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# An Empire of Dust: Thomas Benton Catron and the Age of Capital in the Hispano Borderlands, 1840-1921

Bryan W. Turo

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**AN EMPIRE OF DUST:  
THOMAS BENTON CATRON AND THE AGE OF CAPITAL  
IN THE HISPANO BORDERLANDS, 1840-1921**

**by**

**BRYAN W. TURO**

B.A., History, Binghamton University, 2006

M.A., History, University of Arizona, 2008

DISSERTATION

Submitted in Partial Fulfillment of the  
Requirements for the Degree of

**Doctor of Philosophy  
History**

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With all the best hopes and dreams, may this serve as but an appetizer to the lifetime of debts I will never fully settle, and to all of those good deeds that I can only aspire to pay forward along the way.



**AN EMPIRE OF DUST: THOMAS BENTON CATRON AND THE AGE OF  
CAPITAL IN THE HISPANO BORDERLANDS, 1840-1921**

**By**

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**B.A. History, SUNY Binghamton, 2006  
M.A. History, University of Arizona, 2008**

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**ABSTRACT**

“An Empire of Dust” follows New Mexico’s economic history from the arrival of merchant capitalism in the early nineteenth century to the maturation of a modern, state-oriented, capitalist economy by the 1920s. Within this scope, I investigate the economic life of Anglo-Missourian-turned-New-Mexico-robber-baron Thomas Benton Catron as well as the rise and then collapse of his land-based entrepreneurial empire. Catron was a lawyer, banker, businessman, and party politician, who entered the Territory of New Mexico in 1866, and who became entangled in its fate until his death in 1921. During the Gilded Age, Catron and his cohort employed the tools of the U.S. territorial system, the legal system, and corporate enterprise to consolidate and control millions of acres of New Mexico’s private and communal land grants as well as vast stretches of the public domain. In the process, they alienated the majority population of Nuevomexicanos from their land and economic power base. But in the end, New Mexico land grants were poor investments. The speculators who bet on great profits from the monopolization of these properties generally met a red bottom line. Indeed, the failure of capitalists like Catron illuminates how and why much of New Mexico never transformed into the modern

industrial landscape they desired. In this history of capitalism in the Hispano Borderlands of northern New Mexico and southern Colorado, I scrutinize the modes of financial and corporate capitalism that powerfully transformed the region and then consider how and why Catron's particularly aggressive and speculative approach failed to impart prolonged development or a sustainable economy. Instead, New Mexico's story of economic modernization is one of dispossession, stagnation, and exploitation, propped up then, as now, by a federal landscape. "An Empire of Dust," therefore, directs scholarly attention toward an alternative story of American economic development in which failure, perhaps even more so than success, directed the local relationships with capitalism as it unfolded across the American Southwest.

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## **Introduction: Waddy-Gate, or, Watered Stocks in Arid Lands**

From his law office on the Santa Fe Plaza, Thomas Catron received word, on the afternoon of May 16, 1899, that his long-time business partner and friend Wilson Waddingham had died suddenly that morning in New York. Upon hearing the bad news, he had no way of knowing the full extent to which the loss would damage his own affairs and finances. The message, sent by Ezekiel G. Stoddard of New Haven, Connecticut, explained that Waddingham had suffered a stroke of apoplexy.<sup>1</sup> For Catron, it was more a stroke of terrible fortune. The family of the deceased later added that the unhappy incident arose from the great stress that accompanied a meeting between Waddy (as he was known) and some well-connected potential investors. Indeed, the once-flush Waddingham had set up the meeting in the first place to put his finances in proper order after a disastrous decade of New Mexican investments dried up his coffers like so many southwestern streambeds.<sup>2</sup>

From New Haven to Santa Fe, the bad news reached Catron by telegram within a few hours. But Waddy-gate, the imbroglio that developed over Wilson Waddingham's estate, lingered on for over a half decade. For Catron, the untimely nature of his partner's passing multiplied threefold. The meeting that apparently killed Waddy had not only presented the chance to fix his own overextended accounts, but Catron's as well; instead,

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<sup>1</sup> Ezekiel G. Stoddard to Thomas B. Catron, 16 May 1899, Thomas B. Catron Papers, 1692-1934 (MSS 29 BC), Center for Southwest Research, University Libraries, University of New Mexico (hereafter referred to as CP), Series 103, Box 7, Folder 5.

<sup>2</sup> Alice Gehring Miskimins, "The Las Vegas Connection: Wilson Waddingham and the Mills Family of New Mexico," *Password* 32 (1987): 77-86, 81.

Catron's balance fell farther into the red. The two wheelers and dealers – also the two largest landowners in the territory – held joint interests in roughly 1.5 million acres of land in New Mexico and Colorado, owned by several corporations under their direction. In these affairs, Catron cosigned on some New Mexico bank notes. Waddingham considered these of little concern. Now the banks looked to Catron for payment. Already strapped, he was far less sanguine about the prospect. Even worse, the partners had as recently as 1897 reorganized their corporate finances, changing their company's official names and transferring land titles to Waddingham as part of a mutual plan to attract an infusion of credit, the lifeblood of capitalism.<sup>3</sup> The ultimate goal was to transform the physical enormity of their land-based-assets into a modern incorporated empire of farm, mine, range, and town. Together, they planned on getting out of the depressed 1890s with stronger financial standing than that with which they had entered the decade. In the wake of Waddy's demise, however, their speculative dreams turned into Catron's debt-ridden nightmare.

As Waddy-gate slowly unfolded during the summer of 1899, entrepreneurs and attorneys from New Haven, New York, Philadelphia, Chicago, St. Louis, Kansas City, Denver, Santa Fe, and Las Vegas, NM, as well as London, England, and Dundee, Scotland, exchanged an enormous amount of paperwork dealing with the deceased party's opaque estate.<sup>4</sup> Waddingham's deep levels of insolvency and illiquidity, which he successfully hid from creditor and partner alike, involved corporate holdings in Colorado,

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<sup>3</sup> For corporate asset movement see: Agreement between Southwestern Lumber and Railway Company and the Eastern Financial Security Company, 2 January 1899, CP, Series 103, Box 8, Folder 2. For an example of bank note see: John H. Vaughn to Thomas B. Catron, 20 October 1899, CP, Series 103, Box 9, Folder 1.

<sup>4</sup> For instance: Joseph H. Reading, Philadelphia, to Thomas B. Catron, 19 May 1899, CP, Series 103, Box 7, Folder 5; Edward P. Baker, New York, to Thomas B. Catron, 7 August 1899, CP, Series 103, Box 8, Folder 3.



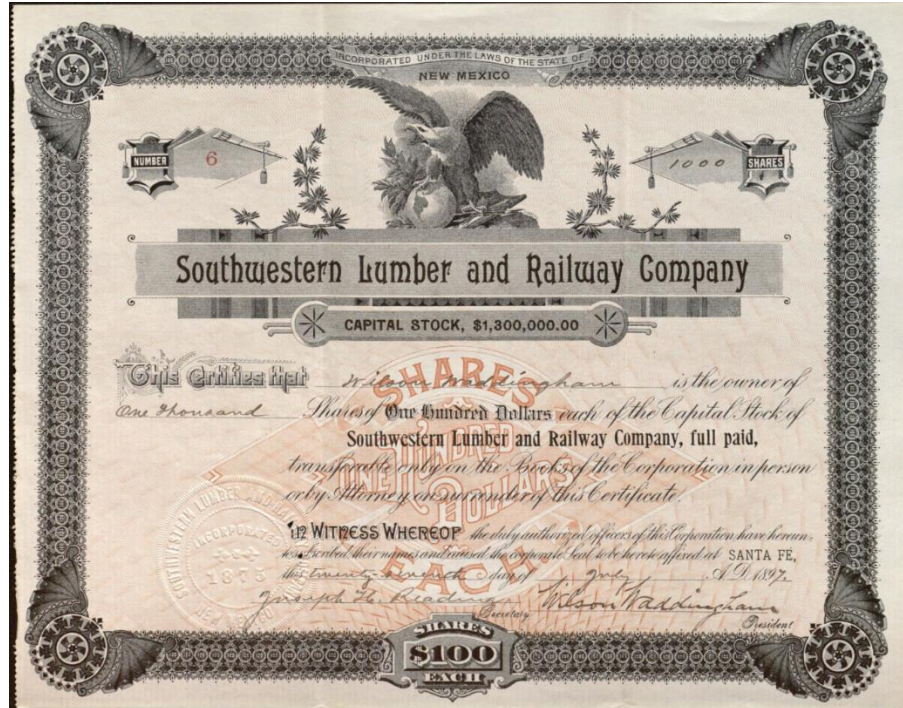
New Mexico, Texas, and Missouri, as well as a litany of assets in the form of stocks, bonds, and fee simple properties, such as his palatial home in New Haven and office space in New York City.<sup>5</sup> In New Mexico, his estate aggregated no less than a whopping two-and-one-quarter million acres. This included the 520,000-acre Tierra Amarilla Land Grant owned by the Southwestern Railway & Lumber Co.; the 447,534-acre Armendariz Grants owned by the Valverde Irrigation Ditch Co.; the 383,856-acre Anton Chico Grant owned by the Bernal Valley Co.; the combined 754,757 acres of the Pablo Montoya and Baca #2 grants of the Red River Cattle Co.; and the 163,921-acre Antonio Ortiz Grant. Through Waddingham's substantial eastern connections, these corporations, chartered by an American territory and fully capitalized at over six million dollars, procured first and second mortgages and issued bonds.<sup>6</sup> The limited liability corporations secured these financial obligations with land grant properties that rarely held near the same value as they did at the time of initial transaction. As the months wore on and the reality of Waddy's dire financial straits bubbled to the surface, his business partners only then began to recognize the severity of the wounds caused by their overly-watered capitalizations, speculative designs, and trust in the safety of risking other people's money.<sup>7</sup>

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<sup>5</sup> Edward P. Baker, New York, to Charles H. Elmendorf, 28 May 1900, CP, Series 103, Box 10, Folder 4. In this letter, Baker spells out that "[Waddingham's] property so far has failed to bring the face of the claims for which it has been pledged, thus leaving deficiency claims, and from the present outlook I very much doubt if the creditors will get much over 25 cents on the dollar."

<sup>6</sup> Capital Value figures are based on company records and correspondence, to which: The Southwestern Railway and Lumber Co. represented a capitalization of \$1,300,000; the Valverde Irrigation Co. \$2,500,000; the Bernal Valley Co. \$925,000; and an estimate for the Red River Valley Co. of at least \$1.5 million based on ownership of 754,757 acres. Figures compiled from Thomas B. Catron Papers, Series 103, 105, 305, 306, and 606.

<sup>7</sup> Jonathan Levy, *Freaks of Fortune: The Emerging World of Capitalism and Risk in America* (Cambridge: Harvard University Press, 2012), 310-311. Levy comments with regard to business and risk in the late nineteenth and twentieth century: "the new liberal ethos of economic freedom and security held great attraction...not only did the new ethos invite Americans to take risks. It also promised that by offloading



1000 Shares of Capital Stock, Southwestern Lumber and Railway Company, Presented to Wilson Waddingham, 27 July, 1897. Signed by Joseph H. Reading, Secretary, and Wilson Waddingham, President, Southwestern Lumber and Railway Company, New Mexico. Thomas B. Catron Papers, Series 305, Box 7, Folder 13, Center for Southwest Research, University Libraries, University of New Mexico.

In the worst-case scenario, Catron’s joint interest in these companies and his connected ownership of the lands threatened to bring his entire empire crashing down, and right in the middle of negotiations to sell the Tierra Amarilla grant to New York capitalists for \$1.8 million and to refinance the defunct but range-rich American Valley Company.<sup>8</sup> Because Catron had so severely entangled his assets and liabilities, the legal titles and therefore the securities for these deals – namely the Tierra Amarilla and the Bosque del Apache land grants – got held up in probate, blocked or cast suspicion on any transaction. When the smoke finally cleared, Catron emerged with a plan to shield his

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personal risks onto a new corporate financial system self-owning Americans could acquire economic security.”

<sup>8</sup> J.M. Freeman, Riggs House, Washington, D.C., to Thomas B. Catron, 1 February 1900, CP, Series 103, Box 9, Folder 5; Charles H. Elmendorf, Denis Hotel, New York, to Thomas B. Catron, 14 March 1900, CP, Series 103, Box 10, Folder 1. For the most comprehensive biography to date, see Victor Westphall, *Thomas Benton Catron and His Era* (Tucson: University of Arizona Press, 1973).

greater interests at the cost of accepting substantial debts accrued by Waddingham in the name of their jointly-owned shell corporations. First, Catron successfully pushed forward negotiations to extricate his Tierra Amarilla holdings from the estate proceedings, even though the integrity of its corporate ownership and its marketability suffered. Then, in a deal that he believed would ensure a more robust return than an estate sale, Catron acquired title to the Anton Chico and Antonio Ortiz grants.<sup>9</sup> Foreshadowing no happy conclusion or simple fix, the grants came packed with corporate debt, back taxes, title suits, and land contests. For the time being, Catron had saved his empire from collapse and somehow managed to emerge from the crises with more acreage under his belt than when he started. But his new obligations weighed heavily on his finances. Instead of retiring in comfort or magnanimously following the mantra of Andrew Carnegie's Gospel of Wealth, Catron spent the majority of his twilight years staving off a form of genteel bankruptcy while his vast properties accrued no dividends save controversy, debt, and dust. As a sitting U.S. senator in 1913, for instance, Thomas Catron was powerless to prevent a county tax sale of his quarter-million-acre interest in the Mora Land Grant. His unremunerated loss of the Mora grant represents nothing less than a considerable failure given the forty years he spent toiling over the grant as speculator, attorney, politician, and rentier.<sup>10</sup> Worse yet, the practices that Catron and like-minded capitalists implemented in the greater project and process of incorporating western places into the global marketplace so often ended in miscarriage. When things went wrong, capitalists wounded

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<sup>9</sup> John Knaebel, Denver, to Thomas B. Catron, 16 July 1900, CP, Series 103, Box 10, Folder 5.

<sup>10</sup> Robert D. Shadow and María Rodríguez-Shadow, "From *Repartición* to Partition: A History of the Mora Land Grant, 1835-1916," *New Mexico Historical Review* 70 (July 1995): 257-298; Clark S. Knowlton, "The Mora Land Grant: A New Mexican Tragedy," in Malcolm Ebright, ed., *Spanish and Mexican Land Grants and the Law* (Manhattan, KS: Sunflower University Press, in cooperation with the Center for Land Grants Studies, 1989), 59-73.

not only their own credit and finances, but those of the trade areas they came to represent. In the minds of international investors and eastern stockholders, Catron's failure doubled as New Mexico's failure.

For historians, the Waddy-gate estate fiasco provides extraordinary insight into the business partners' corporate arrangements and the relationships that bridged eastern capital markets with New Mexico's lands and resources. Though contemporaries criticized the U.S. Southwest after the American Civil War as an economic backwater, capitalists there implemented innovative legal and financial techniques in their attempts to wrest value and profit from their land-based ventures. This was no easy task given the reality of the largely undeveloped, rural, and distant marketplace under consideration. But just as it could pose challenges to investors, the territory's remoteness worked to their benefit when an absence of state oversight or its inability to enforce regulation allowed speculators and their informed counsel to manipulate property to their great advantage.<sup>11</sup> New Mexico's postwar economy evolved as part of a larger national project for the United States. The agents of this agenda received direct and indirect federal subsidization for their southwestern enterprises through the easily corruptible operation of the territorial system and land office, as well as the supply and demand created by the U.S. Army.<sup>12</sup> Within this context local merchants and international entrepreneurs alike

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<sup>11</sup> For discussions on the unravelling of the market over vast core-hinterland spatial settings, see William Cronon, *Nature's Metropolis: Chicago and the Great West* (New York: W.W. Norton & Company, 1991), especially his framing of the city's reliance upon the country, and vice-versa, referred to by Cronon as "central place theory" in his subsection on "Reading Turner Backward," 46-54. For a pointed critique of the legal and market transformations of Nuevomexicano property under the United States, see Maria E. Montoya, *Translating Property: The Maxwell Land Grant and the Conflict over Land in the American West, 1840-1900* (Lawrence: University Press of Kansas, 2002).

<sup>12</sup> Earl S. Pomeroy, *The Territories and the United States, 1861, 1890*, Studies in Colonial Administration (Seattle: University of Washington Press, 1969), xiii; Howard R. Lamar, *The Far Southwest, 1846-1912: A Territorial History* (New Haven: Yale University Press, 1966), 131-35; John P. Wilson, *Merchants Guns & Money: The Story of the Lincoln County and Its Wars* (Santa Fe: Museum of New Mexico Press, 1987).

summoned the power of the corporate container, modern financial instruments, and overlapping directorates to manage the untapped resources and unknown risks of their landed estates. Such are the circumstances surrounding Wilson Waddingham's stroke and Thomas Catron's ensuing flurry of financial activity. With so much stacked in his favor, however, Catron's inability to safeguard his empire illuminates the volatile world of capitalism that arose in New Mexico during the nineteenth century and the distress that continued to shape its economic development well into the twentieth.

"An Empire of Dust" follows New Mexico's economic history from the Santa Fe Trail to the Santa Fe Style; or, from the arrival of mercantile capitalism in the early nineteenth century to the creation of a modern state-oriented capitalist economy in the first decades of the twentieth century. This time, particularly the period from the Civil War to the end of the First World War, functioned in the Southwest as a prolonged age of capital.<sup>13</sup> Against this backdrop, it analyzes the economic life of Thomas Benton Catron and the growth of his entrepreneurial empire in New Mexico and the American West.<sup>14</sup> Catron was a lawyer, banker, businessman, and party politician who entered the Territory of New Mexico in 1866 and became entangled in its fate until his death in 1921. I argue that although New Mexico (and the American Southwest in general), lay at the margins

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<sup>13</sup> Eric Hobsbawm. *The Age of Capital, 1848-1875* (New York: Vintage Books, 1975). For historian Eric Hobsbawm's European subjects, the years of 1848 to 1875 set the perimeters for the period in which the movement and application of capital forcefully shaped national development and contestation. For latecomer New Mexico, the timeframe must be shifted accordingly, so that its "age of capital" aligns more closely with the period between the U.S. Civil War and the end of the First World War, about the years 1868 to 1920.

<sup>14</sup> William H. Sewell, Jr., "A Strange Career: The Historical Study of Economic Life," *History & Theory* 49 (December 2010): 146-166; 146; Jeremy Adelman and Jonathan Levy, "The Fall and Rise of Economic History" *Chronicle of Higher Education*, 1 December, 2014. In his analysis of the field of economic history, interdisciplinary scholar William Sewell refers to economic life as "the history of human participation in the production, exchange, and consumption of goods." I find this definition quite suitable to my investigation and analysis of the business networks and decisions of Thomas B. Catron and the very real impact his economic life had on New Mexico and New Mexicans for over fifty years.

of modern industrial capitalism and world systems, the region was by no means isolated from the forces of capital and state. On the contrary, the political and business networks of Thomas Catron linked the cities and hinterlands of the territory to the imperatives of federal governance and transnational financial markets. This project will trace those networks and demonstrate how Catron's decision-making and participation in the local and transnational economic worlds of the late nineteenth century directed New Mexico's capitalist economy well into the 1920s.<sup>15</sup>

Although a latecomer to industrialization, Gilded Age New Mexico presented a laboratory for the introduction and evolution of capitalist institutions, politics, and cultures in the American West. Prior to the Civil War New Mexico lacked general incorporation laws with which to legally charter and finance a business venture. Thirty years later, a corporate order firmly situated the Southwest within national and international networks of credit, debt, risk, and reward. Enterprises dictated by boards of directors controlled the primary trades—extractive industry, animal husbandry, and agriculture—through their monopoly on the conduits of commercial advancement—banking, finance, transportation, communication, irrigation, reclamation, municipal development, regional boosterism, and territorial governance. As this shift toward corporate domination transpired, other sources of economic livelihood and power in New Mexico lost legitimacy, namely those that originated from within the village and communal land grant. To understand the forces steering this transformation, this

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<sup>15</sup> In following Thomas Catron's networks—corporate, financial, political, and social—I look to the recent work of historians such as Susie Pak, who employed a methodology bridging history, sociology, economics, and the digital humanities to interrogate the sources of power behind J.P. Morgan and to “study which relationships were important to the Morgans, to understand the conditions that made them meaningful, and to identify the work that made them possible.” Susie Pak, *Gentlemen Bankers: The World of J. P. Morgan*, Harvard Studies in Business History (Cambridge: Harvard University Press, 2013), quoted from 4-5; for her discussion on the use and application of the history of networks, see 222-24.



dissertation interrogates the entrance and maturation of capitalism in the Hispano Borderlands, especially as practiced by Thomas Catron and his close affiliates.<sup>16</sup> Their practices maintained many of the broader ideals of American capitalism such as an emphasis on fee simple private property, collectivized risk, the enforcement of contracts, and hierarchies of management and control.<sup>17</sup> Its implementation in the northern New Mexico, however, followed a particularly aggressive and speculative model that leveraged the possibility of terrific short-term gains against the costs of long-term human and environmental exploitation. The result: an economic cycle of fitful booms followed by much longer, almost ingrained busts, and ultimately a framework of regional underdevelopment and dependency.<sup>18</sup>

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<sup>16</sup> My use of the Hispano borderlands refers to the region of northern New Mexico and southern Colorado during the nineteenth and early twentieth centuries, where cultural, social, and economic fluidity characterized this zone of contact as defined in Richard L. Nostrand, *The Hispano Homeland* (Norman: University of Oklahoma Press, 1992). In support of Nostrand's geographic and cultural definitions of the Hispano Homeland, see Erlinda Gonzales-Berry and David R. Maciel, eds, *The Contested Homeland: A Chicano History of New Mexico* (Albuquerque: University of New Mexico Press, 2000), 3-4; and Charles Montgomery, *The Spanish Redemption: Heritage, Power, and Loss on New Mexico's Upper Rio Grande* (Berkeley: University of California Press, 2002).

<sup>17</sup> For placement of American capitalism within a more general context, see Michael Zakim and Gary J. Kornblith, Eds., *Capitalism Takes Command: The Social Transformation of Nineteenth-Century America* (Chicago: University of Chicago Press, 2012), 2-3; and for the underlying corporate components of American capitalism, Robert E. Wright, "Capitalism and the Rise of the Corporation Nation," 145-168.

<sup>18</sup> The "mercurial economy" of the American West is well documented in scholarship and public discourse alike. New Mexico and its industry are hardly alone in its history of suffering from cycles of boom and bust as shown by Patricia Nelson Limerick, William Travis, and Tamar Scoggin, "Workshop Report: Boom and Bust in the American West" A Report from the Center of the American West, Compiled from the Presentations and Comments of Workshop Participants (Boulder: University of Colorado Press, 2002), 1-2. Still, as situated between the economically more robust states of Texas, Colorado, and Arizona, the degree of underdevelopment and dependence that has characterized New Mexico, specifically the northern counties that fan out around Santa Fe (excepting Los Alamos County), indicates a marked difference between the Hispano Borderlands and other areas of the American West. See, for instance, Richard A. Bittman, "Dependency and the Economy of New Mexico," (master's thesis, University of New Mexico 1955), 8; Kenneth Ray Weber, "A New Mexico Village and the Metropolis: A Study of the Economy and Social Organization of a Rural Satellite," (PhD diss., University of Oregon, 1972); and *A Comparison of the Business Climate of New Mexico and Its Neighbors*, Prepared for New Mexico Commerce and Industry Department (Chicago: The Fantus Company, 1982).

In this equation, Thomas Catron personified the new energy that entered the territory in the years following the Civil War, an energy channeled by the mindset of putting the past behind, of the here-and-now, of entrepreneurship, and of self-interest.<sup>19</sup>



Portrait of Thomas B. Catron, Law office of Thomas B. Catron, III  
Santa Fe, New Mexico

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<sup>19</sup> The decades immediately following the Civil War witnessed a powerful transformation in the American West. In the nation's course of healing and renewal, the West, or westward development, acted as a key place in the process of American catharsis. The West and the frontier came to symbolize the positive force that would allow the United States to cast aside its sectional conflict and grow to economic and military power on an international stage. Historians such as Richard Slotkin, *The Fatal Environment: The Myth of the Frontier in the Age of Industrialization, 1800-1890* (New York: Atheneum, 1985); Heather Cox Richardson, *West from Appomattox: The Reconstruction of America after the Civil War* (New Haven: Yale University Press, 2007); and Richard Maxwell Brown, *No Duty to Retreat: Violence and Values in American History and Society* (New York: Oxford University Press, 1991) have drawn upon this conclusion to organize a range of explanations and interpretations for the development of the West in the late nineteenth century, the meanings that Americans attached to the West, and the real clashes and violence that seemed to characterize the region. Historian Matthew Josephson, in *The Robber Barons: The Great American Capitalists, 1861-1901* (New York: Harcourt, Brace and Company, 1934), chronicled the rise of the robber barons in the nineteenth century, pointing to the Civil War as the time and place in which his subjects applied notions of incorporation to modernize American society and economy. Alongside the rhetoric of national rejuvenation, capital investment in the West surged in the years following the Civil War as documented by many, perhaps none better than Alan Trachtenberg, *The Incorporation of America: Culture and Society in the Gilded Age* (New York: Hill and Wang, 1982); and Gene M. Gressley, *Bankers and Cattlemen: Politics, Investors, Operators From 1870 to 1900* (Lincoln: University of Nebraska, 1966), 12, 18-19.



As a defeated lieutenant in the Confederate Army, this opportunistic philosophy served Catron well. He adeptly utilized the tools at his disposal. Early on, this meant a reliance on his friends, legal training, and a quick study of the Spanish language. As the territory evolved, so did he. From master politician Stephen B. Elkins, he learned to embrace the power of the political machine; from master financier Wilson Waddigham, he discovered credit and the wonderful world of other people's money. Brandishing these skills, Catron rose to regional prominence and unmatched influence in the American Southwest, leading the way in the consolidation and incorporation of many of the best lands and deeds in New Mexico into the hands and safes belonging to him and his associates.<sup>20</sup>

The rapid and rabid incorporation of New Mexico's market by an aggressive class of speculators represented a significant, though slow-to-unfold, undermining of the social and economic foundation for many New Mexicans.<sup>21</sup> Although infused with new facets of merchant capitalism starting under Mexico in the 1820s, subsistence production drove much of the territory's economy as it had under Spain and Mexico before.<sup>22</sup> By the time of U.S. conquest, New Mexico already had a history of maligning economic reports, but a

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<sup>20</sup> Richard White, *Railroaded: The Transcontinentals and the Making of Modern America* (New York: W.W. Norton & Company, 2011), 93. In his chapter devoted to "Friends," White asserts that "Friendship became the preferred mode for a whole set of homosocial relationships in business and public life." Although White develops this discussion with regards to the directors and financiers of the transcontinental railroads, the concept applies to Thomas Benton Catron, his business and political education, and his network of associates in and out of New Mexico from the 1860s until the twentieth century. In his correspondence Catron was often a bellicose man, but in writing to him, most everyone referred to him as a friend. Even in Spanish language correspondence, the sender of the letter often began with the salutation, "Mi Amigo Catron."

<sup>21</sup> Sarah Deutsch, *No Separate Refuge: Culture, Class, and Gender on an Anglo-Hispanic Frontier in the American Southwest, 1880-1940* (Oxford: Oxford University Press, 1987). As Deutsch accounts, the process of dispossession began in the years following the Civil War, but did not reach apex until the early decades of the twentieth century.

<sup>22</sup> William J. Parish, *The Charles Ifield Company: A Study of the Rise and Decline of Mercantile Capitalism in New Mexico* (Cambridge: Harvard University Press, 1961), 35-36. Economist William Parish defines merchant, or mercantile, capitalism as a system of free-market buying, selling, and trading in which a sedentary merchant class connected a distant region to the sources of finance and production. Its success depended upon three foundations: "the ability to acquire scarce monetary exchange acceptable for the purchase of foreign goods, the absence of an efficient system of indirect lending of capital, and the necessity for hauling purchases over vast stretches of water or sparsely settled land."

usual gloss also made sure to note that few went starving.<sup>23</sup> A majority of the inhabitants of the territory labored at stock raising or small-scale agriculture. Nuevomexicanos made do. Beginning in the 1820s a class of Hispano *ricos* and Euro-American merchant-traders helped to channel the subsistence production of the region's *vecinos* (villagers) through the Santa Fe Trade and into international capitalist networks, effectively connecting northern New Mexico with St. Louis, Baltimore, New York, Amsterdam, Germany, and England.<sup>24</sup> Within this system the laboring class depended upon its attachment to the soil and range, usually in the form of land grants conferred by the Spanish and Mexican governments. As the Santa Fe Trade matured in the 1830s and 1840s, the output of families living on these lands – be it hides, wool, corn, wheat, or home-manufactured goods – could be bartered with local merchants, who dispensed consumer goods and credit. When the first transcontinental railroad, completed in May 1869, linked the commercial networks of the East and West coasts, New Mexico's economy still existed under this mercantile arrangement. Thus, two decades of American possession had not

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<sup>23</sup> Here I look to Official Reports concerning New Mexico's politics, economy, and society under Spain and Mexico including those found in: H. Bailey Carroll and J. Villasana Haggard, compilers and translators, *Three New Mexico Chronicles: The Exposición of Don Pedro Bautista Pino, 1812; the Ojeada of Lic. Antonio Barreiro, 1832; and the additions by Don José Agustín de Escudero, 1849*, The Quivira Society, Vol XI (Albuquerque, N.Mex.: University of New Mexico Press, 1942); Simmons, Marc. "The Chacón Economic Report of 1803" *New Mexico Historical Review*, 60 (January 1985): 81-88; David J. Weber, editor and translator, *Arms, Indians, and the Mismanagement of New Mexico*, by Donaciano Vigil (El Paso, Tex: Texas Western Press, 1986).

<sup>24</sup> During the 1820s and 30s New Mexico also increased its trade within Mexico, establishing new routes to Alta California, Tejas, and down the Camino Real de Tierra Adentro towards Chihuahua, Durango, and ultimately the young nation's capital in Mexico City. For the context of New Mexico's economic development by the mid-nineteenth century see Ross Frank, *From Settler to Citizen: New Mexican Economic Development and the Creation of Vecino Society, 1750-1820* (Berkeley: University of California Press, 2000); Susan Calafate Boyle, *Los Capitalistas: Hispano Merchants and the Santa Fe Trade* (Albuquerque: University of New Mexico Press, 1997); David Alex Sandoval, "Trade and the 'Manito' Society in New Mexico, 1821-1848," (PhD diss., University of Utah, 1978). Frank's use of the terms *ricos* and *vecinos* help to qualify not only these people's participation in primarily Spanish and the Mexican society, but also to what general class they belong. I will also use *pobladores* as a general synonym for *vecinos*. For New Mexico's Mexican-era connections to the market and state forces emanating out of the United States, see Andrés Reséndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (Cambridge: Cambridge University Press, 2005).

fundamentally altered the social and economic landscape of New Mexico. But then, in the flurry of speculation that reached critical mass in the American West after the Civil War, the game changed at an unprecedented rate.

An important caveat that differentiates the Hispano borderlands from other (though not all) western places, is that the process of consolidation and incorporation that so fundamentally shifted the basis of land ownership and economic control from Hispano to Euro-American hands was set in motion prior to the entrance of the railroad and substantial populations of white immigrants. The quintessential example of the combination of political and business interests that ran amuck after the Civil War is seen in the transcontinental railroads and the sweeping change they brought to the economy of the West. This project will question some of the preconditions necessary to bring about these alterations.<sup>25</sup> The social, economic, and political inequalities that thrived in Gilded Age New Mexico were just as much the product of the system of territorial administration and U.S. jurisprudence as of the industrializing force of the “iron horse.” As such, the mechanisms of state power remain central to my discussion.<sup>26</sup> In New Mexico and much of the West in the late-nineteenth century, capitalism’s unfolding occurred in direct connection with the presence and activity (or lack thereof) of the federal government. Because most money came from the East or from Europe, and because the capitalists that invested in western projects and development recognized the

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<sup>25</sup> Alongside Richard White’s *Railroaded*, the significance of the railroads in generating change is agreed upon by historians of the U.S. West and Southwest alike.

<sup>26</sup> By premising state power as central to the economic evolution of New Mexico and the American West, I build upon works such as Howard Lamar’s *Far Southwest* (1966); Earl S. Pomeroy, *The Pacific Slope: A History of California, Oregon, Washington, Idaho, Utah, and Nevada* (Las Vegas: University of Nevada Press, 2003); and Gerald Nash’s *The Federal Landscape: An Economic History of the Twentieth-Century West* (Tucson: University of Arizona Press, 1999).

high risk-to-reward quotient, capital followed the military, the land office, territorial governments, and other federal agencies that could lessen investors' peril.<sup>27</sup>

New Mexico, as a territory, fell in line as politically subordinate to and dependent upon the federal government. The highest offices including the governor, secretary, Supreme Court justices, attorney general, Indian agents, and military commander owed patronage not to a local constituency of voters and taxpayers, but to the President of the United States, to their party, and to the Departments of State, Justice, War, and the Interior. Within this territorial framework, even Post Office positions stemmed from appointments, creating an environment that empowered political machines to curry local favor, reward local complacency, and punish detractors. The centralization of state power in Washington, D.C., organized by political puppeteers, allowed a minority population of Euro-Americans to amass a majority of the fruits of political benefaction and economic growth.<sup>28</sup> U.S. courts and law upheld this relation by discriminately favoring Euro-American traditions of property rights and conventions of ownership over those of Hispanos or Native Americans. Historians, social scientists, and legal scholars have documented a litany of abuses perpetrated on Nuevomexicanos and their lands as well as the various precedents and protections afforded Euro-American politicians and capitalists.<sup>29</sup> In this regard, Catron strategically grew his influence by developing

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<sup>27</sup> Historians have recognized the cross-currents of state, military, and market in the conquest and colonization of the Southwest for some time, though these narratives do not seem to bleed into discussions of capitalism and free markets that continue to find expression in American history and society. See, for instance, Chris Emmett, *Fort Union and the Winning of the Southwest* (Norman: Oklahoma University Press, 1965); Howard Lamar, *The Far Southwest 1846-1912: A Territorial History* (New Haven: Yale University Press, 1966); and John P. Wilson, *Merchants Guns & Money: The Story of the Lincoln County and Its Wars* (Santa Fe: Museum of New Mexico Press, 1987).

<sup>28</sup> Pomeroy, *Territories and the United States*; Montoya, *Translating Property*, 108.

<sup>29</sup> For the discussion how the U.S. legal system favored American precedents over those of their Mexican and Spanish antecedents in New Mexico see Laura Gomez, *Manifest Destinies: The Making of the Mexican American Race* (New York: New York University Press, 2007), 8; Malcolm Ebright, *Land Grants and*

connections to national politics and the national Republican Party as well as to territorial governance, territorial courts, and the New Mexico Bar Association.

For New Mexico and most of the Rocky Mountain West, this translated to a form of capitalism that never evolved without interference from governmental hands.<sup>30</sup> And yet, the West looms large in the national narrative of prosperity for those plucky entrepreneurs who, steeped in freedom, individualism, and industriousness, conquered nature and the market.<sup>31</sup> It is in this vein that postwar western robber barons promoted economic liberalism and the ideology of free labor, while in practice they did everything in their power to use political means to fabricate an uneven, but stable and low-risk playing field.<sup>32</sup>

### **The Speculators Game**

This is not the usual story about New Mexico's territorial period. It is a story about a corporate landscape, not a wild one. In many ways it fits more squarely with histories of Gilded Age excess and the increasingly global reach and transformative consequences of capital. It prioritizes new technologies that sculpted the post-conquest development of the West—not guns, rails, or wires (though they were surely influential),

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*Lawsuits in Northern New Mexico* (Albuquerque: University of New Mexico Press, 1994); and Maria Montoya, *Translating Property*, 158.

<sup>30</sup> Leonard J. Arrington, "The Changing Economic Structure of the Mountain West, 1850-1950" Utah State University Press Monograph Series X (Logan: Utah State University Press, 1963).

<sup>31</sup> Misunderstood and misappropriated social Darwinism led to the conflation of nature and market so that many Americans considering them one and the same. This confluence allowed many Americans to view the West as the place in which they could rise to the highest calling of Jeffersonian and Hamiltonian ideals simultaneously. Gerald Nash, *The Federal Landscape*, x.

<sup>32</sup> See Henry Nash Smith, *Virgin Land: The American West as Symbol and Myth* (Cambridge: Harvard University Press, 1950); Gunther Peck, *Reinventing Free Labor: Padrones and Immigrant Workers in the North American West, 1880-1930* (New York: Cambridge University Press, 2000); and once again, Richard White's *Railroaded* shows all too clearly the mismatched capitalist theory and practice that grew mile-by-mile alongside the transcontinentals. My story has come to similar conclusions and represents another building block in the greater argument that asks us to reconsider our historical understanding of capitalism in the American West.

but rather limited liability corporations, collateralized bonds, and commission-oriented “option” contracts. This is not to say that the violence and rough-and-tumble world of the southwestern towns, mines, and ranges of the late nineteenth century occurred as part of some other story, but that the main actors in this history stood aloof from the worst of this frontier excess.<sup>33</sup> While their hired ranchers and prospectors conducted the daily labor of trying to make something of the land and its resources, rentiers like Catron worked mostly in law offices, fraternal parlor rooms, and judges’ chambers, almost always behind closed doors, to make deals, execute paperwork, and distribute spoils.<sup>34</sup>

For this cast of characters, New Mexico was hardly the stereotypical “land of mañana.”<sup>35</sup> Instead, based on a speculative risk-calculus that stood at the foundation of the Gilded Age, investors in New Mexico made decisions under a rubric of short-term returns characteristic of capitalist endeavors and mentality throughout much of the

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<sup>33</sup> I have continually been amazed by Thomas Catron’s involvement in so many aspects of New Mexico’s frontier past. But, as I have pulled the threads, his connections grow less palpable and instead he appears almost always from behind closed doors. He and his Santa Fe Ring cohort, for instance, played a part in the Colfax County War, Lincoln County War, Albert Fountain murder case, Francisco Chavez murder and retaliation, and the rides of Los Gorras Blancas. Catron augmented his interests through infusions of social, political, or monetary capital and only stepped from out of the shadows when necessary to make a play. John P. Wilson, *Merchants Guns & Money: The Story of the Lincoln County and Its Wars* (Santa Fe: Museum of New Mexico Press, 1987); David Caffey, *Chasing the Santa Fe Ring: Power and Privilege in Territorial New Mexico* (Albuquerque: University of New Mexico Press, 2014); William A. Keleher, *The Fabulous Frontier: Twelve New Mexico Items* (Santa Fe, N. Mex: The Rydal Press, 1945).

<sup>34</sup> Recent scholarship on the history of capitalism has brought the economic class of “rentier” back into historical understanding as a person who obtains a great amount of their wealth through the collection of rents, royalties, and social capital. See, Niall Ferguson, *The Ascent of Money: A Financial History of the World* (New York: Penguin Press, 2008); Thomas Piketty, *Capital in the Twenty-First Century* (Cambridge, Mass.: The Belknap Press of Harvard University Press, 2014).

<sup>35</sup> The booster literature on New Mexico gave the territory and later the state numerous nicknames that shaped outside perceptions of the region. The “Land of Mañana” mentality characterized a Euro-American stereotype that Nuevomexicanos existed in a world of torpor and inactivity toward economic pursuits. Two significant originators of promotional literature include the New Mexico Bureau of Immigration and the Atchison, Topeka & Santa Fe Railroad, both of which published broadly on New Mexico for the purpose of encouraging settlement, agriculture, business, and tourism. Chris Wilson, *The Myth of Santa Fe*, 81,87; Marta Weigle and Barbara A. Babcock, eds., *The Great Southwest of the Fred Harvey Company and the Santa Fe Railway* (Tucson: University of Arizona Press, 1996).

American West.<sup>36</sup> Still, the boom and bust economic cycles common to the West and its chief industries tested the mettle of many western entrepreneurs as well as the patience and pocketbooks of their eastern stockholders.<sup>37</sup> Long-term projections and financial risk management received life in the late nineteenth century, followed by Progressive Era notions of managerial order cast as a panacea for Americans' feeble control of nature, market, and society. But from the vantage of New Mexico, no level of planning could prevent capitalism from acting spastically, in fits and starts, and with great sensitivity to forces outside Catron's ability to control or even moderate. Moreover, the high highs and low lows that dominated the economy occurred in direct relation to the rounds of wild speculation that set them in motion. The movers, shakers, and policy-makers stationed in Santa Fe, Denver, Washington, and New York often took such a carefree and even bellicose attitude toward the land and its peoples that they instigated overly-simplistic and overly-optimistic periods of regional development. When failure loomed on the horizon, as it regularly did for Catron and investors of all stripes, he and his peers found plenty of opportunity to pass the blame and avoid introspection regarding their speculative model.<sup>38</sup>

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<sup>36</sup> Gene M. Gressley, *West by East: The American West in the Gilded Age*, Charles Redd Monographs in Western History, no. 1 (Provo, Utah: Brigham Young University Press, 1972), 4-6.

<sup>37</sup> Levy, *Freaks of Fortune*, 310. Levy argues that the Gilded Age represented a heyday for his freaks of fortune and that when the "Freaks" are allowed to take control, capitalism becomes very risky as an economic system because "Capitalism cannot adequately stabilize itself through financial risk management. Risk management inherently breeds speculative risk-taking and manufactures new forms of insecurity and uncertainty." Placed in conversation with historians of the U.S. West who characterized the economy of the region in the late-nineteenth century by its cycles of boom and bust, we start to see the processes at work that led to the growth of terrific fortunes and equally terrific failures. Richard White, *"It's Your Misfortune and None of My Own": A New History of the American West* (Norman: University of Oklahoma Press, 1991), 267-68, 296.

<sup>38</sup> Capitalists and entrepreneurs found any reason to pass the buck regarding failure as a problem of those with low moral standing and insignificant personal industry or drive. Scott Sandage's final chapter on the cultural evolution of failure after the U.S. Civil War offers a particularly useful model for my work to discuss the ways that businessmen in the American West could offload their failures as the shortcomings of others or the land itself, and definitely not connected to their personal involvement or decision-making.



Within the broader context of competitive markets and international capital flows, New Mexico represented little more than another distant location to be tapped for its latent natural wealth. British capital, for instance, flowed to the railroads, mines, and especially the ranches of the Southwest for the very same reasons that it flowed to South Africa, Australia, Argentina, or the Sandwich Isles (Hawai'i)—for return on investment. After surging into the territory from 1869 to 1873 and again in the early 1880s, the fact that British capital turned (and stayed) soberly conservative toward the region points to the comparative market weakness of New Mexico's lands and industry.<sup>39</sup> The reality of an expanding world of options for those capitalists looking to use money to make money, alongside a history of slow and uncertain returns from New Mexico, meant that even big-fish Thomas Catron, with his empire of grant lands and web of small-pond networks, was often turned away by lending houses in the eastern United States and Europe.

In this story of capitalism's fitful and incomplete incorporation of the Hispano borderlands, Thomas Catron, his networks, and his business practices serve to link the processes of economic evolution to the setting of New Mexico. His relatively early arrival (as compared to other Euro-Americans) and wholesale adoption of the territory as his home allowed Catron to wear the sometime mantle of social and cultural emissary between older and younger generations and mixed populations. More often, however, he

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Scott A. Sandage, *Born Losers: A History of Failure in America* (Cambridge, MA: Harvard University Press, 2005); Gressley, *West By East*, 5-6.

