



Temple Israel FOUNDATION

Biographical Information

Zippert

Morris Zippert

Occupation: Clerk

Born: 1851

Birthplace: Germany

Death:

Morris Zippert was born in Germany during 1851. It is unclear when he immigrated to the United States or made his way to Leadville, but he first appears in the city via the 1880 United States Census¹ and the 1880 Leadville city directory as a clerk for the clothing firm of Frankle & Butler located at 111 and 113 East Chestnut Street² while residing with other employees at the store. He was a member of the “Harmonies”, a local literary club whose constituency was an assembly of local German immigrants.³

Morris' time in Leadville did not pass without controversy and both his employment status and his residential situation would land him at the epicenter of the miasma that surrounded the Palace of Fashion fire in May of 1892. He and four other Jewish men: his employer, Fred Butler;⁴ fellow employees, Reuben Weil and J.A. Kamak;⁵ in addition to Morris' roommate, local barber Reinhold Rosendorf,⁶ were indicted and tried with ignition of the blaze that destroyed a substantial amount commercial property along Chestnut Street and Harrison Avenue and left one man dead in the early morning hours of May 19, 1882. Life appears to have continued normally for Morris between the time of his indictment in May of 1882 and his trial in March of 1883.⁷ He paid a \$19 fine for speeding in the local court on June 28⁸ and attended the wedding reception for Lewis Lyons and Rachel Jonas on October 29.⁹

The accusations of arson and murder stemmed largely from the testimony of Dr. Thomas O'Conner, a veterinarian who was walking a sick horse up and down Harrison Avenue the night of the fire. O'Conner testified at the coroner's inquest, held later the same day of the fire, that he had seen

three men removing goods from the Palace of Fashion shortly before the fire began. O'Conner's testimony is further jaded by the fact he was the only eyewitness to these effects, admitted he had been drinking throughout the night, could not with any level of certitude identify the three men, and was himself killed in an altercation with police on July 26, 1882.¹⁰ Subsequently, O'Conner was never examined during the actual trial in March of 1883.¹¹

On Monday March 19, 1883, Morris Zippert testified at the trial on his own behalf: “I am one of the defendants. I was in the employ of Frankle & Butler during the fore part of 1882 at the Palace of Fashion. I had been working for them from October, 1881, as a salesman. It was customary to close at 9 o'clock. The building was destroyed by fire on the morning of the 18th. I left the store the night before between 9:30 and 10 o'clock. The condition of the goods as regards the amount in it was good. The front of the dry goods was covered with heavy blue shades. There were no shades in front of the clothing department. The walls were covered with canvass which was calcimined.¹² The canvass hung loose on the ceiling. The condition of the clothing department was bad, as it had cracks about half an inch apart. The dry goods floor had no cracks. I slept under the courthouse in the barbershop with Mr. Rosendorf¹³ for six or seven months before the fire. After I left the building, on the night before the robbery, I went straight home, as Mr. Rosendorf had been to the store, and told me he wanted me to come and rub his arm. I was awakened about 6 o'clock next morning by Mr. Weil,¹⁴ who told me the Palace of Fashion had been burned. The stock increased up to the time of the fire as goods were taken in all the time. I think there was goods to the value of between \$70,000 and \$80,000. I don't know anything about the origin of the fire. I could not get into the store without someone letting me in, as I had no key.”¹⁵



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When cross-examined by the Prosecutor, Zippert responded:

“The rear part of the building was on posts about six or seven feet from the ground. I do not think there was any partition between the two stores running down to the ground. It was between 9:30 and 10 o'clock when I left the store.”¹⁶

The case of the Palace of Fashion fire took an interesting turn on March 16, 1883, when the *Carbonate Chronicle* published an article, which featured the written confession of Jack Brogan, a former Leadville firefighter who was convicted in the attempted arson of The Famous shoe store in Leadville about one month after the Palace of Fashion fire, and was then residing at the state penitentiary in Canon City.

