas my grandfather was about ten years older," said Coel.

Between November 1887, when the Speas' moved to Como, and April 1894, Anna Speas gave birth to three babies. They all died in infancy and are all buried in the Como cemetery.

"According to my father, Anna took the deaths hard and started drinking. And with my grandfather out on the road for long periods of time, she started hanging around with a party crowd that included Levi Streeter. When Cook came to investigate a loud party at Streeter's house, Streeter assumed it was my grandfather, who had probably warned him to stay away from Anna. At any rate,

Cook ended up shot to death. Had it been my grandfather at the door, he would have been dead," Coel said in the e-mail.

At the time of the party at Streeter's home, The Flume reported that Sam Speas was in Denver.

Coel's book says that Sam Speas was overdue on a freight run to Climax; however, new information was discovered after the book was written, in the form of Sam's time sheets that he kept meticulously his entire career, and they show Sam Speas was not working from April 4 to April 11, 1894. He was very likely at home in Como that week.

"If (Anna) went to the party when Sam was in town, then that would explain why Streeter was so sure that the man at the door was Anna's husband and greeted him with a bullet," said Coel in a follow-up e-mail.

After Anna was arrested the evening after the shooting, Sam Speas posted bail for her and secured Park County's most prosperous attorney, Webster Ballinger, for his wife's defense.

Real estate changes hands

Real estate changed hands within a week after the shooting.

On April 11, 1894, Streeter, while sitting in jail for murder, sold his two properties in Como, a "free and voluntary act" according to the deed, to Samuel Cohen, administrator of the estate of the deceased George Weston, to pay back two loans Weston had made to Streeter in 1890 and 1891. The selling price was \$750.

Administrator Cohen resold Streeter's former property on Sept. 10, 1895, to Elizabeth W. Link, a member of a

prominent early-Como family, for \$300, taking a \$450 loss.

Cohen, part of the family for whom Cohen Park in Fairplay is named, was described at various times in *The Flume* of the 1890s as a merchant, miner, and railroader. In the early 1900s, he was a member of the Colorado House of Representatives for Park County.

Coel, when speculating about the quick sale of Streeter's property, said: "I can only guess that the whole affair was so shocking and people were so outraged at the murder of an innocent man like Cook, just doing his duty, that Cohen forced the sale."

The trial

While Streeter remained in jail continuously after the murder awaiting trial, Anna Speas and Robinson were allowed to return to Como until they were called to court. Anna Speas must have gone to Boulder, Colo., to be with her mother because *The Flume* reported on May 17, 1894: "Sheriff (Daniel H.) Wilson went to Boulder this week and returned Tuesday with Mrs. Anna Speas." It also reported that "Mrs. Blythe (Anna's mother) accompanied her daughter to Fairplay from Boulder."

Anna and Robinson were brought to Fairplay for "preliminary examination as [accessory] to the killing of Town Marshal Cook." The trial began on May 28.

The May 31 edition of *The Flume* reported the names of the 12 men who were chosen to serve as jury members in the trial of Streeter, Speas, and Robinson. That edition also reported Hon. Webster Ballinger as counsel for Speas and Judge George E. Pease as counsel for Robinson and Streeter.

In the June 7 *Flume* a retraction was printed. Pease was "in the capacity of counsel only for Lillian Kennedy (Robinson)" and not for Streeter.

Court records, Case No. 1461, of May 21, 1894 show that "to the satisfaction of the court, defendant Levi J. Streeter is a poor person and unable to employ counsel. It is ordered by the court that Webster Ballinger Esq., one of the attorneys of this Court, be, and he hereby is assigned to defend him herein."

"Neither Streeter nor Anna Speas was allowed to testify. Lillian Kennedy (Robinson) being the only one of the three defendants who was called to take the witness stand by their counsel," said the June 7, 1894, *Flume*.

An explanation of the name change from Lillian Robinson, at the first report of the crime, to Lillian Kennedy during the trial is that "Lillian Kennedy's husband (Robinson) immediately divorced her and left her to the mercy of a court-appointed attorney," said Coel in an e-mail.

