

## FIRST DRAFT

# Jailhouse blues

### Marble newspaper woman went to jail over fight with company and community

**T**wo women occupied the Marble Jailhouse in March 1912, but they were incarcerated for very different reasons.

Mrs. J.J. Curley was arrested for bootlegging. Sylvia T. Smith was jailed for writing newspaper articles that angered the town's major business, the Colorado-Yule Marble Co.

Smith was held in the jail just one night, then placed on a train and ordered never to return. Her printing press and personal belongings were seized.

A year later, Smith won a \$10,000 court judgment against the marble company and the town's leading citizens. But she never recovered her press or other belongings, and never published her Marble newspaper again.

Not much is known about Sylvia Smith's early life. She was reportedly born in Indiana in 1872 and by the early 1900s, she was publishing a newspaper in Crested Butte.

She was active in politics and reportedly served as one of the first female delegates to the Colorado Republican State Convention in 1894. In 1908 she unsuccessfully sought the GOP nomination for Gunnison County treasurer.

When she moved to Marble in 1909, the town was booming because of Colorado-Yule's growing operation. Marble had nearly 700 people in 1909. By the mid-teens, the population exceeded 1,400.

When a strike at the quarry occurred during her first summer in town, Smith sided with the workers and became a frequent critic of the marble company through her paper, the Marble City Times.

She attacked Colorado-Yule over its finances, its treatment of workers and safety issues. In early 1912, she raised concerns that the company had built its mill in a major avalanche path.

When an avalanche roared down that path on March 20, severely damaging the mill and injuring one woman, Smith said, "I told you so," in print.

"Colorado-Yule-Marble Mill Crushed Like an Egg Shell by Avalanche. Warnings Unheeded," read part of the headline of the March 22 Marble City Times, the last edition she published.

That was too much for Colorado-Yule Marble Company, for the company supported newspaper, the Marble Booster, and for many Marble residents.

A public meeting produced a resolution with the signatures of 232 citizens, urging that Smith be deported because she had "at all times endeavored to injure the chief industry of Marble, The Colorado-Yule Marble Company" and she was "antagonistic to all the interests of the community."

The next day, Town Marshal Richard Mahoney arrested Smith and escorted her to the jailhouse, where she spent the night with Mrs. Curley.

The next day, the marshal put her on the train. When she reached Denver, she contacted lawyers and began preparing a lawsuit against the town, the marble company and 37 residents.

Her deportation and lawsuit prompted news stories throughout Colorado, including in The Daily Sentinel. By mid-summer, she was receiving national attention.

At trial in 1913, Smith won a judgment totaling more than \$10,000, plus court costs. In 1915, the Colorado Supreme Court upheld her case, and people in Marble scrambled to pay their share of the judgment.

By then, Smith had moved to Pueblo. In 1914, she was a labor activist in southern Colorado. But by autumn of 1915, she was reported to be living at a ranch

near Paonia.

In 1918, she reportedly spent the summer in Marble, and later that year unsuccessfully sought the Republican nomination for Gunnison County clerk.

The 1920 census said she was a 48-year-old living in a boarding house in Denver. She listed her occupation as newspaper reporter.

A 1924 article in a Crested Butte newspaper said Smith was a reporter for the Denver Post.

And what of Mrs. J.J. Curley, who was Smith's cellmate in 1912?

She had been arrested in January 1912, and decided to serve a 60-day sentence rather than pay a fine. Her husband initially joined her, serving a 30-day sentence for fighting. The Curleys' owned a small hotel in Marble. The Curleys were ordered to perform their own housekeeping in the jail.

Mrs. Curley was released from jail in April 1912, and she traveled to her native Ireland later that year.

But, having witnessed the success of Smith's lawsuit, Curley sued the town of Marble in September 1913 over her incarceration. A year later, she won a partial judgment against the town, claiming the town's police magistrate had no authority to try her case and issue a



Mill Site: 1911—August 1912

INFORMATION KIOSK AT THE TOWN OF MARBLE MILL PARK

The Colorado-Yule Marble Mill as it appeared in 1912, the year Sylvia Smith was jailed for her criticism of the company.

sentence. But in 1916, the judgment was overturned. The Curleys appear to have left Marble by then. Many others left soon afterward. By 1920, the marble quarry was closed and there were just 81 people living in Marble.

Sources: Historic newspapers at Plains to Peaks Historic Newspapers.org; National Register of Historic Places registration form for Marble Jailhouse; "The True Story of Kate Manning's Gilded Mountain," by Amber McMahl, the Crystal Valley Echo; author interview with Emma Bielski.

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Photos by BOB SILBERNAGEL/Special to The Daily Sentinel

LEFT AND ABOVE: Marble Mayor Pro-Tem Emma Bielski examines one of the steel cells at the Marble Jailhouse. Sylvia Smith slept on the floor to the right of this cell in March 1912.