Brogan revealed that he, and two other Leadville firemen, started the fire in an attempt to determine which of the three Leadville volunteer fire departments would respond most quickly. The court's immediate reaction was to dismiss the charges against Reinhold Rosendorf and Reuben Weil on March 17, prior to the defense presenting its case. However, despite Brogan's confession and the commensurate courtroom chaos this caused, the trial continued for several more days. It was further

explained when the defense filed for a motion for dismissal on March 17, that the building had still burned, a man had still been murdered, and, although there was a confession, this had not been heard in court. When the prosecution rested, it was determined that Rosendorf and Weil had no connection whatsoever to the fire's ignition, while Kamak, Butler and Zippert could be tied to the fire by a suspected means of financial benefit and eyewitness testimony from Dr. Thomas O'Conner at the coroner's inquest on May 19, 1882.¹⁷ Unfortunately O'Conner was unable to testify at the trial. The case was finally disposed of on May 21, 1883, and all five defendants were acquitted.¹⁸

Those discharged enjoyed a large celebration thrown for them at the Clarendon Hotel on March 24, 1883, in recognition of their exoneration. Many were present at this function which featured a banquet, live music, and speeches from some of the more prominent citizens of Leadville which included Judge G. G. White, who presided over the trial, and Judge Waldheimer (up from Denver), the defending attorney.¹⁹

Morris Zippert left Leadville shortly after clearing his name in 1883.



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¹ "United States Census, 1880," database with images, FamilySearch (<https://familysearch.org/ark:/61903/1:1:MFDJ-C3Q> : 19 August 2017), Morris B Sippert in household of Henry Frankle, Leadville, Lake, Colorado, United States; citing enumeration district ED 78, sheet 382D, NARA microfilm publication T9 (Washington D.C.: National Archives and Records Administration, n.d.), roll 0091; FHL microfilm 1,254,091.

² TB Corbett, WC Hoyer and JH Ballenger. "Corbet, Hoyer and Co's First Annual City Directory: Containing a Complete List of the Inhabitants, Institutions, Incorporated Companies, Manufacturing Establishments, Business, Business Firms etc. in The City Of Leadville for 1880". *Democrat Printing Company*; Leadville, CO: USA. 1880. P389.

³ "A Resume". Leadville, CO; USA. *Leadville Daily Herald*. March 11, 1883. P4.

⁴ For more information please see: <http://jewishleadville.org/butler.html>

⁵ For more information please see: <http://jewishleadville.org/kamak.html>

⁶ TB Corbett and JH Ballenger. "Corbet, and Ballenger's Thrid Annual City Directory: Containing a Complete List of the Inhabitants, Institutions, Incorporated Companies, Manufacturing Establishments, Business, Business Firms etc. in The City Of Leadville for 1882". *Corbet and Ballenger Publishers*. Leadville, CO; USA. 1882.

⁷ Griswold. Vol. 1. Denver, CO; USA. 1996.Pp 966-67.

⁸ "Miscellaneous". Leadville, CO; USA. *Leadville Daily Herald*. June 29, 1882. P1.

⁹ "Lewis Lyon's Reception". Leadville, Co; USA. *Leadville Daily Herald*. October 31, 1882. P 4.

¹⁰ Don L. Griswold, and Jean Harvey Griswold. *History of Leadville And Lake County, Colorado: From Mountain Solitude To Metropolis*. Vol. 1. Denver, CO: Colorado Historical Society, 1996. P973.

¹¹ Griswold. Vol. 1. Denver, CO; USA. 1996. P970-72.

¹² A type of white or pale blue wash for walls and ceilings.

¹³ For more information please see: <http://jewishleadville.org/rosendorf.html>

¹⁴ For more information please see: <http://jewishleadville.org/weil.html>

¹⁵ "The Summing Up". Leadville, Co; USA. *Carbonate Chronicle*. March 24, 1883. P2.

¹⁶ "The Summing Up". Leadville, Co; USA. *Carbonate Chronicle*. March 24, 1883. P2.

¹⁷ Don L Griswold, and Jean Harvey Griswold. *History of Leadville And Lake County, Colorado: From Mountain Solitude To Metropolis*. Vol. 1. Denver, CO: Colorado Historical Society, 1996. P967.

¹⁸ "District Court". Leadville, CO; USA. *Leadville Daily Herald*. May 21, 1883. P4.

¹⁹ "A Love Feast". Leadville, CO; USA. *Carbonate Chronicle*. March 24, 1883. P5.



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