<sup>39</sup> Regarding British capital in the American West, see some rich mid-century works including: Herbert O. Brayer, *William Blackmore: The Spanish-Mexican Land Grants of New Mexico and Colorado, 1863-1878. Volume I, A Case Study in the Economic Development of the West* (Denver: Bradford Robinson, 1948); Herbert O. Brayer, "When Dukes went West" in *Westerners Brand Book*, Dabney Otis Collins, ed., (Denver, the Westerners, 1948): 55-76; Clark C. Spence, "When the Pound Sterling Went West: British Investment and the American Mineral Frontier," *Journal of Economic History* 16 (1956): 482-492; Oscar Winther, "Promoting the American West in England, 1856-1890," *Journal of Economic History* 16 (1956): 506-513; and Thomas C. Cochran and William Miller, *The Age of Enterprise: A Social History of Industrial America*, Revised Edition (New York: Harper Torchbooks, The Academy Library, 1961), 47.



served as an agent for the extension of U.S. political and economic interests, even U.S. empire, through his base of operation astride the Santa Fe Plaza. From his station as the nefarious leader of the Santa Fe Ring in the 1870s and '80s to that of one of the state's first senators in the 1910s, Catron powerfully influenced New Mexico's development. He achieved great success as a crony-turned-land-baron in the late nineteenth century through the acquisition of numerous Spanish and Mexican land grants and public domain entries, especially in combination with other members of the informally-organized but effective political machine.<sup>40</sup> By the 1880s, members of the Ring exploited the U.S. Office of the Surveyor General as well as the legal system to lay claim to immense sections of grant lands for minimal outlays of capital. Catron was at the forefront of these schemes. He used his position as district attorney and then U.S. attorney for New Mexico, in conjunction with artful networking among local Nuevomexicano communities, to acquire interests in numerous grants. He then acted in concert with his friends to manipulate his individual holdings into the ownership of entire grants, followed by the creation of joint stock companies to promote, finance, or develop the tracts.

One of the qualities that made Catron stand out in this process was his understanding of how to translate property into credit through the instrument of the

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<sup>40</sup> For characterizations of the Santa Fe Ring see Lamar, *Far Southwest*, 137-39; David Caffey, *Chasing the Santa Fe Ring: Power and Privilege in Territorial New Mexico* (Albuquerque: University of New Mexico Press, 2014); David Lavender, *The Southwest* (New York: Harper & Row, 1980), 229-230; David H. Stratton, *Tempest over Teapot Dome: The Story of Albert B. Fall* (Norman: University of Oklahoma Press, 1998), 33; and a contemporary account by Simeon H. Newman III, "The Santa Fe Ring: A Letter to the *New York Sun*," *Arizona and the West* 12 (Autumn 1970): 269-288.

Although the record of Thomas Catron's ownership is complex and often vague, his biographer Victor Westphall places his possession of part or whole of individual grants at thirty-four (I have confirmed at least four more). Westphall, *Thomas Benton Catron*, 71. This list includes: Alamitos, Agua Negra, Anton Chico, Armendariz, Baca Location No. 1, Baca Location, No. 2, Bartolome Fernandez, Beck, Bosque del Apache, Canada de Cochiti, Caja del Rio, Canada del los Alamos, Canon de Chama, Canon del Agua, Cebolla, Cebolleta, Eaton, Estancia, Gabaldon, Huertas, Juana Lopez, La Majada, Lamy, Los Luceros, Mora, Nicolas de Chavez, Ojo del Espiritu Santo, Ortiz, Piedra Lumbre, San Pedro, Sangre de Cristo, Santa Teresa, Tecolete, and Tierra Amarilla.

corporation. On innumerable occasions he put pen to paper, and in so doing, converted the communal lands of northern New Mexico into stocks, bonds, and equities.<sup>41</sup> But, Catron also faced one fiasco after another in his attempts to turn his early speculations into marketable windfalls. On paper, his empire seemed immense and secure, but proved rather frail when placed under scrutiny. One result was that to keep his ventures afloat, he relied on infusions of capital that garnered high interest and left him constantly juggling his assets, equities, and finances, so that loans, mortgages, stocks, and bonds – and the physical land they represented – circulated through numerous hands, vaults, and trustees both within and outside the territory. Just as his landed empire linked him to the local New Mexican context, the process of revolving credit and debt connected Catron to capitalists, speculators, and schemers throughout the United States and abroad and, in turn, caught up New Mexico's lands and resources within the centripetal forces of state and market.

It is perhaps necessary here to briefly discuss the nature of the basic units of Thomas Catron's entrepreneurial empire—the limited liability corporation (LLC). First, it is essential to note that all LLCs were not created equal.<sup>42</sup> Many of the corporations

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<sup>41</sup> The core of Thomas Catron's ability to "translate" property was his masterful knowledge of not only the U.S. legal precedence towards ownership, but that of Spain and Mexico as well. After he passed the bar in New Mexico in 1867, Catron slowly and steadily learned the nuances of land law in the territories. To build his knowledge base, Catron tracked down and purchased just about any book, manual, map or encyclopedia that he could get his hands on. The result was a massive library in which Catron spent a great amount of time and energy. If knowledge is power, then it is no surprise that he rose to such a high level in the Southwest.

<sup>42</sup> For a basic corporate typology that differentiates between size and industry, see George Heberton Evans, Jr., *Business Incorporations in the United States, 1800-1943*, National Bureau of Economic Research, Inc. (Baltimore, Md: Waverly Press, 1948), 42, 50. While historians have not treated corporations in general as static units, nor have they adopted an approach that recognizes the great nuance within the world of incorporation. Many of Thomas Catron's corporations followed the legal process of incorporation, making sure to address the letter of the law with regards to the presentation and wording of their charter and the holding of necessary meetings, but besides that, did not produce tangible commodities, perform any saleable service, or add employment opportunities to the local labor force. As such, many of the corporations discussed in the pages that follow represent speculative or shell corporations.

chartered in the Southwest acted from the outset as speculative financial tools rather than sound business platforms. Organizers set superficially high capital valuations and legitimized doing so by deeding over lands with superficially high assessments. Moreover, New Mexico's corporate law stated that capital stock should be subscribed to in currency and was nonassessable, but it is not clear that southwestern corporations and their investors put in the necessary cash and credit to match the value of the total stock subscription.<sup>43</sup> Instead, capital stock appeared at a strategically fictional price point for speculative design and stood happily nonassessable when the tax collector came calling. Corporations chartered in this way not only held personhood under the law, but money invested (real or imagined) added valuable stock to entrepreneurs' assets and potential equity, while safeguarding them from liability and the tax rolls. In terms of the "property" of said corporations, usually large tracts of land equalized at low value, the owners once again garnered little in the form of tax obligations.<sup>44</sup> This method led to the creation of a slew of corporate entities designed for the purpose of amassing credit and wealth. Then, under leadership of insular directorates, corporate funds tended to wisp away into the pockets of partners, friends, and politicians—whoever could best help the company make

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<sup>43</sup> For New Mexico's corporate law see: [William G. Ritch], *A Complete Business Directory of New Mexico, and Gazetteer of the Territory for 1882* (Santa Fe: New Mexican Printing and Publishing Company, 1882), 214; and Charles F. Kanen, *Kanen's New Mexico Corporation Laws: Containing the Compiled Laws of 1897 and All Subsequent Session laws, Including 1909, with Amendments and Repeals* (Albuquerque, N.Mex.: Press of the Morning Journal, 1910). The legal definition of corporations was not static across my time frame, but is best clarified by the 1886 case of *Santa Clara County v. Southern Pacific Railroad Company* in which the Supreme Court ruled unanimously that corporations are subject to due protection of the law as individuals as based in the Fourteenth Amendment.

<sup>44</sup> When the lands did not receive low assessments from the Territorial or County Board of Equalization, Thomas Catron and his cohort pulled the strings of their political machine to reduce valuations or evade payments. This tactic proved quite effective during the heyday of the Santa Fe Ring and the Gilded Age in New Mexico, but as the territory entered the twentieth century, and especially after statehood, the lobby-or-dodge schema resulted in much less success as evidenced by Catron's loss of the Mora Grant in 1913.

something from nothing.<sup>45</sup> This business calculus produced heavily watered corporate schemas like those Waddingham and Catron organized around their land grants.<sup>46</sup>

At the capitalist heart of the land grant game was the potential to purchase an undefined piece of land that was nominally worth little, for a low price, and then transfer ownership of that land to a corporation that declared the same land to have a very high value, thus creating an input of capital stock that represented a nonassessable form of equity. The speculators, with professional prospectuses, reports, and surveys in tow, would then dangle enormous acreage with unknown resources in front of potential investors. This type of mystery-box of the American West enticed even the shrewdest operators. And so, waves of capitalization rolled over New Mexico's vast mineral and pastoral lands. However, a relentless undertow prevented those funds, once invested, from remaining in the territory for long. A historical dearth of hard currency and long repayment periods meant that bankers tacked high interest rates, often between 10-18%, on monies entering the territory. Then, at the time of transaction, middlemen in the form of mortgage and real estate brokers from places like Chicago, Denver, or other urban

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<sup>45</sup> Overlapping directorates with powerful friends could, of course, employ this strategy to great success as proven time-and-time-again in the history of the American West. See for instance, Michael J. Makley, *The Infamous King of the Comstock: William Sharon and the Gilded Age in the West* (Reno: University of Nevada Press, 2006); Stratton, *Tempest over Teapot Dome*, 1998; and perhaps the clearest presentation of this concept in Herbert O. Brayer, *William Blackmore: Early Financing of the Denver & Rio Grande Railway and Ancillary Land Companies, 1871-1878. Vol. II. A Case Study in the Economic Development of the West* (Denver: Bradford-Robinson, 1949).

<sup>46</sup> In June 1900, over a year into the arbitration of Waddy-gate, Edward P. Baker of New York wrote disparagingly regarding the valuation of the New Mexico lands Catron and Waddingham relied upon to secure their substantial debts. With matter-of-fact certainty, Baker explained to Catron that "If [Cassius Gilbert] would put a little less water in the stock of the company and more on the land that would be better." Edward P. Baker, New York, to Thomas B. Catron, 19 June 1900, CP, Series 103, Box 10, Folder 4. Baker's criticism of New Mexico and its corporate economy could not have been more prescient at the turn of the twentieth century. The very language of asset management that was used to characterize southwestern lands as illiquid is all too apropos, and the experience that, financially, land grant companies were often "under water" from the get-go is just too perfect given the aridity and other environmental factors that precluded their successful operations and dictated capitalists' reliance on quantity rather than quality.

markets, charged steep commissions and so sapped available resources at the source. Without real alternatives, conducting business in New Mexico necessitated a reliance on outside bankers and agents such as these, which added short and long-term costs to the basic financial and contractual relations of an increasingly capitalist world.<sup>47</sup> Interest and commission posed just two of the means by which capital flowed outwards, causing New Mexicans from top to bottom to remain in debt and often in default.

Put simply, New Mexico land grants, in purely economic terms, represented poor long-term investments. Unless flipped quickly, the prolonged litigation, local contestation, and operational expenses exceeded any annual income such land might generate. Like the hollow securities at the heart of the Great Recession in the twenty-first century, land grant dealers were underwater from the beginning, and managed to finance their way to legitimacy only at the price of the public welfare.

### **Capitalism and Economic Borderlands**

This is not a story about hapless Nuevomexicanos outflanked and overawed by the cycles of American conquest. For these actors, just like Catron, this history attempts to contextualize their opportunities and choices as framed by their perspectives and their local conditions.<sup>48</sup> Nuevomexicanos led “economic lives.” They too are representative of

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<sup>47</sup> New Mexico and New Mexicans were not in fact alone in this equation. Companies involved in the western cattle industry felt similar pressures and constraints as they relied upon borrowed capital—financed likewise through bankers and commission firms—to keep their businesses afloat. Gene M. Gressley, *Bankers and Cattlemen: Politics, Investors, Operators From 1870 to 1900* (Lincoln: University of Nebraska, 1966), Chapter 6 “Financing the Company,” 145, and Chapter 7 “The Commission Firm & the Banks,” 183-84.

<sup>48</sup> As documented by land grant scholars, a generalized notion of Nuevomexicano alienation and diminished social power fails to give due course to current issues of inequality that hardly represent the product of bygone worlds and bygone conflicts. David Correia, *Properties of Violence: Law and Land Grant Struggle in Northern New Mexico*, Geographies of Justice and Social Transformation (Athens: University of Georgia Press, 2013); William deBuys, *Enchantment and Exploitation: The Life and Hard*

American capitalism, albeit, on the borderland. For my purposes, recognizing a Hispano borderland as defined by cultural and economic categories rather than the presence of an international boundary allows me to develop lines of inquiry that focus on the entrance of capitalism into the region, the contested nature of its application, its nonlinear trajectory, its overlapping varieties of practice, and its uneven results for robber baron and *poblador* (villager) alike.<sup>49</sup>

This dissertation has been greatly influenced by the field of borderlands history, which has traditionally been dominated by a focus on the fluidity that surrounds international boundaries, especially the U.S.-Mexico border where the best-laid plans and policies of both nation-states come undone.<sup>50</sup> While the Hispano borderlands central to my story are hardly representative of the U.S.-Mexico border area (though the border was

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*Times of a New Mexico Mountain Range* (Albuquerque: University of New Mexico Press, 1985); and Shadow and Rodríguez-Shadow, "From *Repartición* to Partition," 1995.

<sup>49</sup> One of the promises of the renewed attention to the history of capitalism is that as economic actors, we find agency in populations previously imbued with no such power. For the recent scope and tenor of the history of capitalism, see: Sven Beckert, Angus Burgin, Peter James Hudson, Louis Hyman, Naomi Lamoreaux, Scott Marler, Stephen Mihm, Julia Ott, Philip Scranton, and Elizabeth Tandy Shermer, "Interchange: The History of Capitalism," *Journal of American History* 101, no. 2 (September 2014): 503-536.

<sup>50</sup> A very brief list of borderlands scholarship that has inspired my thinking on the matter includes: Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*, Cambridge Studies in North American Indian History Series (Cambridge: Cambridge University Press, 1991); Michiel Baud and Willem Von Schendel, "Toward a Comparative History of Borderlands" *Journal of World History* 8 (Fall 1997): 211-242; James F. Brooks, *Captives and Cousins: Slavery, Kinship and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002); Andrés Reséndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (Cambridge: Cambridge University Press, 2005); Tiya Miles, *Ties That Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom*, American Crossroads Series, (Berkeley: University of California Press, 2005); Samuel Truett, *Fugitive Landscapes: The Forgotten History of the U.S.-Mexico Borderlands* (New Haven: Yale University Press, 2006); Karl Jacoby, *Shadows at Dawn: A Borderlands Massacre and the Violence of History* (New York: Penguin Press, 2008); Katherine Benton-Cohen, *Borderline Americans: Racial Division and Labor war in the Arizona Borderlands* (Cambridge, MA: Harvard University Press, 2009); Anthony Mora, *Border Dilemmas: Racial and National Uncertainties in New Mexico, 1848-1912* (Durham: Duke University Press, 2011); and Sam Truett and Pekka Hämäläinen "On Borderlands," *Journal of American History* Vol. 98 (Sept. 2011), 338-361.

For the substantial overlap of subject, scale, time, and place found in the histories of borderlands and other trans-or-extra national spaces, two edited volumes lead the way: Samuel Truett and Elliot Young, eds, *Continental Crossroads: Remapping U.S.-Mexico Borderlands History* (Durham: Duke University Press, 2004) and Andrew Graybill and Benjamin Johnson, eds, *Bridging National Borders in North America: Transnational and Comparative Histories* (Durham, NC: Duke University Press, 2010).



not that far away), northern New Mexico and southern Colorado represented an expanding cultural and economic borderland during the nineteenth and early twentieth century.<sup>51</sup> Inhabitants here participated in multiple, overlapping economies, so that mercantile and corporate capitalism found practice simultaneously with and spatially adjacent to raid-trade exchange networks, subsistence production at the family and village level, and barter-oriented systems of credit and debt. Regional residents conducted business through sign language and symbolic gift-giving, as well as through spoken word and written contract.<sup>52</sup> Social capital rooted in the land and in kinship networks, as much as cash money, shaped individuals' economic options and helped Nuevomexicanos and natives respond to and offset the harshest impacts of capitalism for much of the nineteenth century.

Beginning with the imperial missions of the North and South during the American Civil War, which culminated in New Mexico with an aggressive campaign to subdue Native peoples and incorporate the territory and its markets, the alignment of social

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<sup>51</sup> For growth of the Hispano Borderlands during the nineteenth century see: Deutsch, *No Separate Refuge*, and Charles Montgomery, *The Spanish Redemption: Heritage, Power, and Loss on New Mexico's upper Rio Grande* (Berkeley: University of California Press, 2002). There is certainly plenty of room for scholars to consider how new markets read like so many economic borderlands, sometimes fleeting as capitalist control quickly established its supremacy, but just as often turning fugitive as investors, speculators, and entrepreneurs struggled to come to terms with local conditions and local orientations of power. For extended discussion on the unfolding of capitalists forces in the American West and the importance of local contexts, see: William G. Robbins, *Colony & Empire: The Capitalist Transformation of the American West* (Lawrence: University Press of Kansas, 1994); Truett, *Fugitive Landscapes*; Andrew Offenburger, "When The West Turned South: Capital and Culture in the US-Mexican Borderlands, 1880-1930," (PhD diss., Yale University, 2014).

<sup>52</sup> Together, the following works present a rich foundation with which to argue for the existence of overlapping economies in New Mexico and the Southwest. See: William J. Parish, *The Charles Ifeld Company: A Study of the Rise and Decline of Mercantile Capitalism in New Mexico* (Cambridge: Harvard University Press, 1961); David J. Weber, *The Mexican Frontier, 1821-1846: The American Southwest Under Mexico* (Albuquerque: University of New Mexico Press, 1982); Ramón A. Gutiérrez, *When Jesus Came, the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846* (Stanford, Calif: Stanford University Press, 1991); James Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill, NC: University of North Carolina Press, 2002); Andrès Resèndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (Cambridge: Cambridge University Press, 2005).

power steadily shifted in favor of the capitalists. This subtle movement of the tide, represented by the land speculation that descended upon the mostly-Mexican-era land grants and the significant alienation of title that it produced, turned full sea-change by 1904 in the wake of the Court of Private Land Claims (CPLC, 1891-1904). By this time the forces of capitalism, the state, and the court operated in concert to reduce Nuevomexicano land grant holdings by upwards of eighty percent. Add in the violent pacification and economic dependency forced upon Native populations as well as the environmental degradation fueled by old and new economic models alike, and the equation showed dwindling possibilities in the face of increased pressures.<sup>53</sup> The territorial government, looking to shake its debtor status in the build up to statehood, intensified efforts to levy and collect taxes. Meanwhile, the federal government unleashed the CPLC and the Forest Service on New Mexico in its progressive response to the latent disorder of the territory's lands and to mismanagement of its resources. Ultimately, this meant less land, more taxes, and new bureaucratic hurdles for Nuevomexicanos who, more than ever in the first decades of the twentieth century felt the pinch of the market in combination with more limited options. But while squeezing the residents of the Hispano borderlands for rents and royalties, land monopolists such as Catron felt themselves and their own options constricted as well. Their speculative designs toward a western empire, as organized during the Gilded Age and focused on flush returns from extractive industry, dried up, as did their life-lines of credit. Facing steeper taxes and out-of-control operational expenses, the profit potential on land grants diminished, leaving Catron with little but desiccated corporate corpses to show for

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<sup>53</sup> The decline of agricultural and especially pastoral lands was a daunting factor in the economic malaise that much of New Mexico experienced from the 1920s through the remainder of the twentieth century. See DeBuys, *Enchantment and Exploitation*, 255-257.



decades of speculation and legal-financial manipulation. His shortcomings, as well as those of his crumbling land grant empire, helped set the stage for the final act of this history of capitalism in the Hispano borderlands.

If not for his appointment as one of New Mexico's first U.S. senators, Thomas Catron would likely have viewed the first years of statehood with frustration and contempt. Having worked toward that goal since the 1870s, leading the charge in the 1880s and 1890s, and reclaiming some of his string-pulling talent before, during, and after the Constitutional Convention in 1910, he happily relocated to Washington, D.C., in 1912 to take his seat alongside Albert Fall in the sixty-second Congress. Beside his political aspirations, Catron's enormous output of energy in the name of statehood stemmed from his belief that it would bring about a wholesale rise in land values and alleviate the worst of the territorial status that plagued him and his entrepreneurial empire. But statehood brought no real relief to Catron as land baron and businessman; by its late start most of his lands actually decreased in value on the international marketplace. With the promises of statehood upended, capitalists in northern New Mexico pulled an about face. For many territorial leaders who spent decades combatting anti-statehood propaganda by white-washing New Mexico and preaching its modernity and latent potentials, the rise of regional tourism necessitated a rhetorical turn. No less corporate than its land-based, extraction-oriented predecessors, the tourism industry in northern New Mexico represented a new life for capitalism in the state. This time, capital sought returns from the expendable income of Americans and Europeans who wished to glimpse into the ancient world of the pre conquest Southwest. Led by interstate corporate giants, such as the Santa Fe Railroad and the Fred Harvey Company, this shifting

capitalist economy maintained an outward flow of capital at the highest levels alongside the exploitation of human capital in new ways that embedded the state's Hispano and Native American residents in fresh layers of economic dependency.<sup>54</sup>

### **Thomas Catron's Cage**

With regard to my principal biographic subject, the ever-industrious and equally wily Thomas Benton Catron, some early comments are now in order. First, this dissertation does not mean to present a full biography of Catron's life and times. Much of his personal life, his family life, his political affairs, and his legal persona find only brief mention in the following pages. Instead, this dissertation places Catron's economic life at center stage as representative of the business climate in the Hispano Borderlands of New Mexico and Colorado in the late nineteenth century. Regarding this focus, I should add that I came into this project under the assumption that I would be writing about an unscrupulous but efficacious robber baron of territorial New Mexico. More recently, I have come to see him in a harsher light, so that instead of rationalizing my scholarly attention towards another "great man" of history, the story documented throughout the next five chapters is really that of a flawed man who with great reliance on his acumen, ambition, and associates found a way to fail right to the top of New Mexico's political

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<sup>54</sup> For critical analysis of New Mexico's tourism industry and its relation to Native American and Nuevomexicano residents, see: Charles H. Montgomery, "History as Culture: The Making of Spanish Heritage in New Mexico, 1883-1940," (PhD diss., Cornell University, 1995), 132-33 and 162-163; Leah Dilworth, *Imagining Indians in the Southwest: Persistent Visions of a Primitive Past* (Washington: Smithsonian Institution Press, 1996); Sylvia Rodríguez, "Fiesta Time and Plaza Space: Resistance and Accommodation in a Tourist Town," *The Journal of American Folklore* 111 (Winter 1998): 39-56; Hal Rothman, *The Culture of Tourism, the Tourism of Culture: Selling the Past to the Present in the American Southwest* (Albuquerque: University of New Mexico Press, 2003); Hal Rothman, *Devil's Bargains: Tourism in the Twentieth-Century American West* (Lawrence: University Press of Kansas, 1998); Andrew Leo Lovato, *Santa Fe Hispanic Culture: Preserving Identity in a Tourist Town* (Albuquerque: University of New Mexico Press, 2004).

and economic ladder. Furthermore, I came to this work after consulting a wide body of literature covering the life and times of Thomas Benton Catron.<sup>55</sup> It would be impossible for this scholarship to have left no impression on my mind as to his character and personality as a historical figure. Gruff, corrupt, greedy, bellicose, and self-interested: these words immediately come to mind alongside more positive attributes such as confident, trusting, studious, industrious, and resolute.

Ultimately I do not believe the job of this project is to psychoanalyze Thomas Catron, nor to enter his actions and deeds into plus or minus columns. Nor do I feel that I could do so from an unbiased position. My wide-ranging research into Catron's life and environment—thorough consultation with his personal archive; correspondence that offers the voices of his family, friends, enemies, and associates; the very vocal contemporary print media; and a plethora of related corporate records—gives me some perspective with which to make an assessment. Victor Westphall, after his extensive archival research into the life of Catron, felt the same way, and argued in his biography for a reconceptualization of the man from a documentary basis that, for him, exonerated Catron from much of the worst criticism.<sup>56</sup> Westphall's defensive posture does not accordingly stand the test of time. In fairness, the portrayal of Catron as the nefarious

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<sup>55</sup> This literature includes, but is not limited to William A. Keleher, *The Fabulous Frontier: Twelve New Mexico Items* (Santa Fe, N. Mex: The Rydal Press, 1945); Lamar, *Far Southwest*, 1966; Westphall, *Thomas Benton Catron*, 1970; Tobias Duran, "Francisco Chavez, Thomas B. Catron, and Organized Political Violence in Santa Fe in the 1890s," *New Mexico Historical Review* 59 (1984); Joel K. Jacobsen, "An Excess of Law in Lincoln County: Thomas Catron, Samuel Axtell, and the Lincoln County War," *New Mexico Historical Review* 68 (1993): 133-151; Malcolm Ebright, *The Tierra Amarilla Grant: A History of Mexican's Struggle for Statehood* (Norman: University of Oklahoma Press, 2012); David Caffey, *Chasing the Santa Fe Ring: Power and Privilege in Territorial New Mexico* (Albuquerque: University of New Mexico Press, 2014). Also, several theses on Thomas Catron include: Vioalle Clark Hefferan, "Thomas Benton Catron," (master's thesis, University of New Mexico, 1940); John Paul Wooden, "Thomas Benton Catron and New Mexico Politics," (master's thesis, New Mexico State University, 1959); and Mary Elizabeth Sluga, "The Political Life of Thomas Benton Catron, 1896-1921," (master's thesis, University of New Mexico, 1941).

<sup>56</sup> Westphall, *Thomas Benton Catron*, ix-x.

leader of the Santa Fe Ring also falters under scrutiny. This type of two-dimensional casting obscures the reality of a deeply complicated man who at moments stood up for New Mexico and its diverse populations with a vigor rarely matched by his fellow Euro-Americans, and at others knowingly manipulated the law, the courts, or the circumstances for his own benefit.

As a local or regional entrepreneur, Thomas Catron found his most fertile stomping grounds in the Territory of New Mexico; as a national politician and international capitalist, it was more like his cage. From this vantage, the dissertation seeks to investigate Catron's social networks to derive some insight into the capitalist world of New Mexico as it evolved across the nineteenth and early twentieth century, and then to point to the embedded inequalities that emerged in New Mexico and the Southwest as products of capitalism's reign.

In Chapter One, "The Continental Currents of Market and War," I set in motion the world of mercantile capitalism and its historical contexts for Missouri and New Mexico during the first twenty-five years of Thomas Catron's life. Forces of the market and the state were central to the development of both of these environments, especially in the Santa Fe Trade that connected the settled regions of Missouri and New Mexico to international networks of trade and commerce. But the onset of the Civil War, its social disruption, and the aftermath of Reconstruction most potently transformed Catron, New Mexico, and the relationship between Americans and the West. To tie these two themes together—that is, the nation's relationship to the southwestern territories and the local processes at work in New Mexico—this chapter will conclude with an examination of

Thomas B. Catron as an agent of U.S. expansion who quickly cast aside his older regional alliances to gain wealth and power in his new territorial home.

In Chapter Two, “Integrity & Veracity: Lessons of Political Economy in Gilded Age New Mexico,” I argue that Thomas Catron rose to power within the territory through his participation in the Santa Fe Ring, a political machine that mastered the art of control during the late nineteenth century. Within this framework Catron built an eclectic network of “friends” that included territorial politicians, land officers, bankers, publishers, commercial agents, financiers, Freemasons, and elite Hispanos. At the center of the Ring’s power was not only an intimate geography of membership focused on the Santa Fe Plaza, but an ability to coerce contributions from otherwise antagonistic parties and reward them accordingly. With firm grasp on the territorial court system, lucrative political links to the nation’s capital, and the financial cooperation of leading regional entrepreneurs, Catron’s cohort of Ring members operated with impunity while lining their pockets with what amounts to federal subsidies for these territorial schemers. As such, this chapter presents the essential components of the unethical relationship between business and politics that Catron – as the chief representative of the Gilded Age in New Mexico – utilized for personal gain.

While building his social and political power base, Catron’s economic rise occurred in connection to international networks of speculators and capitalists who sought to incorporate southwestern lands into eastern markets. Chapter Three, “The Land Grant Bubble,” details the entrance of new market forces into New Mexico and Colorado after the Civil War. Spanish and Mexican land grants occupied the heart of this venture, based on the early successes and huge profits linked to the promotion and sales of the

Sangre de Cristo and Maxwell land grants. The process of financing and acquiring vast land grants required the support of the federal government as well as the participation of thousands of Nuevomexicano men and women. The involvement of Nuevomexicanos in the sale and transfer of their lands presents a much more nuanced story than simply one of hapless victims in the face of the market and the state. Thomas Catron and his peers in the Santa Fe Ring took central stage in the speculation that followed, using their ties to the First National Bank of Santa Fe and regional capitalist circles to covertly develop their holdings and effectively move money and deeds.

Building on the growth of his personal fortune in land, Chapter Four, “The Equity of Empire,” will argue that by the 1880s Catron furthered his business interests in New Mexico by both adapting his interests in concert with those of the majority population of Nuevomexicanos and adopting a national corporate culture to his southwestern holdings. Here, I will describe the transition from the consolidation of southwestern lands to their legal incorporation by Catron and his partners that occurred in the aftermath of rail extension into New Mexico. This chapter will discuss the concrete operation of several of Catron’s businesses from the 1880s to the Panic of 1893, and orient the ways in which regional competition shaped their growth. In this discussion, this chapter sets Catron’s activity within the greater context of economic development in the territory and presents early examples of the myriad obstacles that time and again challenged the success and profitability of New Mexican enterprise.

As my story moves from the nineteenth to the twentieth century this dissertation will present Catron’s faltering fortunes alongside his attempts to gain tighter control over his business and land in New Mexico. Catron owned and controlled more acreage in his

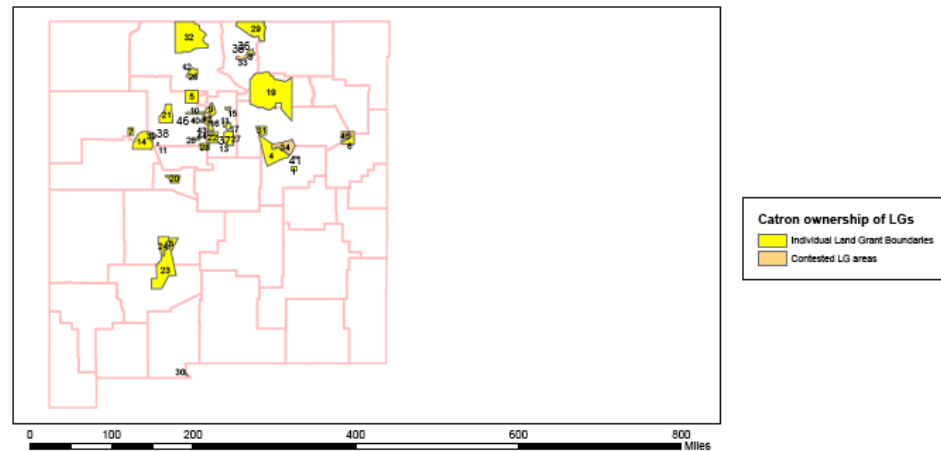
name during the first decade of the twentieth century than during any other point in his long career in southwestern land speculation. In direct correlation, he also held claim to an astronomical amount of debt that linked those hundreds of thousands of acres, alongside the stocks and bonds of dozens of New Mexican corporations, to capital lenders around the country and even overseas. Chapter Five, “Fortune and Failure,” will argue that Catron’s land-based empire offered more risk than reward and even as greater material progress came to New Mexico, his problems grew more rapidly than his profits. In response, he attempted to apply progressive notions of order and control to his lands, only to find these solutions to be too little, too late. Seeking a political answer, Catron grasped at statehood as an economic panacea, but pessimistic national attitudes toward New Mexico prevented its full inclusion in the Union and stymied his aspirations until the 1910s. By then Catron’s empire was in full decline, hemorrhaging securities and lands on an annual basis. Catron’s fall, however, did not translate to gains for the Nuevomexicanos he had largely dispossessed. Instead, lands and resources passed to the federal government, to New Mexico, or to new corporate owners.

In my conclusion, “A Crumbling Empire and Catron’s Capitalist Legacy,” I reflect back on the significant imprint that Thomas Catron left on the business, political, and social world of New Mexico during his life and even after his death in 1921. Catron left behind a landscape transformed by his corporate-inspired presence. While successful on some levels, such as the opening of hundreds of thousands of New Mexico’s acres to Euro-American cultivation and commoditization, Catron also left a trail of internal colonization and dispossession of natives from their lands and economic communities. Catron’s wake, in this case, is also that of the extractive industry and speculative

capitalism of the new state's territorial past. The overextension of market forces during decades of optimism and arrogance led to a telling retraction after WWI that included a return to subsistence for many New Mexicans. In a final note, I present a snapshot of economic activity in and around Santa Fe at midcentury, showing that New Mexico remained entrenched in its marginal status and dependent economy, perhaps even more so after a century of capitalism's entrance into the Hispano borderlands.

## Map 1

### Land Grant Ownership in New Mexico of Thomas Benton Catron, 1870-1920



**Key to Individual and Overlapping Land Grant Areas**

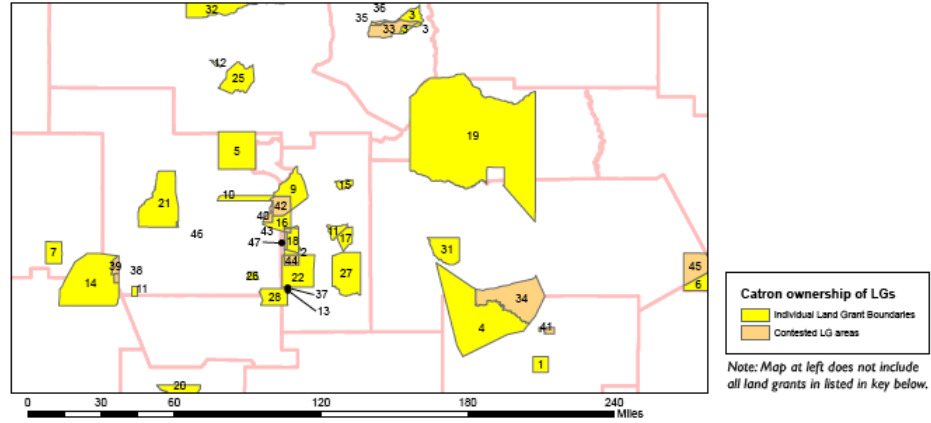
1 Agua Negra	18 Mesita de Juana López (4 parcels)	35 Arroyo Hondo/Antoine Leroux
2 Álamos	19 Mora	36 Arr. Ho/Ant. Marz/Ant. Lerx (3 parcels)
3 Antoine Leroux (4 parcels)	20 Nicolás Durán de Chávez	37 Cañón del Agua/Ortiz Mine
4 Anton Chico	21 Ojo del Espíritu Santo	38 Cebolleta/Agua Salada
5 Baca Location no. 1	22 Ortiz Mine	39 Ceb/Ntra Sra de la Luz de las Lag
6 Baca Location no. 2	23 Pedro Armendáriz No. 33	40 Cochiti Pueblo/La Majada
7 Bartólome Fernández	24 Pedro Armendáriz No. 34	41 José Perea/Preston Beck (2 parcels)
8 Bosque del Apache	25 Piedra Lumbre	42 La Majada/Caja del Río
9 Caja del Río	26 San Antonio de las Huertas	43 La Majada/Mesita de Juana López
10 Cañada de Cochiti	27 San Cristóval	44 Ortiz Mine/Mesita de Juana López
11 Cañada de los Álamos (2 parcels)	28 San Pedro	45 Pablo Montoya/Baca Location no. 2
12 Cañón de Chama	29 Sangre de Cristo	46 San Ysidro/Ojo del Espíritu Santo
13 Cañón del Agua	30 Santa Teresa	47 Santo Domingo Pueblo/M de J López
14 Cebolleta	31 Tecolote	
15 Juan de Gabaldón	32 Tierra Amarilla	
16 La Majada	33 Antoine Leroux/Antonio Martínez	
17 Lamy or Ntra Señora de la Luz	34 Anton Chico/Preston Beck	

Source: Thomas Benton Catron Papers, Center for Southwest Research, University of New Mexico Library; research by Bryan Turo  
Map courtesy of UNM Land Grant Studies Program, 10/8/2013



## Map 2

### Land Grant Ownership of Thomas Benton Catron, 1870-1920 (Focus on contested [overlapping] land grant parcels)



#### Key to Individual and Overlapping Land Grant Areas

- |                                     |                                    |   |
|-------------------------------------|------------------------------------|---|
| 1 Agua Negra                        | 18 Mesita de Juana López           | 35 Arroyo Hondo/Antoine Leroux          |
| 2 Alamitos                          | 19 Mora                            | 36 Arr Ho/Ant Mart/Ant Lerx (3 parcels) |
| 3 Antoine Leroux (4 parcels)        | 20 Nicolás Durán de Chávez         | 37 Cañón del Agua/Ortiz Mine            |
| 4 Anton Chico                       | 21 Ojo del Espíritu Santo          | 38 Cebolleta/Agua Salada                |
| 5 Baca Location no. 1               | 22 Ortiz Mine                      | 39 Ceb/Ntra Sra de la luz de las Lag    |
| 6 Baca Location no. 2               | 23 Pedro Armendáriz No. 33         | 40 Cochiti Pueblo/La Majada             |
| 7 Bartólome Fernández               | 24 Pedro Armendáriz No. 34         | 41 José Perea/Preston Beck (2 parcels)  |
| 8 Bosque del Apache                 | 25 Piedra Lumbre                   | 42 La Majada/Caja del Rio               |
| 9 Caja del Rio                      | 26 San Antonio de las Huertas      | 43 La Majada/Mesita de Juana López      |
| 10 Cañada de Cochiti                | 27 San Cristóval                   | 44 Ortiz Mine/Mesita de Juana López     |
| 11 Cañada de los Álamos (2 parcels) | 28 San Pedro                       | 45 Pablo Montoya/Baca Location no. 2    |
| 12 Cañón de Chama                   | 29 Sangre de Cristo                | 46 San Ysidro/Ojo del Espíritu Santo    |
| 13 Cañón de Agua                    | 30 Santa Teresa                    | 47 Santo Domingo Pueblo/M de J López    |
| 14 Cebolleta                        | 31 Tecolote                        |   |
| 15 Juan de Gabaldón                 | 32 Tierra Amarilla                 |   |
| 16 La Majada                        | 33 Antoine Leroux/Antonio Martínez |   |
| 17 Lamy                             | 34 Anton Chico/Preston Beck        |   |

Source: Thomas Benton Catron Papers, Center for Southwest Research, University of New Mexico Library; research by Bryan Turo  
Map courtesy of UNM Land Grant Studies Program, 10/8/2013

## Chapter 1

### The Continental Currents of Market and War: Thomas B. Catron and New Mexico from Market Revolution to 1868

*Trade carried on with the wild Indians.—It is to be noted that vermilion, knives, biscuit, bread baked in ovens, gunpowder, awls, and other trifles purchase most valuable furs which may be sold at great profit, and from which great benefits might be derived if the country were more enlightened. If there were sufficient demand for the exportation of these valuable and abundant pelts, which can be secured at very little cost, enough of them could be obtained to load entire mule trains. What a wide field is open to industry in Mexico! What germs of prosperity are seen everywhere! Even those remote places occupied by wild Indians offer us rich products with which we are as yet unfamiliar. Those rivers within its territory which are overpopulated with valuable beaver! Those virgin and untouched fields, where the soul of nature proudly displays her grandeur! The moderate climate which offers its powerful influence to vegetation and to the raising of stock! Those luxuriant sierras and those bright blocks of marble which seem to be outlining sketches of magnificent cities are certainly powerful stimuli that should make us think seriously of developing the elements of true happiness which we have at hand! Ambitious revolutionary men, infernal geni of discord, cast your eyes but once over your country, and, impelled by the force of furious remorse, you will run and bury yourselves forever in hell! You shall see that this soil, generously endowed by the loving hand of providence, is inviting Mexicans with its riches and variety of products which are not enjoyed nor even known because of your criminal perverse designs.*

Lic. Antonio Barreiro, 1832.

#### The Background of an Empire Builder

The socially disruptive combination of decades of market expansion and five years of civil bloodletting set the stage for Thomas Benton Catron's postwar removal to the Territory of New Mexico as well as the burst of speculation and political machination that followed. As such, the story of his departure westward is part of the fabric of American history. Catron belonged to a generation of men and women who never knew a world without the continental reach of the United States or the transnational spread of market capitalism. In the years after the Civil War, this same generation sought to do more than occupy a continental nation; they sought to control it and employ its latent wealth for the betterment of themselves and country alike. For defeated Confederates like Thomas Benton, the ambition to once again hold the reins of expansion and empire led

them toward the setting sun, while the interventions of businessmen and bureaucrats – the market and the state – breathed life into the age of capital that flourished in the American West.<sup>1</sup>

Growing up in the 1840s and 50s, just thirty miles east of Kansas City along the Missouri River, Catron likely came in contact with much of the reality of the West. This included the multiple layers of economic activity that linked western places and western resources to national arteries of trade and travel, especially the Missouri River with its continental connectivity.<sup>2</sup> Plenty of Americans knew that the great West was in fact contested terrain; few more-so than the inhabitants of western Missouri. The nationally, racially, and religiously diverse people who flowed into, out of, and through Catron's home town of Lexington embodied this contestation. The bustling towns along the Missouri River watched as diverse groups of traders, travelers, soldiers, diplomats, and immigrants made their way west, and east, by caravan trail, wagon road, canoe and steamboat. White Americans, mostly from the Upper South, put down roots in the region. They brought their traditions and their black slaves. Waves of European migrants bolstered their numbers. U.S. soldiers on route to frontier forts plodded through for patriotism, or at least a paycheck, while Potawatomis from Indiana did so during their forced march to Indian Territory. Pioneers drove westward through Lexington, either

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<sup>1</sup> That Americans have viewed the postwar periods of Reconstruction and the Gilded Age as a time in which western activity and enterprise reached a climax can be found in: Thomas C. Cochran and William Miller, *The Age of Enterprise: A Social History of Industrial America*, revised edition (New York: Harper Torchbooks, The Academy Library, 1961); Edward Chase Kirkland, *Industry Comes of Age: Business, Labor and Public Policy, 1860-1897* (Chicago: Quadrangle Books, 1961); Howard Mumford Jones, *The Age of Energy: Varieties of American Experience, 1865-1915* (New York: Viking Press, 1971); Alan Trachtenberg, *The Incorporation of America: Culture and Society in the Gilded Age* (New York: Hill and Wang, 1982); Michael J. Makley, *The Infamous King of the Comstock: William Sharon and the Gilded Age in the West* (Reno: University of Nevada Press, 2006); White, *Railroaded*, 2011; Levy, *Freaks of Fortune*, 2012.

<sup>2</sup> Bernard De Voto and Alfred Jacob Miller, *Across the Wide Missouri* (Boston: Houghton Mifflin Co, 1947).

pulled by the allure of fertile lands and precious metals, such as those seeking Oregon and California; or pushed out of the East due to religious intolerance like the followers of Joseph Smith and Brigham Young. The residents of Lexington had substantial contact with this broad range of people and communities. They understood and acted upon the idea that control of the West, be it military, economic, political, or social, was still under dispute.