Court records reflect the correction of Robinson's name to Kennedy on the first day of the trial, "At this day it appearing to the Court that the real name of the defendant herein is Lillian Kennedy instead of Lillian Robinson."

The pre-verdict part of the trial ended on Friday, June 2. The jury started deliberations on Friday evening. It had not reached a verdict by 1 a.m. Saturday morning and jury members were given a few hours off to sleep. They reconvened on Saturday morning, June 3 and reached a verdict, which was read at 8:30 a.m. in court, as reported in the June 7, 1894 *Flume*.

Streeter was found "guilty of murder in the first degree as charged," as recorded

in the trial documents. Speas and Kennedy (Robinson) were found not guilty.

The Flume of June 7, 1894, reported "Streeter was sentenced to be executed in the week commencing June 24th." The court ordered that Streeter be kept in solitary confinement until the day of his hanging. Sheriff Wilson accompanied Streeter to the Colorado State Penitentiary in Canon City on June 6.

Divorce

Samuel Speas stood by his wife after the murder and during the trial, but, as reported in the July 12, 1894, Flume, "In county court on Tuesday Samuel Speas of Como made application through Attorney Ballinger (the same attorney that defended Anna and Streeter in the murder trial) for legal separation from his wife. After hearing the testimony offered, the jury rendered a verdict in his favor and Judge Ifinger pronounced a decree of divorce. Suit was entered on the ground of drunkenness and cruelty. No defense was offered."

In fact, Anna was not even in the courtroom. She had boarded the passenger train and went back her mother's home in Boulder soon after being found not guilty of accessory to murder, according to Coel's book.

What happened to Anna?

"Soon after moving back to Boulder, Anna left her family, moved to Denver and continued drinking. She moved in with a 'colored' man in a room in a shack at 2143 Lawrence St. His name was Andrew Lyles. He mistreated her badly and beat her frequently, but instead of returning to her family, even after her mother begged her to return; she stayed with Lyles and continued drinking. After

beating her during the night, Lyles left the room in the morning, and a neighbor found her dead. Lyles and another man who also lived in the house were arrested and charged with murder. Witnesses (probably other neighbors) testified that Lyles had 'beaten her into insensibility' the night before she was found dead, and had then beaten her again in the morning before he left. However, an autopsy ruled out trauma as the cause and instead found that she had died of an internal abscess, pneumonia and alcoholism. (Because of the autopsy results, both Lyles and the other man who was arrested were freed.) The date of her death was July 6, 1898. She was 26 years old," said Coel in the e-mail and quoting from Denver and Boulder newspaper editions of July 1898.

What happened to Sam Speas?

Sam Speas courted Ellen O'Leary, a waitress at the Pacific Hotel in Como, for almost a year after the divorce. The women hired to work at the Pacific were "attractive, intelligent and of good character," according to Coel's book. They were often daughters of railroaders, as was Ellen O'Leary. Her father had worked his way across the country laying tracks for the Burlington Railroad from Illinois to Denver.

Sam Speas and O'Leary were married in Fairplay on Oct. 29, 1895, and they led respectful lives. Sam continued in his career of railroad engineer. They had six children, three died in infancy, but the three that lived - Sam Jr., Clarence and Neil - grew up in Como and Buena Vista in the railroading community and followed their father's footsteps, becoming railroad engineers.

What happened to Streeter?

Several of Streeter's friends signed a petition asking for a commutation of the death sentence, as reported in the June 14, 1894 Flume, and Streeter himself also applied for respite. On March 2, 1895, the death sentence was reversed to "imprisonment for life, hard labor" by the Colorado State Board of Pardons.

Later Streeter filled out an application for a pardon, as reported in the Jan. 31, 1896 edition of The Denver Evening Post. That paperwork was filed too late to benefit Streeter.

A note in his prison file states: "died April 9 - (18)96." It is signed by John Cleghorn, Warden.