

*It takes more than a good resume to get a government contract.*

## Amherst Willoughby Barber (1841-1920)

**From:** Find A Grave Website, [www.findagrave.com](http://www.findagrave.com).

Birth: July 4, 1841  
 Cambridge  
 Lamoille County  
 Vermont  
 Death: May 19, 1920  
 Washington  
 District of Columbia  
 District of Columbia, USA

Company A, 41st Wisconsin Infantry, civil War. Son of Giles Addison Barber (1803-1879) and Maria Green Barber (1807-?). After the war he served as a surveyor for the Government Land Office and was also a clerk in the Treasury Department from 1877 to 1879. In 1880 he was living in Yankton, South Dakota, where he was county superintendent. Author of "The European Law of Torture: published in The Popular Science Monthly, 1894. Husband of Velma Winship Sylvester Barber (1853-1936). Father of Victor Barber (b. Jul 1877, Dakota Territory), Herbert S. Barber b. 12 April 1882, South Dakota) and Clara Velma Barber (b. 8 October 1884, Yankton, South Dakota).

Burial: Arlington National Cemetery  
 Arlington  
 Arlington County  
 Virginia, USA  
 Plot: Section 13, Site 5484-6

**From:** "Executive Documents of the House of Representatives for the Second Session of the Forty-Ninth Congress". 1886-87, Volume IX, Government Printing Office, 1887.

The following letter from Amherst W. Barber, a contracting deputy surveyor, details the manner in which surveys were executed in Colorado:

*Yankton, Dak., May 18, 1886. Hon. Wm. A. J. Sparks,  
 Commissioner, Washington, D. C.:*

*Dear Sir: I respectfully entreat your careful attention to my appeal for justice and speedy action by your department in the matter of surveys done by me last spring and summer in Colorado.*

*These are some of the facts: I am a surveyor who resides in Yankton, Dak. At the request of friends in Colorado I applied for work at the Denver office, and received a commission from Surveyor-General Meldrum, which is still in force. I received a contract (No. 710, I think) to subdivide only two townships (one special deposit) and entered on the work. I expected other townships, and a second contract was made out,*

*but when I saw their mountainous and difficult appearance I withdrew my proposal.*

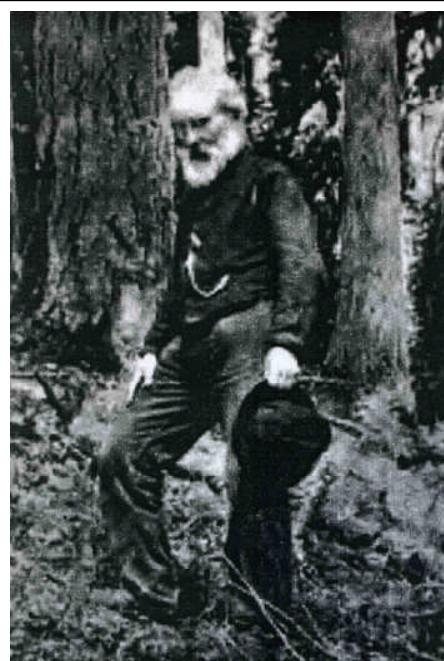
*Field-notes of the exterior boundaries were given me, and I was charged to describe all monuments I found thereon. I surveyed one township, finding the exteriors all right but two miles, and those I had to resurvey. It was in a hilly agricultural region.*

*But the second township was very, mountainous (T13S R90W, 6th P. M.). I beg you to read in my field-notes the great difficulties, hardships, and expense I met in trying to find the exterior lines. I was enabled to find the monument at the southwest corner of the township, but after many days search with my five men. I was unable to find monuments of more than four miles of the south boundary, and I have made oath to the fact that I believe said line never was run and marked more than that four miles.*

**Figure 1** Amherst W. Barber while working on the Puter Land Fraud Case in Oregon in 1904. (Photo from the book, "Looters of the Public Domain" by Puter.)

*The east boundary also I was unable to find at all, and its topography was mostly wrong. The western boundary I traced one mile, up a great cliff and nearly to a mountain top; but beyond the stone marking that one mile there were no marks whatever, and its topography was wholly wrong the other five miles.*

*On the north boundary I also was unable to find any signs that mankind had ever scaled those peaks or crossed those mesas, and the topography of the old notes was wholly wrong. For instance, the old notes gave "Big Muddy Creek 25 lks. wide," about midway of the north line, where there is only a dry mesa 9,000 feet high, while Big Muddy Creek really lies five miles farther east.*



*In my trouble I asked the nearest settlers, and they said that Ashley, the former surveyor, was up on those lines only a very few days, and they always doubted that he ran them very far. They also told me that he was attended on his brief trip by the inspector, Harry Allen, and a saloon-keeper from the nearest railroad town; also that said inspector was usually drunk.*

*Therefore I was absolutely bound by my instructions, my contract, and my bond to report things as I found them and to proceed to run the exterior lines. I did this to the best of my ability, and it cost me a great deal to do it. I spent some six weeks with an ample crew in doing that township and searching for mythical corners.*

*I have since learned from my neighbor, Deputy Chas. H. Bates, how a Colorado surveyor told him such frauds were carried on, how they got the topography for their false notes by scaling the large maps of the Geological Survey, and I have many reasons to believe that my work detected a swindle of precisely that sort.*