Hardly any places housed the strata of nineteenth-century contestation as vividly as New Mexico. This frontier space, marginalized by Spain, Mexico, and the U.S. alike, dealt with many of the signal tensions of the times. Cycles of political dispute swelled in New Mexico from the 1810s to the 1840s, relating to nation making, centralization, and international rivalry.<sup>3</sup> Similarly, new economic forces led to big questions regarding the regulation of trade and commerce as it shifted from the mercantilist designs of imperial Spain to the market-oriented, transnational stream of goods and finances that evolved as the Santa Fe Trail connected Missouri with the Camino Real and Chihuahua. Issues of mobility and taxation attached to the growing trade network were then compounded by the economic pursuits of Native Americans who surrounded the settled portions of New Mexico. Native nations powerfully shaped the contours of international contest and the budding regional economy. The myriad challenges of the Hispano borderlands, with its contradictory impulses arising from the overlapping world of Euro American, Mexican,

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<sup>3</sup> For characterization of New Mexico during the first half of the nineteenth century, see David J. Weber, *The Mexican Frontier, 1821-1846: The American Southwest Under Mexico* (Albuquerque: University of New Mexico Press, 1982); Ramón A. Gutiérrez, *When Jesus Came, the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846* (Stanford, Calif: Stanford University Press, 1991); Ross Frank *From Settler to Citizen: New Mexican Economic Development and the Creation of Vecino Society, 1750-1820* (Berkeley: University of California Press, 2000); Calvin A. Roberts and Susan A. Roberts, *New Mexico* (Albuquerque: University of New Mexico Press, 2006); and Marta Weigle, Frances Levine, and Louise Stiver, eds., *Telling New Mexico: A New History* (Santa Fe: Museum of New Mexico Press, 2009).

and Native American populations, kept Mexican and then U.S. military, political, and economic strategists busy, and often uncertain.<sup>4</sup> This remained the case in the aftermath of the Civil War as Catron and his Gilded Age colleagues descended upon New Mexico and the American West.

Born in 1840, Thomas Catron belongs to a particularly restless generation known for their innovations to American industry, technology, business, and finance. For better or worse, they led the way in the geographic extension and cultural evolution of American capitalism. The most famous of this cohort accrued appellations comparing them to barons, kings, and imperial magnates, as well as a slew of more nefarious names. Historians have pointed to the importance of the Civil War in shaping the opportunities available to them and the paths that they followed to establish their fortunes.<sup>5</sup> For instance, during the war years Andrew Carnegie positioned himself at the intersection of the Union's transportation and communication needs and Jay Cooke revolutionized the marketing of federal bonds and securities. Their energy and innovation directly supported the northern war effort while spurring the infrastructural change necessary to bolster America's industrial and capitalist transformation that surged forward in the war's aftermath.<sup>6</sup> As a slightly younger member of this generation, Catron's path took him not to board rooms or banks, but to battlefields. While he too would partake in the unleashed world of capitalism following the war, from June 1861 until May 1865 Catron spent his early twenties fighting for the Confederacy.

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<sup>4</sup>Andrès Resèndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (Cambridge: Cambridge University Press, 2005), 15-17.

<sup>5</sup> Matthew Josephson, *The Robber Barons: The Great American Capitalists, 1861-1901* (New York: Harcourt, Brace and Company, 1934); H.W. Brands, *The Money Men: Capitalism, Democracy, and the Hundred Years' War Over the American Dollar* (New York: W.W. Norton & Co., 2006).

<sup>6</sup> Harold C. Livesay, *Andrew Carnegie and the Rise of Big Business*, The Library of American Biography (New York: Pearson, 2007), 47-48; Brands, *The Money Men*, 104-05.

Catron's involvement in the Civil War played a formative role in shaping his outlook on the world and on his prospects for the future. These two veins intersected in the West, which took on a host of meanings to Americans from all walks of life. It came to represent rebirth, rejuvenation, and progress. It captivated the attention of pioneers and settlers who quickly learned of the oft-ignored pitfalls that came with a "virgin land." Artists, authors, and photographers reveled in its grandeur or immensity, while investors, financiers, and confidence men from all over the world envisioned empires of precious metals, grass, timber, and water. It even developed as the quintessential (though often imaginary) backdrop to American ideas of individualism, where a fresh start awaited the industrious and energetic migrant. And yet, its reliance on the federal government continued to mature.<sup>7</sup>

The Civil War had origins in the West, was decided in the East, and transformed everything in-between. In the West the war was less about slavery, more about empire, and was critically coupled to the question of what segment of American society would dictate the terms of national expansion.<sup>8</sup> In places like the Southwest, the war resulted in a new wave of territorial consolidation as approached from military, legislative, executive, and legal logics. During the period from 1860 to 1868 the federal government intervened in New Mexico and the West in a number of transformative ways. These included increased oversight regarding the territorial system; the extension of military posts and forts; experimentation with different styles of Indian warfare, pacification, and

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<sup>7</sup> Henry Nash Smith, *Virgin Land: The American West as Symbol and Myth* (Cambridge, MA: Harvard University Press, 2001); Jules David Prown, Nancy K. Anderson, William Cronon, Brian W. Dippie, Martha A. Sandweiss, Susan Prendergast Schoelwer, and Howard R. Lamar, *Discovered Lands, Invented Pasts: Transforming Visions of the American West* (New Haven: Yale University Press, 1992); Heather Cox Richardson, *West from Appomattox: The Reconstruction of America After the Civil War* (New Haven: Yale University Press, 2007), 5.

<sup>8</sup> Heather Cox Richardson, *West from Appomattox*, 5; David R. Goldfield, *America Aflame: How the Civil War Created a Nation*, 1st U.S. ed (New York: Bloomsbury Press, 2011), 13.

the reservation system; the orientation of new territorial borders; the passage of legislation to subsidize and regulate transcontinental railroads, homesteaders, education, and banking; and the passage of the Thirteenth, Fourteenth, and Fifteenth Amendments.

When he arrived in New Mexico, Thomas Catron strode in as an agent of the nation's postwar obsession with the incorporation of the trans-Missouri West and the cause of American empire.<sup>9</sup> Of course at the time, Catron was more concerned with fitting in so he could rise up to take hold of a small empire of his own. In a sense, the West evolved as a shifting set of personal empires that in aggregate helped to incorporate the resources of the various regions of the West, consolidate power in the national system and further the course of a collective national empire.<sup>10</sup> Thomas Catron fully participated in this process, affecting New Mexico's evolution in some not-so-ambivalent ways. As an empire builder, he served his country, his party, his family, and himself, seemingly with an emphasis on the latter. This too, indirectly resulted from the Civil War that in so many ways altered the substance of American life.<sup>11</sup>

### **Thomas Catron, Lexington, and the Market Revolution along the Missouri**

Prior to the traumas of war, no fortune tellers would have predicted Thomas Catron's hugely influential future in New Mexico. But, as the geographic center of

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<sup>9</sup> Trachtenberg, *Incorporation of America*, 17-18.

<sup>10</sup> Histories such as William Cronon's *Nature's Metropolis*, (1990); Richard White's *Railroaded*, (2011); David Igler's *Industrial Cowboys: Miller & Lux and the Transformation of the Far West, 1850-1920* (Berkeley: University of California Press, 2001); and Katherine Brosnan's *Uniting Mountain and Plain: Cities, Law, and Environmental Change along the Front Range* (Albuquerque: University of New Mexico Press, 2002); provide examples of this behavior as it appeared in Chicago, Denver, the Central Valley of California, and San Francisco.

<sup>11</sup> Goldfield, *America Aflame*, 13-14. Here David Goldfield argues that an ideology encompassed by the "Gospel of Money" helped Americans to shift their personal philosophies more and more towards a version of success validated by the accumulation of money or equity. This apolitical stance lessened the alienation between North and South and generally soothed the American consciousness by focusing on financial growth and the development of capitalist networks.

Catron's early life, the conditions in and around Lexington, Missouri are important to understanding his postwar decisions and the path that led him to New Mexico. Founded on a bluff overlooking the Missouri River, the history of the town, especially during the decades of national and market expansion of the mid-nineteenth century, focuses on its connectivity—to the West, to commerce, and to the political tensions of the antebellum period.<sup>12</sup>

Lexingtonians, as well as their neighbors in the surrounding towns of Lafayette County, heard the beating drummers of the market revolution loud and clear.<sup>13</sup> They looked to the East and the West, the North and the South, to figure out their place in the rapidly changing nation. Economically and socially the region compared favorably to agricultural districts in the states of the Upper South, reinforced by settlers with roots in Maryland, Virginia, Kentucky, and Tennessee. Politically the county split between Democrats and Whigs. But its station along the wide and wandering Missouri gave Lexington a special relationship to the increasingly continental movement of goods and capital. Commerce flowed southwest to New Mexico, northwest to the Rocky Mountains and Oregon country, and eastward to St. Louis where it then traveled either to New Orleans via the Mississippi River, or to Atlantic port cities such as New York, Philadelphia, and Baltimore. But these generalities fail to present Lexington in all its

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<sup>12</sup> West Central Missouri Genealogical Society and Library, *History of Lafayette County, Mo., Carefully Written and Compiled from the Most Authentic Official and Private Sources, Including a History of Its Townships, Cities, Town and Villages, together with A Condensed History of Missouri; The Constitution of the United States, and State of Missouri, A Military Record of Its Volunteers in Either Army of the Great Civil War; General and Local Statistics; Miscellany; Reminiscences, Grave, Tragic and Humorous; Biographical Sketches of Prominent Men and Citizens Identified with the Interests of the County* (St. Louis: Missouri Historical Company, 1881).

<sup>13</sup> For a recent and useful description of the “market revolution” in the United States, see: John Lauritz Larson, *The Market Revolution in America: Liberty, Ambition, and the Eclipse of the Common Good* (New York: Cambridge University Press, 2010), especially his introduction, “What Do We Mean by a Market Revolution in America?”



depth, especially regarding the lived experience of its residents amidst the turbulent decades of the antebellum period.

By October 8, 1840, when Mary Catron gave birth to her fourth child, Thomas Benton, the town of Lexington stood as a bustling center for settlement, trade, education, and agriculture. The county of Lafayette, in which Lexington was the largest individual township and county seat, had grown substantially since its initial years of white settlement in the 1810s. Its frontier roots were still apparent as well. Like most of their neighbors, John and Mary Catron were not born in western Missouri, having relocated to the area with their families around 1818.<sup>14</sup> Their Welsh and German backgrounds and their links to Virginia, Kentucky, and Tennessee fit the pattern of most willing immigrants.<sup>15</sup> Because of the fertile soil along the river in western and central Missouri, counties such as Lafayette, Saline, Chariton, and Boone lured folk from the Upper South.<sup>16</sup> These migrants proved adaptive to the new conditions but also maintained continuity with their previous homes. Specifically, they employed slave labor to grow the

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<sup>14</sup> “John Catron,” *Portrait and Biographical Record of Lafayette and Saline Counties, Missouri. Containing Biographical Sketches of Prominent and Representative Citizens, Together with Biographies and Portraits of all the Presidents of the United States* (Chicago: Chapman Bros., 1893), 551-552.

<sup>15</sup> Westphall, *Thomas Benton Catron*, 4-5. Westphall traced the Catron name to central Europe where the family name Kettenring with families recorded in Switzerland and Bavaria. The Kettenring family of which Thomas Benton Catron is a descendent arrived in Pennsylvania in 1765 and then relocated over generations to Virginia, Kentucky, Tennessee, and finally his grandfather moved to Missouri. By the time the Kettenring’s resided in Lafayette County, they had changed their surname to the Americanized version of Catron.

<sup>16</sup> Robert William Duffner, “Slavery in Missouri River Counties, 1820-1865,” (PhD diss., University of Missouri, 1974), 2; Kenneth Adell Lewallen, “Economic Inequality in the Upper South: The Concentration of Wealth in Lafayette County, Missouri, 1850-1860,” (PhD diss., Kansas State University, 1980), 67. Duffner explains that in 1850 one-third of Missourians were born in slave states, with Kentucky (13%), Tennessee (9%), and Virginia (8%) sending the largest amounts of immigrants. Kenneth Lewallen utilized census data from 1860 to put together a detailed socioeconomic picture of Lafayette County and found that in 1860 sixty-eight percent of the county’s population was from the Upper South. Men and women from free states made up a minority of the population at only 7.2%.

staple crops of the region: tobacco and hemp. Migrants also arrived from across the Atlantic, especially from the British Isles and Germany.<sup>17</sup>

Wherever they came from, the new inhabitants of western Missouri shared a pioneering spirit and a pattern of large families. The Catrons were no exception. After marrying in 1833 John and Mary had a total of nine children, although two never lived to adulthood.<sup>18</sup> In 1830 Lafayette County tallied only 2,418 whites and 429 slaves within the space of four hundred thousand acres.<sup>19</sup> Profits from the expansion of slavery into the lands along the Missouri River, the slow degradation of lands throughout the Upper South, and the logistical benefit of the river for transportation brought in a steady tide of new immigrants. These settlers bolstered the area's population, which more than doubled over the next ten years so that in the year of Thomas Benton's birth, the county had 4,799 whites, 2,016 slaves, and twenty-six free blacks.<sup>20</sup> Lexington, as a port and the largest town in the county benefitted the most from this growth to the extent that by 1845 its population of 1,697 inhabitants made it the third largest town in Missouri.<sup>21</sup>

On the bluffs of the Missouri, Lexington's continental connectivity provided for a diverse local economy. The city grew into a regional center for commerce, outfitting, and

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<sup>17</sup> Lewallen, "Economic Inequality in the Upper South," 67. Lewallen's demographics for 1860 found that 23.7% of the population of Lafayette County was of foreign birth and that of this group, almost everyone arrived from Central and Northeastern Europe.

<sup>18</sup> Westphall, *Thomas Benton Catron*, 4. Westphall looked to the Catron Family Bible to determine the names of John and Mary Catron's nine children. In order of birth they include: Upheminy Ann, George Monroe, James Fletcher, Thomas Benton, Washington, Margaret Elizabeth, Amanda Caroline, John Jr., and Mary Jane. Westphall also notes that John Catron, after a change of heart regarding Thomas Hart Benton, replaced Thomas Catron's middle name with Jefferson, but it never stuck and Thomas continued to use Benton the remainder of his life.

<sup>19</sup>George H. Bates, "A History of Lafayette County, Missouri," Folder 3, Lafayette County, Missouri, Collection, 1823-1960, Missouri History Museum Archives, St. Louis.

<sup>20</sup> Duffner, "Slavery in Missouri River Counties," 10; Lafayette County Historical Society, *Continuing the History of Lafayette County*, 5.

<sup>21</sup> Lafayette County Historical Society, *Continuing the History of Lafayette County*, 32.

transportation.<sup>22</sup> But agriculture, namely the cultivation of hemp, tobacco, and garden crops, remained the most common occupation. These staples gained recognition not only because they grew well in the alluvial soils of western and central Missouri, but because ready markets existed for their sale.<sup>23</sup> Demonstrating the expansive power of the antebellum marketplace, the region's products found buyers in completely opposite directions. Tobacco grown in Lafayette County found its way westward to the polyglot assortment of traders, trappers, and soldiers of the Rocky Mountains, or the Hispano and Native American people of New Mexico. Hemp, on the other hand, first traveled eastward. A growing local manufacturing industry could not yet support the entirety of the hemp crop, so it was often transported first to St. Louis for weaving into burlap sacks and then down the Mississippi River to New Orleans where it was used to wrap bales of cotton for export to the North and Europe.<sup>24</sup> The trade of two regional staples shows how Lexingtonians participated in an interwoven commercial community with goods and credit moving along continental and international pathways.

The movement of people through Lexington also transpired on a continental scale and made possible the contact between Missourians and groups from a host of geographic, racial, ethnic, and religious backgrounds. Alongside the rising tide of riverboat traffic that took port at Lexington, the National Road led pioneering families through town. Beginning in the 1820s this thoroughfare connected Missourians to new conduits of trade, including the Oregon Trail and the Santa Fe Trail.<sup>25</sup> And so over time Lexington witnessed a range of commuters from gold seekers en route to California,

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<sup>22</sup> Lewallen, "Economic Inequality in the Upper South," 288.

<sup>23</sup> *Ibid.*, 9.

<sup>24</sup> Lafayette County Historical Society, *Continuing the History of Lafayette County*, 32.

<sup>25</sup> Burtis M. Little, *The National Old Trails Road and the Part Played by Lexington in the Westward Movement* (Lexington, Mo.: 1928), 4.

Mormons to Deseret, and soldiers to frontier forts. In 1838 eight hundred Potawatomi Indians camped on the opposite bank of the Missouri while on their “trail of death” from Indiana to Kansas.<sup>26</sup> Add to this the stream of Mexican traders proceeding back and forth to New Mexico and the fur trappers of French, English, and American origin headed to the Rocky Mountains and the scene becomes a veritable kaleidoscope of activity.

Wetmore’s *Gazetteer* of Missouri published in 1837 commented that:

Lexington is one of the towns from which outfits are made in merchandise, mules, oxen, and wagons for the Santa Fe or New Mexico trade. The fur traders who pass to the mountains by land make this town a place of rendezvous, and frequently are going out and coming in with their wagons and packed mules, at the same period of going and coming that is chosen by the Mexican traders. Lexington is therefore, occasionally, a thoroughfare of traders of great enterprise, and caravans of infinite value. The dress and arms of the traders, trappers, and hunters of these caravans, and comparison of the horses and mules they ride, present as great diversity as the general resurrection itself of all nations and ages can promise for the speculation of the curious.<sup>27</sup>

Indeed, the rise of the Santa Fe Trade accounted for a significant component of Missouri’s burgeoning economy. Some illicit traffic and exchange existed between Americans and the inhabitants of Spanish New Mexico (Hispano and indigenous) during the first decades of the nineteenth century. The conclusion of Mexico’s decade-long struggle for independence in 1821, however, followed by the successful round trip of Captain William Becknell that same year, led to the establishment of an annual caravan trade linking Missouri with New Mexico and Chihuahua.<sup>28</sup> By mid-decade U.S. merchants solidified a routine that involved gathering along the river in western Missouri before their late spring departure across the plains. After travelling over 1,600 miles, the

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<sup>26</sup> “Trail of Death,” Historic Marker in Lexington, Missouri. The marker reads: “On October 26, 1838 about 800 Potawatami Indians being forcibly removed from Indiana camped on the river bank opposite Lexington. They ferried the river on October 27 and were marched on to northeast Kansas.”

<sup>27</sup> West Central Missouri Genealogical Society and Library, *History of Lafayette County, Mo.*, 282.

<sup>28</sup> Max L. Moorhead, *New Mexico’s Royal Road: Trade and Travel on the Chihuahua Trail* (Norman: University of Oklahoma Press, 1958), 57-59.

traders returned with enlarged mule trains and precious cargoes of Mexican silver. The specie was especially welcome in western Missouri where hard currency had grown scarce in the aftermath of the Panic of 1819. Similar to conditions in New Mexico of Catron's day, the lack of money led to a greater reliance on credit and trade in kind by Missourians, as well as constant issues of debt and default for even established mercantile houses. The seasonal influx of silver acted as a boon for regional development and enticed a greater volume of commerce to start out each year toward Santa Fe.<sup>29</sup>

As more and more Missouri families and firms participated in this business, state leaders like Senator Thomas Hart Benton lobbied for federal support and protections, both from Native Americans and the Mexican government.<sup>30</sup> Establishing a right-of-way across hundreds of miles of native territory presented one such priority for merchant and federal government alike. Senator Benton's interest in defending the commercial interests of his constituency led him to persuade Congress in 1825 to survey and construct a military road between western Missouri and Santa Fe.<sup>31</sup> That summer a government party spent several months surveying the trail and though no road materialized, they successfully negotiated safe passage with some of the powerful Native American nations, including the Osage and Comanche. Even without an established road, the federal government remained an active supporter of the international commerce. Politicians and

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<sup>29</sup> David Colin Crass, "Economic Interaction on the New Mexican Military Frontier," (PhD diss., Southern Methodist University, 1990), 6; Moorhead, *Royal Road*, 75, 85-86.

Max Moorhead includes some specifics of the commercial growth of the Santa Fe Trade from the U.S. perspective. In 1822 seventy men with three wagons brought \$15,000 of goods westward and that by 1846 the caravan counted 750 men, 363 wagons, and over \$1,000,000 in goods.

<sup>30</sup> For some examples of the families and firms involved in the Santa Fe Trade see: Kenneth L. Holmes, "The Benjamin Cooper Expedition to Santa Fe in 1822 and 1823," *New Mexico Historical Review* 38 (April 1963): 139-150; Raymond W. Settle and Mary Lund Settle, *War Drums and Wagon Wheels: The Story of Russell, Majors, and Waddell* (Lincoln: University of Nebraska Press, 1966); Mark L. Gardner, ed., *Brothers on the Santa Fe and Chihuahua Trails: Edward James Glasgow and William Henry Glasgow, 1846-1848* (Boulder: University of Colorado Press, 1993); and Lewis E. Atherton, "James and Robert Aull - A Frontier Missouri Mercantile Firm," *Missouri Historical Review* 30 (October 1998): 3-27.

<sup>31</sup> Robert L. Duffus, *The Santa Fe Trail* (Albuquerque: University of New Mexico Press, 1930), 88-91.

diplomats in Washington, D.C., St. Louis, Santa Fe, Chihuahua, and Mexico City traveled back and forth in negotiation of protection agreements, tariff schedules, regulations, and restricted items. The Congressional passage of the Drawback Act in March 1845, a measure lessening the duties applied to goods imported from Europe intended for re-export to Mexico, reflected the federal backing of Missouri's expanding markets.<sup>32</sup>

The Catron family did not have to leave town to catch up on the recent news from over the trail. In 1822, the year that authorities platted Lexington, the merchant and trader John Aull located a store and warehouse along its riverfront docks to engage in the growing southwesterly enterprise. The following decades saw Aull's business prosper enough to bring in brothers James and Robert, who established mercantile branches in Independence, Liberty, and Richmond, Missouri.<sup>33</sup> The Aull brothers established connections for merchandise and financing in cities such as Philadelphia, Pittsburgh, Cincinnati, and New Orleans, while also developing a network of associates amongst the Mexican elite in Chihuahua City.<sup>34</sup> Their business indicates many of the perils that faced frontier merchants in Missouri during the 1820s and 30s, such as high transportation and insurance fees on their goods, lengthy waiting periods on all ends, information gaps, and a reliance on credit. Though Robert and James travelled the trail themselves, more often

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<sup>32</sup> Gardner, *Brothers on the Santa Fe and Chihuahua Trails*, 28; Moorhead, *Royal Road*, 73-74.

Interestingly, both U.S. and Mexican officials supported the passage of the Drawback Act, with motivation in Santa Fe coalescing around desires for greater availability of goods and at lower prices.

<sup>33</sup> Atherton, "James and Robert Aull," 4-5. James and Robert Aull proved an enterprising pair, as Atherton lists their accomplishments in the 1820s and 30s including: "The firm had an interest in three Missouri river steamboats, owned a ropewalk at Liberty for the manufacture of hemp rope, operated a saw and grist mill, dabbled in the Santa Fe trade, and was frequently successful in gaining contracts to supply Fort Leavenworth, emigrating tribes of Indians, Indian missions, United States troops in the West, and fur companies."

<sup>34</sup> Little, *The National Old Trails Road*, 15; Lafayette County Historical Society, *Continuing the History of Lafayette County*, 32; Atherton, "James and Robert Aull," 5-8.

their business focused on providing the material goods to caravan traders, usually asking twenty-five percent down payment and the remainder from installments that carried ten percent interest. Many situations could—and did—prevent payments from arriving on time leading to prolonged cycles of indebtedness that filtered upwards from their customers, to the Aulls, to their creditors.<sup>35</sup> Nevertheless, like many entrepreneurs of the Santa Fe Trade, the Aulls participated in an expanding international flow of goods that introduced fragments of mercantile capitalism to the settled regions of the American West.

By 1845 Lexington could make a claim to be one of these settled places. That same year it gained an official city charter as well as a branch of the State Bank of Missouri. The new city accommodated a growing population, at least six churches of different denominations, and a local chapter of Freemasons who met at the Lafayette Lodge.<sup>36</sup> Masonic affiliation offered the residents some substantial benefits. After the anti-Mason movement of the 1820s and 1830s, membership in the fraternal society rose again in the U.S. as lodges planted roots in new communities. While some of Lexington's earliest arrivals were members, the city did not form its first lodge until June 3, 1840. Afterwards, masonry developed rapidly and counted some of the leading citizens of Lexington in its ranks. The Aulls garnered local prestige as members and looked to the society for commercial networks.<sup>37</sup> John Catron, as a long-time resident and prominent

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<sup>35</sup> Atherton, "James and Robert Aull," 9, 18, 24.

<sup>36</sup> West Central Missouri Genealogical Society and Library, *History of Lafayette County, Mo.*, 445. Specifically, the meeting place was the Lafayette Lodge No. 32 A.F. and A.M.

<sup>37</sup> Henry C. Chiles, "Centennial Address: One Hundred Years of Freemasonry in Lexington," (Lexington, Mo.: Published by Lexington Lodge No. 149 A.F. & A.M., 1940), 2-4. Other recognizable members of the Lexington Lodge include William H. Russell and Alexander Majors, two of the three owners of the firm of Russell, Majors, and Waddell. Their company gained fame when they organized the Pony Express in 1859, despite the fact that the business proved abortive in less than a year.



townsperson was likely a Freemason.<sup>38</sup> In 1847 he worked with Robert Aull to build a new court house in Lexington and later sent Thomas Benton to a Masonic college.

Furthermore, by 1847 the city of Lexington and County of Lafayette had grown into the “Masonic center of Missouri” with every Monday represented as “Masonic Night.”<sup>39</sup>

With no little foreshadowing, this environment of Freemasonry had a substantial impact on the young Thomas Catron.

The presence of established schools in Lexington also shaped the young man. John Catron had little formal education, but understood the benefits it brought to his children. Of his seven siblings, John and Mary picked out Thomas Benton as especially studious and so enrolled him in the local Masonic College.<sup>40</sup> In 1857 the school taught a total of 144 boys, almost all of whom came from Lexington or the surrounding towns in Lafayette County.<sup>41</sup> One student, Stephen Benton Elkins of Westport, Missouri, sat in the preparatory class that year. Elkins, born in 1841 in Ohio, moved to Westport with his family when only three, so that his upbringing in western Missouri paralleled that of Thomas Benton.<sup>42</sup> The two boys met while at the college and planted the seeds of a lifelong friendship. They rose to the top of their classes and gained notoriety for their sharp minds and debating skills. In 1859 the pair left Lexington to attend the University

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<sup>38</sup> “John Catron,” in *Portrait and Biographical Record of Lafayette and Saline Counties, Missouri. Containing Biographical Sketches of Prominent and Representative Citizens, Together with Biographies and Portraits of all the Presidents of the United States*, (Chicago: Chapman Bros., 1893), 551-552.

<sup>39</sup> Henry C. Chiles, “Centennial Address,” 7-9; George H. Bates, “A History of Lafayette County, Missouri,” Folder 3, Lafayette County, Missouri, Collection, 1823-1960, Missouri History Museum Archives, St. Louis.

<sup>40</sup> *Twelfth Annual Catalogue of the Officers and Students of the Masonic College at Lexington, Missouri, For the Year ending Fourth Thursday in June, A.D. 1857, A.L. 5857* (Lexington: Smallwood & Julian Printers, 1857), 5. The townspeople of Lexington had in fact raised \$30,000 to entice the Masonic College to build in their town.

<sup>41</sup> *Twelfth Annual Catalogue of the Officers and Students of the Masonic College at Lexington, Missouri*, 8.

<sup>42</sup> Oscar Doane Lambert, *Stephen Benton Elkins* (Pittsburgh: University of Pittsburgh Press, 1955), 5-6.



of Missouri at Columbia.<sup>43</sup> They went on to graduate together in 1860 and then both sought employment as teachers.

As friends, roommates, and classmates, Catron and Elkins developed a strong intellectual relationship. In Missouri in the 1850s this meant discussions of slavery, its place in the nation, its constitutionality, and its expansion farther west. Most specifically, the question over the spread of slavery or the movement of private property to the territory of Kansas generated vociferous public discussion and action. The families of both boys maintained a proslavery ideology. But, like the communities surrounding them, Catron and Elkins split their opinions. They displayed their differences in 1858 for instance, while on the debate team at the Masonic College. In the process of developing their skills of oration and argumentation, the two team leaders led opposing sides in a rehash of the Lincoln-Douglas debates. Thomas Benton defended Stephen Douglas and the mantra of popular sovereignty and Stephen Benton argued in favor of Lincoln's interpretation of U.S. statute.<sup>44</sup> Their friendship withstood this political dispute and even their participation on opposing sides during the Civil War.

Catron's acceptance of and defense of the institution of slavery is no mystery. His father was a staunch Democrat and a long-time supporter of Senator Benton. Their family owned valuable property in slaves and economically benefited from unfree agricultural labor.<sup>45</sup> In school too, Thomas Benton found a majority of his teachers and peers

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<sup>43</sup> It is unclear whether Thomas Catron and Stephen Elkins graduated, or if they sought to finish their Bachelor of Arts elsewhere after the Masonic College at Lexington closed on June 24, 1859.

<sup>44</sup> Lambert, *Stephen Benton Elkins*, 5.

<sup>45</sup> "John Catron," in *Portrait and Biographical Record of Lafayette and Saline Counties, Missouri*, 551-552; West Central Missouri Genealogical Society and Library, *History of Lafayette County, Mo.*, 642. John Catron's ownership of slaves is not substantially documented, but given his occupation as a farmer with 530 acres who grew hemp and tobacco in Lafayette County while it was the chief slave-owning county in the state, makes a strong case for the affirmative. A brief statement found in the above mentioned *History of Lafayette County* explains as much, stating that after the Civil War "Mr. Catron, being southern in

(Stephen Elkins aside) stood in line with the South. Even at his commencement from the University of Missouri, which took place on Independence Day, the guest speaker encouraged this rationale. Ex-Governor Sterling Price presciently explained to the graduating class that war was in their future, and that it was each student's duty to side with the South.<sup>46</sup>

In the 1850s the river counties of western and central Missouri held the largest concentration of slaves in the state. On the eve of the Civil War, Lafayette County counted 6,374 slaves, representing just under one-third of the total population of 20,062.<sup>47</sup> Lexington, as the county seat, established itself as a center of proslavery agitation. After the passage of the Kansas-Nebraska Act in 1854, activity in defense of slavery in and around the city intensified. Residents of the town enacted a resolution to stop steamboats from carrying abolitionists up river. Then, from July 12 to July 14, 1855, Lexington hosted a statewide proslavery convention with twenty-six counties sending 226 delegates. The attendees publicly declared their views by passing a list of ten resolutions that emphasized their state's rights platform and the danger and disharmony that a free Kansas would create. The very first resolution presented their position in the stark terms of slavery or disunion.<sup>48</sup> The following year, Lexingtonians met to denounce abolitionists again and (with no little hypocrisy) to do their part in fomenting dissolution

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sentiment, lost heavily in slaves." Thomas Catron comments on their ownership of slaves in "Senator Catron Dubbed Prophet. James B. Morrow Writes about the Gentleman from New Mexico," *Washington Herald*, 6 September, 1914, Volume 3, Catron Scrapbooks, Personal Collection of Catron Family, Santa Fe.

<sup>46</sup> Oscar Doane Lambert, *Stephen Benton Elkins* (Pittsburgh: University of Pittsburgh Press, 1955), 5.

Col. Sterling Price commanded the regiment of Missouri Volunteers in New Mexico during the Mexican-American War. He led the suppression of the Taos Uprising in 1847 and the razing of Mora. Coincidentally, but indicative of Missouri's nineteenth-century influence on New Mexico, Price's reconquest of the Rio Arriba region included violent confrontations in many of the same places that Thomas Catron would come to own or control.

<sup>47</sup> Duffner, "Slavery in Missouri River Counties," 10.

<sup>48</sup> *Ibid.*, 166-168; Lafayette County Historical Society, *Continuing the History of Lafayette County*, 6.

by organizing a company of men from Lafayette County to travel to Kansas and fight, literally, for the cause of the South. At the meeting leaders circulated a handbill titled “War in Kansas,” meant for distribution throughout the County.<sup>49</sup> In it, the authors warned of the dire circumstances that existed in Kansas and the terrible future in store for Missourians if they did not prevent the abolitionists from controlling the territory. For if the northerners prevailed, the handbill explained, “Kansas is lost to the south forever, and our slaves in upper Missouri will be useless to us, and our homes must be given up to the abolition enemy.” And so, to help rescue their cause and their way of life, the authors appealed “Up, men of Lafayette! Meet at Lexington on Wednesday, at 12’o’clock, August 20. Bring your horses with you, your guns and your clothing—all ready to go on to Kansas.” The men of Lafayette County did not disappoint; a company met at Lexington at the prearranged time and marched to Kansas.<sup>50</sup> The Catrons may not have directly participated in the conventions or the campaigns to Kansas, but they certainly socialized with people that did and that supported the slave cause. The proximity of direct hostility over the question of slavery and its expansion must have had a deep impact on the young Thomas Catron.

In the big picture, the environment of Lexington shaped Thomas Catron’s early life and helps to inform our understanding of not only his decision to fight in the Civil War, but also his transformation afterwards. The substantial increase in chattel property and the concentration of wealth in the slave holding class made for a stark lesson in the inequities of life and likely set the tone for Catron to hold himself above others. His

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<sup>49</sup> Lafayette County Historical Society, *Continuing the History of Lafayette County*, 6.

<sup>50</sup> West Central Missouri Genealogical Society and Library, *History of Lafayette County, Mo.*, 285. It is even possible that they participated in the skirmish at Osawatomie between four hundred Missourians and forty abolitionists led by John Brown.

education at the University of Missouri added to this impression while also orienting his fiercely competitive understanding of fraternity and friendship. The connection of Lexington to major arteries of western commerce, including the Missouri River and the Santa Fe Trail, clearly influenced his perceptions and postwar choices. But all of these formative impulses could not compare to the enormous fault that split the country, and so many Missouri communities, after the 1860 presidential election.

### **Market Revolution in the Hispano Borderlands**

New Mexico was far from a stagnant world. It witnessed significant change during the first half of the nineteenth century, beginning in earnest during the years of Mexican sovereignty. The primary driver of this transformation was not the state, but the market. Despite its peripheral geography with regards to both Mexico City and Washington, D.C., traders from both countries and Europe brought mercantile capitalism to New Mexico, and in so doing, connected the communities of the Rio Arriba and Rio Abajo, one caravan at a time, to the market revolution.<sup>51</sup> From the 1820s until after the U.S. Civil War commerce proved New Mexico's most stabilizing force. Of crucial importance here is the participation of Nuevomexicanos within the trade network. Members of the class of *ricos* that gained most from the new currents of goods and money entering the area also helped to produce conditions in New Mexico that facilitated the expansion of market practices. While the emergence of capitalism stemmed from transnational forces not necessarily tied to a single country, the merchants that operated

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<sup>51</sup> For discussion of the networks of commerce and finance that connected New Mexico to international markets, see David Alex Sandoval, "Trade and the 'Manito' Society in New Mexico, 1821-1848," (PhD diss., University of Utah, 1978); Susan Calafate Boyle, *Los Capitalistas: Hispano Merchants and the Santa Fe Trade* (Albuquerque: University of New Mexico Press, 1997); and Thomas E. Chavez, *Manuel Alvarez: A Southwestern Biography, 1794-1856* (Boulder: University Press of Colorado, 1990).

in New Mexico worked to not only extend the influence of their businesses, but in this case, of the United States as well. Missouri merchants, such as Josiah Gregg, John Aull, and James Magoffin, brought American goods to New Mexico, but they also brought New Mexico into the U.S. sphere of influence.<sup>52</sup>

Market forces powerfully shaped New Mexico's economic conditions, and in time its political conditions as well. Historians have located the culmination of this commercial process in the American conquest of Mexico's northern frontier.<sup>53</sup> For tens of thousands of New Mexicans, however, a more life-altering result of the market's penetration into their distant world came in the aftermath of the U.S. Civil War. Yet the infrastructure that supported the later rounds of speculation and dispossession of the Gilded Age predated both of these eras, emerging in New Mexico while still under Mexican sovereignty.

According to official accounts, the northern province of New Spain entered the century without much fanfare and lagged behind much of the rest of Spanish colonial America. Instructed by his superior in Chihuahua to compile an account of New Mexico's agriculture, industry, manual arts, and trade, in 1803 Governor Fernando de Chacón submitted a rather bleak report of almost all facets of the regional economy.<sup>54</sup>

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<sup>52</sup> David J. Weber, "Señor Escudero Goes to Washington: Diplomacy, Indians, and the Santa Fe Trade," *Western Historical Quarterly* 43 (Winter 2012): 417-435. Suffice it to say that these same agents of empire also acted indirectly for the Comanche Empire by acquiescing to Comanche demands for gifts and trade.

<sup>53</sup> In 1966 Howard Lamar characterized the U.S. takeover of New Mexico as a "Conquest of Merchants." Lamar, *Far Southwest*, Chapter 3, 56-82. This idea—that a network of merchants laid the groundwork for the transition from Mexican to U.S. sovereignty, including direct participation and lobbying by men such as James Magoffin who met with New Mexico Governor Armijo in the days leading up to the invasion by General Kearney—remains prominent in explanations of why the United States was able to "conquer" New Mexico in August of 1846 without formal resistance. Historians such as Charles and Mary Beard, Max Moorhead, William J. Parish, David Weber, William deBuys, Andrés Reséndez, Susan Calafate Boyle, Thomas E. Chavez, and David A. Sandoval have concurred in full or to a large degree with this economic interpretation.

<sup>54</sup> Marc Simmons, "The Chacón Economic Report of 1803," *New Mexico Historical Review* 60 (January 1985): 81-88, 81. Simmons tells us that the assignment of compiling economic data from all the regions of

Chacón explained in forthright language that agriculture in the province was deficient due to inadequate knowledge and know-how; that metals existed in abundance but went unmined; that arts and crafts simply did not exist in absence of guilds and proper apprenticeships; and that even the wealth of skins, furs, and wool was under-utilized and manufactured (in the case of wool) solely for home use. The one bright spot for New Mexico's economy was its annual export of 25-26,000 sheep, though Chacón then also mentioned that cattle, swine, and horses remained negligible, in part because of the continued presence of hostile Indians that encircled the settled areas. Commerce with Mexico, he explained, took place but once a year and involved the export of sheep, oxen, course wool, raw cotton, hides, pinon nuts, and wines. These items represented the mainstay of New Mexico's *efectos del pais* through the first half of the century. Worse yet, he reported that the internal commerce

is in the hands of twelve or fourteen [local] merchants who are neither properly licensed nor well versed in business matters. Of these, only two or three are operating with their own capital. Among the rest everything they handle or bring into the Province is on credit. And they distribute and sell in the same way from one year to the next, with the result that only once a year do they get money in hand. And there are many losses and arrears in the collection of credit accounts, since these are regularly extended to the poorest people and at excessive rates. All of this is exacerbated by the lack of money in circulation which has begun to be experienced over the last three years.<sup>55</sup>

Governor Chacón concluded somewhat optimistically that despite the subsistence living and the severe deficiency in knowledge, education, and development, conditions were not so bad and no New Mexicans went starving. He was not the first, nor the last, to

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the viceroyalty of New Spain originated with a royal order of Charles IV, dated 21 June 1802. The figure for population as reported by Governor Chacón included 37,751 inhabitants of New Mexico, of which one-third were Pueblo Indians.

<sup>55</sup> Simmons, "The Chacón Economic Report," 87. Of note here, Governor Chacón touches on some of the issues that plagued New Mexico's commercial relationships. The dearth of currency and the extension of credit at "excessive rates," for instance, continued in New Mexico well into the twentieth century, while the class disparity that steered poor Nuevomexicanos (a sheer majority of the population) to lifelong peonage changed in-name-only under Mexico and the United States.

recognize the Nuevomexicanos as humble, adaptive, and self-sufficient. From the viceroyalty's perspective this may have made them great pioneers, but the annual shortfall of the province's treasury frustrated colonial administrators to no end.

New Mexico maintained its status as a debtor province throughout the nineteenth century. In attempt to bolster its internal revenue, in 1821 newly independent Mexico relaxed restrictions on commerce, allowing local authorities to permit the flow of goods between New Mexico and Missouri, as well as California, Utah, Texas, the eastern U.S. and even Europe. This began shortly after independence when Governor Facundo Melgares, invited William Becknell to sell his wares in New Mexico instead of turning him away or arresting him as had been the practice under Spain.<sup>56</sup> The region's inhabitants welcomed the importation of goods and tools while the Mexican central government assessed duties on the goods to cover the costs of governance and maintenance for its northern territory of Nuevo Mexico.<sup>57</sup> In this respect, Mexican nationals understood the Santa Fe Trade as a complement to the already extant commerce that joined Santa Fe to Chihuahua via the Camino Real. Chihuahua City merchants figured to profit from new imported American wares as well as to continue their monopoly in *efectos del pais* originating in the Rio Arriba and Rio Abajo, while the Missouri traders would largely foot the bill for upkeep of the region. Still, New Mexico remained a debtor state, due to a range of factors, including fraud, bribery, and tax dodging that cut into custom receipts, a monopolization of profits by Chihuahua

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<sup>56</sup> Sandoval, "Trade and the 'Manito' Society," 58.

<sup>57</sup> Moorhead, *Royal Road*, 64-65; Sandoval, "Trade and the 'Manito' Society" 72-73.

merchants, and the high costs of either waging war or sustaining a purchased peace with independent and often hostile Native American nations.<sup>58</sup>

Just as in towns throughout the United States, the 1820s and 30s brought elements of market revolution to Mexico's far north. By the end of the first decade of the Santa Fe Trade, Missourians, Nuevomexicanos, and Chihuahuan merchants found success enough to expand operations. After offloading merchandise in New Mexico, many Americans grew their business by continuing down the Camino Real to Chihuahua. The rapid saturation of New Mexico's home market presented one reason for the enlargement of trade radius, but the bigger inducement came from the access to Mexico's internal markets through Chihuahua and the ability to receive payment there in silver. By 1830 over half of all cargoes that left western Missouri represented through traffic.<sup>59</sup> As natural middle-men in this commercial current, Nuevomexicanos found new opportunities to participate at all levels of the growing trade.

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<sup>58</sup> For discussions of New Mexico's economic situation in the early nineteenth century and its geopolitical position with relation to its indigenous neighbors, see: H. Bailey Carroll and J. Villasana Haggard, compilers and translators, *Three New Mexico Chronicles: The Exposición of Don Pedro Bautista Pino, 1812; the Ojeada of Lic. Antonio Barreiro, 1832; and the additions by Don José Agustín de Escudero, 1849*, The Quivira Society XI (Albuquerque, N.Mex.: University of New Mexico Press, 1942); Sandoval, "Trade and the 'Manito' Society," 1978; Weber, *The Mexican Frontier*, 1982; David Weber, *Bárbaros: Spaniards and their Savages in the Age of Enlightenment* (New Haven: Yale University Press, 2005); and Pekka Hämäläinen, *The Comanche Empire*, Lamar Series in Western History (New Haven: Yale University Press, 2007). According to Enrique Cárdenas in "A Macroeconomic Interpretation of Nineteenth-Century Mexico," in Stephen Haber, ed., *How Latin America Fell Behind: Essays on the Economic History of Brazil and Mexico, 1800-1914* (Stanford: Stanford University Press, 1997), 65-92, the Mexican national economy suffered a crippling blow in the two decades surrounding independence (1810s-1820s) and only started to recover in the late 1830s. The destabilizing effects of capital movement out of Mexico after independence mirrors the scarcity of capital and currency in New Mexico during these same years, perhaps aggravating the debtor status of this province in Mexico's far north. Furthermore, the decline in the overall mining economy of Mexico in the 1820s and 1830s likely presented a double-dip economic downturn for New Mexico and its most direct connection with Chihuahua merchants who acted as the essential brokers in the network that connected the Rio Arriba and Rio Abajo to Chihuahua City, the mining districts of central Mexico, and Mexico City along the Camino Real.