## Marble Jailhouse needs a new foundation

**T**he frame-built Marble jailhouse was constructed in 1901, with wood siding and two steel jail cells purchased from the Pauley Jail Building Company of St. Louis, Missouri. But whatever foundation the building was placed on — perhaps marble slabs — has long since disappeared.

Now the town of Marble is raising money to construct a concrete foundation under the building, which is on the National Register of Historic Places. The town and its partners have raised \$18,000 to date for the \$38,000 cost of Phase One.

When the jail was built, the town was beginning to grow. But it wasn't until 1909, when Marble approved prohibition, that the jail saw frequent use.

"When Marble became a dry town, the jail was busy," said Marble Mayor Pro-Tem Emma Bielski, who heads up the effort to restore the jailhouse.

On just one day in 1911, nine people faced trial on liquor-related charges. Another day, arrests were made for a man mistreating his wife, a boy fighting, two men fighting and a woman for getting "sassy" with the judge.

Despite prohibition, it wasn't hard to obtain liquor, even within the confines of the Marble Jailhouse. Jailers were frequently mystified to find inmates, who had been sober the night before, dead

drunk the following morning. Later, it was determined that their friends had passed a strand of macaroni, leading from the bottle of whiskey, through the screen and into the jail, according to the book, "Marble Colorado, City of Stone," cited in the National Historic Register

application.

In 1914, Tony Abidigola was arrested for obtaining goods from a Marble store under false pretenses. While being held in the jail, he somehow obtained a pistol with which he killed himself. The town marshal resigned five days later.

The last documented incarceration in the Marble jailhouse occurred in 1923.

The one-story jailhouse is 20 feet by 14 feet and contains four fold-down bunks in the two cells, as well as a communal area. The building was partially restored in the 1980s.

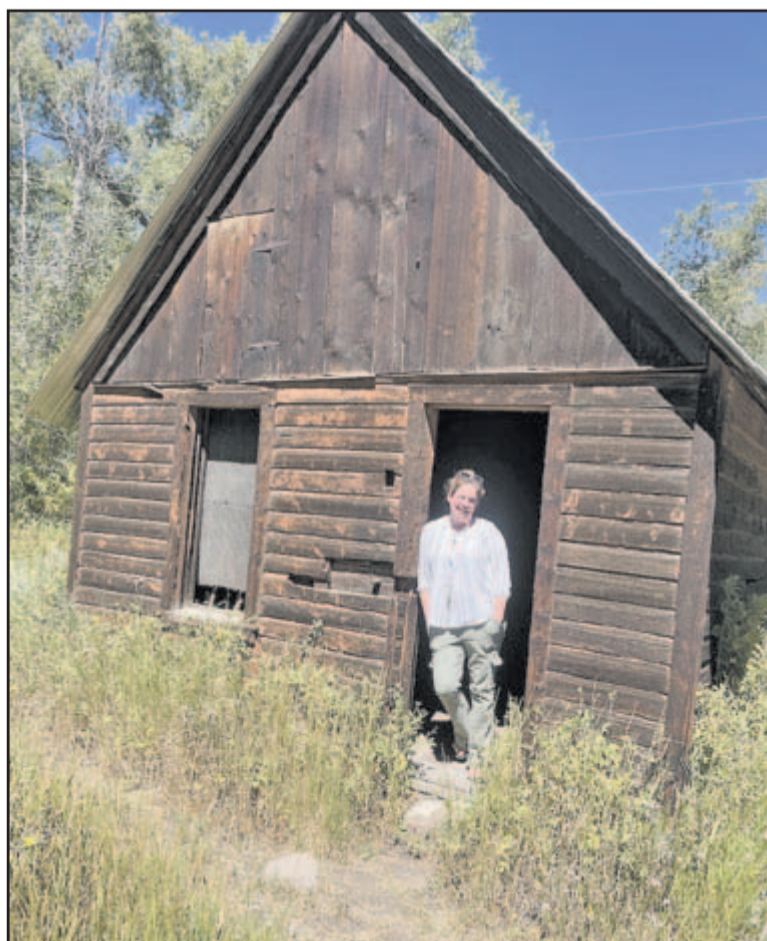
"Our highest concern now is to put in a concrete foundation before the snow flies," Bielski said. The town hopes to complete Phase On by the end of October.

Money raised so far includes \$5,000 from the town of Marble, \$10,000 from Great Outdoors Colorado and commitments from the Aspen Valley Land Trust and Gunnison County.

Bielski and the town have started a GoFundMe page for the jailhouse project at <https://gf.me/v/c/6t19/historic-marble-jailhouse-preservation-project>.

Donations can also be made directly to the town of Marble by contacting Bielski at [emmabielski@gmail.com](mailto:emmabielski@gmail.com) or calling her at 970-404-0017.

— Bob Silbernagel



BOB SILBERNAGEL/Special to The Daily Sentinel

The south entrance to the Marble Jailhouse, which was built in 1901. Marble Mayor Pro-Tem Emma Bielski, who is leading the town's effort to restore the jailhouse, stands in the doorway.