*I can also prove by my crew that nearly all the monuments I did find on the south boundary were wholly different from the descriptions given thereof, as when looking to find a stone corner and stone mound, with no trees in 3 chains, I only found » blazed oak tree marked one-fourth in a dense thicket of trees. All these constant discrepancies you may find in my notes, with very full notes of the real topography where Ashley noted none at all. In nearly all cases he used the words "no trees within 3 chs.," while there were usually trees to witness the corners.*

*I got a sight of the original field-notes put in by Ashley, and I desire you to know that every page was chiefly stamped by a cheap rubber stamp and purple aniline ink, with blanks in which figures were inserted, and omitting all topography except in rare cases. Those notes were made in the most careless and labor-saving manner, and are essentially false in many particulars.*

*When I returned to Denver, poor, worn out, and sick from the hardest toil I had ever known, I reported my predicament verbally before completing my notes. The chief clerks were very uneasy, and Deputy Ashley was repeatedly sent for, but Ashley wouldn't go to the office. I desired to meet him and hear his account. At last I found him in his favorite whisky den, got him out, and had a short talk. He made no denial or question of my position in regard to how I had found his work, and finally said to me: "Oh, well, you probably know how those things are done as well as I do." He and his chum, Inspector Harry Allen, were together at the saloon door. He told me he was "a Teller man," asked me to go in and drink, and offered to do what he could to help me in my difficulty—and I never saw or heard from Mr. Ashley any more.*

*In my notes I fully reported how I found the lines and re-ran them; and I had a right to expect my pay for the whole (subdivision and town lines),*

*according to contract. But after weary months of waiting and borrowing money to support my family, because of my losses from undertaking the work, I learned that there is small chance of receiving justice ; that because I have fearlessly reported these frauds the department will subject me to suspicion and to endless delay and expense before paying me. I learn from Denver that the issue between Ashley and me must await an inspection.*

*Now the Denver office has been extremely anxious to hush up this matter and protect its former corrupt deputies and clerks; and hence I mistrust they would gladly sacrifice me and my reputation (being a transient person among them) to prevent any exposure of the extensive frauds of the past. Hence I am very suspicious that an apparently fair inspection of our lines will be only a "put up job" in the hands of some one of that ring designed to vindicate Ashley's work and destroy mine.*

*On this point I plead for fair treatment. Do not let the Denver office send some such drunken worthless tool of rascality as some they have heretofore used to cover up bad work I had to expose by ruining me. If I must still wait for inspection, at least let it be done by an honest man from outside of that ring, and without their interference. I am too poor to go there again for nothing, yet the Ashleys may attend and manage the inspection or they may already have tampered with the lines.*

*It seems hard to be kept from a few hundred dollars that were earned twice over by very hard work at ruinously low rates, aggravated by previous frauds of others. Why not pay my account! Your department, by thus punishing those who report honestly in the field, seems to offer a reward for concealing any frauds we may discover.*

*You have the sworn evidence of myself and party, proving that hours and days of diligent search were wasted in vain, and that most of his pretended corners had no existence. There is only one township in dispute. It would only be a simple act of justice for you to examine my very full and accurate field-cotes and audit my account at once. I cannot afford another ruinously expensive trip to western Colorado on a matter of only two townships.*

*I am no politician, nor acquainted with any politician or official of Colorado. I did my sworn duty in running those town-lines and reporting the truth" when Denver parties not wholly unconnected with the department desired me to falsify my notes, so as to cover up the fraud. For this I am kept out of my meager pay, and I fear that the schemers that have the official ear in Denver will compass my final defeat.*

*The special-deposit money was borrowed by certain settlers who can ill afford their part of the loss and delay. The Government holds it and refuses to act. The deposit certificates are only worth about 65 per cent. The settlers lose the remainder, because, their lands being in the reservation, they are unjustly prevented from using their certificates to*

*pay for their lands and are forced to sell at a loss of about \$150 each. Thus every one connected with this survey (except the former swindlers) suffers delay, loss, and injury from the delays and severe rules of your department.*

*If the honorable Commissioner will assist me in any way to a just and speedy settlement of my account I shall be most grateful.*

*I remain, sir, most respectfully, yours,*

*AMHERST W. BARBER, United States Deputy Surveyor for Colorado*

**By Jerry Olson**

There were three or four Ashleys surveying in Colorado in 1884-1886. DeKalb Ashley received a contract in 1884, and Eli Ashley received one in 1885. John Ashley was the County Surveyor of Arapaho County from 1884-86, and John also was in the Colorado State Legislature from 1884-86, before he came to Spokane.

In 1892 DeKalb Ashley was working in the Spokane County, Washington, Surveyor's office at the time John Ashley was the County Surveyor. After failure to correct a survey, DeKalb was debarred from further work in Washington and returned to Colorado. John was partners with Harry A. Clarke in an engineering business in Spokane, and was compassman for Clarke's GLO contract on the Yakima Indian Reservation in Washington. Clarke bribed a State Senator in Washington and was the attorney for some of the Benson Syndicate surveyors.

John or DeKalb have not been determined to have performed surveys under the Benson Syndicate in Washington. William Henry Ashley, the father to John and Eli was a U. S. Deputy Surveyor in Colorado from 1861-1880. His brother John K. was a doctor in Illinois and the father of Dekalb. Eli was also a Clerk in the Surveyor General's office in 1880. According to the Colorado Office of BLM, the township exteriors referred to here by Barber were surveyed by Eli Ashley.