<sup>59</sup> Crass, "Economic Interaction on the New Mexican Military Frontier," 7. As expressed by Max Moorhead in *New Mexico's Royal Road*, 3-4, the Missouri-Chihuahua trade actually represented the backbone of this international enterprise and that by the 1840s a majority of goods moved through, rather than to, Santa Fe and New Mexico.



One prospect for Chihuahua and Rio Grande *comerciantes* concerned following the trail northward and eastward across the plains, exporting Mexican goods and silver to the United States. Once there, they also developed new lines of supply and financing.<sup>60</sup> This activity resulted in a mercantile network that spanned thousands of miles of arid lands (and then additional miles of river, canal, ocean, and rail) and produced profits for participants both locally and internationally. Nuevomexicanos played a vigorous role in this business, especially the wealthy and well-connected Baca, Chávez, Delgado, Perea, Ortiz, Otero, and Sena families.<sup>61</sup> Furthermore, *los capitalistas* recognized their position and developed more sophisticated approaches to managing the trade, like the 1841 organization of “*La Junta de Fomento Comercial y de Instrucción de Santa Fe.*” This commercial body planned import and export schedules and set prices for the group so as not to undercut each other when negotiating with sharp-dealing merchants from the U.S. or Chihuahua.<sup>62</sup> Arrangements such as “*la Junta*” helped Nuevomexicanos to gain control over about half of the total trade by the mid-1840s.<sup>63</sup>

Beside the Missouri-New Mexico-Chihuahua commercial complex, Nuevomexicanos reopened the Old Spanish Trail to connect to settlements in Alta

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<sup>60</sup> Boyle, *Los Capitalistas*, 41-42.

<sup>61</sup> Sandoval, “Trade and ‘Manito’ Society,” 75-78. These were not the only families involved in the trade; more like the most prominent. David Sandoval included a partial list of merchants found on the 1822 Santa Fe census report for instance, that named: “Don Atanacio y Olivas, Don Manuel Truxillo, Don Juan Estaban Pino, Don José Maria Padilla, Don Francisco Lujan, Don Jose Francisco Baca, Don Juan Balencia, Don Pedro Armendaris, Don Manuel Archuleta, Don Pedro Archuleta, and Don José Benevides.” Clearly the benefits of the overland trade extended beyond those most notable families to a broader range of Nuevomexicanos. Adding to this, in Lansing Bloom, “Ledger of a Santa Fe Trader,” *New Mexico Historical Review* 21 (April 1946): 135-139, the ledger of Manuel Alvarez, a Spanish-born American citizen, presented the following names of business associates in New Mexico from 1843-44: Albino Perez, Ramon Abreu, Santiago Abreu, Damaso Lopez, Simon Turley, Julian Workman, Carlos Beaubien, Louis and Francois Rubidoux, Antonio Leroux, Antonio La Marche, Juan Fournier, Dona Carmen Alarid de Rubidoux, Senores Gregg & Co., Dr. Josias Gregg, Thomas Roulands, Don Patricio Ryder, Jonathan Ross, David Waldo, Don Jose Sutton, Blanchard, Boggs, and Auguste and Henrique Masure.

<sup>62</sup> Sandoval, “Trade and ‘Manito’ Society,” 77.

<sup>63</sup> *Ibid.*, 89. David Sandoval asserts that by 1843, Nuevomexicanos controlled over half of the trade with the United States, having broken the Chihuahua merchant’s monopoly.

California. Historians credit Antonio Armijo, in particular, for setting out from Abiquiu in 1829 and reaching the mission at San Gabriel. The 1830 publication of Armijo's diary describing the route motivated an annual caravan trade as well as a path for westward migration.<sup>64</sup> The route that Armijo popularized signified a patchwork quilt of localized knowledge that wove together the geographies of colonial Spain with those of international fur trappers and powerful native nations of the Great Basin. Nuevomexicanos likely recalled that a very old Spanish trail traversed the region, but the abandoned route lacked specifics and required substantial updating. To this end, trapping parties, who spent much of the early century exploring the Rocky Mountains for untapped rivers and streams, facilitated much needed intel. Their knowledge of the navigable trails through the basin and range country, including critical details about friendly and hostile tribes, provided Armijo with a basic oral roadmap.<sup>65</sup> His party's 1829 departure and successful return the following year represented a significant Euro-centric shift in the potentials for Rocky Mountain mobility and trade, including new cooperation and conflict with the native nations of the Great Basin country.

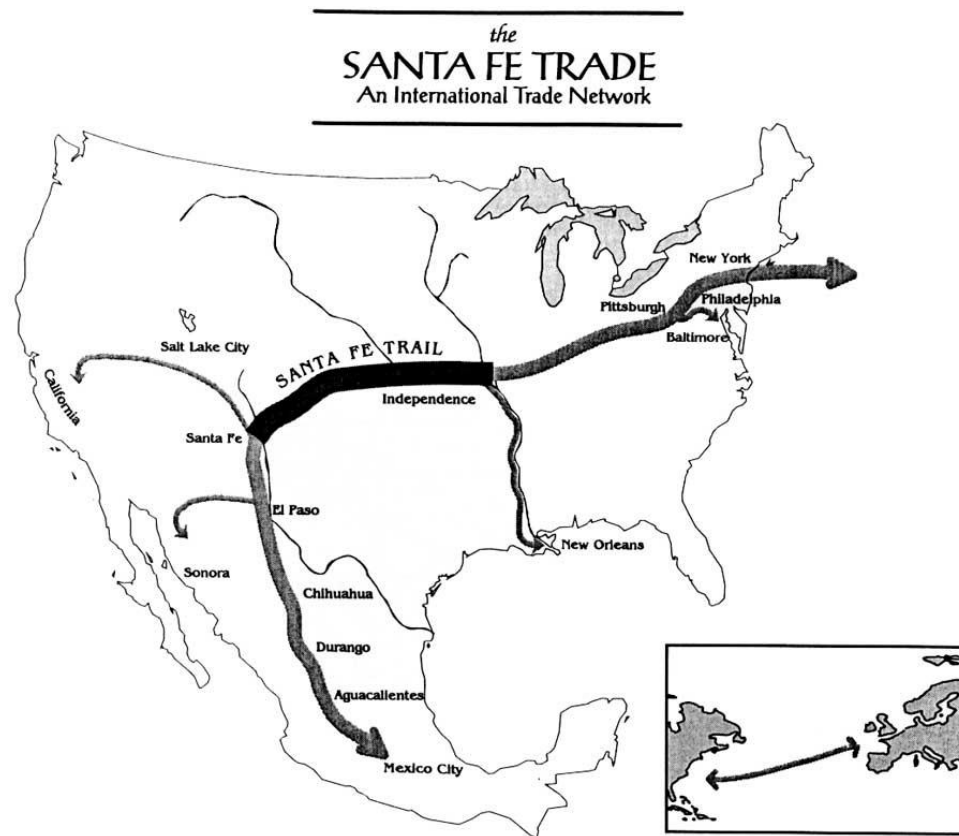
The main objects of exchange between Nuevo Mexico and Alta California focused on hoofed animals. Nuevomexicano *arrieros* (pack train freighters) travelled by foot alongside their sheep and pack mules, the latter carrying wool, cotton, hides, and the necessary provisions for the long overland journey. They returned from Alta California with horses, cloth, and abalone shells. While both provinces gained in the process, authorities in Los Angeles quickly grew wary of their distant compatriots who developed

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<sup>64</sup> LeRoy R. Hafen and Ann W. Hafen, *Old Spanish Trail: Santa Fé to Los Angeles* (Glendale, Calif: Arthur H. Clark Co., 1954), 155-56; Joseph P. Sánchez, *Explorers, Traders, and Slavers: Forging the Old Spanish Trail, 1678-1850* (Salt Lake City: University of Utah Press, 1997), 103-04.

<sup>65</sup> Sánchez, *Explorers, Traders, and Slavers*, 104-05.

the habit of smuggling extra horses out of California on their return trip.<sup>66</sup> By the 1840s the two provinces instituted a more formal system of passports and regulations to govern the trade, highlighting both its continuity over the 1830s as well as the distrust and pattern of illicit conduct carried on along the Old Spanish Trail. Moreover, as the commercial connections of New Mexico grew in breadth and complexity, authorities worked to police interactions with Native Americans and clamp down on the smuggling, fraud, and bribery that ran rampant across the trade network.<sup>67</sup>



<sup>66</sup> Hafen and Hafen, *Old Spanish Trail*, 185-86. The *Ayuntamiento* (city council) of Los Angeles already passed measures on 8 January, 1833 to control outbound traffic by establishing places for the assembly and inspection of Nuevomexicanos prior to their start eastward. A main purpose of this was to prevent the theft and smuggling of horses.

<sup>67</sup> Sánchez, *Explorers, Traders, and Slavers*, 109. Raiding and slaving remained central concerns of the Mexican authorities, who recognized the diplomatic conflicts that arose from Mexican abuses of Native people as well as those that arose from the illegal trade of liquor and firearms to *los indios bárbaros*.

Map 3: "The Santa Fe Trade: An International Trade Network" Susan Calafate Boyle, *Comerciantes, Arrieros, Y Peones: The Hispanos and the Santa Fe Trade*, 1994.

For New Mexico, the entrance of mercantile capitalism produced an assortment of results. In general, *vecinos* gained a modest elevation in their standard of living through their access to imported products. Next, this period witnessed an expansion of Hispano settlements directed outwards from the Rio Arriba as well as the general growth of New Mexico's population. These rural townspeople also proved adaptive to the burgeoning transportation industry, finding in it new opportunities for work and social betterment. Indeed Nueomexicano *arrieros* gained recognition for their skill and endurance from Americans and *Californios* alike.<sup>68</sup> The benefits pretty much end there, however. Most of the wealth from the growing trade system channeled to the class of *ricos*, who were themselves dominated by the ranching families of the Rio Abajo. The table lands of Bernalillo and Valencia counties supplied the Otero, Chávez, Sandoval, and Perea clans with thousands of acres with which to run their sheep and horses.<sup>69</sup> The business of tending these animals and providing for their safety fell to a class of *peones*, who far from benefitting from the incipient market forces, found in them the potential for increased subjugation. In Mexican law, a person could enter into a state of peonage by contracting a debt owed to their *jefe* or *patron*. Because most *vecinos* lived a subsistence lifestyle, even a small debt could lead to a state of lifetime peonage that was transferrable to the next generation. One result of this system was a permanent underclass of *peones*

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<sup>68</sup> Susan Calafate Boyle, *Comerciantes, Arrieros, Y Peones: The Hispanos and the Santa Fe Trade* (Santa Fe, N.Mex.: National Park Service, Southwest Regional Office, Division of History, 1994), Chapter 3, [http://www.nps.gov/parkhistory/online\\_books/safe/shs3.htm](http://www.nps.gov/parkhistory/online_books/safe/shs3.htm).

<sup>69</sup> Boyle, *Los Capitalistas*, 45–47.; For anecdotal evidence representative of the financial power and fortitude of the families of the Rio Abajo, see Gilberto Espinosa and Tibo J. Chavez, *El Rio Abajo* (Portales, N.M.: Bishop Publishing Co., [1967]).

who provided the necessary labor to expand the livestock and trade networks of Nuevomexicano *ricos*.<sup>70</sup>

As the Santa Fe Trade matured, so did its physical presence in New Mexico. In the early years of the trade merchants traveled from town to town, carrying their merchandise with them and offloading little-by-little. While successful at first due to the dearth of goods then available to most families, traders soon found that New Mexico did not supply a large enough home market with ready enough capital to match the rising amount of inventory.<sup>71</sup> Missourians first attempted to supplement their sales by expanding their reach down the Camino Real to El Paso and then Chihuahua City. Increased participation by Nuevomexicanos fostered the development of another system, however, by which partnerships between merchants and local *ricos* established local stores in the small communities of the Rio Arriba and Rio Abajo. In this manner, the traveling brokers of the Santa Fe Trail could distribute their wares via wholesale to locally owned and operated retailers while covering a wider area with greater economy of scale. Merchants also benefited from the increased stability that stores brought to their risky endeavors. By the 1840s these stores represented the backbone of the mercantile capitalist system that infiltrated New Mexico and rooted most Mexican communities to the continental currents of the market revolution.<sup>72</sup> Due to their importance to the development of New Mexico's economic and social landscape, the local store requires some elaboration.

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<sup>70</sup> Weber, *The Mexican Frontier*, 211–213; William S. Kiser, “A ‘Charming Name For a Species of Slavery’: Political Debate on Debt Peonage in the Southwest, 1840s-1860s,” *Western Historical Quarterly* 45 (Summer 2014): 169-190, 170-71. And, as already noted within the 1803 economic report of Governor Fernando de Chacón, the lack of currency necessitated a wide application of credit and debt in New Mexico, often at high interest rates.

<sup>71</sup> Parish, *The Charles Ifeld Company*, 5.

<sup>72</sup> *Ibid.*, 4–6.

Far from the transitory nature of the early drummers, who vended their wares in the Hispano borderlands but once a year, the sedentary mercantile store came to represent a form of market stability for the rural inhabitants of New Mexico. Alongside the basic role of warehousing and retailing goods and commodities for the local population, these stores also acted as centers for trade, barter, and the extension of credit.<sup>73</sup> Because of a lack of hard currency, most Nuevomexicanos found alternative ways to make purchases, linking the raw products of their labor to the broader market. The *partido* system exemplifies this relationship. For lack of ready payment a *rico* could offer credit to the buyer in exchange for the promise of compensation of the sum, usually in crop or animal yields. While on the surface the *partido* system seems to represent a boon to the largely subsistence class of New Mexicans who otherwise would have a difficult time procuring the imported goods and tools, the system more often led to a monopolization of the local surplus by the merchant elite and lifelong debt or peonage for those in need of the credit.<sup>74</sup> While in the 1820s and 1830s Mexican *ricos* owned and controlled most local stores, the 1840s witnessed an influx of foreign merchants, especially a network of German-Jews who developed substantial mercantile operations in New Mexico's largest towns. Foreign traders, of European and American background, established significant in-roads to the markets of New Mexico and in turn, influenced its political orientation right up to the eve of U.S. conquest. Their partnerships with local elites and lack of direct governmental connections helped these mercantile capitalists gain a degree of

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<sup>73</sup> Parish, *Charles Ifeld Company*, 35, 54; Scott Fritz, "Merchants and Modernity: Market Transformation in New Mexico and the Southwest, 1865-1929," (PhD diss, Northern Arizona University, 2004), 4-6.

<sup>74</sup> Weber, *The Mexican Frontier, 1821-1846*, 212.

permanency during the years of political instability that lasted from Mexican independence to the beginnings of Reconstruction.<sup>75</sup>

For indigenous and Mexican communities alike, participation in a continental proto-capitalist system was not the only means to gain access to new markets or goods. New Mexicans also participated in an equally complex, albeit unsanctioned, raid-trade based economy with the Navajo, Apache, Ute, and Comanche.<sup>76</sup> Under Spanish rule the *vecinos* of the Rio Arriba and Rio Abajo kept tenuous relations with the indigenous peoples who occupied over four-fifths of New Mexico. A policy of gift-giving and communal defense against shared enemies helped to keep the (often capricious) peace between the *gente de razon* and the *indios bárbaros*, but this system suffered from a range of political, social, and environmental factors.<sup>77</sup> Following independence, Mexico altered course and reduced its commitment to providing gifts, instead choosing primarily military options to prevent Indian depredations. This strategy proved an even greater drain on the Mexican economy, especially along its northern frontier as raids increased in number and geographic scope.<sup>78</sup>

Native Americans, far from treating all Mexican possessions as parts of a unified whole, adopted varying strategies. Comanches, for instance, maintained generally friendly relations with the Hispano communities situated to the east of the Sangre de

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<sup>75</sup> William J. Parish, "The German Jew and the Commercial Revolution in Territorial New Mexico, 1850-1900," *New Mexico Historical Review* 35 (1960): 1-29; Floyd S. Fierman, "The Spiegelbergs of New Mexico: Merchants and Bankers, 1844-1893," *Southwestern Studies* 1 (1964): 3-48.

<sup>76</sup> For raid-trade economy in New Mexico see: James Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill, NC: University of North Carolina Press, 2002); Weber, *Bárbaros* (2005); Hämäläinen, *Comanche Empire* (2007); Brian DeLay, *War of A Thousand Deserts: Indian Raids and the U.S.-Mexican War*, The Lamar Series in Western History, Howard R. Lamar, ed. (New Haven: Yale University Press, 2008).

<sup>77</sup> Weber, *Bárbaros*, 190-92 for Spanish interaction in New Mexico and Texas, and generally Chapter 5: "Trading, Gifting, and Treating"; and Hämäläinen, *The Comanche Empire*, 143-44, 157-59.

<sup>78</sup> DeLay, *War of A Thousand Deserts*, xv, xxi.

Cristo Mountains. The two groups met annually to participate in the illicit trade of foodstuffs, buffalo robes, guns, horses, and captives.<sup>79</sup> The captive trade highlights the complexity of the Mexican-Native economy and offers an alternative perspective on market penetration into the southwestern borderlands. Bands of Comanches developed extensive raiding networks that targeted villages from Texas to central Mexico for the acquisition of horses, material goods, and captives. When they arrived in eastern New Mexico, these same Comanches bartered with Nuevomexicanos, who had themselves participated in the enterprise of raiding, usually targeting Apache, Ute, or Navajo communities.<sup>80</sup> Alternatively, traffic along the reopened Old Spanish Trail led to both new trade and new antagonisms between the Mexicans and the Navajo and Ute. An October 1835 commerce law, for instance, specifically made it illegal to deal in firearms or ammunition with “*naciones bárbaros*” while establishing the requirement of official licenses for all persons involved in the Indian trade or desirous of trapping beaver.<sup>81</sup> Hostilities remained high, however, evidenced by intermittent campaigns against the Ute in 1841, 1843, and 1845. Illicit business, including an economy in Indian slaves, persisted in the Southwest after U.S. occupation. Laws passed in Utah between 1852 and 1855 banning aspects of the trade indicate as much.<sup>82</sup> The purpose here is not to outline the intricacies of Nuevomexicano commerce and relations with all of its native neighbors, but to suggest the existence of a far-reaching shadow economy in which captives from the Great Basin could be bartered for captives from southern Chihuahua or Texas, alongside tools, weapons, animals, textiles, and foodstuffs.

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<sup>79</sup> Sandoval, “Trade and the ‘Manito’ Society,” 162-163; Hämäläinen, *The Comanche Empire*, 210-12.

<sup>80</sup> Hämäläinen, *The Comanche Empire*, 210-12.

<sup>81</sup> Sanchez, *Explorers, Traders, Slavers*, 109-110.

<sup>82</sup> *Ibid.*, 115, 125.



The presence of this shadow economy, parallel to that of the burgeoning Santa Fe Trade, provides immediate relevance for the aggressive national changeover of the Southwest during the 1840s. As historians have recently shown, the growth of indigenous power adjacent to New Mexico had a tremendous impact on the ability of Mexico to meet the defensive needs of its northern frontier.<sup>83</sup> What appeared to be a general lack of interest or negligence by Mexico City in providing for the safety of person and property in New Mexico helped some *ricos* and *vecinos* to question the efficacy of the Mexican state. Paradoxically, others grew incensed over the centralizing designs of President Santa Ana's regime in Mexico City, specifically the appointment of non-resident Albino Perez as Governor and a tax policy calling for payment in currency, rather than in *efectos del pais*. The frustrations came to a head during the Chimayó Rebellion of 1837, which provides the clearest example of such dissatisfaction as acted upon by inhabitants of the Rio Arriba.<sup>84</sup> Coupled with their distrust of the Mexican central government, some New Mexicans found in the Santa Fe Trade a potential for stability and even profit. They had come to appreciate the strand of American capitalism that rewarded individual enterprise.<sup>85</sup> In this vein, enough members of the local elite had entered into trade and finance arrangements with Americans to feel economically secure in the case of U.S. conquest. Furthermore, Missouri merchants performed the roles of diplomats in the days immediately preceding General Kearney's advance towards Santa Fe and helped to ensure that the military takeover of New Mexico occurred without a simultaneous

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<sup>83</sup> Hämäläinen, *The Comanche Empire*, 3; DeLay, *War of a Thousand Deserts*, xxi.

<sup>84</sup> Reséndez, *Changing National Identities at the Frontier*, 171, Chapter 6: "The Fate of Governor Albino Pérez"; Donaciano Vigil, *Arms & Mismanagement of New Mexico, June 1846*, ed and trans. by David Weber (El Paso, Tex.: Western Texas Press, 1986), xiii-xiv.

<sup>85</sup> Weber, *The Mexican Frontier, 1821-1846*, 282.

breakdown in the lucrative economy that linked the Southwest with the Middle West and East.<sup>86</sup>

The Mexican-American War and the resultant Treaty of Guadalupe Hidalgo signed in 1848 shifted possession of New Mexico to the United States. A new political orientation, however, did not mean an immediate transition to democratic rule and local governance. Instead, a military government organized under the Kearney Code of 1846 kept watch over New Mexico until Congress organized it as a territory as part of the Compromise of 1850. Even then, competing interests vied for control. Questions of civil versus military rule and inter-sectional disputes led to a political incoherence (not for lack of political participation) that lasted until the domination of the Republican Party during the period of Reconstruction.<sup>87</sup>

As a United States Territory, the local politics in New Mexico continued to follow the prearranged patterns set under Mexican sovereignty. First, leadership was still dominated by officials appointed by a distant capital. These officials often prioritized national and personal benefit over that of their isolated and variable constituencies.<sup>88</sup> On the local level, politics remained doubly factious; schisms existed between the several institutions of U.S. governance as well as between disparate elements of the Nuevomexicano and Native American communities that made up a sizeable majority of the population. Local problems remained marginal to the interests of the distant central government. New Mexican *vecinos* viewed the U.S. government with ambivalence, just

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<sup>86</sup> Boyle, *Los Capitalistas*, xiii; Lamar, *Far Southwest*, 57.

<sup>87</sup> Phillip B. Gonzales, *Política: Nuevomexicanos and American Political Incorporation, 1821-1871* (Lincoln: University of Nebraska Press, forthcoming).

<sup>88</sup> Howard R. Lamar, "Land Policy in the Spanish Southwest, 1846-1891: A Study in Contrasts," *The Journal of Economic History* 22 (December 1962): 498-515, 500-501; Both Mexican era and American Territorial Governors showed a keen attention towards remunerative pursuits while stationed in New Mexico, using their political appointments as the staging grounds with which to build for themselves and their friends. Two examples: Governor Manuel Armijo and Abraham Rencher.

as many of them had its Mexican predecessor.<sup>89</sup> In part, they were right to do so, and right to question the new American order that in a little over a decade would tear itself apart. For their part, American politicians viewed New Mexico as a piece of a larger puzzle that, when complete, would reveal a continental nation. In the process of assembling all of these pieces, however, New Mexico (as well as most of the West for that matter) grew entangled in regional competition over the control of its political and economic spoils.

Beginning prior to conquest, sectional and partisan interests influenced U.S. control of New Mexico. Even the legal framework for the military occupation, the Kearney Code, was directed in part by the commercial aspirations of Missouri merchants.<sup>90</sup> Threats to the wellbeing of the Santa Fe Trade, such as those made by Texans who coveted New Mexico's territory east of the Rio Grande, met joint efforts by Missouri traders and politicians. Senator Thomas Hart Benton fought repeatedly against Texan schemes of pulling Santa Fe away from St. Louis and Kansas City and into the

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<sup>89</sup> Weber, *The Mexican Frontier*, 276; Miguel Antonio Otero to Charles P. Clever, 10 December 1860, RI 1032, Box 17, Papers of William Gillet Ritch, Henry Huntington Library, San Marino (Ritch Papers). In this letter, dated ten days prior to South Carolina secession, Miguel Otero vocalizes his anxiety in dealing with the federal government in Washington D.C. He explained to Clever, then the New Mexico Delegate to Congress, that officials in New Mexico had a lack of faith in the government and especially a lack of faith in the government's ability to pay its officials. To Otero the problems of maintaining a steady flow of power and money from Washington D.C. to Santa Fe, if not checked, would translate into an inability or unwillingness for New Mexico to side with the Union in case anything was to happen. Of course, Miguel A. Otero also reflected a faction of the Nuevomexicano community who favored the South and openly pushed Democrats of the Territory, including Nuevomexicano Democrats, to do the same.

<sup>90</sup> Lamar, *Far Southwest*, 65; Mark J. Stegmaier, *Texas, New Mexico, and the Compromise of 1850* (Lubbock: Texas Tech University Press, 2012), Chapter 2: "Santa Fe County, Texas, or New Mexico Territory, U.S.A.? 1846-1850," 22-24. Lamar states that not only did Missourians impact the content and implementation of the Kearney Code, but that as a legal instrument, the Kearney Code delivered control over New Mexico to a network of foreign merchants operating in Taos and Santa Fe who ruled in partnership with Hispano peers. He claims further that Missouri-Taos hegemony reigned during the military occupation from 1846-1850. Stegmaier adds to this discussion by detailing the steps taken by Texans who felt that the Kearney Code represented a challenge to their territorial claims by the federal government.

orbit of Dallas and San Antonio.<sup>91</sup> After the signing of the Treaty of Guadalupe Hidalgo, this contestation over political and commercial control of New Mexico climaxed as part of the national debate regarding the status of new U.S. possessions (especially California), their boundaries, and the overlapping issues related to the expansion of slavery and the fugitive slave act. Congressional claims by Texans to all territory east of the Rio Grande particularly aggravated Missourians and Nuevomexicanos alike. As the dispute spilled over into the crossfire of national politics, the specifics of New Mexico's boundaries and status entangled with the debate over slavery and the future of the nation. Of significance for Missouri, New Mexico, and Thomas Catron, the Congressional Compromise of 1850, as negotiated by Stephen Douglass, established New Mexico as a U.S. Territory and protected its eastern border with Texas, while also granting California statehood, intensifying the fugitive slave laws, and instituting "popular sovereignty" as the nation's ad-hoc policy toward the slave question.<sup>92</sup>

On the local level, U.S. policy focused on maintaining a status quo between the roughly sixty-thousand Mexicans and the twelve hundred American and European migrants.<sup>93</sup> Once again economic activity, which proliferated during the 1850s (see table below), provided the surest common ground.<sup>94</sup> The longtime staple of ranching grew increasingly profitable as new markets established roots in the territory, led above all else

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<sup>91</sup> Stegmaier, *Compromise of 1850*, 93.

<sup>92</sup> Stegmaier, *Texas, New Mexico and the Compromise of 1850*, 1-3. As Robert Larson points out, New Mexico's first statehood movement was in part defeated because of the sectional controversy that plagued the nation in 1850 and the decision of compromisers in Congress to leave the status of slavery rather hazy in the new federal territory.

<sup>93</sup> Colonel George Archibald McCall, *New Mexico in 1850: A Military View*, ed., Robert W. Frazer (Norman: University of Oklahoma Press, 1968).

<sup>94</sup> Robert W. Frazer, *Forts and Supplies: The Role of the Army in the Economy of the Southwest, 1846-1861* (Albuquerque: University of New Mexico Press, 1983), ix, 191. In *Forts and Supplies*, Frazer argues for consideration of the substantial influence the U.S. military had on the economy of New Mexico from conquest to the beginning of the Civil War.

by the U.S. army as directed through its forts and outposts organized across the vast area. Eleven such forts existed by 1853, manned by twenty-two companies of soldiers.<sup>95</sup> While their economic potential grew, most Nuevomexicanos who tried to manage the political direction of the territory had little leverage to enact meaningful legislation that would safeguard their long-term rights and interests. In short, New Mexico was swept up by the tide of empire, secured by U.S. conquest and a stable military presence, and incorporated into the capitalist economy (however incompletely at the time).

	1850	1860
Corn (bushels)	365,411	709,304
Wheat (bushels)	196,516	434,309
Cattle (head)	32,977	88,729
Sheep (head)	377,271	830,116
Value of Livestock (\$)	\$1,500,000	\$4,500,000

Table 1: Growth in Productive Output of New Mexico, 1850-1860. Figures found in Robert Frazer, *Forts and Supplies*, 186-187.

Dreams of a continental nation and aspirations of empire helped to define sectional attitudes towards New Mexico in the 1850s. In general, southern Democrats controlled the offices and appointments in the territory, coaxing it into line with southern aspirations. Northerners, however, argued that the institution of chattel slavery was ill fit to the arid Southwest. Southern sympathizing presidents Pierce and Buchanan filled most territorial appointments with southern men who in 1859 passed a law in the Territorial Assembly permitting slavery in the New Mexico.<sup>96</sup> They also considered a bid for an all-weather transcontinental railroad that would extend the South's sphere of influence to the Pacific. This campaign led to the decision to annex the Gadsden Purchase, adding towns such as Mesilla and Tucson to the territory, but failed until the 1880s to furnish any rail

<sup>95</sup> Chris Emmett, *Fort Union and the Winning of the Southwest* (Norman: University of Oklahoma Press, 1965); Frazer, *Forts and Supplies*, 186-87.

<sup>96</sup> Mark J. Stegmaier, "A Law That Would Make Caligula Blush? New Mexico Territory's Unique Slave Code, 1859-1861," *New Mexico Historical Review* 87 (Spring 2012): 209-242, 209-10.

traffic.<sup>97</sup> The climax of these competing claims for empire occurred in the aftermath of secession.<sup>98</sup>

### **Transformations of War**

At twenty years of age Thomas Catron was not yet legally permitted to vote in 1860 during the presidential election that so profoundly shaped his life. He spent the first half of the year at the University of Missouri, perhaps debating the merits of each candidate with his classmates, and then returned home to Lexington for the remainder of the year. After helping around the farm for a summer, Catron learned an early lesson in networking when he gained employment at a nearby school built on land conveyed to the school board by his father.<sup>99</sup> That fall, as he taught at the small school close to home, rumblings of discord creased the nation. For the people of Lafayette County, like much of the Upper South, the disagreement revolved around slavery, not disunion. Election returns for the county showed overwhelming support for the compromise candidates John Bell of Tennessee and Stephen Douglas of Illinois. Together they received over eighty-five percent of the county's votes. Lincoln received less than one percent.<sup>100</sup>

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<sup>97</sup> Lamar, *Far Southwest*, 111; Larson, *New Mexico's Quest for Statehood*, 82.

<sup>98</sup> Ray Charles Colton, *The Civil War in the Western Territories: Arizona, Colorado, New Mexico, and Utah*, 1st ed. (Norman: University of Oklahoma Press, 1959), v. Colton argues that Confederate leadership planned for the military seizure and annexation of much of the American Southwest, including New Mexico, Colorado, Utah, Arizona, and most of California. Southern aspirations connected the rich mineral resources of the area to the financial needs of the Confederate States of America and assumed that residents of the West, especially Nuevomexicanos, Mormons, transplanted southerners, and (indirectly) Indians, would side with the South and aid in removing the northern presence.

<sup>99</sup> Westphall, *Thomas Benton Catron* 8. (Westphall cites Catron to Anne Limirick Mead, February 18, 1898, Catron Papers, Series 501, Box 10; and Mead to Catron, March 31, 1912, Catron Papers, Series 501 Box 10)

<sup>100</sup> Election figures taken from Duffner, "Slavery in Missouri River Counties," Table 2.

The State of Missouri, an outlier in the election, cast its nine votes for Stephen Douglas and the symbolic ideology of popular sovereignty.<sup>101</sup> On the national scene a fissure separated the North from the South, allowing a plurality of the Electoral College to vote for Abraham Lincoln. His victory sparked immediate dissatisfaction throughout the South so that on December 20, 1860 South Carolina formally left the Union. Secession followed for Mississippi, Florida, Alabama, Georgia, Louisiana and Texas, and by June, 1861 the Confederate States of America also included Virginia, Arkansas, North Carolina and Tennessee.

Back in Missouri, the state, counties, communities, and even families split over the question of secession and allegiance. Few parts of the country witnessed the dreadful degree of infighting and civilian guerilla war that transpired in Missouri. Ultimately, over one-hundred thousand Missourians fought in the armies of the Union; only about thirty-thousand fought for the South.<sup>102</sup> The situation in May and June of 1861 had not yet escalated to those levels, but some small-scale street fighting between civilians and pro-Union forces set off a call-to-arms for both sides. The generally pro-Confederate Missouri Legislature reacted by passing a bill requiring all able bodied men to serve in the State Guard under the pretense of peace-keeping.<sup>103</sup> In Lexington, Union supporters held a rally that June. The event ended in violence when pro-Confederate residents stormed the meeting.<sup>104</sup> Thomas Catron's school year had recently ended and so, free from his teaching obligations, he enlisted for service in the Missouri State Guard. The

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<sup>101</sup> Echoing earlier calls for proslavery agitation in Kansas, the people of Lexington and Lafayette County understood that outside of Missouri they were surrounded by Free States. Slave property, they reasoned, could only be secured by a continuation of the Union *and* a continuation of slavery. They were correct. As property, the 1860 value of slaves in Lafayette County was over \$2.25 million; by 1863 it dropped to thirty-nine percent of its pre-war value. Duffner, "Slavery in Missouri River Counties," 189-190, Table 5.

<sup>102</sup> Westphall, *Thomas Benton Catron*, 10.

<sup>103</sup> Duffner, "Slavery in Missouri River Counties," 182.

<sup>104</sup> Lafayette County Historical Society, *Continuing the History of Lafayette County*, 6.

third son of a slave-holding farmer, not yet twenty-one years old and unmarried, it is likely he considered it his duty, and that his father and brothers encouraged him. His first assignment was to Captain Hiram Bledsoe's battery of light artillery at the rank of 2<sup>nd</sup> Lieutenant.<sup>105</sup>

In June of 1861 few people expected the conflict to go on more than a year. Catron's initial term of service was to last but ten months. Under Captain Bledsoe his early engagements took place in Missouri, Arkansas, and western Tennessee. At the Battle of Hemp Bales in Lexington that September, Catron got to participate in the defense of his home. In the fields just outside town, the Missouri State Guard arranged wet hemp bales to create a rolling breastwork that they used to advance upon federal lines. The resulting surrender by the Union forces led to celebration within the Confederate ranks, though it was short lived. By the end of the month federal troops retook Lexington and held it for the remainder of the war.<sup>106</sup> Most formal warfare in Missouri followed a similar path. After early victories by Confederate armies in 1861 the North controlled the state for the rest of the war. Guerilla fighting persisted, but the major theater of operations shifted southward along the Mississippi. Bledsoe's battery went south as well, so that April 1862 found Catron stationed in Memphis, Tennessee.<sup>107</sup> There he re-enlisted, this time for the duration of the war, gaining the rank of 1<sup>st</sup> Lieutenant in

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<sup>105</sup> Confederate Publishing Company to Thomas B. Catron, 30 October 1901, CP, Series 103, Box 13, Folder 5; "Senator Catron Dubbed Prophet. James B. Morrow Writes about the Gentleman from New Mexico," *Washington Herald*, 6 September, 1914, found in Volume 3, Catron Scrapbooks, Personal Collection of Catron Family, Santa Fe. Fully stated, Thomas Catron's rank was 2<sup>nd</sup> Lt., Company D, 6<sup>th</sup> Regiment Infantry, 8<sup>th</sup> Division, Confederate States of America.

<sup>106</sup> Lafayette County Historical Society, *Continuing the History of Lafayette County*, 6.

<sup>107</sup> Company Muster Role, September and October 1862, Confederate Records of Thomas B. Catron, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG109, Roll 0089, Fold3. <http://www.fold3.com/image/#105597559>.



the process.<sup>108</sup> Confederate success on the battlefield may have led him to believe that the fighting would end sooner than later. For whatever reason, Catron doubled-down on the South and committed himself to another three years of grueling, rotten war.

Catron's experience after re-enlistment and promotion lacks the romance and idealism of his first ten months. No longer would he fight on Missouri battlefields and defend his home town. Instead, during a consolidation of the Missouri State Guard, he was assigned to Captain Schuyler Lowe's Company of artillery and travelled south with them. He distinguished himself over the summer, gaining another promotion to Senior 1<sup>st</sup> Lieutenant that September. Through the following winter and spring, Lowe's artillery fought on. The following May they camped near the cemetery in Vicksburg, Mississippi.<sup>109</sup> During the forty-day siege that ensued, the Confederates at Vicksburg defended their positions, but food for citizens and soldiers grew scarce. Disease and malnutrition took a heavy toll. Through the hardship, Lowe's battery fought on.<sup>110</sup> Then, on July 4, 1863, the Confederate leadership at Vicksburg surrendered to General Grant. Catron and almost thirty-thousand confederate soldiers became prisoners of war.<sup>111</sup> A logistical predicament for General Grant, who lacked the time, manpower, and rations to

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<sup>108</sup> The elevation to 1<sup>st</sup> Lieutenant came with a commission of \$100 pay every month. Pay Vouchers, July 1862 to December 1862, Confederate Records of Thomas B. Catron, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG109, Roll 0089, Fold3. <http://www.fold3.com/image/#105597559>.

<sup>109</sup> Schuyler Lowe to Capt. W.T. Rigby, August 4, 1904, Thomas B. Catron Papers, 1692-1934, MSS 29 BC, Series 115, Folder 1, Correspondence File on Lowe's Missouri Battery, University Libraries, University of New Mexico, Albuquerque; Historic Roll, Not Dated, Confederate Records of Thomas B. Catron, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG109, Roll 0089, Fold3. <http://www.fold3.com/image/#105597559>. The entry for service on this Historic Roll for T.B. Catron reads: "Engaged Carthage, Oak Hills, Dry Wood, Lexington, Elkhorn, Farmington, Iuka, Corinth, Hatchie Bridge, Bakers Creek, Pt Gibson, Big Black Bridge and Vicksburg and various skirmishes. Now in command of the Battery."

<sup>110</sup> Thomas B. Catron to Ed. W. Strode, Esq., 22 October 1904, CP, Series 115, Folder 1.

<sup>111</sup> Role of Prisoners of War, Confederate Records of Thomas B. Catron, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG109, Roll 0089, Fold3. <http://www.fold3.com/image/#105597559>.

hold so many POWs. Grant decided to parole and exchange the confederate soldiers instead. So on July 9, 1863 (in what would not be the last time) Thomas B. Catron signed his name to a loyalty oath.<sup>112</sup> With the rest of the Missouri 3<sup>rd</sup> Artillery, he walked to Demopolis, Alabama, where Lowe's battery consolidated once again. They were back on the move by October.<sup>113</sup>

For the remainder of the war, Catron served as the commanding officer in his light artillery division, moving frequently in and around Alabama and Mississippi.<sup>114</sup> The Missourians continued to fight in skirmishes and pitched battles, continued to march for days on end, and continued to die for the cause. If they received letters from their friends and families, they would have known about the Constitutional Convention held in Missouri and the ordinance passed on January 11 that abolished slavery in the state.<sup>115</sup> Whether they preserved any hope of victory is doubtful; by the spring of 1865 their only goal was survival.

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<sup>112</sup> The oath stated "That I will not take up arms against the United States, nor serve in any military, police, or constabulary force, in any Fort, Garrison, or field work, held by the Confederate States of America against the United States of America, nor as guard of prisons, depots or stores, nor discharge any duties usually performed by Officers or Soldiers, against the United States of America, until duly exchanged by the proper authorities." Parole Oath, Vicksburg Mississippi, July 9, 1863, Confederate Records of Thomas B. Catron, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG109, Roll 0089, Fold3. <http://www.fold3.com/image/#105597559>; Parole under Oath for Thos. B. Catron, CP, Series 801, Box 1, Folder 1.

<sup>113</sup> Company Muster Roll, July and August, 1863, Confederate Records of Thomas B. Catron, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG109, Roll 0089, Fold3. <http://www.fold3.com/image/#105597559>; Report of the 2d Division, Paroled Prisoners, Army of Vicksburg, at Demopolis, Alabama, July 28, 1863, Confederate Records of Thomas B. Catron, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG109, Roll 0089, Fold3. <http://www.fold3.com/image/#105597559>.

<sup>114</sup> Movements of the division pieced together through requisitions and reports such as: Requisition for Forage, Jan 30, 1864, Confederate Record of Thomas B. Catron, 1864-1865, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG 109, Roll 0082, Fold3. <http://www.fold3.com/image/#97965501>; Quartermaster's Stores Transferred To, June 22, 1864, Confederate Record of Thomas B. Catron, 1864-1865, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG 109, Roll 0082, Fold3. <http://www.fold3.com/image/#97965501>; Inspection Report, July 1, 1864, Confederate Record of Thomas B. Catron, 1864-1865, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG 109, Roll 0082, Fold3. <http://www.fold3.com/image/#97965501>.

<sup>115</sup> Duffner, "Slavery in Missouri River Counties," 200.

Regardless, Thomas Catron endured the burden of war until the bitter end. He even served for twenty-five days after the ninth of April when General Robert E. Lee surrendered to U.S. Grant at Appomattox. Finally, on May 4, 1865, the Confederate commander of the Department of Alabama, Mississippi, and East Louisiana issued a formal surrender. Catron's battery yielded at last.<sup>116</sup> For the second and final time, Catron signed his name to a loyalty oath and promised never again to take up arms against the United States.<sup>117</sup> Underneath his name an ominous statement lurched. "The above named officer will not be disturbed by the United States' authorities, as long as he observes his parole, and *the laws in force where he resides*."<sup>118</sup> This made for a difficult return to Lexington, where the laws in force limited his employment options.

For Catron and tens of thousands of paroled Confederates, home could never be the same. Still, he tried to make something work. He began studying law and as was his studious nature, he took to the subject well. But the Missouri legislature passed a series of statutes that limited employment for Catron and all ex-Confederates. These laws included restrictions against work as a teacher or a lawyer.<sup>119</sup> Without these avenues, the defeated Catron had little to be hopeful about. He could continue to study law and work on the farm, but the new social order was a daily reminder of a bygone world.

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<sup>116</sup> Roll of Prisoners of War, May 10, 1865, Confederate Record of Thomas B. Catron, 1864-1865, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG 109, Roll 0082, Fold3. <http://www.fold3.com/image/#97965501>; Of tangential interest here is the fact that Catron's force surrendered to E.R.S. Canby at Citronelle Alabama. Canby was the same Union officer who led the defense of New Mexico from 1861-1862, helping to secure the territory for the Union.

<sup>117</sup> Parole of Honor, May 10, 1865, Confederate Record of Thomas B. Catron, 1864-1865, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG 109, Roll 0082, Fold3. <http://www.fold3.com/image/#97965501>; Release as a Prisoner of War, of Thos. B. Catron, 1<sup>st</sup> Lt. Comdg. 3<sup>rd</sup> Mo Battery on the 10<sup>th</sup> of May 1865, CP, Series 801, Box 1, Folder 1.

<sup>118</sup> Parole of Honor, May 10, 1865, Confederate Record of Thomas B. Catron, 1864-1865, Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Missouri, NARA, RG 109, Roll 0082, Fold3. <http://www.fold3.com/image/#97965501>. Italics added by author.

<sup>119</sup> Westphall, *Thomas Benton Catron*, 20-21.

Thomas Benton's experience in the Civil War left him cynical. How could he not be? He was not yet twenty-one when he entered the war, and likely did so with a sense of idealism and honor. But just four years later all was for naught. The Union stood victorious, the people of the South were broken, and the slaves, emancipated. And, although Catron survived, the carnage that he witnessed hardened his character and his resolve.<sup>120</sup> In spite of the post-war order, his defeat became strength. But to harness it, he required a fresh start.<sup>121</sup> So barely a year after his parole, Catron picked up and moved over eight hundred miles to the Territory of New Mexico.

For New Mexico and the Southwest, the Civil War and its aftermath led to a significant transformation. To this day, most historians of the American Civil War have included narratives of the West with regards to its important role in the sectional crisis as well as some of the fighting that occurred in the intermountain West. But more attention needs to be paid to how the war, in all its influence, developed separate (though connected) missions in the East and the West, especially regarding the relationship between the Civil War and the incorporation of western lands and peoples.<sup>122</sup> While a focus on legislation has linked the West with the federal government through the Homestead Act, Transcontinental Railroad Act, and Morrell Land Grant Act, a spotlight on the decisions that emanated from the executive, judicial, and military branches of

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<sup>120</sup> Westphall, *Thomas Benton Catron*, 19. From over 8,000 Missourians who crossed the Mississippi River with the 3<sup>rd</sup> Missouri, only about 800 returned, making the chances for survival at about ten percent.

<sup>121</sup> Goldfield, *America Aflame*, 11. In contrast, Goldfield argues that for many southern whites, the post-war period involved little-more than a veneer of acceptance towards the new order and that resentment prevented them from moving on. Instead, he argues, these white southerners looked to a glorified past.

<sup>122</sup> Heather Cox Richardson, *West From Appomattox*, 6-7.

government buttress a perspective that the Union carried out an imperial mission in the West with prescient foresight toward the postwar needs of the growing nation.

To understand the totality of the Civil War's impact on the West, and on New Mexico in particular, historians may do well to consider the war in two main phases. The first phase involved the clash between North and South, between Grey Texans and Blue(ish) Californians, Coloradans, and New Mexicans. Southern leaders harbored plans for a continental Confederacy including all or portions of New Mexico, Arizona, California, Colorado, and Utah. By the fall of 1862, however, Union strength in New Mexico halted the Confederate's western advance and waylaid southern dreams of mineral riches or a Pacific port. Instead of fading in importance by 1863, however, the North instigated a second phase of the war based on the subjugation of local populations and the extension of federal powers.

With an ongoing war effort in the East, the Union sought to reinforce the political attachment of state and territorial bodies through a more streamlined flow of power emanating out of Washington D.C. to the West, with local capitals (i.e. Denver, Santa Fe, Prescott) to act as transmitters. To help do so, the federal government under Lincoln altered the boundaries of Utah, Wyoming, Nevada, Colorado, New Mexico, and Arizona.<sup>123</sup> This reorganization illuminates one means by which Union leadership sought to make sense of western space and to integrate it into the nation. The federal government also developed a greater role in the extension of capitalist practices into the West.

Transportation and communication, two essential components of economic development,

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<sup>123</sup> Colton, *The Civil War in the Western Territories*, 171. In the considerable shift in boundaries during the Civil War era, Utah and New Mexico had the most land removed from their control while Colorado and Wyoming gained substantial acreage and Arizona came into being entirely.

grew in the West due to direct governmental intervention.<sup>124</sup> All-in-all the extension of federal power into the West signifies the proliferation of a northern political and economic position with antecedents in the Whiggish tradition of state-supported economic growth through internal improvement and fiscal management.<sup>125</sup> Historians have discussed this as the spread of “free labor” ideology; in part, it is.<sup>126</sup> What needs to be clarified though is that free labor developed in tandem with the (often violent, forceful, or legal-manipulative) subjugation of the West’s prior inhabitants, and that it spread by federal largess and corruption as much as individual energy or enterprise.

During the years of fighting between North and South the territorial government of New Mexico functioned in what can best be defined as a holding pattern.<sup>127</sup> Military necessity dictated the course of governance.<sup>128</sup> Early in the war this translated to a focus on establishing loyalty within the territory and combating the Confederate force moving northward out of Texas and Mesilla.<sup>129</sup> Whereas all federal appointees had to swear an

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<sup>124</sup> Railroad subsidies sprung from the Transcontinental Railroad Act while the U.S. Army took a leading role in the erection of a continental telegraph system. During the Civil War era, the federal government also provided for the movement of mail and freight into the West.

<sup>125</sup> Here I read causation between the spread of the Market Revolution in the antebellum period to the extension of American capitalism during Reconstruction and the Gilded Age.

<sup>126</sup> Gunther Peck, *Reinventing Free Labor*, 7-9. Peck clarifies that no single, consistent set of rules define the meaning of free labor ideology, but that the ideology was intrinsically contradictory and its usage diverse. To this affect, Peck labels it an “unstable fiction.” In its simplest form, social thought of free labor developed in dichotomy with the system of slave labor. The reality for most Americans, however, was that a free labor system contained plenty of hierarchical, iniquitous, and suppressive features. Nevertheless, in the post-Civil War United States, this amorphous ideology became a form of American hegemony in the conflicts between labor and capital that were so common during the period of industrialization and nascent imperialism.

<sup>127</sup> Gonzales, *Política*, 41; Colton, *Civil War in Western Territories*, 197. During the war years some of the most stable components of the U.S. Territorial government of New Mexico came from the offices of the Secretary of the Territory and Chief Justice of the Supreme Court, filled by William F.M. Arny and Kirby Benedict, respectively. On multiple occasions the seat of the Territorial Governor (filled by long-time New Mexico merchant Henry Connelly) went empty, causing Arny to perform the role of Acting Governor and to take the lead in carrying out official territorial business and bureaucratic functions.

<sup>128</sup> Lamar, *Far Southwest*, 123; Colton, *Civil War in Western Territories*, 192-193. One of these political necessities involved the suspension of habeas corpus by Colonel Edward R.S. Canby in August 1861.

<sup>129</sup> Deren Earl Kellogg, “Lincoln’s New Mexico Patronage: Saving the Far Southwest for the Union,” *New Mexico Historical Review* 75 (October 2000): 511-533. Kellogg asserts that Abraham Lincoln’s

oath of office, starting in 1861 territorial officials found the traditional oaths replaced with those that prioritized allegiance to the Union. In New Mexico, many of these oaths were conducted in Spanish and made sure to include special language that did not punish Mexican Americans for any hostility towards the United States that occurred prior to the signing of the Treaty of Guadalupe Hidalgo.<sup>130</sup> The process of administering these symbolic ties to the nation may have helped some New Mexicans to feel connected to the Union, but the invasion of a mostly Texan Confederate force as far north as Santa Fe proved far more convincing. A longstanding animosity towards Texans coupled with a pragmatic Union stance that allowed for the enlistment of Mexicans to territorial militia and “Home Guard” companies turned out to be the surest strategy for fostering northern allegiance and had the added benefit of fixing much of the population to the Republican Party.<sup>131</sup>

From its birth as a U.S. Territory in 1851 until the Civil War, New Mexico encompassed its modern state boundaries as well as all of Arizona and portions of southern Colorado and Utah. Maintaining order across this enormous territory, already

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appointments for New Mexico resembled those of other “border states” much more so than the western territories. This is in part because the goals for New Mexico differed from most of the other territories that did not have the same degree of Democratic leadership and southern support. As such, Lincoln made sure his appointments for New Mexico would help produce a political coalition that regardless of party, prioritized loyalty to and maintenance of the Union.

<sup>130</sup> Henry Connelly, Oath of Office as Governor, 4 September 1861, RI 1063, Box 18, Ritch Papers; William Frederick Milton Army, Oath of office as Secretary of the Territory of New Mexico, 4 September 1862, RI 1122, Box 18, Ritch Papers. William M.F. Army’s “Oath of Office” is representative of the deep concern in the federal government to prevent dissention within its ranks as well as the special circumstances found in New Mexico due to the existence of a large population made citizens by conquest. Within the first sentence, the oath makes sure to spell out that “I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aide, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the function of army office whatever under any authority or pretended authority in hostility to the United States....”

<sup>131</sup> Gonzales, *Política*, 14 & 29. Gonzalez explains that over 4,000 Nuevomexicanos volunteered for military action and defense during the Civil War, including many leading members of New Mexico society and politics.



plenty difficulty under normal circumstances, was near impossible during war. Southern sympathy and Confederate leanings in the southern portion of the Territory was especially worrisome to Lincoln and the Republican administration. A convention held in Mesilla in 1860 illustrated that any federal anxiety was well placed. The Texans and Mesilleros who attended the convention established the Territory of Arizona complete with a constitution that permitted slavery. By March the next year Arizona officially seceded and the following January was recognized by the Confederate Congress in Richmond.<sup>132</sup> This territory spanned the entirety of the southern third of New Mexico, over 670 miles long, with its capital at Mesilla and a second hub at Tucson. Until July of 1862, the Confederate capital at Mesilla stood in direct confrontation to the Union authority in Santa Fe and Las Vegas, presenting a direct challenge to the Union's hold over the West and to a monolithic continental empire.

After a combination of Colorado and New Mexico volunteers forced a Texan retreat from northern New Mexico, and ten companies of California volunteers marched through Confederate Arizona to Mesilla, the South aborted any plans for maintaining a military presence in the region or capturing any Pacific ports. Once again in charge of the entirety of New Mexico, the federal government set about to strengthen its position in the Southwest.<sup>133</sup> In February 1863 Congress passed and President Lincoln signed an organic act for the creation of the Arizona Territory. Instead of the Confederate organized boundary that followed near the 34<sup>th</sup> parallel, the new border bisected New Mexico at the 107<sup>th</sup> meridian. Alongside cutting off the line of southern sympathy that ran from Mesilla

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<sup>132</sup> Kellogg, "Lincoln's New Mexico Patronage, 511-533; Larson, *New Mexico's Quest for Statehood*, 84.

<sup>133</sup> Ralph Y. McGinnins, and Calvin N. Smith, eds., *Abraham Lincoln and the Western Territories* (Chicago: Nelson-Hall Publishers, 1994). Colorado sectioned off February 28, 1861. Arizona organized as a territory February 1863. Utah greatly diminished in land area with most of the proceeds going to Colorado, Wyoming, and Nevada. Nevada declared a state October 31, 1864.



to Tucson, Congress established Arizona's first territorial capital at Prescott, a Union-controlled mining town. The Republican administration immediately began the task of selecting appointments for the new territorial government, making sure to prioritize a strong Union position and party allegiance over other qualifications.<sup>134</sup>

With the removal of Confederate troops and the organization of the Arizona Territory, a new phase of the Civil War era opened in the Southwest. The enlarged military presence in the region provided the means for a fresh round of aggressive Indian warfare intended to pacify the region, subdue Native communities, and create an infrastructure for western incorporation. The need for heightened security was felt by New Mexicans due to federal disregard of Indian relations in the early years of the war.<sup>135</sup> As trade and diplomatic gifting fell-off, groups of Navajo, Apache, and Comanche Indians increased the practice of raiding to supplement their diet and population. In a "Memorial" to President Lincoln and the Secretary of War, the New Mexico Legislative Assembly felt that even after federal forces secured the territory, an enlarged troop presence was needed to combat Indian depredations. Their letter, dated January 26, 1863, stated that recent raiding had led to the death of over fifty persons with another thirty-four wounded and over three-hundred and forty thousand dollars of stolen property and

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<sup>134</sup> Kellogg, "Lincoln's New Mexico Patronage," 512-513; Lambert, *Stephen Benton Elkins*, 22-23. It was with some of the newly appointed officers to the Arizona Territory that Stephen Elkins traveled with on his initial foray to the Southwest in 1863. As noted earlier, he never quite made it to Arizona, stopping in Mesilla (once again part of New Mexico) to take up employment.

<sup>135</sup> Cathleen D. Cahill, *Federal Fathers & Mothers: A Social History of the United States Indian Service, 1869-1933* (Univ of North Carolina Press, 2011), 6. Cahill and Colton provide evidence to this affect by presenting the federal government's lack of proper attention towards Indian relations and civil warfare in the West. For instance, Union military leadership directed approximately 3,400 soldiers to leave their western posts in May 1861 and proceed to Fort Leavenworth in Kansas. The security vacuum created by the sudden withdrawal of such a large part of the military force that had existed in the West since U.S. conquest in 1846 was rapidly filled by an increase in raiding by Native Americans.

livestock.<sup>136</sup> True to form, New Mexicans found both a source of relief and of renewed political infighting when General James Carleton, named commander of the military department of New Mexico, made it his business to deal with the Indian Problem.

Beginning in 1863 Carleton initiated a series of destructive attacks against the *indios bárbaros* of New Mexico. He utilized a mixed army of Colorado and New Mexico volunteers led in the field by the old scout Kit Carson to reduce these Indians, especially the Navajos and Apaches to a state of dependence.<sup>137</sup> To do so meant launching an aggressive campaign into the heart of the enemy homeland and carrying out a strategy of scorched-earth to diminish their ability to sustain a war effort or even the health and morale of their families. Paired with the destruction of Indian crops, trees, horses, houses, and people, Carleton also established new defensive forts and posts, as well as one of the first attempts at an Indian reservation situated under the thumb of Fort Sumner.<sup>138</sup>

The Bosque Redondo experiment, though abortive, represents the ways in which this second phase of the Civil War in New Mexico shaped the territory and its relation to the federal government and regional economy. The requirements of providing for the reservation and over eight thousand dependents led to an increase in federal money and

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<sup>136</sup> “Memorial. To His Excellency the President of the United States and the Honorable the Secretary of War. [Abraham Lincoln and Edwin McMasters Stanton], from the new Mexico Legislative Assembly,” 26 January 1863, RI 1193, Box 19, Ritch Papers.

<sup>137</sup> Gerald Thompson, *The Army and the Navajo* (Tucson: University of Arizona Press, 1976), 11. Unbeknownst to General Carleton, migrants traveling to California had indirectly helped in his war to cripple the Indian peoples of the West by bringing new rounds of disease across the plains that decimated Indian communities in the 1850s. Elliott West, *The Contested Plains: Indians, Goldseekers, and the Rush to Colorado* (Lawrence: University Press of Kansas, 1998).

<sup>138</sup> Thompson, *The Army and the Navajo*, x & 1. The Bosque Redondo Reservation lasted from 1863 until 1868 and at its peak served as the home for over 9,000 Navajo and Apache Indians. The reservation itself was the brainchild (and problem child) of General Carleton, who believed the experiment would transform its Native American wards into assimilated Americans and so put an end to raiding and warfare between whites and Indians in New Mexico. The management of the reservation, however, proved impossible from an early stage, with the most difficulty stemming from providing adequate food for the residents. Between merchant corruption and environmental intransigence the Bosque Redondo experiment faltered and by 1868 public sentiment and financial conditions combined to allow for the Navajo to return to the Dinétah.

oversight in the territory. Annually, the bill topped one million dollars. A majority of these funds were paid out to military personnel and to independent contractors, who benefitted the most from the federal largess.<sup>139</sup> This influx of money into the local economy shifted its gravity towards those who could supply foodstuffs to the reservation. During the Bosque Redondo's existence, prices for staples in New Mexico such as corn, wheat, and beef increased, leading locals to complain of higher costs while contractors filled their pockets with federal money in sales to the reservation. The practice of hoarding food, especially grains, for higher prices in the winter months in combination with corruption and discrimination in awarding contracts created a situation in which the U.S. military maintained a steady hold on New Mexico's economy.<sup>140</sup> In General Carleton's attempt to assimilate Native Americans, he also sought to utilize federal authority to incorporate southwestern space and people into a national culture and economy. This proved only as effective as the amount of resources he could muster.

As signaled by the return of the Navajo to the Dinetah, 1868 marks the end of the second phase of the Civil War in New Mexico. Although Carleton's project reversed the trend of declining federal interest in the territory by pumping millions of dollars into Bosque Redondo, the reservation itself proved a failure.<sup>141</sup> The experiment did offer some lessons for those who paid attention. For one, the Navajo came away from the reservation experience a changed people, with both a new understanding and animosity towards the United States. Enterprising Euro Americans could find a different message: that the

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<sup>139</sup> Ibid., 121.

<sup>140</sup> Ibid., 71.

<sup>141</sup> Indeed, as Carleton requested more and more funds to keep the reservation operating and keep the inhabitants fed, Congress initiated multiple rounds of fact finding missions to determine the state of affairs at Bosque Redondo. Furthermore, management of the reservation transitioned from military control to the Department of the Interior in 1868, once again increasing its bureaucratic mark in Washington, D.C. and Santa Fe.

federal government could create economic growth, and that partnering with the government could be very lucrative indeed. For many merchants, farmers, and ranchers, Bosque Redondo was merely a precursor to years of federally-induced capitalism in the Southwest. The sheer increase in the size and presence of the U.S. army, coupled with its attempted role as provider for subjugated Native Americans, created new viable markets at army posts and forts across the region. Military garrisons, such as Fort Union, acted in the truest sense of creative destruction as they violently opened the mountains and plains of New Mexico and then generated commercial activity in the conquered space. Alternatively, after 1868 the army's direct political involvement in territorial governance waned even as its involvement in exploring and expanding local markets continued.<sup>142</sup>

### **Catron Travels the Trail**

Like thousands of his compatriots in the years following the Civil War, Thomas Catron's choice to move westward is not surprising. Even his decision to try his luck in New Mexico follows a contemporary logic. By the mid-1860s, Missourians were the Americans most familiar with New Mexico, its economy, politics, and people.<sup>143</sup> At the heart of this familiarity was the Santa Fe Trade, of which over one million dollars in merchandise and currency traveled annually. Catron even had palpable connections to mentors, friends, and family that lived or traveled in the territory. The much respected

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<sup>142</sup> Emmett, *Fort Union and the Winning of the Southwest*, 319, 358. This is not to say that after 1868 New Mexico no longer required a military presence in the territory. Indian raiding and warfare did not cease in the aftermath of the Civil War, but continued until the 1880s and the final capture of Apache leader Geronimo. Moreover, New Mexico authorities called upon U.S. troops on multiple occasions to suppress localized fighting in places such as Colfax County, Lincoln County, and Socorro. The key point however, is that after General Carleton's departure from New Mexico no military officer would so thoroughly affect the territory's political scene until Theodore Roosevelt organized his Rough Riders in 1898 and then in 1916 when Pancho Villa deeply influenced local New Mexican politics during the Mexican Revolution.

<sup>143</sup> Howard Lamar, *Far Southwest*, 60.

General Sterling Price, ex-president of the University of Missouri and acquaintance of the young Thomas Catron and Stephen Elkins, had served as military Governor of New Mexico during the Mexican-American War. A cousin, William J. Catron, may have planted the idea of moving to the territory in Thomas Benton's mind when they met up at a parole camp in Demopolis, Alabama. As a freighter for the company of Russell, Majors, and Waddell, based out of Lexington, William Catron had made several trips to and from New Mexico.<sup>144</sup> But Thomas Catron's old pal and classmate, Stephen Benton Elkins, played the most influential role in steering him to the Southwest.

Just like during their time spent arguing opposite sides of the Lincoln-Douglas debate, Catron and Elkins opposed each other as soldiers in the Civil War (not that it would come between them later). Conditions for the two during the war could not have been more different. While Catron traipsed southward along the Mississippi, fighting in numerous battles and skirmishes along the way, Elkins, a captain in the Eastern Missouri Militia, spent most of his short time in the army on guard duty with infrequent action. By July 3, 1863, the final day of the Battle of Gettysburg and just as Catron and the Confederates at Vicksburg ate their last meager rations of mule meat and prepared for surrender, Elkins had enjoyed a removal from his post and an end of service in the war. That fall Elkins connected with some Republican appointees headed to the newly organized Territory of Arizona. For lack of sufficient funds, he never quite made it. Instead, Elkins found employment in Mesilla, New Mexico as a quartermaster's clerk. Soon, the witty and energetic Elkins passed the bar in New Mexico, and gained the appointment of assistant justice for the territory's third judicial district.<sup>145</sup> Subsequently,

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<sup>144</sup> Westphall, *Thomas Benton Catron*, 20.

<sup>145</sup> Lambert, *Stephen Benton Elkins*, 21, 24-27; Westphall, *Thomas Benton Catron*, 21.

Elkins gained the appointment as district attorney for the third district, followed by his election to the Territorial House of Representatives from Doña Ana County. This all transpired before Catron even made it home to Lexington following the war.

From the time of his first political appointment, Stephen Elkins set a new standard for power-seeking territorial transplants. Catron would in fact follow the very path pioneered by Elkins. This involved several steps; the first of which simply involved siding with the Republican Party. Although no strict correlation between local and national politics existed in New Mexico during its first decade and a half as a U.S. Territory, southern secession and the Union maintenance of its western possessions resulted in new political opportunity for those willing and able to further the interests of the Republican Party, even if only in name.<sup>146</sup> Not until the 1870s would a political machine dominate New Mexico's executive, legislative, and judicial agenda, but Elkins' wartime record of appointment and election foreshadowed its evolution. He combined a working knowledge of the Spanish language (learned while in New Mexico), political nepotism, and "friend" networks, especially through ties to Missouri and Freemasons. By the end of the war Elkins had adroitly worked his way up the local Republican ranks, as evidenced by his relocation to the center of regional power in Santa Fe.<sup>147</sup> From the territorial capital, Elkins began to plot his future.

In the spring of 1866, Elkins plans necessitated a visit to western Missouri. He stopped by his home of Westport as well as the neighboring towns of Wellington and Lexington. In Wellington, Elkins married Sarah Jacobs. In Lexington, he reacquainted

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<sup>146</sup>Gonzales, *Política*, 29.

<sup>147</sup>Lambert, *Stephen Benton Elkins*, 29.

with his old friend Tom Catron. Both returned with him to New Mexico.<sup>148</sup> They set off for Santa Fe by mid-June and arrived in the city in late July, taking nearly six weeks to make their way along the Santa Fe Trail. Prior to his time as a Confederate Soldier, this westward trek would have easily presented Catron with the longest journey of his life. After years of marching and fighting with insufficient rest or food, and as part of a civilian wagon train accompanied by friends, Catron's first venture across the Great American Desert probably felt more romantic than daunting.<sup>149</sup> On the trail Catron and Elkins, both still in their mid-twenties, discussed plans for the future, including their desires to become U.S. senators. They placed their faith in the Territory of New Mexico to help them achieve this goal.

Whereas Elkins provided the necessary contacts within New Mexico's post-war order to help Thomas Benton obtain a political appointment, the ex-Confederate's first relations in the territory were decidedly economic. Before heading west, John Catron supplied his son with two wagons laden with flour and sixteen mules.<sup>150</sup> The selection represents an astute understanding of environmental and market conditions in New Mexico. First, by choosing mules, rather than oxen, John Catron observed the common knowledge of the Southwest, which was that the mule was still by and far the most efficient beast of burden for the arid landscape. Second, he had access to the prices of common goods in New Mexico and knew that because of drought, grasshoppers, and the

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<sup>148</sup> Lambert, 30-31.

<sup>149</sup> "Senator Catron Dubbed Prophet. James B. Morrow Writes about the Gentleman from New Mexico," *Washington Herald*, 6 September, 1914, found in Vol. 3, Catron Scrapbooks, Personal Collection of Catron Family, Santa Fe. Catron recounted his journey across the plains in this D.C. insider piece, mentioning the slow and arduous journey but also the amazing sights and experiences along the way such as the unending herds of buffalo that his party traveled alongside for weeks at a time.

<sup>150</sup> *Ibid.*

supply needs of the U.S. government, that flour could earn ten dollars a sack.<sup>151</sup> Other than an increase in the numbers of federal soldiers in New Mexico during the Civil War and the following Indian wars, General Carleton's new reservation system also required substantial imports of meat and grains to supply the Native American people subjugated into dependence. The result was an increased reliance for foods from outside the territory and inflated prices for flour in Santa Fe.<sup>152</sup> Thomas Catron's wagons contained enough of the latter to help him settle into his new home.

It was still the middle of the summer when Catron arrived in Santa Fe. There he began his introduction to New Mexican law and politics. For his first position he worked with attorney Merrill Ashurst but soon fell in as a scrivener for Kirby Benedict who served as the Chief Justice to the New Mexico Supreme Court from 1858 until early 1866.<sup>153</sup> A colorful character, Benedict had lost the use of one of his hands in duel. He was also one of the most knowledgeable jurists in the territory, having worked on the bench for over a decade and serving on the commission to revise and codify New Mexico's laws as recent as 1865.<sup>154</sup> Finally, he was the first Supreme Court Justice to write an opinion on land grant rights from a U.S. court.<sup>155</sup> As an ex-Confederate, Catron

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<sup>151</sup> Westphall, *Thomas Benton Catron*, 22.

<sup>152</sup> Miguel Romero y Baca, Probate Judge, San Miguel County, to William F.M. Arny, 3 December 1864, RI 1408, Box 22, Ritch Papers; New Mexico Legislative Assembly, "Memorial to the President of the U.S., the Secretary of War and the Secretary of the Interior concerning farm relief for New Mexico," c. 1865, RI 2123, Box 23, Ritch Papers. These two items found in the Ritch Papers help to establish poor agricultural conditions for New Mexico in the years from 1864 to 1866 and the plight of New Mexico farmers who attempted to compete with those from outside the territory.

<sup>153</sup> Westphall, *Thomas Benton Catron*, 26.

<sup>154</sup> Malcolm Ebricht, "Kirby Benedict" Biographical Entry, New Mexico Office of the State Historian, February 22, 2013, <http://www.newmexicohistory.org/filedetails.php?fileID=21287>. In 1865 the Commission to revise and codify the laws of New Mexico, of which Benedict was a member, published *Laws of New Mexico, 1864-1865*.

<sup>155</sup> Arie W. Poldervaart, *Black-Robed Justice: A history of the administration of justice in New Mexico from the American occupation in 1846 until Statehood in 1912* (Santa Fe: Historical Society of New Mexico, Publications in History, 1948), 55-56. The case under question was *Pino v. Hatch*, 1 N.M. 125. Apropos to future land grant litigation in New Mexico, one of the other Justices of the New Mexico Supreme Court



was fortunate to receive this educational position with Judge Benedict, an ardent Union man.<sup>156</sup> Their mutual friend and fellow Freemason, Stephen Elkins, whom Benedict worked with in the Third Judicial District, probably set up the arrangement. For his part, Catron was no fool; he was wise enough to recognize the political pragmatism and social importance of being a Republican in the post-war era. He also understood that in the territories, party allegiance had flexible qualities and that who you knew often trumped what you believed. So, after only five months in New Mexico, the newly-minted Republican received his first appointment as district attorney for the Third Judicial District. By January of 1867, Catron relocated to Mesilla.

Similar to Elkins before him, Catron's two years in the Third District served as a seasoning period for the newcomer. It was the largest district geographically speaking, but had the smallest population, and stood farthest from the center of power in Santa Fe. Mesilla, the seat of Doña Ana County and the largest town in the district, had just over four thousand inhabitants, most of them Mexican.<sup>157</sup> Spanish was without a doubt the most common language used in the courts and town halls. While serving as district attorney, Catron continued his study of law and passed the New Mexico bar on June 15, 1867.<sup>158</sup> During this time he also improved his handle of the Spanish language, a subject that he approached much like his other studies, with earnest vigor. He also engaged with the local network of masons in southern New Mexico, for which the neighboring town of

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wrote a dissenting opinion from Judge Benedict, indicative of the acrimonious nature of land grant litigation throughout the Territory's history.

<sup>156</sup> Poldervaart, *Black-Robed Justice*, 49. Not only did Kirby Benedict side with the Union during the Civil War, he was also a fellow lawyer and personal friend of Abraham Lincoln while living in Illinois.

<sup>157</sup> Anthony Mora, *Border Dilemmas*, 87.

<sup>158</sup> "Hon. T.B. Catron," *Santa Fe Daily New Mexican*, 14 March, 1899, p. 2; Westphall, *Thomas Benton Catron*, 28.

Las Cruces acted as a hub.<sup>159</sup> There Catron likely initiated his relationship with territorial politicians and businessmen such as Colonel William L. Rynerson, with whom Catron continued to work with until the 1890s.<sup>160</sup> The web of personal networks that Catron started to build in his formative years in New Mexico, and the important role that Republican and Freemason connections had to this affect, proved increasingly important as the territory progressed into the Gilded Age. In the mid-1860s, however, New Mexico was not yet there. In the immediate aftermath of the Civil War, the western territories were still trying to find their footing in the post-war order.

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<sup>159</sup> Freemasons, *A Century of Freemasonry in New Mexico, One Hundredth Anniversary 1851 – 1951, Montezuma Lodge No. 1, A.F. & A.M.* (Santa Fe: The Rydal Press, 1951), 32-35.

<sup>160</sup> Captain William Logan Rynerson, originally of Kentucky, came to New Mexico as part of the California Column that occupied Doña Ana County during the Civil War. He too moved to Mesilla in 1866 and practiced law while building his credentials as a Republican stalwart in the southern portion of the Territory.

## **Chapter 2: Integrity & Veracity: Lessons of Political Economy in Gilded Age New Mexico**

*I, William Breeden, clerk of the Supreme Court of the Territory of New Mexico, upon oath state that I have known Thomas B. Catron the present Attorney General of said Territory for fifteen years, and during a considerable portion of that time I have been very intimately associated with him, and have always had entire confidence in his integrity and veracity. I know him to be an honest, honorable, and truthful man and that any statements he may make under oath or otherwise, on whatever subject, are entitled to the highest respect and the fullest faith and credit.*  
Signed, Wm. Breeden, Clerk of the Supreme Court of New Mexico, February 16, 1872

### **Kirchner's Folly—the Lessons of a Santa Fe Scandal**

For historians of the Gilded Age, stories abound of shady dealing, corrupt behavior, and the intimacy between business and government.<sup>1</sup> As they unfolded across the American West these practices upheld neither the ideal of an expansive agrarian republic, nor those of a truly liberal and free market. While surely unethical and sometimes strictly illegal by twenty-first century standards, the years after the Civil War witnessed an acute confluence of partisan and capital networks. The total domination of the Republican Party over the policy and bureaucracy of the federal government allowed it to function at times as a national political machine. An ideology of free men and free labor may have fueled its engine, but once running, the Republican machine turned

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<sup>1</sup> Richard White, *Railroaded: The Transcontinentals and the Making of Modern America* (New York: W.W. Norton & Co., 2011), xxxiii-xiv; Michael J. Makley, *The Infamous King of the Comstock: William Sharon and the Gilded Age in the West* (Reno: University of Nevada Press, 2006); Charles W. Calhoun, Ed., *The Gilded Age: Perspectives on the Origins of Modern America* 2<sup>nd</sup> edition (Lanham, MD: Rowman & Littlefield Publishers, Inc., 2007); Thomas C. Cochran and William Miller, *The Age of Enterprise: A Social History of Industrial America*, Revised Edition (New York: Harper Torchbooks, The Academy Library, 1961); Gene M. Gressley, *West by East: The American West in the Gilded Age*, Charles Redd Monographs in Western History (Provo, Utah: Brigham Young University Press, 1972), 35; H. Wayne Morgan, ed., *The Gilded Age: A Reappraisal*, Syracuse, NY: Syracuse University Press, 1963), 3-5. Historians have found many such ways to characterize the happy collusion of the times, including the “Great Barbacue,” the “feast of material plenty,” the age of “robber barons,” and the “the Casino le Grand,” and of course Mark Twain and Charles Dudley Warner’s most lasting appellation, the “Gilded Age.”

around to manufacture spoils at an unprecedented rate. The western territories, which doubled in number during the 1860s, developed in direct relation to the system of rewards (and sometimes punishments) handed out to partisan stalwarts and black-sheep brother-in-laws from mostly Union states like Indiana, Ohio, and New York. As a result, political machines arose in most of the territories, grafting themselves to the federal government on one end and to the local populace or economy on the other.<sup>2</sup> In the parlance first applied to Boss Tweed and his Democratic machine run out of Tammany Hall, these networks were the “rings” of the American West, full of steadfast machine politicians who often doubled as agents of market capitalism. They cultivated relationships with local and regional business interests, and served as middle-men to link eastern capital and political prestige with western ventures and opportunities ripe for speculation.<sup>3</sup> American empire expanded in this process, one insider network at a time.

Stephen Elkins, Thomas Catron, and their cohort built personal fortunes on the foundations of those same national networks, entrenching their position by replicating the system of patronage and ward politics. From this split national-local outlook, they grew their power through circles of family, fraternity, friendship, and finance; a set of bonds with roots in the Old World and branches reaching out toward the future.<sup>4</sup> By 1869, when

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<sup>2</sup> For discussion of different “rings” that cropped up in the West, see: Gressley, *West by East*, 7; David Caffey, *Chasing the Santa Fe Ring: Power and Privilege in Territorial New Mexico* (Albuquerque: University of New Mexico Press, 2014), 11-14, and Appendix B “Profiles of Alleged Ring Participants,” 241-245; and Ronald H. Limbaugh, *Rocky Mountain Carpetbaggers: Idaho's Territorial Governors, 1863-1890* (Moscow: University Press of Idaho, 1982).

<sup>3</sup> While ring politics and insider cliques imposed authority over their own miniature empires in much of the West during the Gilded Age, the Sante Fe Ring remains unique in its longevity and its ability to manipulate the politics and economy of New Mexico from 1871 through the turn of the twentieth century. Even Boss Tweed’s ring lasted under a decade. Alexander B. Callow, Jr., *The Tweed Ring* (New York: Oxford University Press, 1966), 3.

<sup>4</sup> Gene M. Gressley, *Bankers and Cattlemen: Politics, Investors, Operators From 1870 to 1900* (Lincoln: University of Nebraska, 1966), 142-43; also see White’s chapter in *Railroaded* on “Friends” in the late nineteenth century, especially with regards to his discussion of networking (96) and the way friendship

a frenzy of land grant speculation really set in, Catron gained appointment as attorney general for New Mexico and moved to the center of the action—Santa Fe, a city already steeped in ring politics. For Catron the capital city became his keystone, helping to unite and uphold his many networks.<sup>5</sup>

Along their way to the top, a vocal opposition brought public attention to the wanton misbehavior of the capitalists, railroaders, lawyers, bankers, cattlemen, and civil servants of the Gilded Age who offended the public trust. Headlines blared with invective to inform the people of the scandalous actions and policies of these schemers, castigating robber-barons and land-monopolists and then the general populace for putting up with them.<sup>6</sup> The fact remained however, that the Catron-esque figures of the generally poor and rural West held the very mechanisms of power in their hands and exercised it through strategic networking.<sup>7</sup> The public knew that they were self-serving, greedy, and corrupt.

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functioned as a cultural connection between the personal, political, and business relationships of the Gilded Age (100-101).

<sup>5</sup> A “ring” was first said to be in control of New Mexico affairs out of Santa Fe in 1866, though the mechanisms of ring rule developed early after the U.S. conquest of New Mexico and its organization as a territory. For first mention of “ring” activity, see “Gov. Mitchell,” *New Mexican (Santa Fe, N. Mex.)*, 1 December 1866, p. 1.

In the language of social network analysis, Thomas Catron found his deepest level of embeddedness through his networks centered in Santa Fe. It was also the place where his connections allowed him to most effectively move between cohorts to broker alliances for business or political gain. For discussion on embeddedness and the ability of middle-men to powerfully shape cross-network interaction, see: John F. Padgett and Christopher K. Ansell, “Robust Action and the Rise of the Medici, 1400-1434” *The American Journal of Sociology* 98 (1993): 1259-1319.

<sup>6</sup> Some rather fun headlines attacking Catron and the Santa Fe Ring include: “Rump Stake. That’s What Valdez Wanted and He Got It. A Few Remarks about Catron’s Asylum,” *Las Vegas Daily Gazette (N. Mex.)*, 27 March 1884, p. 4; “Oh! No: Mr. Catron is a patriot; a lover of the poor native-Americans, a man full of charity, with a heart full of the milk of human kindness - - every two years?” *Las Cruces Democrat (N. Mex.)*, 28 September 1892, p. 2; “Catron’s Character. John R. McFie Authority for the Assertion That He Is a Scoundrel,” *Independent Democrat (Las Cruces, N. Mex.)*, 3 October 1894, p. 3; “Grabbed! Or That Land Would Have Been by T.B. Catron But Not For the Government Land Officers,” *Santa Fe Daily New Mexican*, 5 October 1894, p. 4; “Mr. Catron under a Cloud. The New Mexico Congressional Delegate Accused of Crooked Work,” *Kansas City Star (Missouri)*, 21 August 1895, p. 8.

<sup>7</sup> John Wilson, *Merchants, Guns, and Money: The Story of the Lincoln County and Its Wars* (Santa Fe: Museum of New Mexico Press, 1987), 63. In his economic-oriented account of the violence that took place in Lincoln County, historian John Wilson represented Henry Tunstall, the ill-fated Englishman whose murder set off a vengeful cycle of gunplay, as fully appraised of the way power operated in New Mexico. In 1876, Tunstall described his outlook and his plan in a letter to his father that matter-of-factly explained

In the mid-1870s few New Mexicans would bat an eye at hearing about the mischievous feats perpetrated in the territory's government, courts, or land offices. Moreover, under Ulysses S. Grant the federal government came under fire from no less than twelve scandals.<sup>8</sup> What is so fascinating about this arrangement is that even in an age in which a little cheating was expected (under the caveat that you did not get caught), the schemers of the U.S. West seemed totally unable to keep out of trouble. Over bumpy roads, their coinciding business and political networks represented sturdy shock-absorbers to ringmen like Catron and Elkins who maintained positions of power and authority with covetable longevity. With inside track and untrammelled energy, their speculative edge likewise served the short-term goals of the federal government as the nation looked to expand its influence throughout, grow new markets within, and exploit the riches of the West.

Perhaps this is best portrayed with a story of scandal and intrigue set in Gilded Age city of Santa Fe.<sup>9</sup> On Monday, January 1, 1872 Thomas Catron ambled across the dusty streets of the historic Santa Fe Plaza sometime after three in the afternoon and entered the butcher shop of August Kirchner. That day, Catron served as the mouthpiece for a small coterie of Republican appointees and officials who wished to secure the cooperation of Mr. Kirchner. They wanted him to influence two representatives in the New Mexico legislature. After asking the proprietor to speak with him in a private

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“Everything in New Mexico that pays at all (you may say) is worked by a “ring.” There is an “Indian ring,” the “army ring,” the “political ring,” and “legal ring,” the “Roman Catholic Ring,” the “cattle ring,” the “horse thieves ring,” the “land ring,” & half a dozen other rings. No “to make things stick” to do any good it is necessary to either get into a ring or make one for yourself. I am work[ing] at present making a ring....”

<sup>8</sup> Jeffrey D. Schultz, *Presidential Scandals* (Washington, D.C.: Congressional Quarterly Press, 2000), 135-154. See the particularly long entry on Ulysses S. Grant, 1869-1877. The worst of these included the Whiskey Ring, the Credit Mobilier investigation, and issues of graft and nepotism that included his family, his Vice President, and his Cabinet members.

<sup>9</sup> “Optic Digs up History,” *Santa Fe Daily New Mexican*, 2 November 1896, p. 2; Simeon H. Newman, III, “The Santa Fe Ring: A Letter to the *New York Sun*,” *Arizona and the West* 12, (Autumn 1970), 269-288.

backroom, Catron explained that his friends desired Kirchner's help. They needed to stack the legislature to absolutely make sure that it had no chance of overriding a veto signed by Governor Marsh Giddings that prevented the Assembly and Council from moving Chief Justice Joseph G. Palen from the first to the third judicial district.<sup>10</sup> But, the legislature could still override it with a two-thirds majority vote. Stephen B. Elkins, William Breeden, and Judge Palen hastened to prevent that very result; so they sent thirty-one year old Tom Catron.<sup>11</sup>

To go along, all Kirchner had to do was to cross the plaza, collect five hundred dollars left in his name at the First National Bank of Santa Fe (of which Elkins was the President and Catron a director), and use this money to help secure the votes of two representatives, one each from Santa Fe and Rio Arriba County. Nominally, whatever money was left over after the purchase of these votes was to be considered Kirchner's cut, alongside the friendship and good will that would flow his way. But any pretense of easy-wheeling stopped there; Kirchner refused to participate in the political charade and Catron left in a huff. The next morning Elkins sent a written invitation to Kirchner in attempt to bring the butcher on board by sweetening the deal. The answer was still no.<sup>12</sup>

Now August Kirchner was no stranger to the practical application of grease to keep the wheels of politics and business moving in proper order. His established position

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<sup>10</sup> Affidavit of August Kirchner, Territory of New Mexico, County of Santa Fe, 1 February 1872; Manderfield and Tucker, "The Assignment of Judges," *Santa Fe Daily New Mexican*, 2 January 1872, p. 1.

<sup>11</sup> "The Veto," *Santa Fe Daily New Mexican*, 5 January 1872, p. 1. The argument used by the Democrats to remove Palen involved the fact that the Third Judicial District was terribly mismanaged due to its sheer size, the lack of rapid and safe transportation, and the inability of agents of the court to effectively serve subpoenas and warrants. The docket of cases to be heard in the third district had grown much faster than the justice assigned to that district could attend to, so Democrats charged that Judge Palen, if he was indeed such a great justice, would be able to bring this district to good order. Of course, their actual goal was simply to remove him from the first district to prevent the Elkins clique from controlling the courts of the most populous district in the territory.

<sup>12</sup> Affidavit of August Kirchner, Territory of New Mexico, County of Santa Fe, 1 February 1872.

in Santa Fe arose in correlation to his own networks such as his ties to the U.S. military, to Nuevomexicano stockraisers, and to the merchants of his city, especially the significant German-Jewish community who formed an important element of the territory's social and economic terrain. Although Kirchner worked in town to sell beef, pork, and mutton to local consumers, his real income came from lucrative contracts with military forts to supply them with fresh beef.<sup>13</sup> These contracts were extremely competitive (most infamously shown in the build-up to the Lincoln County War later in the decade) and relied upon the prompt delivery of sufficient amount and quality of meat at a government set price that factored-in overhead and profit to the supplier. To ensure that contracts such as these were consistently met and renewed required ranchers, suppliers, financiers, and military sutlers to all do their part.<sup>14</sup> This was most often accomplished through a mixture of friendship, finesse, and mutual profiteering. It is not likely that Kirchner declined Elkins entreaties for purely moral motives, then, but rather because of his affiliation with an opposing party and the contested political landscape of Santa Fe in 1872 to which we now turn.

The next act of this southwestern saga went down in the Territorial Legislature and the surrounding streets of New Mexico's capital city. On the day of the vote to reassign judicial districts over the veto of Governor Giddings, Democrats and Republicans swarmed the streets around the legislative hall and into any free space within the chambers. Democrats from San Miguel County were especially incensed over the "turning" of one of their representatives through a bribe offered by Stephen Elkins.<sup>15</sup>

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<sup>13</sup> Ibid; "[Probst and Kirchner]," *Santa Fe Daily New Mexican*, 30 May 1873, p. 1.

<sup>14</sup> Wilson, *Merchants, Guns, and Money*, 27.

<sup>15</sup> According to the Las Vegas Optic, Elkins bribed Pascual Baca of Las Vegas by offering to cancel a \$780 mortgage that he held over Baca and his family. (This is akin to the cancellation of a \$15,000 debt in 2010)



Because the crowd in Santa Fe was known for getting out of control during tight political contests, two companies of U.S. troops under the command of Gen. Gordon Granger entered Santa Fe and kept watch over the events that day. The Republican faction under the leadership of Elkins anxiously awaited the results of the vote as well; should the legislature override the veto the measure would hamstring his local interests while if the vote failed, there was reason to believe that the crowd could quickly turn on Elkins, Catron, Breedon, or Palen.<sup>16</sup> In an attempt to delay the matter, the Republican clique utilized stalling parliamentary tactics such as the removal of the Speaker of the House from the premises to prevent the body from taking up any business. Elkins moniker of “Smooth Steve” proved accurate on this occasion as he deftly navigated the legislature into inactivity until it adjourned. By the time the vote actually came to pass on the morning of January 12, the clamor in Santa Fe had settled. Elkins had managed to secure enough votes to kill the measure and keep Judge Palen in their home district where his reputation for skullduggery continued to grow.<sup>17</sup>

Local Democrats bristled at the way Elkins and his deputies outmaneuvered them. Kirchner, who apparently was not as necessary to buy votes as Catron led on, took to the offensive on the first day of February by filing an affidavit with the Probate Court. He charged Elkins and Catron with attempted bribery and vote buying for the purpose of keeping Judge Palen in the first district.<sup>18</sup> But Kirchner did not stop there; probably because he was well aware of how ineffectual his affidavit would be if left to the Santa Fe courts. He sent the affidavit to territorial newspapers for publication and to the U.S.

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<sup>16</sup> “Optic Digs up History,” *Santa Fe Daily New Mexican*, 2 November 1896, p. 2.

<sup>17</sup> Ibid.

<sup>18</sup> Affidavit of August Kirchner. The charges set forth in this affidavit confirm his attempt to use Kirchner to buy votes in January 1872. The charges leveled against Elkins stemmed from his attempt to bribe Kirchner with a sure victory in the local courts related to some unspecified land in northern New Mexico.

Attorney General and U.S. Chairman of the Judiciary as ammunition against the Elkins clique of Republican appointees. To give his position authority, Kirchner included personal endorsements from powerfully connected local Democrats including Felipe Delgado, Charles P. Clever, S. Seligman, the Spiegelberg Brothers, Mayer Kayser, Guttman, Friedman & Co., and Z[adock] Staab & Co. These prominent politicians, traders, and merchants attested to Kirchner's unquestionable "integrity, truth and veracity."<sup>19</sup> Good ol' honest August Kirchner likely believed that the clear evidence of unethical behavior by territorial appointees would help to remove them from office. Instead, it brought the ire of the Republican controlled justice system down upon him and any publishers that broadcast his affidavit, including one Simeon H. Newman III, editor of *The Mail* of Las Vegas.

In a typical case of territorial politics, Elkins countered Kirchner's affidavit with one of his own filed on February 16 in the Supreme Court of New Mexico. And, since Kirchner had supporters to attest to his truthiness, so did Elkins who had William Breeden and Judge Palen inscribe court affidavits as to their full confidence in the "integrity and veracity" of Thomas Catron.<sup>20</sup> Locally, Attorney General Catron brought suit against Kirchner and Newman for criminal libel. In Washington, D.C., Elkins' affidavit and its supporting documents added to the pile of territorial griping and sniping that constantly ran across the desks and into the folders of Department of State and

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<sup>19</sup> Endorsement by Probate Judge Felipe Delgado, Territory of New Mexico, County of Santa Fe, 14 February 1872; C.P. Clever, S. Seligman & Bro., Spiegelberg Bros., Mayer Kayser, Guttman, Friedman & Co., and Z[adock] Staab & Bro., Merchants to Lymon Trumbell, U.S. Chairman of the Treasury, 14 February 1872.

<sup>20</sup> Affidavit of Stephen B. Elkins, Territory of New Mexico, County of Santa Fe, 16 February 1872; Affidavit of William Breeden, Territory of New Mexico, County of Santa Fe, 16 February 1872. The affidavits that attest to Catron's respectful and truthful character come across like the testimony of so many "goodfellas" in support of one of their own. The court agent that notarized Elkins' affidavit was in fact William Breeden. For Breeden's affidavit in defense of Elkins and Catron, their friend Judge Palen served as the notary.

Department of Justice bureaucrats. The national capital was already enveloped with political-business scandal of its own. For top officials to bother with what appeared to them to be so much noise emanating from Santa Fe was unlikely when it was much easier to let the crony-laden local branch of the Republican Party maintain its status quo.

For August Kirchner, the non-response from Washington and the lack of public groundswell against the Elkins faction left him with few alternatives. Instead of trying to successfully defend himself in the First District Court (fully controlled by Palen, Catron, and Breeden), Kirchner agreed to file a second affidavit denying all truth to the charges contained in the first.<sup>21</sup> No statements as to his integrity and veracity needed accompany this retraction; including such statements would only raise the pitch of their hollow ring. Elkins and Catron dropped the suit against him. Simeon Newman, however, refused to make up with the Santa Fe clique for publishing information about their scandalous activities. The district court rewarded him with a one-hundred dollar fine and sixty-four days in jail.<sup>22</sup> The message supplied by this sentence blared: open fighting against the ring of friends on their home turf (local courts, press, and even legislature) was foolish. Washington upheld their authority and locally their influence-bearing pockets ran deep. Although they did not self-proscribe to such a name, the group of Elkins, Catron, Palen, and Breeden represented a core membership of what its opposition in New Mexico would come to refer to as the “Santa Fe Ring.”<sup>23</sup>

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<sup>21</sup> Newman, III, A Letter to the *New York Sun*, 273-74.

<sup>22</sup> *Ibid.*, 274.

<sup>23</sup> The exact genealogy of the moniker Santa Fe Ring remains unclear, but can be traced to its opponents as a proscribed name for the group. Members, such as Stephen Elkins, Thomas Catron, William Breeden, Henry Waldo, William Griffin, Joseph Palen and Samuel B. Axtell never self-identified with the title. Instead, they fought being called a “ring” in the press and periodically denied any kind or form of collusion within the top echelons of New Mexico’s political, legal, and business strata. Whether the ringmen called themselves such is decidedly beside the point; their actions belied their public denial and their activities fit within the national standards of a political machine or special interest group.

August Kirchner learned to accept and to play along with this powerful clique of ringmen. Simeon Newman did not. He spent time in the local penitentiary only to be run out of the territory to Colorado after his release. Kirchner on the other hand, along with his Mexican wife Doña Refugio, won accolades for their strong work in Rio Arriba County during the election for Delegate to Congress in 1873 that went to none-other-than Stephen B. Elkins.<sup>24</sup> In 1872 Kirchner tried to have Elkins and Catron kicked out of office for their unethical actions. In 1873, he and his wife lobbied for their empowerment by sending Elkins to Washington, D.C. Within the space of eighteen months, in fact, the ring attracted the support of the general network of German-Jewish merchants and traders of Santa Fe, the same group who supported Kirchner in his original attack on Elkins and Catron.<sup>25</sup> For Kirchner, his butcher shop grew its business after 1873. The *Santa Fe Daily New Mexican*, a thoroughly Republican and ring-friendly paper, supplied him and his business with plenty of favorable advertisement and even editorial commentary as to his good market and good reputation.<sup>26</sup> Maybe he was aware of the changing political and economic environment prior to these events; maybe he only meant to poke the bear; either-way, by 1873 August Kirchner surely understood the new orientation of power and

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<sup>24</sup> “Good Workers,” *Santa Fe New Mexican*, 5 September 1873, p. 1.

<sup>25</sup> Ibid. Supporters that gained mention in the cause of electing Elkins to office as Delegate to Congress include several of the endorsers for Kirchner against Elkins and Catron in early 1872. The article specifically mentions “Mr. Probst, James L. Johnson, Charles M. Conklin, Sheriff Nicolas Quintana, David A. Cataanch, A. Staab, Sam Eckstein, M. Ilfeld, L. Spiegelberg, and Joe Kaier” who supposedly all turned from Democrats to Republicans during the 1873 campaign in support of Elkins.

<sup>26</sup> August Kirchner added the machinery for a brewery for instance, shipped in from Granada, so that along with the contracting of meat sales, he could also make profit on his competitive advantage regarding the small amount of beer found in the territory. “[Probst and Kirchner]” *Santa Fe Daily New Mexican*, 22 November 1873, p.1; “[Messrs. Probst and Kirchner]” *Santa Fe Daily New Mexican*, 28 January 1874, p. 1; Other signs of positive business and collaboration can be found in basic advertisements and complimentary reviews of the Probst and Kirchner shop that were printed in the ring-controlled newspaper throughout the election season of 1873. [Probst and Kirchner],” *Santa Fe Daily New Mexican*, 30 May 1873, p. 1; “[Epidemic of Improvement]” *Santa Fe Daily New Mexican*, 16 October 1873, p.1.

the cluster of lawyer-politicians who controlled it from their reputable positions in Santa Fe.

### **Harnessing the Power of the Gilded Age**

Kirchner's folly presents a compelling example of how the Gilded Age permeated New Mexico and the ways that it framed the territory from the aftermath of the Civil War through its first decade of statehood. Of the highest importance was the fact that the world of business and politics often coincided and that their practice at the time was intensely personal. Friends and enemies alike were familiar with each other; they knew each other's places of business, political leanings, family, social circles, vices and often even their handwriting. In this interpersonal dynamic of the day, money changing hands could make new friends at least as often as its transaction was the result of friendship. While this is especially true of the Gilded Age town of Santa Fe, small as it was in 1870 with a population of 4,756, it is true in general of business relations in the late nineteenth century that grew first and foremost on the bonds between friends and family members.<sup>27</sup> When Catron strolled into Kirchner's shop he came not only to make a deal, but to make a friend; when Kirchner filed his first affidavit, he not only made public notice of Catron's tactless behavior, he publicly rejected Catron and the Santa Fe clique. Kirchner came around, of course, as did many others when faced with the reality of Ring rule.<sup>28</sup>

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<sup>27</sup> William J. Parish, "The German Jew and the Commercial Revolution in Territorial New Mexico, 1850-1900," *New Mexico Historical Review* 35 (1960): 1-29, 15; Gressley, *Bankers and Cattlemen*, 63-65; White, *Railroaded*, 93.

<sup>28</sup> A quick note on grammar and the Santa Fe Ring. When used as a proper noun, referring to the specific political machine as captained by Elkins and then Catron, I capitalize Ring. For a majority of the other moments, where I refer to the ring informally, to political rings in general, or to people who participated in the informal ring, I do not capitalize ring.

The about-face of Kirchner and the German merchants of Santa Fe highlights another theme. For New Mexico and the other western territories, the years following the Civil War witnessed a high tide of appointee politics that both hardened the political divisions between Republican and Democrat and softened their ideological edges. In this way Thomas Catron, a strict Democrat by upbringing (not to mention a slaveholder and Confederate veteran), could remake himself into a bulwark of the Republican Party in such a short time. Like Catron, as the friends of nepotism and cronyism channeled into territorial and Foreign Service posts, these appointees tended to direct their allegiance toward the party or individual person who helped them to gain their position. In fractal fashion, the network of patronage cascaded downward from the President and party leaders at the top, to territorial governors and justices, to sheriffs, post officers, and court clerks at the local level.<sup>29</sup> When ideological differences did get in the way, there were almost always inducements to help lubricate the system.

The nature of political ideology during the Gilded Age in general favored pragmatism over static ideals. Because of the intensity of sectional dogma that led up to the Civil War much of this attention seems to have shifted in the post-war years (at least outside of the seething South) to focus on “progress,” itself a deeply ambiguous and contested term.<sup>30</sup> A central contradiction of progress was itself the ideological rift between free competition and monopoly and which of these best structured the

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<sup>29</sup> Earl S. Pomeroy, *The Territories and the United States, 1861-1890; Studies in Colonial Administration* (Seattle: University of Washington Press, 1969), 2-3; and Howard R. Lamar, "Carpetbaggers Full of Dreams: A Functional View of the Arizona Pioneer Politician," *Arizona and the West* 7 (Autumn 1965): 187-206, 190.

<sup>30</sup> "Traditional language had no words to describe the business activities of the new leaders after the Civil War, no words to define the function of their institutions. Traditional politics could not cope with their demands, nor could traditional law harness them to social welfare. In place of the old canons, they imposed the rule of the jungle upon a willing people who worshiped at the altar of "Progress." I take this excerpt from Cochran and Miller, *Age of Enterprise*, 129, to summarize the feelings of the time, especially the way in which progress turned into a secular religion for ambition-oriented Americans.

economy.<sup>31</sup> In the West, the rhetoric about and culture of “progress” was especially potent. The western capitalist overflowed with the possibilities of regional development; perhaps more than any of their eastern peers did they understand that development and progress inherently meant the privileging of one class of people above the rest. Their booster papers and pamphlets attest to this by claiming again and again that the West only needed the energetic immigrant, capable, hard-working, industrious—*white*—and that this would bring about development and with it, progress.<sup>32</sup> There was little need for strict political ideology in this process. In Gilded Age New Mexico few figures fit the description of pragmatism better than Thomas Catron. He not only joined the Republican Party after serving as a Confederate, but engendered a complete transformation of his political self with a keen eye towards the trends in national power and local politics. He proved ready and willing to accept new ideas that benefitted him and was equally as happy to eschew friendships or platforms that caused more pain than profits. At the end of the day, I do not think it unjust to claim that Catron’s strongest ideological attachment was to the power of the almighty dollar.

The territorial courts functioned not only to settle legal matters and interpret territorial statute, but also served as a tool to achieve political and business agendas.<sup>33</sup>

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<sup>31</sup> White, *Railroaded*, xxv & 98; Gabriel Kolko, *The Triumph of Conservatism: A Reinterpretation of American History, 1900-1916* (New York: The Free Press, 1963), 4-6.

<sup>32</sup> This was certainly true of the booster literature on New Mexico, whether privately compiled or published by the Territorial Bureau of Immigration. For booster materials on New Mexico see: John Nieto-Phillips, *The Language of Blood: The Making of Spanish American Identity in New Mexico, 1880s-1930s* (Albuquerque: University of New Mexico Press, 2004), 105-144 “Montezuma and the Iron Steed”; and Marta Weigle, Frances Levine, and Louise Stiver, eds., *Telling New Mexico: A New History* (Santa Fe: Museum of New Mexico Press, 2009), 235.

<sup>33</sup> Laura Gomez arrived at this same conclusion with a very different set of questions in *Manifest Destinies*, 7-8, finding that U.S. and Territorial Courts did more than merely uphold Euro-American legal definitions and practices, but that rulings often emerged from political motives and social biases that embedded racial inequalities in the law, working simultaneously to define Mexicans and Mexican Americans as a distinct racial group within a system that generally discriminated against, marginalized, and disenfranchised sections of society based on race.

When filled with ringmen at all levels, the courts in New Mexico stopped working under any mask of justice and instead operated for the enjoyment of the Ring and its allies.<sup>34</sup> Democratic antagonism to Ring control of the court was exactly what set Kirchner's story in motion. Catron made this perfectly clear in the butcher shop when, in a moment of frustration, he disclosed that it would be ruinous to them if the legislature reassigned Palen away from the first district.<sup>35</sup> August Kirchner understood Catron's plea and likely estimated that he could help produce that very outcome. He knew that as long as Judge Palen, Attorney General Catron, and Court Clerk Breeden controlled the first district court, he had no hope of a fair shake. His initial step, however, of composing an affidavit and having it recorded in the courts, was not insignificant. Even if plagued with collusion and favoritism the court still behaved as a legitimizing institution. With documentation on record, Elkins and Catron could not ignore Kirchner's accusation or quietly rebuff it. Their rather official response, including filing their own affidavit with their own supporting documentation makes this clear. Furthermore, Catron harnessed the power of the courts and the law in bringing the attack back to his accusers. By threatening Kirchner and Newman with criminal libel, the ringmen placed the abstract power of the judicial system at their disposal.

Although the Santa Fe Ring did not continue to maintain such encompassing influence over the courts as it did in the 1870s, during that decade Catron and friends found plenty of self-serving use for the austere judicial body. The actions of the courts,

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<sup>34</sup> Malcolm Ebricht, *Land Grants and Lawsuits in Northern New Mexico*, John Van Ness, ed., New Mexico Land Grant Series (Albuquerque: University of New Mexico Press, 1994), 27-28; also two contemporary documents that expressly chastise the New Mexico courts including: W.B. Matchett and Mrs. E. McPherson to the Secretary of the Interior Carl Schurz, Presentation of charges against Samuel Beach Axtell to Carl Schurz, March 1877, RI 1704, Box 25, Ritch Papers; and Frank Springer, Deposition of Frank Springer, of Cimarron, New Mexico, given at the request of Frank Warner Angel Esq. upon interrogatories propounded by him," 9 August 1878, RI 1758, Box 26, Ritch Papers.

<sup>35</sup> Affidavit of August Kirchner, Territory of New Mexico, County of Santa Fe, 1 February 1872.



for instance, during the “wars” that took place in Colfax and Lincoln Counties, as well as in the many land and election suits showcases a monopoly of state power and state violence centralized in Santa Fe and upheld by federal authority.<sup>36</sup> As Simeon Newman learned the hard way, violence, or the threat thereof, was an active ingredient in territorial politics. Instead of safeguarding the populace against the threat of violent repression, the strategic positioning of ring members allowed them to use the courts to conspicuously suppress their enemies. An “omnibus law” passed by the New Mexico legislature even gave the leading lawyers and judges increased power and discretion by establishing a process for prosecuting “all crimes for which there is not statute provision.” The law thereby provided members of the Ring with a limitless arsenal of charges to levy against any real or imagined opposition.<sup>37</sup> Until the Lincoln County debacle in 1878 led to federal special agent Frank Warner Angel’s investigation into the role played by the territorial governor and certain agents of the court, the Santa Fe clique dominated the judicial system of New Mexico.<sup>38</sup>

Finally, the story of August Kirchner and his eighteen month turn-around from fighting against to working for Elkins and Catron demonstrates the dexterous code of ethics practiced at the time and how it actually functioned to connect local interests with national interests in an effective manner.<sup>39</sup> While historians often have trouble casting the actions of their subjects as unethical because of “the times they lived in,” I have no such hesitation. Westerners knew that offering bribes for votes fit within the realm of the unethical. That is why Catron asked to converse with Kirchner in a back room in the first

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<sup>36</sup> See note 34.

<sup>37</sup> Newman, “The Santa Fe Ring,” 282.

<sup>38</sup> Caffey, *Chasing the Santa Fe Ring*, 54, 74-75.

<sup>39</sup> Gressley, *West by East*, 35.

place. Afterwards, when Elkins and Catron countered Kirchner's affidavit with one of their own, their attempt to cover their tracks and deny all involvement indicates that they knew their behavior could have them formally censured or even removed from office. They took the proper steps to prevent any harm from coming their way not because they held some false idea that they were right in their initial course of action, but because they knew exactly what they had done and why it was worth it, regardless of the potential consequences. When no punishment came down to them and instead they set the law and the courts on their accusers, Elkins and Catron presented an unmistakable argument to the Kirchner's the West. No clear benefit existed to the ethically inflexible. Kirchner and his support network had learned that there was no good reason to fight the house when its proprietors offered a cushy seat at the table and a fat steak.

While plenty of opposition fought the Santa Fe Ring over the years, the Ring's genius came in its flexible membership and its endless inducements to participate with, rather than battle against, its objectives.<sup>40</sup> Many of the Ring's participant members originated from the ranks of its opposition. For instance, when the Maxwell Land Grant and Railway Company attempted to remove squatters from its claimed land in the early 1870s, Melvin W. Mills fought against the company. And yet, by 1876 Mills acted as a trusted agent for the Ring by purchasing the MLGRC at a foreclosure auction for

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<sup>40</sup> Howard Lamar, "The Santa Fe Ring," in Richard N. Ellis, ed., *New Mexico; Past and Present, A Historical Reader* (Albuquerque: University of New Mexico Press, 1971), 148 & 156. Furthermore, the Santa Fe Ring had some help covering its historical tracks, as argued in: Norman Cleaveland, "1875-85, A Decade of New Mexico's Greatest Development, Violence, and Confusion," 1-2, Chase-Morley Papers, 1867-1925, Box 1, Folder 4, Henry Huntington Library, San Marino. Cleaveland explained that: "Much of the historical confusion is due to the Santa Fe Ring's masterful public relations job conducted by several of its members who for some fifty years operated behind a façade of scholarship and the New Mexico Historical Society to become accepted as New Mexico's top historians. Their cover-up success was achieved primarily by omissions, although their historical versions were slanted to favor their Ring. The big four of the Ring's historians were: L. Bradford Prince, Ralph Emerson Twitchell, W.G. Ritch, and Max Frost." (1-2)

\$16,479.46 and then surreptitiously redirected ownership to Catron.<sup>41</sup> To understand this change, the deposition of another Colfax County resident and company affiliate, Frank Springer, provides an insightful gaze into the rings' machinations.

When asked by a federal agent in 1878 about the existence of the Santa Fe Ring, Springer evaded a direct response. Though he worked for the Maxwell Company and likely knew much about its business, Springer did not admit to any clear knowledge regarding the Rings' operation. Instead, he provides an example of how he understood it to function, and who pulled the strings. He explained to Frank Warner Angel: "In 1873, M.W. Mills who had been a prominent opponent of the Maxwell Company and of the men who controlled it was elected a member of the Territorial Legislature. Very soon after this he became very intimate with Dr. Longwill, whom he had before strongly opposed, and after he went to Santa Fe to attend the session of the Legislature, he wrote to Longwill, in which he informed him that 'by a little sharp figuring' he had 'got in with the big side.'<sup>42</sup> Springer identified Dr. Robert H. Longwill of Cimarron, one of the original investors in the grant, as the Rings' local agent, and that from December 1873 onward, "Mr. Mills became and continued to be very intimate with Longwill, as well as with Messrs Elkins and Catron, and represented them in business and political matters in the County to a very large extent, at least their intimacy and harmony of interests was very apparent to outside observers and in 1875 when Mills was again a Candidate for the

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<sup>41</sup> David L. Caffey, *Frank Springer and New Mexico: From the Colfax County War to the Emergence of Modern Santa Fe* (College Station: Texas A&M University Press, 2006), 48.

<sup>42</sup> Frank Springer, Deposition of Frank Springer, of Cimarron, New Mexico, given at the request of Frank Warner Angel Esq. upon interrogatories propounded by him," 9 August 1878, RI 1758, Box 26, Ritch Papers.

Legislature and Longwill for Probate Judge, all their powers were exerted to promote his election...<sup>43</sup> The ringmen were persuasive friends indeed.

To produce a harmony of interest, the Ring could also employ more devious means. When the Secretary of the Territory William G. Ritch attempted to gain the appointment as Governor in 1875, Elkins blocked the nomination and helped gain the position for Samuel B. Axtell, who became a fast friend of the Ring and an even faster detriment to New Mexico. Once again filling the Secretary's seat, Ritch grumbled. When his griping turned into obstinacy, the Ring leaned on some friends in Washington, D.C. to have him removed from office.<sup>44</sup> Catching wind of the maneuvers through his own D.C. connections, Ritch understood the message and its implications and so promptly toed the line thereafter. When Axtell came under fire the following year, Ritch authored a petition supporting the governor, sending it to Secretary of State Carl Schurz.<sup>45</sup> Ritch had grown quite helpful and was trying to help tie up the mess left in the aftermath of another believed ring-led endeavor, the murder of Reverend T.J. Tolby in Colfax County in 1875. When placed under interrogation, two suspected Nuevomexicanos gave the authorities four names of the people who paid them to commit the crime: Griego, Mills, Donohue, and Longwill. Though the two suspects had confessed, Catron and William Breeden

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<sup>43</sup> Ibid.; W.W. Griffin to R.H. Longwill, 17 July & 12 September 1871, First National Bank of Santa Fe Letter Books, Notebook 1, Box 4, William Parish Papers, 1700-1964, Center for Southwest Research, University Libraries, University of New Mexico (Parish Papers).

<sup>44</sup> Geo[rge] G. Smith to W. G. Ritch, 31 July, 1876, RI 1682, Box 25, Ritch Papers. In this letter, George Smith commented "I was not surprised at the effort made to slip another into your place. To all I met in the east I represented what I am sure was the truth, namely, that unscrupulous politicians in New Mexico who served only themselves sought to remove one who served faithfully the government and the people—whose life, therefore, was a contrast and rebuke to their own. I am rejoiced at their discomfiture and your establishment."

<sup>45</sup> William G. Ritch, Suggested petition to Carl Schurz in behalf of Samuel Beach Axtell, 24 June 1877, RI 1715, Box 26, Ritch Papers. William Ritch also sent letters to Antonio Joseph, C. Sulzbacher, Richard Cunningham McCormick, Donaciano Vigil, and Jose Epifanio Vigil, instructing them to support Governor Axtell and to petition in favor of Axtell with the Secretary of State.

defended them in court and won their acquittal.<sup>46</sup> In these ways, the Santa Fe Ring of the early Gilded Age gained new followers as least as often as it made new enemies.

A more reliable means utilized by Catron and his fellow ring-mates to stifle opposition and induce cooperation involved their affiliation to fraternal organizations, especially the Ancient Free and Accepted Masons. The role of the Order of the Freemasons within the ranks of the Santa Fe Ring remains shrouded by the secrecy that accompanied the Masonic institution in general.<sup>47</sup> Throughout the American West, freemasonry provided a welcome social space for recent Anglo American immigrants to fraternize in respectable social circles outside of the saloons, game halls, or brothels. In Santa Fe, Las Vegas, and other established New Mexican towns, the lodge became a substitute for the middle-class parlor or smoking room of the East. Other than the monthly meetings, members congregated for amusement, relaxation, and education.<sup>48</sup> When the Montezuma Lodge of Santa Fe met the first Monday of every month on the northeast corner of the Plaza, its members did not all arrive with nefarious schemes in mind. It is hard to believe, however, that the appearance of so many freemasons within

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<sup>46</sup> Frank Springer, Deposition of Frank Springer, of Cimarron, New Mexico, given at the request of Frank Warner Angel Esq., upon interrogatories propounded by him," 9 August 1878, RI 1758, Box 26, Ritch Papers.

<sup>47</sup> My claim as to the secretive nature of the Ancient Free and Accepted Masons is not merely a clever way to get around the lack of critical sources with which to engage this important social institution for New Mexico's Gilded Age development. The Order of the Freemasons did in fact use secrecy, symbolism, and cryptic practices for the purpose of conducting their "Craft." A clear example of even the language of concealment involved in the organization is that a non-member who wished to gain affiliation with the Free and Accepted Masons had to "petition for the mysteries."

<sup>48</sup> For discussion of the complex role played by fraternal societies and association in the late nineteenth century, see: Mark C. Carnes, *Secret Ritual and Manhood in Victorian America* (New Haven: Yale University Press, 1989), 2; Mark C. Carnes and Clyde Griffin, eds., *Meanings for Manhood: Constructions of Masculinity in Victorian America* (Chicago: University of Chicago Press, 1990), 39.

the territorial government and on the board of directors of New Mexico's largest corporations was merely a coincidence.<sup>49</sup>

In New Mexico, the history of the Free and Accepted Masons began prior to U.S. conquest. The same flow of trade and commerce that emerged along the Santa Fe Trail brought Euro American freemasons into Mexico.<sup>50</sup> After the U.S. conquest in 1846 the old Missouri-Santa Fe connections included many the new leaders of the fledgling territory such as Charles Bent, Ceran St. Vrain, Christopher "Kit" Carson, General Sterling Price, Henry Connelly, Joab Houghton, Merrill Ashurst, Kirby Benedict, and Solomon Spiegelberg. They operated under the direction of the Grand Lodge of Missouri, a Masonic body that expanded its jurisdiction liberally over the settled portions of the U.S. West. Although the organization started out as traveling soldier's lodges, by 1851 members officially chartered the Montezuma Lodge No. 1 in Santa Fe.<sup>51</sup> Many of Catron's early friends and advocates in New Mexico held the position of Worshipful Master of the Montezuma Lodge. These men included the judges and lawyers who provided for his legal training in the late 1860s and the spoilsmen who inculcated Catron to the world of frontier banking and speculation in the early 1870s. Elkins, a practicing freemason, introduced Thomas Benton to the New Mexico scene soon after the young Catron moved to Mesilla and again upon his relocation to Santa Fe. Without a doubt,

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<sup>49</sup> For instance, in 1877 the roles of the New Mexico Freemasons of the Montezuma Lodge No. 1 included the Territorial Governor, Samuel B. Axtell; the Territorial Secretary, William G. Ritch; the Surveyor General, Henry M. Atkinson; U.S. Attorney, Thomas B. Catron; Attorney General, William Breeden; Adjutant General, Thomas S. Tucker; Chief Justice of the New Mexico Supreme Court, Henry L. Waldo; and Clerk of the Supreme Court, John H. Thomson.

<sup>50</sup> For information on early freemasonry in New Mexico as well as the first official meetings of the New Mexico Grand Lodge, see LaMoine "Red" Langston, *A History of Masonry in New Mexico* (Roswell, N. Mex.: Hall-Poorbaugh Press, Inc. 1977) and Freemasons, *A Century of Freemasonry in New Mexico, One Hundredth Anniversary 1851-1951, Montezuma Lodge No. 1, A.F. & A.M.* (Santa Fe: The Rydal Press, 1951).

<sup>51</sup> Freemasons, *A Century of Freemasonry*, 13-17; Langston, *A History of Masonry*, 8-14.

Catron's Masonic affiliation opened doors otherwise closed to ex-Confederates and helped him to build a strong fraternal connection in the territory based on his Missouri heritage. When the New Mexico masons created an independent department in 1877, the Montezuma Lodge in which Catron held membership represented the single largest Masonic body in the territory.

The Grand Lodge of Masons in New Mexico officially organized at Las Vegas on Tuesday, August 7, 1877, for the stated purpose of forging "friendship" and "brotherhood" amongst the Masonic community of the territory. At the time, only three lodges, Santa Fe, Las Vegas, and Las Cruces, and one-hundred and sixty-five members embodied that community.<sup>52</sup> This close-knit group included many of the best connected land owners, merchants, politicians, and lawyers in New Mexico. Of the officers, William W. Griffin, William Rynerson, Henry L. Waldo, and Thomas B. Catron directly represented Ring interests. Almost the entire directorship of the Maxwell Company and the First National Bank of Santa Fe stood within Masonic ranks, including Stephen Elkins, Samuel B. Wheelock, John Pratt, and Miguel A. Otero. Governor Samuel B. Axtell, Ring member, friend of the Central Pacific Railroad, and Ohio freemason, led as Master of Ceremonies at the induction ceremony.<sup>53</sup> The editors of the ring-friendly *Santa Fe New Mexican* and fellow masons William Manderfield and Thomas Tucker used their paper to inform the public of the day's events and later to publicize upcoming

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<sup>52</sup> Langston, *A History of Masonry*, 1-2; Freemasons, *A Century of Freemasonry*, 43 & 49.

<sup>53</sup> The full list of officers from 1877 includes William W. Griffin, Grand Master; William Rynerson, Deputy Grand Master; Simon B. Newcomb, Senior Grand Warden, George Stebbins, Jr. Grand Warden; Willi Spiegelberg, Grand Treasurer; David Miller, Grand Secretary; T.B. Catron, Grand Lecturer; Rev. James H. Roberts, Grand Chaplain; John S. Crouch, Senior Grand Deacon; A.Z. Huggins, Jr. Grand Deacon; Henry L. Waldo, Grand Marshall; Cornelius Cosgrove and Gustave Elsberg, Grand Stewards; and Thomas S. Tucker, Grand Tyler.

gatherings.<sup>54</sup> Regardless of whether Santa Fe ringmen brought outsiders into the Masonic fold or if they made friends through lodge meetings, the overlap of members and interests abounds.

The combination of the Santa Fe Ring and the Montezuma Lodge allowed substantial latitude to pull the strings of governance and local development. When they attempted to do so on a territory-wide level, however, other component parts of the New Mexico Grand Lodge fought back. Until the summer of 1877 the direction of the Missouri Grand Lodge constrained overt centralizing actions by the Santa Fe freemasons, instead privileging connections to Missouri interests over those of a specific town or county within the territory. At the first Annual Communication of the New Mexico Grand Lodge held in January 1879, the Grand Master William Griffin clarified the new powers of the local body and its full jurisdiction over the territory and all of the lodges found within its borders. In response, Democratic freemasons from Silver City rebuffed Griffin's declaration. The Silver City group argued that it maintained its allegiance to the Missouri lodge and that the ring-laden leadership from Santa Fe could not induce members from Grant County to submit to Ring rule.<sup>55</sup> William Rynerson, the newly

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<sup>54</sup> Manderfield and Tucker, eds., "The Grand Lodge A.F. & A.M. of New Mexico," *The Daily New Mexican (Santa Fe)*, 8 August, 1877, p. 1.

<sup>55</sup> The Silver City-ites had plenty of evidence as to the Santa Fe Ring's hold on the Montezuma Lodge and the Grand Lodge of New Mexico. The membership of the Montezuma Lodge for 1881 for instance included: James W. Anderson, John W. Bean, Ed. H. Bergmann, Ed. W. Bates, Eugene P. Black, Thomas D. Burns, George G. Brown, Edmund Butler, Walter L. Coakley, James Conklin, Cornelius Cosgrove, Alfred M. Conner, Frederick L. Colclasser, Thomas F. Conway, E. Stephen Conrad, Thomas B. Catron, Henry M. Davis, Alexander Douglass, Stephen B. Elkins, Samuel Eldodt, Marcus Eldodt, Max Frost, Henry J. Gore, James M. Giddings, William W. Griffin, Joseph M. Gough, C.H. Gildersleeve, Lafayette Head, James Hunter, John R. Hunt, Augustus Z. Huggins, Herman Ifeld, Noa Ifeld, Alexander G. Irvine, Isaac E. Jewett, James L. Johnson, Anthony Josph, Benedict Kahn, Preston H. Kuhn, August Lindsay, William H. Manderfield, William H. McBroom, William McCleave, Michael McDonough, Charles Meinhold, David J. Miller, Frederick Muller, Edward Ochs, Charles Pessels, A.H. Pfeiffer, James K. Proudfit, Henry Reid, William G. Ritch, John H. Riley, Benjamin Schuster, Zadock Staab, Willi Spiegelberg, Christian Stollsteimer, John H. Thomson, William T. Thornton, Thomas S. Tucker, William



elected Grand Master of the New Mexico Lodge, disagreed. In 1880 he arrested the Masonic charter of the Silver City lodge, attached penalties to their leadership, and directed correspondence to national leadership to induce Missouri to fully recognize New Mexico's sovereign jurisdiction.<sup>56</sup>

At the following years' communication, held at Las Vegas, both sides continued the feud. The Worshipful Master of the Silver City lodge wrote a scathing letter that he published in the *Grant County Herald*. He argued that the Silver City Lodge owed its origins to the Grand Lodge of Missouri and should remain under its care. He went on to state "that the Grand lodge of New Mexico, having adopted the Santa Fe Ring doctrine of "Rule or Ruin," has been a positive detriment to the cause of Masonry, and by her course towards Lodges in our Territory that would not "bend the pliant hinges of the knee" to her, has rendered herself a stench in the nostrils of all good Masons...."<sup>57</sup> In defense of his Santa Fe friends, Rynerson retorted against the insolence of Silver City and pushed for new action to be taken against both the Grant County freemasons and the Missouri Grand Lodge. By 1883 the Grand Lodge of New Mexico won its jurisdictional dispute, forcing Silver City to pay back dues and Missouri to acknowledge its lack of sovereignty in the territory.<sup>58</sup> But, even as the mid-80s brought newly centralized power to the New Mexico Grand Lodge, the recent construction of railroad mileage throughout the territory

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Usener, Henry L. Waldo, Edward Walsh, Sigmund Wedeles, Robert B. Willison, Fred. F. Whitehead, and Charles A. Woodruff.

*Proceedings of the Third Annual Grand Communication of the Grand Lodge of New Mexico of Ancient Free and Accepted Masons, Held at Las Vegas, January 17, 18, 19, A.D. 1881.* (Washington, D.C.: Printed at the Office of the Masonic Eclectic, 1881), 171. These sixty-eight members represented over one-third of the full Masonic membership of 184 in New Mexico for 1881.

<sup>56</sup> Langston, *A History of Masonry*, 23; Freemasons, *A Century of Freemasonry*, 51-55.

<sup>57</sup> *Proceedings of the Third Annual Grand Communication of the Grand Lodge of New Mexico of Ancient Free and Accepted Masons, Held at Las Vegas, January 17, 18, 19, A.D. 1881.* (Washington, D.C.: Printed at the Office of the Masonic Eclectic, 1881), 17-18.

<sup>58</sup> *Proceedings of the Sixth Annual Grand Communication of the Grand Lodge of New Mexico of Free and Accepted Masons, Held at Silver City, December 11, 12, 13, A.D. 1883* (Alexandria, VA: G.H. Ramey & Son, 1884), 17; Langston, *A History of Masonry*, 23.

and an influx of Euro American immigration led to a sustained rise in Masonic membership and a diffusion of power by the entrance of new lodges and new generations of freemasons.<sup>59</sup>

### **Political Economy of Santa Fe and its Ring**

As a Gilded Age city, Santa Fe was both representative and unique. In a time characterized by opulence, little by eastern standards could be found. The boosters' birds-eye-view lacked those elements usually found in cities promoting themselves as modern.<sup>60</sup> Despite its humble appearance, leading Santa Feans sought to secure their city's status as a hub of southwestern commerce, politics, and power. To do so, they recognized the need to integrate the surrounding hinterlands, their products, and their resources into a scheme organized around and through Santa Fe. For the acquisitive Americans, this was an inherently competitive affair. Catron and his friends knew that all too well. With great optimism, and even greater trust in their ability to game the system, they were poised to centralize the forces of the market and the state in Santa Fe. As the 1860s came to a close, the emerging leadership of the Ring had good reason to believe that their ambitious goal stood within reach.

First and foremost, Santa Fe operated as the political headquarters for New Mexico. As the designated capital this may seem obvious enough, but it is very important with regards to the flow of power from Washington, D.C. to the county and municipal level in the territory. In this sense Santa Fe acted as a political borderland with its gaze

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<sup>59</sup> *Proceedings of the Third Annual Grand Communication of the Grand Lodge of New Mexico*, 17-18.

<sup>60</sup> H.T. Wilson, *Historical Sketch of Santa Fe, New Mexico* (Chicago: The Hotel World Publishing Co., 1880); William G. Ritch, *Illustrated New Mexico*, Third Ed. (Bureau of Immigration, Santa Fe: New Mexican Printing and Publishing Co., 1883).

set upon the nation and the local needs of New Mexico. This is represented clear enough by Santa Fe's housing of the Governor who was almost always a carpetbagger appointed in D.C., and the Territorial Legislature made up of elected officials with a Nuevomexicano majority in control of the lower house (Assembly) and upper house (Council) for most of the nineteenth century.<sup>61</sup> Alongside these branches of government, Santa Fe inhabited the First Judicial District, the judge of which was also the Chief Justice of the New Mexico Supreme Court. Other agents of the court, including the New Mexico attorney general and U.S. District Attorney for New Mexico held office in Santa Fe, though these positions required a substantial amount of travel throughout the territory.<sup>62</sup> Under the controlling grasp of the Radical Republicans in Congress and General U.S. Grant in the White House, Santa Fe's political orientation favored the Republican Party, which propped up its influence there through the spoils of appointments and concessions. Elkins and Catron carved out powerful positions for themselves within this party-oriented geography.

During the Gilded Age the merchants and bankers of Santa Fe operated to make the capital the territory's economic nucleus as well. Prior to the emergence of chambers of commerce as formal think-tanks and treasuries for city development, Santa Feans built an economic base on a combination of private and public resources. To their immediate benefit, Santa Fe housed the one Federal Repository for the territory, valuable in that it acted as the nerve center for shipments and disbursements of U.S. currency, which was

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<sup>61</sup> Gonzales, *Política*; Robert Larson, *New Mexico's Quest for Statehood, 1846-1912* (Albuquerque: University of New Mexico Press, 1968).

<sup>62</sup> Ritch, *Blue Book*, 1882.

often in short supply.<sup>63</sup> For major civic projects, ringmen and non-partisan promoters alike looked to the federal government to help furnish the means. Through direct legislation or the efforts of the Delegate to Congress, the Santa Fe crowd lobbied for federal monies (while decrying federal oversight, of course). These public funds paid for construction projects and city improvements such as capital buildings, the Territorial Penitentiary, and the road system. And, just like investment capital, federal finance came ensconced in regional competition, real and petty, as other sections of New Mexico petitioned for public works that would enrich their own networks and constituencies.

Private growth developed mostly through the connection of Santa Fe to extant business networks. Kinship and ethnic background provided one such point of access, helping the Spiegelberg, Seligman, Staab, and Ilfeld families to link their mercantiles on the Santa Fe Plaza to finance and supply lines in New York and Europe.<sup>64</sup> By extending credit in the form of small loans and partido contracts, both of which garnered payment in *efectos del pais*, these stores also tied the bustling plaza to the agricultural and range lands that fanned out around Santa Fe.<sup>65</sup> Before the operational start of the First National Bank of Santa Fe in 1871 and the Second National Bank of Santa Fe in 1872, German-Jewish merchants made up the most significant group of economic lenders in the territory.

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<sup>63</sup> After 1876, the Elkins crowd maneuvered the Federal Depository to be housed at the First National Bank of Santa Fe under the watch of William W. Griffin, an entrenched ring-member. Ritch, *Blue Book*, 1882.

<sup>64</sup> Tomas Jaehn, *Germans in the Southwest, 1850-1920* (Albuquerque: University of New Mexico Press, 2005), 40-41; Terry Jon Lehmann, "Santa Fe and Albuquerque 1870-1900: Contrast and Conflict in the Development of Two Southwestern Towns," (PhD diss., University of Indiana, 1974), 23-25, 49. On the latter page, Lehmann accounts for a parade held in Santa Fe at the behest of its German community in support of Prussia at the beginning of the Franco-Prussian War in 1870. In this distant setting, a common German background helped at times to reduce the overt practice of anti-Semitism that otherwise was prevalent through much of the U.S.

<sup>65</sup> Parish, "The German Jew and the Commercial Revolution in Territorial New Mexico," 21-22.

The opening of the First and Second National Banks and their connections to powerful cliques of politicians, lawyers, and merchants cemented Santa Fe's strategic position within New Mexico's economy. Even as financial institutions evolved across the territory, the First National of Santa Fe (FNSF) remained a rock of New Mexican banking.<sup>66</sup> The directorship of the bank, as filed with the U.S. Comptroller of Currency in 1871, included Elkins, Catron, William W. Griffin, James L. Johnson, John Pratt, Samuel B. Wheelock, Jose L. Perea, Francisco A. Manzanares, and Miguel A. Otero.<sup>67</sup> It is important to note that one-third of the directorship came from the elite ranks of the Mexican community. The ring-led bank pursued an active relationship with the majority population of the region, and through its directors, accomplished this goal. Together, the bank's leadership brought together a dynamic group of interests that connected the bank to an informal association of friends and family as well as overlapping leadership with the Maxwell Land Grant and Railway Co., the Rio Grande Railway and Telegraph Co., the Palace of the Governors, the New Mexico Bar Association, and the Order of the Freemasons. These were exactly the types of intersections that gave Elkins and Catron the combined economic and political power that they built on starting in the early

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<sup>66</sup> Secondary sources recounting the history of the First National Bank of Santa Fe and the early banking industry of New Mexico include Lynne Pierson Doti and Larry Schweikart, *Banking in the American West: From the Gold Rush to Deregulation* (Norman: University of Oklahoma Press, 1991); Larry Schweikart, "Early Banking in new Mexico from the Civil War to the Roaring Twenties," *New Mexico Historical Review* 63 (1988): 1-24; Elizabeth Rogers, "S.B. Elkins: Business in New Mexico's Early Banking Era, 1873-1875," *New Mexico Historical Review* 70 (January 1995): 67-76; Ralph Edgel, *A Brief History of Banking in New Mexico, 1870-1959*, Bureau of Business Research Series, No. 39, Albuquerque: University of New Mexico Press, 1962, Center for Southwest Research, University Libraries; Paul A. F. Walter, "Banking in New Mexico Before the Railroad Came!," Address to the Newcomen Society, 1955, CSWR, UL, UNM; Paul A. F. Walter, "New Mexico's Pioneer Bank and Bankers," *New Mexico Historical Review* 21 (July 1946): 209-25; and Floyd S. Fierman, "The Spiegelbergs of New Mexico: Merchants and Bankers, 1844-1893," *Southwestern Studies* 1 (Winter, 1964): 3-48.

<sup>67</sup> William W. Griffin to H.R. Hubbard, Comptroller of Currency, 13 June 1871, First National Bank of Santa Fe Letter Books, Notebook 1, Box 4, Parish Papers. Under the new directors, the bank continued its original capitalization of \$150,000 of which the new group had to furnish bonded security to the U.S. Department of Treasury and the Comptroller of Currency.

1870s.<sup>68</sup> It is even suggested that the seizure of the bank acted as the single event that led to the designation of Elkins' clique as the "Santa Fe Ring."<sup>69</sup>

After Elkins finalized the takeover of the FNSF and moved the bank to the Santa Fe Plaza where he opened the doors for business on April 18, 1871, the ringmen initiated work along two fronts. The first involved the growth of the bank itself – its business, profits, and dividends – as a distinct entrepreneurial venture. The group worked diligently to put the bank in proper order, electing new officers in May, including Elkins as president, Perea as vice-president, Griffin as cashier, and Wheelock as assistant cashier. These men aggressively sought out new business in deposits and loans so that the FNSF already took in over \$20,000 and lent out over \$33,000 by the end of June. Because of his ability among Nuevomexicanos, the officers purposed Catron to distribute a circular "explaining the bank to the Mexicans" whose business the bank desired to cultivate.<sup>70</sup>

The Santa Fe men nurtured new allies in places like Cimarron and Las Vegas, expanding their network of political and business supporters that helped to suppress local opposition and upheld their interests in district probate courts. They used the services of

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<sup>68</sup> The Santa Fe clique of Elkins was not the only group with far reaching grasp and power in the territory or even Santa Fe. When the Second National Bank of Santa Fe organized in May 1872, its directorate included strong ties to resource and financial markets in New Mexico, New York, Philadelphia, Baltimore, and Europe. Like the First National, the Second National included a mixed group of stockholders representing local and national interests, including Solomon Spiegelberg (NYC), Levi Spiegelberg (NYC), Lehman Spiegelberg (Santa Fe), Willi Spiegelberg (Santa Fe), Felipe Chaves (Belen, NM), Antonio Serna (Alameda, NM), Charles P. Clever (Santa Fe), Adolph Guttman (Santa Fe), Jose Manuel Gallegos (Santa Fe), Ambrose Armijo (Santa Fe), and Telesfor Jaramillo (Los Lunas).

<sup>69</sup> Lucien Maxwell, along with his son Peter Maxwell, and his associates Charles F. Holly, ex-Chief Justice John S. Watts, and Henry Cooper of Boston, filed the original papers of incorporation and charter for the First National Bank on September 3, 1870. Theirs was only the fifth nationally chartered bank west of the Missouri River. The following spring, a cohort led by Elkins organized a dummy bank and broadcast their attempt to gain a national charter to alarm Maxwell that his bank would be run out of business if he did not sell to the Elkins party. By taking control of the bank and moving its office to Santa Fe, Elkins and his friends turned the First National Bank of Santa Fe into an important bulwark of the Santa Fe Ring. Walter, "New Mexico's Pioneer Bank and Bankers," 221.

<sup>70</sup> W.W. Griffin to T.B. Catron, 24 May 1871, First National Bank of Santa Fe Letter Books, No. 1, 1871, Notebook 1, Box 4, Parish Papers; Walter, "New Mexico's Pioneer Bank and Bankers," 222; Schweikart, "Early Banking," 5.

the bank to entice friendship and direct a favorable confluence of interests within their immediate business environment. For outsiders, gaining access to capital required an in with one of the members of the clique. As William Griffin told a Las Cruces man seeking a loan, “It will be useless to offer men as security who are not known here, no difference how good they may be.”<sup>71</sup> Still, the directors “knew” plenty of people in the Southern Rockies. By January 1872 the bank had to refuse loan requests, even by the Maxwell Company, because it reached its legal limit in “discounted paper” (loaned money).<sup>72</sup> Taken together with the seven percent dividends awarded in 1872, under Elkins’ leadership, the business of the FNSF rewarded its directors well.

As the First National gained a secure foothold in the regional economy, the directors started to expand their reach and their control over territorial growth. Necessarily, this meant entering the twin pillars of New Mexican economic activity: ranching and mining. When century-old mines around Silver City and Pinos Altos resumed excavation of large quantities of silver and gold in 1872, the bankers swept in to make sure the flow of bullion passed through their office. Two “friends,” John E. Wheelock and Henry M. Porter, directed the precious metals to Santa Fe where the First National then forwarded them via overland express to Wall Street for assay and credit. The two men did not represent random business acquaintances; rather, Wheelock was the brother of one of the bank directors and Porter was himself a director of the Maxwell Co.

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<sup>71</sup> William W. Griffin to Brad Darley, 29 August 1871, First National Bank of Santa Fe Letter Books, No. 1, 1871, Notebook 1, Box 4, Parish Papers. Because of U.S. banking laws, specifically the Banking Act of 1863 and 1864, nationally chartered banks could not hold land as security via a mortgage on that property. Instead, the bank required personal endorsements as to a person’s ability to pay back a loan, and that served as a guarantee that if the original debtor failed to pay, the amount fell upon the responsibility of their endorsers. See: Richard Sylla, “Federal Policy, Banking Market Structure, and Capital Mobilization in the United States, 1863-1913,” *Journal of Economic History* 29 (Dec. 1969): 657-86.

<sup>72</sup> William W. Griffin to the Secretary of the Maxwell Land Grant and Railway Company, 23 January 1872, First National Bank of Santa Fe Letter Books, No. 3, 1872, Notebook 1, Box 4, Parish Papers.



as well as a prominent regional capitalist with operations in Colorado, New Mexico, and Arizona.<sup>73</sup> The two agents on the ground in Silver City sent weekly correspondence, news, and updates to their associates in Santa Fe. This relationship, and the valuable information (as well as profit) it generated, gave the bank considerable autonomy in managing the flow of capital and transportation between the Silver City district and financial markets in Denver and New York City.

Simultaneously, the bank nurtured its relationship with sheep and cattlemen. To do so, its Nuevomexicano directors helped to bridge the cultural and personal gap between elite stock raising families of the Rio Abajo and the bank of Santa Fe. These families became some of the most stable clients of the FNSF in its first decade of existence. The directors also attempted to begin their own livestock operation when they incorporated the Consolidated Land, Cattle Raising and Wool Growing Company in October 1872, one of the first cattle corporations in the territory. Alongside Griffin, Elkins, and Catron as representatives of the bank, the company included the territorial governor Marsh Giddings and the newly designated surveyor general James K. Proudfit.

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<sup>73</sup> William Griffin to John E. Wheelock, 2 September 1872, First National Bank of Santa Fe Letter Books, No. 4, 1872, Notebook 1, Box 4, Parish Papers. The flow of precious metals like silver through the First National Bank presents an interesting example of regional business and competition in the late nineteenth century. The bankers of Santa Fe could have sent the bullion north to Denver for much of the same ends, except that a partner firm in New York City offered Elkins and Griffin better exchange rates on precious metals as well as a 1.5% commission on the New York value of silver and gold. The enticements given to the southwestern bankers to pull bullion to Manhattan more than made up for the difference in transportation rates and overland insurance as compared to the shorter journey to Denver or even San Francisco.

Whereas John E. Wheelock enters my story as the result of clear nepotism, Henry M. Porter factors into the economic development and history of the Southwest in some more profound ways. He worked in freighting, merchandising, railroad construction, telegraph service, ranching, real estate, and as the VP of the Denver National Bank, and a director of the Trinidad (CO) National Bank. Kathleen Brosnan looks to Porter for her opening vignette to *Uniting Mountain & Plain*, stating that “Porter’s career illustrates the dynamic and innovative ways in which Denver’s entrepreneurs seized control of the region’s nascent economy following the discovery of gold in 1858. They diverged into new commercial activities and extended the city’s influence over hinterlands throughout the West and across international borders.” Kathleen A. Brosnan, *United Mountain & Plain, Cities, Law, and Environmental Change along the Front Range* (Albuquerque: University of New Mexico Press, 2002), 1; also see Mark S. Foster, *Henry M. Porter: Rocky Mountain Empire Builder* (Niwot, Colo.: University Press of Colorado, 1991).



They split offices between their home in Santa Fe and the site of their expansive ranch lands near Fort Bascom.<sup>74</sup>

For his part, Thomas Catron gained interests in ranching business throughout the territory, from his initial involvement in the Consolidated Land, Cattle Raising and Wool Growing Company and investments in Lincoln County during the 1870s to future activity and enterprise in Tularosa and the American Valley later in the century. He built upon his esteemed position with the First National Bank to affix his name as security for numerous notes made by Lawrence G. Murphy and then James J. Dolan, both embroiled later in the decade in the Lincoln County War.<sup>75</sup> Their main source of profit came from the sale of cattle to the U.S. Army at forts or on Indian reservations. By the mid-1870s, Catron and the First National learned to adroitly navigate the trade in government contracts, Indian vouchers, and territorial warrants that they acquired as securities from their business with New Mexico stockmen. For instance, Catron collected \$20,961.85 from turning in collateralized Indian vouchers on October 3, 1877 and then in a letter to Jose L. Perea on May 5, 1879, Catron explained that he was able to repay a note of \$10,000 due to a collection on a government contract through the Mescalero Agency.<sup>76</sup> This not only indicates that Catron received at times substantial sums through his manipulation of the

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<sup>74</sup> Victor Westphall, *The Public Domain in New Mexico, 1854-1891* (Albuquerque: University of New Mexico Press, 1965), 23. James K. Proudfit replaced T. Rush Spencer as surveyor general on September 30, 1872 and by October 19, 1872 had already gotten involved with the Santa Fe Ring in the speculation of cattle lands in eastern New Mexico. Proudfit proved a ready and willing participant in ring-led schemes and helped to lobby Washington for increased surveying of the public domain to ostensibly open it up for settlement, but more so to benefit his Santa Fe friends and enable them to profit from otherwise questionable investments.

<sup>75</sup> Notes dated November 11, 12, & 17, 1877, First National Bank of Santa Fe Letter Books, No. 16-27, Notebook 1, Box 4, Parish Papers; Joel K. Jacobsen, "An Excess of Law in Lincoln County: Thomas Catron, Samuel Axtell, and the Lincoln County War," *New Mexico Historical Review* 68 (April 1993): 133-151.

<sup>76</sup> Thomas Catron to Jose L. Perea, 5 May 1879, First National Bank of Santa Fe Letter Books, Notebook 1, Box 4, Parish Papers.

government contract market, but also the pattern of debt juggling that he mastered as an agent for the bank.

While growing their business locally, directors also looked to strengthen the bank's regional and national reputation. A step in the right direction came in 1876 when Elkins borrowed the necessary capital from his wealthy new father-in-law to finally gain for the bank the status of U.S. Federal Depository for New Mexico. This standing brought increased stability to the bank, as well as an enlarged supply of currency and hearty dividends.<sup>77</sup> In connection with its new status, the First National found an added advantage in that it received subsidized advertisement through its official mention in territorial and regional gazettes, booster pamphlets, and business circulars, including the promotional materials generated through the New Mexico Bureau of Immigration. These types of published information helped to build confidence in the bank and included a list of the officers and directors to help spread their good reputations as well. By acting creative ways, Catron and the leadership of the FNSF developed a centripetal force that drew the economic activity of New Mexico into the orbit of their Santa Fe clique.

Of course, during its Gilded Age development, the bankers attempted much more than just drawing business their way; they outright stacked the deck in their favor whenever and wherever possible. Almost all of the directors used their positions to obtain work for friends and family members. If done correctly, these placements brought added benefits to an individual director or the bank in general. Samuel Wheelock, the assistant cashier, sent his brother John to Silver City to act as a miner and agent. William Griffin obtained a surveyor position for his brother, as did Elkins, whose brother John filed the final survey for the Maxwell Grant confirming its size at 1.7 million acres. From the

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<sup>77</sup> Wilson, *Historical Sketch of Santa Fe*, 88.

Maxwell Grant circle the First National also brought R.H. Longwill and Louis Sulzbacher within its ranks to make sure the two institutions' interests overlapped for the bank in a profitable way.<sup>78</sup> When the bank needed a new assistant cashier, Elkins hired Rufus J. Palen, the son of ringman Chief Justice Joseph Palen. As expected, Catron tried to play this game as well, albeit with rather poor results. After the Murphy-Dolan partnership defaulted on its loans made to Catron and the First National Bank, Catron gained control of their Lincoln County ranch and general store in foreclosure. He sent his brother-in-law Edgar A. Walz to manage these operations, but grew increasingly distressed as Walz bumbled his way out of business and left Catron with a stinging loss. As an important lesson that went unlearned throughout his life, the Gilded Age system of friendship was only as honest and remunerative as the friends one kept.<sup>79</sup>

As the bank grew, so did Catron's presence in its balance sheets and at directors' meetings.<sup>80</sup> He proved quite resourceful in attending to banking business of all stripes. When legal limits and questionable securities choked the First National's ability to bring in new clients or extend credit to influential patrons, Catron served as a private lender through FNSF channels. In this way, Catron used the institution of the bank for his own private interest while acting as a loan source in situations that would not quite meet

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<sup>78</sup> "Regular Semi-Annual Meeting" 1 August 1878, Minutes of the Board of Directors of the First National Bank of Santa Fe, Notebook 2, Box 4, Parish Papers.

<sup>79</sup> Thomas B. Catron to Edgar A. Walz, 24 May 1889, Thomas B. Catron Papers, Center for Southwest Research, University Libraries, University of New Mexico, Series 105, Vol. 2. In this letter (and many more like it) Catron scolds his brother-in-law profusely and recounts the actions of Edgar Walz in Lincoln County as the basis for a denial of future business interaction, which Catron of course reneged upon.

<sup>80</sup> Minutes of the Board of Directors of the First National Bank of Santa Fe, Notebook 2, Box 4, Parish Papers. Between August 1, 1871 and August 1, 1893 Catron attended all but six official directors' meetings of the First National Bank of Santa Fe. Within this period he maintained a strong presence in the bank's leadership, often running afoul of other directors. Nevertheless, the directors continued to include Catron in the decision making process of the bank and relied upon him on numerous occasions to determine whether to discount paper (loan money) for a client and for how much.

national banking standards, situations which were plentiful in the Southwest at the time.<sup>81</sup> By loaning out the money of individual directors from their personal accounts, the bank kept its records in legitimate standing while offering assistance to New Mexicans and allowing the interest accrued to line the pockets of ringmen such as Catron. That these informal transactions occurred under the purview of the FNSF, and were in fact condoned by its officers and directors, testifies to the presence of varying degrees of capitalist practices that endured in territorial New Mexico and the ways in which entrepreneurs and *pobladores* shaped its economic development.

As a director and lender, Thomas Benton grew heavily involved in the financial operations of elite Nuevomexicanos. He borrowed from and lent to men such as Francisco A. Manzanares, Miguel A. Otero, [Ambrosio] Armijo, Francisco Abreu, Jose L. Perea and Pedro Perea.<sup>82</sup> These transactions helped to ingratiate Catron within the Nuevomexicano community, or at least link his finances to theirs, and not only the well-off members. He gained a reputation for giving small loans to poor Mexicans, a practice that carried great favor towards Señor Catron.<sup>83</sup>

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<sup>81</sup> Sylla, "Federal Policy, Banking Market Structure, and Capital Mobilization in the United States," 661. Economic historian Richard Sylla identifies two key barriers for new banks based on the National Banking Acts of 1863 and '64, including legislated minimum capital requirements and loan regulations. New Mexico banks dealt with both of these issues. One result involved a tendency to eschew national charter and national reserve requirements, although this led to some unsound banks. Another, as shown by Catron and the FNSF, involved the practice of personal lending and chain-linked credit, especially on paper secured by land or held under mortgage, which was illegal for national banks to undersign.

<sup>82</sup> Notes dated 8 May and 24 June 1874, First National Bank of Santa Fe Letter Books, No. 4-15, Notebook 1, Box 4, Parish Papers.

<sup>83</sup> Although his correspondence from the 1870s burned during a fire that consumed his office in 1888, Thomas Catron's letters thereafter include a constant trickle of notes (often in Spanish) from Nuevomexicano men and women asking Catron for small loans or his assistance in getting them pensions or money for the government for Indian depredations. It is unclear whether Catron complied with all of these requests, but he most certainly proffered money or credit to some, as his outgoing correspondence include numerous letters castigating those who he loaned to for late or non-payment of their debts. See Catron Papers, Series 103 and Series 105 for incoming and outgoing correspondence from 1888 to 1912.

The leaders of the First National Bank built upon not only the latent economic potential of the post-Civil War Southwest, but upon the budding networks and technologies of information. By harnessing knowledge – bureaucratic, legal, market, and personal – Elkins, Catron, and other spoilsmen of the Gilded Age converted news, official memoranda, archival documents, and land records into social, economic, and political power.<sup>84</sup> By 1873 Santa Fe connected with Denver to establish one of the few telegraph offices in the territory. The newspapers of the city, including *The Daily New Mexican* and *El Nuevomexicano*, included substantial reporting carried over from eastern papers via the Associated Press.<sup>85</sup> Published in English and Spanish, news from New York and Washington, D.C. helped to connect New Mexicans to a national imagining and kept them informed as to national political trends.<sup>86</sup> Of course for the purposes of the ringmen, newspapers functioned to produce knowledge just as often as to broadcast it. They more successfully monopolized a different sort of data, however; land records from Spain, Mexico, and the United States. Between the Office of the Surveyor General, the

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<sup>84</sup> Niall Fergusson, *The Ascent of Money: A Financial History of the World* (New York: Penguin Press, 2008), 122.

Niall Fergusson discusses this common phenomenon as “asymmetrical information” that companies could maintain on the local level, but had to rely on others in remote locations. He goes on to comment that in business, asymmetrical access to and use of information is a constant, but that in a speculative bubble, it is especially prone to fraudulent behavior and manipulation. This rings true for the land grant speculation bubble of New Mexico. Interested parties applied localized information in a range of ways, only to realize by 1873 that their local knowledge could not save them from the exogenous shocks of the panic that set in that year.

<sup>85</sup> For discussion of New Mexico’s territorial press see: Porter A. Stratton, *The Territorial Press of New Mexico, 1834-1912* (Albuquerque: University of New Mexico Press, 1969); and Doris Meyer, *Speaking for Themselves: Neomexicano Cultural Identity and the Spanish-Language Press, 1880-1920* (Albuquerque: University of New Mexico Press, 1996).

<sup>86</sup> As formulaic and transparent as many New Mexican newspapers were in the late-nineteenth century, because of the sharing of articles through the associated press, they often followed national concerns closely. Readers in New Mexico could keep up with political campaigns, the workings of Congress, recent scandals, and economic trends with only a slight lag in access. For instance, the New Mexico Scrapbooks of William G. Ritch, held at the Huntington Library, include numerous entries and clippings regarding the territory that originally published in outside papers and found way to territorial printers via the associated press. For newspapers and print-media as an important backdrop to a national culture and self-imagining, see Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso Books, 1991), 44.

Territorial Archives and Library, and the Government Land Office (GLO), Santa Feans had direct access to the documentation most needed to identify and complete complicated land transactions.<sup>87</sup> Even after the GLO lost its monopoly in 1875 when Las Cruces added an office, public domain and especially land grant records for the entire territory attracted the lawyer-capitalists of the Southwest to Santa Fe.<sup>88</sup> Not surprisingly, the Santa Fe clique often included the Surveyor General within its ranks to ensure admittance to the information and the insider influence they required.<sup>89</sup>

As informed participants in the rampant land grant speculation and early attempts at colonization, the cohort of Santa Feans also cared to attract railroads to the Hispano borderlands. Of course, not all their data was accurate and no railroad actually built to New Mexico at this time, but several companies, including the Atlantic & Pacific, the Texas Pacific, the Denver & Rio Grande, and the New Mexico and Gulf publicized early plans.<sup>90</sup> In the summer of 1872, most boosters of the Rio Arriba expected to see rail traffic in just a few years, and with it, increased land values and available capital to develop local resources. Mining, ranching, and townsite companies organized what can only be looked at now as excessively optimistic charters and abstracts under the belief that they only had to survive a temporary incubation period before the windfall brought about by railroads and statehood. In just a short time, speculators assured themselves and

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<sup>87</sup> Westphall, *Public Domain*, 1, 13.

<sup>88</sup> Clipping, "New Mexico in the 43d Congress," [*Santa Fe New Mexican*], 16 March 1875, in Volume 6, New Mexico Scrapbooks 1864-1904, Huntington Library Rare Books, Henry Huntington Library, San Marino.

<sup>89</sup> Westphall, *Public Domain*, 21-32.

<sup>90</sup> Army, W. F. M., *Interesting Items Regarding New Mexico Its Agricultural, Pastoral and Mineral Resources, People, Climate, Soil, Scenery, Etc.* (Santa Fe: Manderfield & Tucker, printers, 1873), 8.

their sources of investment, the inchoate territory of New Mexico would blossom into full economic maturity.<sup>91</sup>

By interlocking themselves with national and international companies, the Santa Fe capitalists sought to expand their interests while also pulling money towards the territory's capital. This meant that already by the early 1870s, well before Catron rose to any significant leadership role in New Mexico, his presence and activity with the ring helped him to gain placement on the boards of directors of The Rio Grande Rail Road and Telegraph Company (1870), the First National Bank of Santa Fe (1871), the Willison Silver Mining Company (1871), the United States Central railway (1871), the Consolidated Land, Cattle Raising and Wool Growing Company (1872), the Missouri Valley Insurance Company (1873), and the Maxwell Land Grant and Railway Company (1873). These companies had offices and officers in New Mexico, Colorado, Missouri, Kansas, and in urban centers along the eastern seaboard.<sup>92</sup> For the development of the city of Santa Fe itself, however, these national networks refrained from investing to a great extent.

Alongside these roles, Santa Fe also acted as a cultural and social capital of the territory. One promoter went so far as to write that "Santa Fe and New Mexico are identically one," a position furthered city boosters, but maligned by others outside the

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<sup>91</sup> By 1872 fourteen railroad companies had gained corporate charters to build and operate in the Territory of New Mexico. "Record of Incorporation Classified," 1867-1910, Reel 34, Territorial Archives of New Mexico (TANM), Records of the Secretary of the Territory, Center for Southwest Research, University Libraries, University of New Mexico; Compiler W.F.M. Army claimed that four railroads would arrive in New Mexico within the next few years in: *Interesting Items Regarding New Mexico Its Agricultural, Pastoral and Mineral Resources, People, Climate, Soil, Scenery, Etc.* (Santa Fe: Manderfield & Tucker, printers, 1873), 8.

<sup>92</sup> The geographic composition of the boards of directors for companies that did business in northern New Mexico in the late 19<sup>th</sup> century helps to underscore how connected that part of the territory remained to the Great Plains, the Midwest, and the Northeast. While neighboring Arizona would more and more look to California for economic development, especially in the 20<sup>th</sup> century, New Mexico continued to foster ties with the east, and more and more, with Texas.

capital.<sup>93</sup> Several institutions grew with Santa Fe as their epicenter. The Catholic Church, for instance, under the watchful eye of Bishop Lamy, strove to consolidate religious authority under the Arch Diocese of Santa Fe. As a physical representation of this power and of the significant role of the Catholic Church in New Mexico, St. Francis Cathedral, which began construction in 1869, towered over the gilded-age city.<sup>94</sup> With less obvious dominance, the Montezuma Lodge No. 1 served as the fraternal capital of the territory. It provided social space for both the Order of Free and Accepted Masons and the Order of Odd Fellows, two social institutions of the territory that powerfully shaped lines of friendship and networking. In less institutional ways Santa Fe acted as a social center for New Mexico as well. Its *bailles* and society gatherings represented important sites for the blending of Mexican and American traditions.

The intimate geography of Santa Fe allowed for Thomas Catron to pull from several sources of power and influence without leaving the Plaza district.<sup>95</sup> For instance, one day in September 1874 he could sit at his new roll-top desk (gifted to him by James K. Proudfit, the surveyor general) at his office in the Palace of the Governors when the appointed territorial governor Marsh Giddings could call him in to discuss plans of the Republican Central Committee. Their conversation may have turned towards joint business interests concerning New Mexico lands, leading Catron to head down the hall to the library and archive also quartered in the Palace. His friend Samuel Ellison, a land lawyer and the Territorial Librarian, could direct Catron to recent land title documents or

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<sup>93</sup> Wilson, *Historical Sketch of Santa Fe*, 5.

<sup>94</sup> Paul Horgan, *Lamy of Santa Fe: His Life and Times* (New York: Farrar, Straus, and Giroux, 1975), 117-18.

<sup>95</sup> David Remley, ed., "*Adios Nuevo Mexico*": *The Santa Fe Journal of John Watts in 1859* (Las Cruces, N.Mex.: Yucca Tree Press, 1999), 2. In this edited version of teenage John Watts diary, David Remley describes Santa Fe similarly, as a community of intimate relationships in close proximity.



a range of extant records from the Spanish and Mexican governments. Catron could then walk to the west end of the Plaza to visit his fellow director and business partner William Griffin, cashier of the First National Bank of Santa Fe, to ask for funds to purchase land grant interests found through the Territorial Archive or the Office of the Surveyor General. Perhaps Catron and Griffin successfully made a deal; they could then walk across to the northeast corner where they might enjoy lunch with the company of other freemasons at the Montezuma Lodge where Griffin held the title of Worshipful Master, the highest position within the lodge. There they could safely discuss intentions for land deals or other investments. If over lunch they decided to counter some negative press, all Catron had to do was to walk downstairs to the office of *The Santa Fe New Mexican* where his friends, fellow freemasons, and editors William Manderfield and Thomas Tucker would gladly publish some affable exposition of Catron's exploits. From there, he could stop by the telegraph office and send a message to Elkins in D.C. before returning to their separate law office on the east side of the Plaza to compose the appropriate paper work.<sup>96</sup> Or, to return to the opening story of the chapter, he could stroll into August Kirchner's butcher shop to try to make a new "friend." The small world of Santa Fe placed political, economic, and social power at the Ring's doorstep.

### **Engineering Politics with "Smooth" Steve Elkins: Or, Good Years for Team Players**

Stephen Elkins arises through the literature as the pivotal personality that brought together politicians, lawyers, capitalists, and merchants to work in unison. He

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<sup>96</sup> The location of these offices on the Santa Fe Plaza is constructed mostly from business advertisements in the *Santa Fe Daily New Mexican* and from territorial reports such as [William G. Ritch], *A Complete Business Directory of New Mexico, and Gazetteer of the Territory for 1882* (Santa Fe: New Mexican Printing and Publishing Company, 1882).

successfully tied the interests of international investors to the lands and resources of the Southwest.<sup>97</sup> Access to sources of money created its own gravitation pull so that Elkins attracted new “friends” with each project he engaged. As his law partner and deputy, Thomas Catron grew to understand the fine art of friendship and spoils. Early on, he even seemed to understand exactly where his talents were best deployed. This included his ability as a precinct manager, not just in Santa Fe County but across northern New Mexico where he made inroads with the Nuevomexicano electorate by conspicuously extending patronage. Local elections in New Mexico remained hotly contested and deeply personal, fully organized around the two-party system from 1871 onward. As Republicans and Democrats, Nuevomexicanos squared off over issues of local and national concern.<sup>98</sup> Like the Tweed Ring, Elkins and Catron recognized the power of ward politics as they spread their Republican mantle across the small villages that dotted the Hispano borderlands.<sup>99</sup>

An important boon for the Santa Fe crowd occurred in the autumn of 1873 when Stephen Elkins won the election for Territorial Delegate to Congress. This non-voting congressional seat came with great local favor and prestige. Since his arrival in the territory just over a decade earlier, Elkins had already established himself as a key manager of people and money in business, legal, and political circles. He held the positions of attorney general, U.S. district attorney, president of the First National Bank

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<sup>97</sup> Unsurprisingly, Stephen B. Elkins plays an important part in the many works that reference the Santa Fe Ring or that discuss Thomas Catron and territorial New Mexico. No current scholarship demonstrates the full magnitude of Elkins role in New Mexico and the West in his short time in the territory from 1863-1876. By the time he moved east, he had ingrained interests in southwestern land, livestock, colonization, minerals, and timber, as well as with the First National Bank of Santa Fe and the leading members of New Mexico’s Republican Party.

<sup>98</sup> Phillip B. Gonzales, *Política: Nuevomexicanos and American Political Incorporation, 1821-1871* (Lincoln: University of Nebraska Press, forthcoming).

<sup>99</sup> Callow, *Tweed Ring*, 14.

of Santa Fe, and president of the Maxwell Land Grant and Railway Company.<sup>100</sup> Once in Washington, D.C., Elkins applied his charismatic ways to grow close with prominent congressmen, including James G. Blaine, a Republican from Maine and Speaker of the House under President Grant.<sup>101</sup> He had recently remarried (after the passing of his first wife) to Hallie Davis, the daughter of a Republican Senator from West Virginia. Elkins surely understood how to move up within the Gilded Age political system. His major interests while delegate involved statehood for New Mexico, attracting railroads to the territory, and lobbying for the swift confirmation of patents on land grants.<sup>102</sup>

Unsurprisingly, all of these interests sought to benefit his local business concerns and if successful, would have made him and his cohort even wealthier. In his new role as a D.C. politician, Elkins quickly realized that he required a reliable and resourceful partner in the territory. He had to look no further than his old pal, law partner, bank partner, and political ally.

In connection with Elkins reputation as a “smooth” manager of myriad interests, Thomas Catron served as his closest friend and ally, building a foundation of power for himself as a behind-the-scenes fixer. Whatever an opponent felt about Catron personally, they had to respect that he had plentiful smarts and guts as well as the vocabulary and

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<sup>100</sup> Robert McCurdy to Friend [W.G.] Ritch, 21 April 1875, RI 1649, Box 25, Ritch Papers. Elkins’ mastery of the Gilded Age spoils system in New Mexico can be seen in a letter sent to William G. Ritch in which his friend Robert McCurdy explained that Ritch would not receive the post of Territorial Governor of New Mexico because Elkins said so. The letter reads “[P. Sawyer] left Washington Thursday. He informs me that he heard from you + that Howe had also. He says that in regard to your appointment it will be almost entirely as Mr. Elkins says. Elkins he tells me is well acquainted with the President, + also with Senator Howe, that Howe will do all he can to assist Elkins, but that He (Howe) could do nothing as against Elkins recommendation, as the President is disposed to listen to the local representative, Sawyer thinks Elkins friendly to you but thinks he will consider what in his judgment will be best for the party + especially for Elkins.”

<sup>101</sup> Caffey, *Chasing the Santa Fe Ring*, 86.

<sup>102</sup> Stephen B. Elkins, “Admission of New Mexico as a State—Her Resources and Future,” and “History. Wealth and Resources, Mineral, Pastoral, and Agricultural. Relations to the Country, and Probabilities of Her Future,” *Speeches of Hon. Stephen B. Elkins, Delegate from New Mexico in the House of Representatives, May 21, 1874* (Washington: Government Printing Office, 1874), Huntington Rare Books.

linguistic artistry to deal in legerdemain or sophistry, both in English and Spanish. He attended to political maneuvering, legal manipulation, and the defense of speculators' interests—as long as these did not interfere with his agenda or draw the public spotlight upon his behavior in an unflattering way. When it did, he leveraged his position with the press to fire out harsh retorts.<sup>103</sup> When problems arose for the First National Bank of Santa Fe, such as loans that fell due or money trails that needed to be clouded, Elkins and the directors looked to the wily Catron for creative methods to deal with their troubles. He provided legal help for the bank and its affiliates (including the Maxwell Land Grant and Railway Company), relying upon the ring-laden courts of New Mexico to ensure otherwise injurious suits were swept under the rug with little or no burden upon the bank or their friends. When it came time for elections, he worked diligently to bring out Republican voters and stop-up Democratic machines. When the ringmen required land purchases, he showed great skill at locating the owners and finding the right inducement to strike a sale. For Catron, Elkins' move to Washington represented a new stage in his territorial existence; he now had a close ally with a seat at the national table and with new powerful friends. In New Mexico Catron used Elkins' absence to emerge from the shadows and become a dominant force within the territory. Over the next half-century, Catron remained a constant power in New Mexico politics, business, law, and society. Although he found himself on the outs on multiple occasions, Catron displayed tireless energy, guile, and strength of will to remain relevant and influential.

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<sup>103</sup> Generally through the *New Mexican* in the 1870s and the *Albuquerque Citizen* in the 1890s. Thomas Hughes, one of the editors of the *Citizen*, even went to jail as part of a cover-up for Thomas Catron in 1896 in connection to a way-too-public feud between Catron and Governor William T. Thornton. The story goes that Hughes served his sixty days and then was treated to a hero's welcome and great business upon return.

This was no more apparent than when Elkins ran for Delegate in 1875 against Democratic candidate Pedro Valdez. During the disputed election Elkins relied greatly upon the work of Thomas Catron due primarily to the fact that Elkins was busy traveling in Europe at the time trying to market land grant securities.<sup>104</sup> Other than providing assistance by managing their Santa Fe based political machine, Catron acted as Elkins' lawyer following the election when Valdez attempted to officially contest the results. Similar to the earlier case of Mr. Kirchner, the political pugilists fought each other with legal arguments, both employing attorneys to present each side with excessively juridical, complicated, and otherwise dense legal language.

Pedro Valdez and his lawyers James S. Robinson and R.H. Tompkins initiated the assault with a published notification to the Honorable Stephen B. Elkins. The crux of Valdez's contest was simple enough: that Elkins, a carpetbagger, used "irregularity, illegality, and fraud" to obtain a majority of votes and therefore illegally won the seat of Delegate.<sup>105</sup> Valdez' claims of misbehavior during the election ran deep. Elkins political allies extended to the Boards of Registration, the Judges of election, the Probate judges, the Board of Canvassers, and finally to the Secretary of the Territory who, as a personal friend of Elkins, improperly counted the final returns from each county and fraudulently awarded the contest to the Republicans. The attorneys for Valdez then published another twelve type-written pages of general and specific charges. Moving county by county, precinct by precinct, Valdez' legal team pointed out the irregularities, such as Precinct No. 7 in San Antonio, Socorro County, where the judges and clerks were improperly

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<sup>104</sup> ["For Delegate to Congress Stephen B. Elkins: Hon. Stephen B. Elkins Renominated.'], Volume 6, New Mexico Scrapbooks 1864-1904, Ritch Papers, Huntington Rare Books; Larson, *New Mexico's Quest for Statehood*, 136.

<sup>105</sup> Pedro Valdez, *To the Honorable Stephen B. Elkins*, Santa Fe, New Mexico, [Santa Fe, 1875], Ritch Papers, Huntington Rare Books, 1-2.

sworn in making that precinct void; the illegalities, including illegally cast votes, illegally counted votes, or the destruction and/or replacement of non-Elkins votes; and outright fraud in voter registration, the amount of votes cast, and the counts of votes provided by county probate judges. The charges are so ubiquitous throughout his published contest that it is difficult to determine where one charge ceases and the next begins. Signs of irregularity, illegality, and fraud overlapped appreciably in many precincts. For instance, in Precinct No. 1 of Bernalillo, Bernalillo County, the total number of votes tallied forty-seven, but somehow the number for Elkins stood at 221. Similarly, the village of Manzano in Valencia County only counted sixty qualified voters with fifty-six placing votes for county candidates and a whopping 713 voting for Elkins. Alongside these more specific charges, Valdez also included general allegations such as the fact that the precincts of Don Fernando de Taos were entirely under the control of the Republican party and Elkins' friends and so held no legal basis for being counted by the Secretary of the Territory.<sup>106</sup>

In closing, Valdez asserted his every right to officially contest Elkins' election and the very idea of ring power in New Mexico. With a determined attitude, he sought to expose the Santa Fe Ring as a disgrace to the people of the territory. Calling upon his privileges as a U.S. citizen and his experience as a forty-year resident of New Mexico, Valdez claimed to be the equal of Elkins in "everything that constitutes a man, and your superior in the late elections...at least as well acquainted with the wants of the people of this Territory, and as capable of asking Congress for them..." The only reason Elkins won, he explained, was through the "suppression of the public will brought about by his

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<sup>106</sup> Ibid., 3-14. Pedro Valdez and his attorneys claimed that malfeasance of some sort occurred in the counties of Mora, Colfax, Taos, Rio Arriba, Socorro, Valencia, Bernalillo, and Santa Fe. Only Grant, Dona Ana, Lincoln, and San Miguel Counties lacked charges.

pliant tools, in places of power.”<sup>107</sup> With a final plea to the federal government, Valdez emphasized that “the late canvass for Congress in this Territory was in fact Ring and Anti-Ring. I represented the latter against what the people of this Territory know to be the most unprincipled, unscrupulous, corrupt and despotic Ring that has ever existed in the United States, and I regard the result of this election as proclaimed at the polls by the people to be a request to the government of the United States clearly expressed, to remove from place and power the officers who constitute this Ring.”<sup>108</sup>

Instead, Elkins and friends held on to their seats and 1876 proved a prosperous year for team players. Not to let Valdez’ charges go unanswered, Elkins’ legal team of William Breeden, Henry L. Waldo, and Thomas Catron fired out their own forty-three page “Answer of Respondent” in which they flatly denied all wrongdoing, denied that an improper certification took place, and even denied that Valdez had the right to contest the election.<sup>109</sup> Elkins’ attorneys argued that Pedro Valdez had not brought suit within thirty days of the September election and so therefore had run afoul of the statute of limitations, also claiming that his notice lacked certainty, definiteness, and sufficient information to even require a response; though they proceeded to respond anyway, at length. After denying each charge leveled against Elkins, the attorneys turn to the offensive to present on the record all of the fraudulent and illegal means Valdez acquired votes in different precincts. If a fair count was truly made, they argued, Elkins would have won by another 3000 votes—rising to 5000 by the end of the document! The lawyers, led by Catron, went on to list all precincts where they deserved more votes or those precincts where for many

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<sup>107</sup> Ibid., 14-15.

<sup>108</sup> Ibid., 16.

<sup>109</sup> Answer of Respondent. *Pedro Valdez v. Stephen B. Elkins*, Contest of Election As Delegate to the Forty-Fourth Congress of the United States for the Territory of New Mexico, [Santa Fe, N. Mex: 1876], Ritch Papers, Huntington Rare Books, 1-2.

of the same reasons laid at them, votes for Valdez were illegal and fraudulent. They went so far as to explain that no legal elections even took place in most Democratically controlled counties for a range of spurious reasons.<sup>110</sup> The Santa Fe ringmen relied upon their tried-and-true battle plan of deny wrongdoing, parry charges, attack back, and bog down. Elkins, Breeden, Waldo, and Catron's opponents did not stand a chance against the barrage of political, bureaucratic, and legal maneuvering at the Ring's disposal.

The very fact that Elkins was not in New Mexico during the months leading up to the election points to the Santa Fe clique's organization and its maintained effectiveness with Catron at the helm. If either of the contestants or their lawyers are to be believed, the entire election system of New Mexico overflowed with illegality and fraud in the mid-1870s. The only difference seems to be the organization of the irregularity and fraud. Elkins' political friends more clearly held the reins of territorial function in their hands and were more adept at creating the results they desired. Catron proved that he could manage territorial affairs to both get absentee Elkins elected and to defend his methods. With that success came Catron's share in the Ring's spoils for 1876. As early as January, Catron gained a position on the board of directors for the U.S. Land and Colonization Company, a corporation valued at \$2.5 million, based in Denver and Las Vegas, with speculative goals backed by a coterie of regional and international capitalists. Later in the year the Surveyor General's office awarded the Mora Grant, owned by a pool of investors including Elkins and Catron, an official patent. Then in October the First National Bank of Santa Fe, the financial bastion of the Ring, earned the distinction of Federal Depository for New Mexico, which helped to bring in greater deposits and strong

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<sup>110</sup> Ibid., 25-26. The Elkins legal team especially heaped charges on the counties of San Miguel, Mora, and Lincoln.



dividends for its directors, including once again, Elkins and Catron.<sup>111</sup> Pedro Valdez could only look on in frustration as his political enemies enriched themselves while working under the tacit approval of Washington, D.C.

### **Defending and Expending Political Capital**

For such an elastic power broker, the Santa Fe Ring rarely maintained the level of cohesion that it enjoyed in the 1870s. Its strength of purpose arose from the intertwining interests of its leadership, namely Elkins, Catron, and Breeden, who owed its endurance to their fusion of national, regional, and local networks. At its most visible, the Ring performed as a well-oiled machine to dictate election results, determine court decisions, acquire land, push local development, and bully opponents. Most of the time it functioned in less tangible ways, however, making it a hard target for those who fought it. Its many opponents could do little more than use rhetorical devices to point out the Ring's self-serving aims and undemocratic means. Nevertheless, factors of territorial growth, municipal competition, administrative change over, and personal animosity chipped away at Catron's keystone—his power base in Santa Fe. The political contests of a growing territory forced the capital crowd to defend their position at key moments in the 1880s and 1890s. To properly do so required Catron and his clique to expend political capital and thereby undermine ring control with every bout.

Already by the late 1870s a virulent strain of anti-ring and anti-corporate attitude congealed in New Mexico. Much like the rest of the U.S. West, the sentiment arose as a backlash against the blatant corruption and inequity fostered by the general attitude of

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<sup>111</sup> U.S. Land & Colonization Company Minute Book, CP, Series 607, Vol. 1; Abstract of Disposition of Interests, Mora Grant, CP, Series 305, Box 1, Folder 5; Wilson, *Sketch of Santa Fe*, 88.

“Grantism” that flowed from Washington to Santa Fe. Individual scandals, such as those surrounding Crédit Mobilier of America, the Whiskey Ring, or in New Mexico, the “war” in Lincoln County, gained national attention as newspapers publicized the high degree of insider dealing that connected elected officials to business enterprise.<sup>112</sup> The transcontinental railroads set a pretty high bar as the targets of public condemnation. These too-big-to-fail businesses of the Gilded Age created new markets, as well as new hostility, with every mile of track they laid. The feelings of anger and discrimination held by white Americans towards monopolistic corporations spread beyond the railroads to whatever corporate containers held the regional reins of power.<sup>113</sup> In New Mexico, this meant company owners of enormous land grants, ranch lands, mining claims, and above all, the Santa Fe Ring, which symbolized a wholesale embodiment of the rampant corruption and cronyism not only perpetrated by, but incubated within the territorial government and its chief officers.

The press took a central role in attacking the Santa Fe Ring and presenting it as real, powerful, and dangerous. Publishers such as N.V. Bennett of *The Las Cruces Borderer*, R.A. Kistler of the *Las Vegas Weekly Optic*, or Alva C. Lowrey of *The Kingston Clipper* editorialized at length about the abuses of the Santa Fe Ring with spikes of negative reporting concurrent with legislative sessions and election cycles.<sup>114</sup> These papers surely influenced their readership’s opinions within the territory, helping to

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<sup>112</sup> Schultz, *Presidential Scandals*, 136.

<sup>113</sup> Paradoxically, anti-monopolists and anti-government forces showed a total lack of introspection regarding their own acts of dispossession and their unending demands on the government toward the removal of prior inhabitants from what was supposed to be free and open lands.

<sup>114</sup> Examples of editorials by these publishers include “Land Office for Southern New Mexico,” *Las Cruces Borderer*, 16 August 1873, p. 2; “The “ORGAN” Harmonizing the Republican Party,” Cartoon, *Las Vegas Daily Optic*, 23 October 1880, p. 2; “New Mexico’s Officials,” *The Kingston Clipper (N. Mex.)*, 8 March 1884, p. 2. Editorials critical of the Santa Fe Ring emerged most energetically from newly settled portions of New Mexico, centers of Democratic activity, or localities distant from the center of power at Santa Fe.

cement regional camps in opposition to Santa Fe and its leading lawyer-politicians. Simeon H. Newman, the editor punished by the Ring in 1872 for refusing to retract a whistle-blowing editorial, recognized the need for greater attention to the problem. Feeling particularly acrimonious, Newman took aim at the group by publishing harmful articles in the *New York Sun*, *West Las Animas (CO) Leader*, and *Las Cruces Borderer*. Under the headline “A Most Audacious Ring: The Petty Despotism Which Exists in New Mexico, Personal Government With a Vengeance – A Chief Justice Who Suspends the Writ of Habeus Corpus in Libel Cases,” Newman took aim at Elkins, Catron, Breeden, and especially Chief Justice Joseph G. Palen.<sup>115</sup> The ringmen could do little to the publishers of *The Sun* or *The Leader* other than block them from entering the territory or destroying copies in circulation. The publication in the *Las Cruces Borderer*, however, led to a heated exchange between the editors in Las Cruces and Santa Fe.<sup>116</sup> The voice piece of theR, *The Daily New Mexican*, printed a constant stream of vitriol against its opponents as well as outright denials of the existence of the Santa Fe Ring or any such conspiratorial organizations. One article authored by William Breeden presented both of these stances. In an article simply titled “The Ring,” Breeden waved off criticisms, expressing that:

The word “ring” has of late years grown into very common use, and is applied very generally and liberally. It is used generally to designate any combination or association of men, for any and whatever purpose. It is a favorite word with disappointed aspirants for political favor, sore heads, unsuccessful place seekers,

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<sup>115</sup> Simeon H. Newman, III, “A Most Audacious Ring: The Petty Despotism Which Exists in New Mexico, Personal Government With a Vengeance – A Chief Justice Who Suspends the writ of Habeus Corpus in Libel Cases,” *New York Sun*, 16 August 1875, found in Simeon H. Newman, III, “The Santa Fe Ring: A Letter to the *New York Sun*,” *Arizona and the West*, 12 (Autumn 1970) 269-288, 280-83.

Whereas many of the attacks against the Santa Fe Ring refrained from giving specific names and activities in the press, probably for fear of legal retribution, Simeon H. Newman’s editorial in the *New York Sun* openly criticized Elkins, Catron, Breeden, and Palen, citing these four men as the key component members of the ring.

<sup>116</sup> *Ibid.*, 277.

chronic mischief [sic] makers and fault finders, and noisy demagogues. It is especially a pet word with ambitious outs who are impatient to get in, and above all, with fellows who having lately held office, have been found incompetent or unworthy and been kicked out. It has been the fashion of the classes above named, and even of a more reputable class of Democratic politicians, to talk a great deal of what they term “a Santa Fe ring” for some time past. To the influence of this imaginary power, which has no existence except in the distempered brain of fussy demagogues and hungry place hunters, all the evils of whatsoever character, which the Territory or her people suffer, or have suffered, are attributed.<sup>117</sup>

The Santa Fe Ring, he suggested, was nothing more than New Mexico’s Gilded Age boogey man; a figment of the “distempered brains” of the slighted and spiteful cast of territorial losers. Now if only he had an affidavit attesting to his integrity and veracity!

Despite their hand waving, leading Santa Feans felt deeply anxious about the city’s geopolitical standing, growing more so during the economic upswing of the early 1880s. Their concern for the future of Santa Fe was not entirely delusional or paranoid. The late nineteenth century witnessed fierce regional competition between budding cities and settlements.<sup>118</sup> Dreamers, schemers, and speculators set upon western cities and towns with the same ferocity and confidence that they brought to nearby extractive resources. In the Mountain West, cities like Santa Fe, Salt Lake City, Cheyenne, and Denver clashed over access to transportation, communication, information, and money markets.<sup>119</sup> In this contest Santa Fe quickly lost step with other Rocky Mountain hubs after the construction of the transcontinental railroad linked them to the East and to the

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<sup>117</sup> W[illiam] Breeden, “The Ring” [*Daily New Mexican*, 4 October 1876], Vol. 6, pp. 74-76, New Mexico Scrapbooks 1864-1904, Ritch Papers, Huntington Rare Books. This volume also contains clippings highlighting the press battle between the *Santa Fe Daily New Mexican* and *The Las Cruces Borderer*.

<sup>118</sup> For instance, the rivalry between Chicago and St. Louis for Midwestern supremacy led promoters from both places to engage in a sustained attempt to incorporate resources and markets into their webs of continental scale. Industrialists, capitalists, and railroad men from Chicago ultimately won-out over St. Louis and all other regional competition by channeling transportation and distant resources into or through Chicago factories and markets. By these means Chicago grew into the great mercantilist center of the West with raw materials funneling into its expansive industrial sectors and finished products radiating out of the city in all directions.

<sup>119</sup> Brosnan, *Uniting Mountain & Plain*, 2, 6.

Pacific. Denver quickly outpaced the historic capital for regional dominance over the southern Rockies, while El Paso pulled the products of southern and eastern New Mexico into its orbit. The “ancient capital,” once the center of a distant Spanish colony, watched as its historic hinterlands shifted toward new commercial axes.<sup>120</sup> Then, when the Atchison, Topeka, and Santa Fe railway decided to bypass Santa Fe, citing prohibitive construction costs, the city’s dreams of commercial stardom and continental connectivity faded, causing its leaders to lean more and more on reserves of political power and local networks. Instead, less than sixty miles away, Albuquerque’s superior access to railroads enabled it to grow into New Mexico’s largest urban and industrial hub.<sup>121</sup>

Even within New Mexico the dominance of the capital city of Santa Fe came under attack. Locales such as Las Vegas, Albuquerque, Las Cruces and Silver City instigated legislation and press campaigns to separate Santa Feans from some of their access to federal power.<sup>122</sup> One effort brought about by citizens of the Rio Abajo involved the removal of the capital from Santa Fe to a more central location that did not prioritize the Rio Arriba over the southern, eastern, or southwestern part of the territory where new – and mostly white – centers of population arose.<sup>123</sup> As part of an Albuquerque-led attempt to dislodge the capital in 1884, for instance, Catron shifted his political machine into overdrive, quickly aligning the necessary interests in lock-step with his own. The Catron faction then bulldozed the proceedings of the territorial legislature

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<sup>120</sup> Henry Jack Tobias and Charles E. Woodhouse, *Santa Fe: A Modern History, 1880-1990* (Albuquerque: University of New Mexico Press, 2001), 15-17, 30.

<sup>121</sup> Lehmann, “Santa Fe and Albuquerque,” 233. By the twentieth century Albuquerque emerged victorious as the territory’s leading city.

<sup>122</sup> For instance, in response to dissatisfaction over Santa Fe’s monopoly of influence and funds, a movement gained momentum in the southern half of the state to form a new and separate state called “Sierra” that would function outside the powerful grasp of Santa Fe and its clique. “Sierra Statehood Movement,” Box 4, Folder 3, Marion Dargan Papers, 1890-1943, Center for Southwest Research, University Libraries, University of New Mexico (Dargan Papers).

<sup>123</sup> Tobias and Woodhouse, *Santa Fe*, 31-32; Caffey, *Chasing the Santa Fe Ring*, 154-156.

while it successfully maneuvered the passage of federal appropriations to construct a new capital building and state penitentiary in Santa Fe. Though victorious in protecting their turf, the heavy-handedness of the Ring combined with its sudden burst of open activity to engender a fresh volley of criticism and insult from the substantial opposing press.<sup>124</sup> Catron usually sidestepped the worst of the skewering, but Grover Cleveland's presidential election that year initiated a series of reforms to be carried out by his Democratic appointments. It is notable here that when Cleveland took office in 1885 it marked the first time since Catron's arrival to New Mexico that a Democrat held the executive office and therefore the first time that his party lost its grip on the spoils pigot. An organized assault on the Ring, including its members, its land-based economic interests, and its levers of power occurred as an unintended result of the Santa Fe machine's success in 1884.<sup>125</sup> Similarly, when Republicans steamrolled a statehood bill through the territorial legislature and through convention in 1889 and 1890, its partial triumphs on a public stage metamorphosed into the tangible ammunition coveted by the growing ranks of detractors. Catron loomed large during the push for statehood at the time, returning to his most effective role as a caucus builder and party whip. He was perhaps even too successful in shaping the constitution to his interests, particularly as an

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<sup>124</sup> Thomas Catron and the Santa Fe Ring received a great outpouring of negative press in response to their use of parliamentary manipulation to stack the Council during the first legislative session of 1884 including: "The Legislature," *Las Vegas Daily Gazette (N. Mex.)*, 20 February 1884, p. 4; "New Mexico's Officials," *The Kingston Clipper (N. Mex.)*, 8 March 1884, p. 2; "That Mass Meeting. Called to Denounce Tom Catron and the Santa Fe Ring," *Las Vegas Daily Gazette (Santa Fe)*, 8 March 1884, p. 4; "Incredible Corruption," *The New York Herald*, 2 October 1884, p. 4.

<sup>125</sup> On the other hand, it is interesting to note that Catron's failures could win him support or shift public opinion. For instance, Catron served as the lead counsellor for the prosecution in the highly publicized 1896 trial against the alleged (and likely) murderers of Albert Fountain and his son. When Albert Fall, an up-and-coming Democrat with known association to the men on trial outmaneuvered the old ringster and the court returned no guilty charges, Catron's ego may have smarted, but in consequence the narrative shifted in the territorial press in support of Catron as a good Republican and against Fall as an obstructor of justice in the name of self-interest. The strange turns that bring hardship from success and accolade from failure reinforce the notion that success and failure is a false binary, proving far more effective as rhetorical devices than as fixed categories.

attorney for several railroad corporations and as a large landholder, because the general populace found it too partisan and too clearly geared toward business interests. When New Mexicans voted down the land grant and corporate interest-laden constitution in 1890 it marked a sea change for the old ring.<sup>126</sup> The resulting failure of the constitution and the statehood campaign stung Catron for the next twenty years. Catron and his crony politics still held a dominant place in New Mexico, but they no longer monopolized state and market power as they did in the early Gilded Age.

Indeed, by the 1890s power diversified in the Southwest. The Santa Fe crowd maintained its most effective networks, but expended a great deal of its energy and influence trying to remain relevant (and keep Santa Fe relevant too). As the ranching boom of the 1880s fizzled, as federal monetary policy shifted to favor the gold standard and international finance over the subsidization of silver interests and the populist planks of the South and West, the overwhelming optimism of the Gilded Age soured, causing the Ring to falter on its most blatant stimulus—the unabashed promotion of its members and their interests. Catron and his clique slowly lost the ability to make good on political inducements. No longer could they easily absorb the ranks of their enemies or even redirect their attention. The years of bad blood caught up with Catron, reaching a boiling point in 1895 when, in the aftermath of his shady role in tampering with the court system during his defense of the Borrego brothers, his enemies joined forces to take him down with a disbarment suit.<sup>127</sup> Instigated by charges filed by District Attorney Jacob H. Crist,

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<sup>126</sup> [Thomas Benton Catron Reins of Power], *Albuquerque Morning Democrat*, (N. Mex.), 30 January 1889, p. 2; “First to Congress. The Constitution to go to the People Afterwards—No Political Question Involved,” *Santa Fe Daily New Mexican*, 23 September 1889, p. 4; “Land Grants and the Constitution,” *Albuquerque Morning Democrat* (N.Mex.), 24 September 1890, p. 2.

<sup>127</sup> For background, correspondence, and legal documents regarding the disbarment trial, see the Catron Papers, Series 801, Box 1, Folder 7 “Disbarment Proceedings,” Folder 8 “Disbarment Proceedings,” and Folder 9 “Congratulatory Letters.” For the charges against Catron and his partner Charles A. Spiess, see



Catron found himself under attack for actions going back to the early days of Ring rule. And yet, in this exposed moment with his integrity and veracity on the line, instead of unceremoniously tearing him down, many stood with him in his defense. Frank Clancy, Frank Springer, and Neill B. Field, all of who had a checkered past with Catron, served as his counsel, won his acquittal, and then helped to elect him President of the Territorial Bar Association in a landslide.<sup>128</sup> Those who stood with the ringleader, such as Springer and Field, fared well. The Bar Association made them New Mexico's delegates to national conventions. For those that worked against him, like Edward A. Fiske and Jacob H. Crist, their reward was an abrupt loss of status followed by a lifetime of spite.<sup>129</sup> That evening, Catron held a party at his home at 210 Grant Ave in Santa Fe, replete with a brass band and the obligatory speeches.<sup>130</sup> As the refreshments flowed and the host spoke in venomous barbs against his detractors, some of his "friends" likely questioned if they

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John P. Victor, Solicitor General of New Mexico, to the Supreme Court of the Territory of New Mexico, In the Matter of the Information concerning Thomas B. Catron and Charles A. Spiess, 29 August 1895, CP, Series 801, Box 1, Folder 7; for presentation of the affair in the press see: "Mr. Catron under a Cloud. The New Mexico Congressional Delegate Accused of Crooked Work," *Kansas City Star (Missouri)*, 21 August 1895, p. 8; "Charges Considered. Information Concerning Catron and Spiess Considered by Supreme Court All But," *Santa Fe Daily New Mexican*, 31 August 1895, p. 4; "Territorial Supreme Court, Hearing of Charges Preferred Against Catron and Spiess Concluded Last Night," *Santa Fe Daily New Mexican*, 24 October 1895, p. 4.

<sup>128</sup> "The Charges are Dismissed," *Santa Fe Daily New Mexican*, 28 October 1895, p. 4. The meeting of the Territorial Bar Association was held immediately following the dismissal from court on October 28 1895 and included: T.B. Catron, C.A. Spiess, F.W. Clancy, E.L. Bartlett, R.E. Twitchell, A.L. Morrisson, L.G. Read, H.S. Clancy, William Breeden, W.J. Eaton, L. Bradford Prince, R.C. Gortner, Geo. W. Knaebel, Fernando Nolan, Max Frost, W.M. Berger, Neill B. Field, W.S. William, Frank Springer, Silas Alexander, W.D. Lee, J.R. McFie, A.A. Freeman, Miguel Salazar, L.C. Fort, Jerry Leahy, S.B. Newcomb, W.H.H. Llewellyn, and J.G. Fitch. During the meeting, Thomas Catron was elected president by a vote of 24 to 1 (a vote for George Knaebel, who for the most part was quite friendly with Catron, was the sole outlier).

<sup>129</sup> Catron held an especially hostile stance toward Jacob Crist. As a U.S. Senator in 1914, Catron wrote to persuade Senator Albert Fall to join him in preventing Crist from obtaining an appointment. Catron's ability to hold a grudge is clear enough in his statement: "I do not want Mr. Crist appointed; he is personally offensive to me in the greatest degree, and I think is personally offensive to you. The statements he made in the constitutional convention would be sufficient to cause him to be rejected anyway, and his attempts to injure me, and cause me to be disbarred, and his threats to kill me in every imaginable way, made him become so offensive that I could not tolerate him anyway. I would be glad if you would see Mr. Jones and the Commissioner of Indian Affairs and see that Mr. Crist does not get that appointment." Sen. Thomas B. Catron to Sen. A. B. Fall, 22 March 1914, Box 46, Folder 43, Papers of Albert B. Fall, 1887-1941, Henry Huntington Library, San Marino (Fall Papers).

<sup>130</sup> "The Charges are Dismissed," *Santa Fe Daily New Mexican*, 28 October 1895, p. 4.



had just made a deal with the devil. What else could they do? Even as the discreet mechanisms of the Santa Fe Ring declined in power and relevance, Thomas Catron remained too-connected-to-jail.

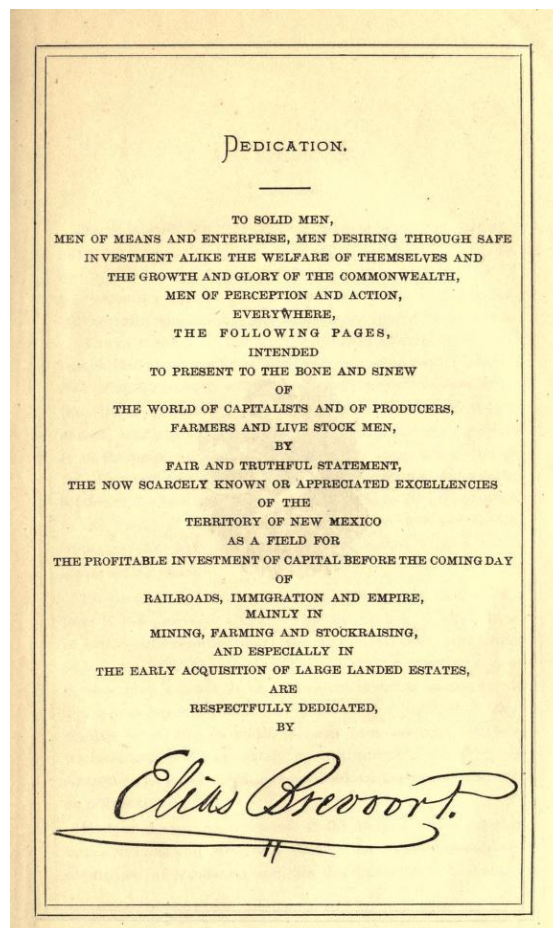
This final point represents how Catron maintained his position of authority well into the 1910s while his home base and his ring diminished in significance. The demographic shifts in the territory and the bypassing of Santa Fe by the railroad made it abundantly clear to the ringmen that an insular focus would be ruinous. Instead, they best represented their interests through the promotion of New Mexico and the region of the Southwest as a whole. Through his affiliation with the Montezuma Lodge and the territory's community of Freemasons, the First National Bank of Santa Fe, the New Mexico Bar Association, the Territorial Republican Committee, and a plethora of overlapping corporate boards, Thomas Catron created interlocking webs of support that entangled friends and enemies alike. Having learned the art of political machines from "Smooth" Steve, Catron employed his territorial ring to profoundly expand his networks throughout much of the territory so that by the time Santa Fe started to really show its declining share of regional power, he had already developed a capitalist infrastructure in the Southwest with which to continue to grow his personal empire.

### Chapter 3

## The Land Grant Bubble: Speculation in the Hispano Borderlands, 1869-1885

*Probably never in the annals of just civilization can there be found instances of such patent, palpable, and barefaced lawlessness, thieving, plundering and robbing of the people under the cloak of law, as can be here presented in New Mexico to-day.*

“New Mexico’s Officials,” *The Kingston Clipper (N. Mex.)*, March 8, 1884.



Dedication. Elias Brevoort, *New Mexico, Her Natural Resources and Attractions*, 1874.

### Speculating on Empire with Thomas Catron

Many a fortune arose from the extractive resources of the West; Thomas Benton Catron’s grew from his acquisition and consolidation of the titles to old Spanish and Mexican land grants. These grants sat at the heart of economic activity for much of New

Mexico and southern Colorado, especially in the years following the Civil War. The completion of the transcontinental railway in 1869 unleashed a speculative land boom in the Rocky Mountain West with capitalists and boosters making every attempt to predict or direct further railroad growth and tap into the lucrative government subsidies or private enterprise that came in tow. To properly do so meant a significant expenditure of money, energy, and influence.<sup>1</sup> Investors new to the region placed faith in a relatively simple equation: western lands (rich with resources and enormous in acreage) acquired at low prices, plus rail access, equaled terrific profits either through the exploitation of those resources, or even better, by repackaging the land to resell at a premium. The implicit idea that western lands came without prior inhabitants or prior titles stood at the heart of this (mis)understanding. Speculators assumed that they would be acquiring interests in land with fee simple title and ownership. For those who purchased, developed, and sold southwestern land grants, the fiction of free and clear land made for factual difficulties in managing their interests and realizing profits. And yet, in the economic windows open from 1869 to 1873 and from 1876 to 1885, speculators like Thomas Catron and Wilson Waddingham bought, sold, and promoted New Mexico and Colorado land grants as saleable commodities. Through the instruments of the corporate form, their joint stock companies transformed grant lands – including those already lived upon and those under usufruct right – into securities that changed hands in cities including Santa Fe, Denver, New York, London, and Amsterdam.<sup>2</sup>

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<sup>1</sup> Richard White, *Railroaded: The Transcontinentals and the Making of Modern America* (New York: W.W. Norton & Co., 2011), 95-98.

<sup>2</sup> My understanding of how capitalists transformed land grants into abstract forms of equity builds on the work of Maria Montoya, *Translating Property: The Maxwell land Grant and the Conflict over Land in the American West, 1840-1900* (Lawrence: University of Kansas Press, 2002), 2-3, 81. Montoya also provides convincing evidence in support of an entrenched legal fiction of unsettled land in the American West and how territorial courts upheld this fiction in the haphazard process of adjudicating land grants.

This chapter will track the growth of Thomas Catron's personal empire in grant lands through his studious involvement in the southwestern land grant bubble. Beginning in 1869, the same year Catron made his permanent home in Santa Fe, a diverse group of lawyers and speculators crisscrossed the mountains and pastures of northern New Mexico and southern Colorado with a new vigor towards the marketing of land grants. Supported in fact by Congress, which authorized the surveyor general in 1869 to restart the machinery of land grant confirmation, and by the mentality of the Gilded Age in the West and the "heyday" it upheld for the "freaks of fortune," these capitalists conducted thousands of transactions among themselves and with the local Nuevomexicano population.<sup>3</sup> Their effort resulted in a significant shift in regional land ownership and land use, a shift that privileged the enterprising spoilsmen over prior residents and unconnected newcomers. Five years later, however, the Panic of 1873 burst the land grant bubble, leaving eastern and international investors reeling in their losses and hesitant to return. With a tightened money supply and heightened interest rates, capital investment in

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For characterization of the economic periods following the U.S. Civil War, see Rendings Fels, *American Business Cycles, 1865-1897* (Chapel Hill: University of North Carolina Press, 1959), 84 & 97.

<sup>3</sup> Jonathan Levy, *Freaks of Fortune: The Emerging World of Capitalism and Risk in America* (Cambridge: Harvard University Press, 2012), 310. In Jonathan Levy's history of risk in the United States, the "freaks of fortune" represents the tension at the heart of the capitalist system between risk taking and risk management, and also those people who willingly dove into capitalism's treacherous waters and returned to the surface in success or in failure.

I am convinced of the magnitude of land speculation that took place in the 1870s from my intensive research into the 300 Series of the Thomas B. Catron Papers, Center for Southwest Research, University Libraries, University of New Mexico. Thomas Catron collected land records and those of the transactions and transfers of title on a wide scale, including records for those conveyances he was involved in and many, many records from others that he used to establish chain of title or for other legal matters. Some of these records include a full accounting of the buying, selling, and general conveyance of land grant interests from a grant's origination under Spain or Mexico to the date of its creation. These "genealogies of title" exist in the Catron Papers for the Tierra Amarilla, Mora, Anton Chico, Antonio Ortiz, Piedra Lumbre, Eaton (San Cristobal), Mesita de Juana Lopez, and La Majada land grants. Partial abstracts, sales listings, and deed conveyances exist for others, including but not limited to the Ojo del Espiritu Santo, Tejon, San Miguel Spring Grant, and Juan de Gabaldon grants, as well as forty-five boxes of documents pertaining to land grant cases in the Santa Fe Court of Private Land Claims. The full weight of this documentation complicates the narrative of villains and victims that remains so pervasive in the history of New Mexico's land grants by directing attention to the frenzy of transactions and conveyances that took place between diverse participants who worked towards an assortment of personal interests.

southwestern lands and resources slowed to a crawl. Instead of waiting patiently, however, for a better business climate, Catron and his local peers ramped up their attention toward consolidating grant interests and ballooning grant boundaries. By 1885, when a call for reforms to the territorial land system altered the tactics of accumulation, most of the desirable grants had already passed into the hands of Euro-Americans or international holding companies.<sup>4</sup> This period marked a crucial transformation by which capitalists, bureaucrats, and jurors joined forces to manufacture a speculative market in the Southwest, the likes of which created little sustainable economic development but resulted in large-scale Nuevomexicano disempowerment.

For Thomas Catron these years marked a distinctive period of education in the strategies for obtaining land grant parcels, for legally defending their titles, and for financing these operations. He participated in complicated land transactions involving local, eastern, and international pools, increasingly organized into corporate bodies with limited liability and full personhood in the courts of New Mexico.<sup>5</sup> It was in this way that he first grew involved with veteran capitalist Wilson Waddingham, a beneficial relationship that Catron nurtured. Early on, he performed local legal services for Waddy, who in turn profited from Catron's appointment as Attorney General of New Mexico in

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<sup>4</sup> The push for land and land grant reform in Territorial New Mexico begun in earnest after the election of Democratic President Grover Cleveland who appointed Governor Edmund G. Ross of Kansas and George Washington Julian of Indiana with specific intent of setting a reform agenda. I do not mean to discuss the nature of this reform at present, but to note the transition in attitude and oversight towards land grants that signified the end of the speculator-lawyer driven land grant bubble. Howard R. Lamar, *The Far Southwest, 1846-1912: A Territorial History* (New York: W.W. Norton & Co., 1970), 170; David V. Holtby, *Forty-Seventh Star: New Mexico's Struggle for Statehood* (Norman: University of Oklahoma Press, 2012), 31; George W. Julian, "Land Stealing in New Mexico," *The North American Review* 145 (1887): 17-31.

<sup>5</sup> New Mexico's corporate law came into existence shortly after the end of the Civil War with its first fully codified statute arising in 1867 with language and precedence based on that of New Jersey. New Mexico statute considered corporations as persons, with the same standing in a court of law as individuals, and foreign corporations as non-residents. William G. Ritch, *A Complete Business Directory of New Mexico, and Gazetteer of the Territory for 1882* (Santa Fe: New Mexican Printing and Publishing Company, 1882), 214-18.

1869 and United States Attorney for New Mexico in 1872 (which he held until January, 1879). These posts added to Catron's credibility among serious speculators, imbuing him with local authority, plenty of occasion for travel throughout the territory, and continued legal training in the borderland fusion of Spanish-Mexican and British-American legal traditions.<sup>6</sup> Alongside his appointed positions, Catron's collusion with Elkins' ring provided access to key sources of finance, intelligence, and prestige, as well as the facility to effectively put their plans in motion. In dutifully providing his services to Elkins and Waddy, Catron participated in some of the largest land deals ever to grace the U.S. West, including the promotion and amortization of the million-acre Sangre de Cristo Land Grant and almost two-million-acre Maxwell Land Grant.

In the aftermath of these fantastical land deals, Catron joined the ranks of southwestern speculators who began to purchase or otherwise acquire land grant interests with increased speed, greed, and guile. By the time railroad tracks actually arrived in New Mexico, Catron and his peers had already divested Mexican land grant heirs of much of the best lands and best access to the region's predominant resources. Backed by the overt support of the Santa Fe Ring and the First National Bank of Santa Fe, as well as the covert support of his growing network of friends, agents, and associates, Catron rapidly rose to the top of the ranks of the land grant sharks. While other Gilded Age moguls looked to railroads, steel, or oil as the medium with which to build their personal empires, Catron's plan involved the acquisition and monopolization of southwestern

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<sup>6</sup> "Thomas B. Catron, Esq.," *Santa Fe New Mexican*, 12 February 1872, p. 1. New Mexico jurors like Catron found that they could manipulate territorial law based on both Spanish-Mexican and British-American precedence and statute in order to produce outcomes to their liking. This translates to the purposeful maintenance of legal vagaries by lawyers and politicians for their own aims. See Laura Gomez, *Manifest Destinies: The Making of the Mexican American Race* (New York: NYU Press, 2007); Deena J. González, *Refusing the Favor: The Spanish-Mexican Women of Santa Fe, 1820-1880* (New York: Oxford University Press, 1999); and Malcolm Ebright, *Land Grants and Lawsuits in Northern New Mexico*, John Van Ness, ed., New Mexico Land Grant Series (Albuquerque: University of New Mexico Press, 1994).

lands. In this pursuit his success went unmatched as he grew his holdings steadily until by the mid-1880s he became one of the largest individual landowners in the United States with an empire of full or partial rights to millions of acres.<sup>7</sup>

### **Land Grants for Sale or Rent: The Bubble Begins**

The speculation and sale of grant lands did not suddenly surface after the Civil War. Under Mexico, the Governors Albino Perez and Manuel Armijo were known for granting land to political friends and business partners. Early after the creation of the Office of the Surveyor General in 1854, a cadre of appointed officials acted in harmony with key Nuevomexicanos to officially file land grant claims. William Pelham, the first appointment to the post, was dreadfully ill-prepared to deal with the documentation flooding his desk, made all the worse by its sole existence in Spanish. Speculators gamed Pelham's office and then lobbied Congress for confirmation. During the Civil War land grant interests changed hands at a growing rate, though mostly transacted by local residents. This included several speculators, such as John Watts and William Gilpin, who attempted to consolidate interests and turn around the sales of large estates, as well as a brisk business in *hijuelas* (deeds, or shares) between Nuevomexicanos buying and selling land grant plots. Land transfers, as such, were not unusual, and a speculative class already traded in grant lands prior to the sales of 1870. The momentous change came with the unleashed intensity of the Gilded Age toward speculation in western lands, much of which took the form of grants, and of greatest frequency, railroad grants. Between 1850

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<sup>7</sup> Victor Westphall, *Thomas Benton Catron and His Era* (Tucson: University of Arizona Press, 1973), 36. Westphall places Catron's total ownership at 1,602,922.16 acres or roughly the size of Delaware and Rhode Island combined. Determining exact figures for Catron's total land ownership turns out to be somewhat of an exercise in futility.



and 1871 alone, the federal government turned over 130,000,000 acres of land to the states and to private enterprise as incentive for construction and expansion of service.<sup>8</sup> Speculators, no shortage of which had affiliation with the railroads, conducted business in federal grant lands in much the same fashion and with equal ferocity to those who dealt in the grants of the Hispano Borderlands. This activity underscores how the differences between the Euro American and Mexican understandings of property came down to economics.<sup>9</sup>

The sales of the Sangre de Cristo and the Maxwell land grants in 1870 presented two notable examples of the opportunity that existed for flipping land grants at outstanding profits.<sup>10</sup> For contemporaries paying attention, the details of these two transactions overlapped enough to make the pattern seem reproducible and extraordinarily lucrative. To start, seller-speculators claimed that each tract contained over one million acres situated in New Mexico and Colorado. They went on to claim that they held or represented full and clear title to the property. The grants' marketers distributed persuasive abstracts and advertising bulletins in the East and overseas. If the relevant data was not enough to sway the financially conservative, promotional materials assuaged their doubts with endorsements by respected capitalists, surveyors, statesmen, and war heroes. Both of these transactions involved international pools of marketing and

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<sup>8</sup> Frank N. Wilner, *Railroad Land Grants: Paid for in Full* (Washington, D.C.: Office of Information and Public Affairs, Association of American Railroads, 1984), 2.

<sup>9</sup> Roxanne Dunbar Ortiz, *Roots of Resistance: Land Tenure in New Mexico, 1680-1980* (Los Angeles: Chicano Studies Research Center Publications, University of California, 1980), 97. Ortiz presents this argument as such: "The difference in land concepts was thus an economic one. The root of the land-grant issue was the unwritten but accepted public policy of the United States government, the basis of its economy in fact, to make all lands within its boundaries marketable. Grant claims were entertained in light of the fact that the whole surveyed area of the territory was technically public domain, and was so designated on official maps."

<sup>10</sup> Herbert O. Brayer, *William Blackmore: The Spanish-Mexican Land Grants of New Mexico and Colorado, 1863-1878. Volume 1, A Case Study in the Economic Development of the West* (Denver: Bradford Robinson, 1948), 92-93; Montoya, *Translating Property*, 79.



investment. Prior to each sale, the negotiating parties adopted a corporate form to organize the land's colonization and development as well as to dilute individual liability and risk.<sup>11</sup> These corporate bodies metamorphosed the physical enormity of the Mexican grants into marketable paper and in the process landowners became shareholders. Amidst this incredible early success, copycats went ahead with similar plans. They did not anticipate the lawsuits, land wars, insolvencies, and reorganizations that land grant companies would regularly face over the next fifty years.<sup>12</sup>

The nature of the land and title disputes that plagued land grant sales came from the grants' origination and confirmation under disparate legal systems and socio-political cultures of land use and ownership.<sup>13</sup> Awarded by Governor Manuel Armijo, representing the sovereignty of Mexico in 1841 and 1843 respectively, the Charles Beaubien and Guadalupe Miranda Grant (Maxwell Grant) and the Sangre de Cristo Grant were designed to reward prominent families and to extend the physical limits of New Mexico's

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<sup>11</sup> Brayer, *William Blackmore*, 85.

<sup>12</sup> Both the U.S. Freehold & Emigration Co. of William Blackmore and the Maxwell Land Grant and Railway Co. of Stephen Elkins and Jerome Chaffee did not even make it out of the 1870s without reorganization and recapitalization.

<sup>13</sup> There is extensive scholarship regarding land conflict in New Mexico, especially surrounding the legal differences between the United States and Mexico. Common to most of the following accounts is the idea that American understandings of individually owned fee simple property replaced traditional modes of communal land holding in the Southwest and that the U.S. court system, instead of representing a safeguard for Nuevomexicanos, helped to dispossess them of their lands and resources. See Roxanne Amanda Dunbar, "Land Tenure in Northern New Mexico: An Historical Perspective" (PhD Diss., UCLA, 1974); John R. and Christine M. Van Ness, eds. *Spanish and Mexican Land Grants in New Mexico and Colorado* (Boulder: Center for Land Grant Studies and the Colorado Humanities Program, 1980); Charles L. Briggs & John R. Van Ness, eds., *Land, Water, and Culture: New Perspectives on Hispanic Land Grants*, New Mexico Land Grant Series (Albuquerque: University of New Mexico, 1987); Malcolm Ebricht, Ed., *Spanish and Mexican Land Grants and the Law* (Manhattan, KS: Sunflower University Press, in cooperation with the Center for Land Grants Studies, 1989); Malcolm Ebricht, *The Tierra Amarilla Grant: A History of Chicanery* (Santa Fe: Center for Land Grant Studies, 1993); Malcolm Ebricht, *Land Grants and Lawsuits in Northern New Mexico*, John Van Ness, ed., New Mexico Land Grant Series (Albuquerque: University of New Mexico Press, 1994); Phillip B. Gonzales, "Struggle for Survival: The Hispanic Land Grants of New Mexico, 1848-2001," *Agricultural History* 77 (2003): 293-324; Maria Montoya, *Translating Property: The Maxwell land Grant and the Conflict over Land in the American West, 1840-1900* (Lawrence: University of Kansas Press, 2002); David Correia, *Properties of Violence: Law and Land Grant Struggle in Northern New Mexico*, Geographies of Justice and Social Transformation (Athens: University of Georgia Press, 2013).

settlement in the face of Native American, U.S., and Texan expansionist pressures.<sup>14</sup> Each grantee, whether an individual or a community, obtained no more than eleven square leagues (about 48,000 acres). This size limitation became a major source of conflict and consternation for land grant companies until the U.S. Supreme Court's decision in *John G. Tamerling v. the United States Freehold & Emigration Company* in October 1876 established that already confirmed and patented grants would not have to adhere to the Mexican standard.<sup>15</sup> The Tamerling decision also placed greater powers in the office of the surveyor general, itself a federal creation designed to deal with the complicated matter of land allocation in the territories, specifically the surveying of the public domain. Under the ad hoc adjudication system that flowed through the office of the surveyor general, owners applied for confirmation of the Maxwell and Sangre de Cristo grants in 1856, gained approval in September 1857, and then waited until June 21, 1860 for Congress to push through the confirmations alongside fourteen other grants

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<sup>14</sup> Marianne L. Stoller, "Grants of Desperation, Lands of Speculation: Mexican Period Land Grants in Colorado," in John R. and Christine M. Van Ness, eds., *Spanish and Mexican Land Grants in New Mexico and Colorado* (Boulder: Center for Land Grant Studies and the Colorado Humanities Program, 1980), 22-39. See Chart I on page 26 for relatively clear presentation of the six Mexican era grants made within or overlapping with the present boundary of Colorado.

<sup>15</sup> Ebright, *Land Grants and Lawsuits*, 206; GAO Report, "Treaty of Guadalupe Hidalgo," June 2004, 71-73. The ruling in *John G. Tamerling v. the United States Freehold & Emigration Company*, which begun in the Supreme Court of the Territory of Colorado in 1874 and then moved to the U.S. Supreme Court in 1876, stemmed from a legal logic that determined Congress' confirmation of the grant in 1860 represented an entirely new life (*de novo*) for the land grant as a discreet piece of fee simple property under U.S. law and statute, and therefore, the size of the grant did not need to adhere to the precedence set under Spanish or Mexican law.

T.B. Catron to W.J. Mills, Las Vegas, 8 December 1891, CP, Series 105, Vol. 4. In this letter Catron requests William Mills to encourage Frank Springer to find a friendly party to bring an ejection suit against on the Maxwell Grant. This suit would then set court precedence for future ejections. In light of this issue, Catron directed Mills to "Tell Springer to pick out no crank to sue, but to get some one who will agree to speed the case as much as possible, although he may make any legal defense he desires. I am satisfied we can do as they did in the Tamerling case; that is, agree upon the facts and have it decided purely on the facts so agreed upon. There is no other remedy in my judgment for either the grant owners or the public residing on that grant." This brief comment leads me to believe that the *Tamerling* case brought about a windfall for land grant speculators through the purposeful legal manipulation of the facts by the owners of the U.S. Freehold and Emigration Company, their counsel, and their "opposition."

located in New Mexico and southern Colorado.<sup>16</sup> The *de novo* grants included in the mass approval became the most obvious targets for speculators and their agents, in part because their early petition and approval in the office of the surveyor general usually meant that some scheming parties had already begun the process.<sup>17</sup> As part of this group, the Maxwell and Sangre de Cristo grants both gained validation and entered early rounds of surveying and patenting, although it took the remainder of the 1870s and the *Tamerling* decision to produce the final million-acre surveys.

In the period of western economic growth sparked by gold and railroads, the prospective values for land and resources allowed a highly speculative class of capitalists to manage land grant sales. In these transactions, agents without prior claim to the enormous grants closed the final deals transferring title to the new ownership. The system was itself a wholly capitalist technique by which “other people’s” lands received the Carnegie treatment—it was always better to profit off other people’s land.<sup>18</sup>

The legal device utilized by agents to sell what was not actually theirs was most commonly referred to as an “option.” This “option” boils down to an agreement between two parties that clearly stipulated what would be sold, what the sales price would be, how and when payment would be made, what fee was due the agent, and how long they had to enact the sale. Agents usually negotiated for a flat payment in land, stock, or currency, or

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<sup>16</sup> Stoller, “Grants of Desperation,” 26. The sixteen grants that Congress confirmed on June 21, 1860 included: Anton Chico, Armendariz #33, Armendariz #34, Baca Float #1, Baca Float #2, Bosque del Apache, Mora, Tierra Amarilla, Las Trampas, Nolan, Tejon, San Cristoval (Eaton), Vigil and St. Vrain, Las Animas, Charles Beaubien and Guadalupe Miranda (Maxwell) and the Sangre de Cristo Grant. The correlation between this confirmation date and land grant speculation comes close to 100%.

<sup>17</sup> G. Emlen Hall, “Giant Before the Surveyor-General: The Land Career of Donaciano Vigil,” in John R. and Christine M. Van Ness, eds., *Spanish and Mexican Land Grants*, 64-73.

<sup>18</sup> Harold C. Livesay, *Andrew Carnegie and the Rise of Big Business*, The Library of American Biography (New York: Pearson, 2007). Here I am referring to Andrew Carnegie’s treatment of small loans given to him by Thomas Scott, who was likely teaching Carnegie a lesson in capitalism by funding Carnegie’s investments in stocks that Scott had insider knowledge would increase. For Carnegie, the dividends of these investments represented the “golden goose” of the capitalist world.

if the price was somewhat flexible, could agree to take a percentage cut of the final sale price as commission. The person obtaining the option almost always had to put up a security deposit or other form of collateral to ensure the owners of their serious intentions on selling the land. In this relationship, the contract provided the agent with the exclusive right and necessary powers to advertise the lands and to execute a sale.<sup>19</sup>

In practice, agents often identified potential buyers before they signed the option contract, leading to an exaggerated sense of security despite the numerous potential hang-ups that could and did occur. The speculative design of these optioneers stood at the forefront of their activity. Their main goal involved the infusion of as little of their own money as necessary to turn around a land sale for the highest possible sum. The development of the land remained a secondary consideration, if it received consideration at all. It figured into the equation as a promotional device and in specific negotiations regarding terms of payment and transfer of stock.<sup>20</sup> In the complex market for western lands, the option became a mainstay in agents and speculators toolkits.

The Sangre de Cristo and Maxwell Land Grants both found their way to Eastern and European markets through options obtained by prominent Colorado businessmen and politicians. For the Sangre de Cristo, William Gilpin of Denver took the lead. He used his purchase of a one-sixth interest in the grant in 1862 to launch an international effort

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<sup>19</sup> Jonathan Levy, *Freaks of Fortune: The Emerging World of Capitalism and Risk in America* (Cambridge: Harvard University Press, 2012), 232. Levy places these “options” within the same vein as other “futures” that found their way into capitalist markets as nominally safe investments that avoided risk head on by trading in goods, stocks, or securities that existed conceptually, but did not require the deal maker to actually own them or represent their full value and so losses could be defrayed.

For specific examples from Catron’s business dealings and use of the “option” see: Agreement, Thomas B. Catron and E.P. Sheldon, Chicago, 15 December 1894, CP, Series 305, Box 6, Folder 3; M.P. Pels, President of the United States Freehold Land and Emigration Company, Denver, to Hon. T.B. Catron, 16 August 1897, CP, Series 103, Box 2, Folder 1; T.B. Catron to Hal Sayre, Denver, 31 January 1901, CP, Series 103, Box 11, Folder 6.

<sup>20</sup> Brayer, *William Blackmore*, 226.

towards the sale of the entire property. With bright eyes and ambition, Gilpin took a loan for \$30,000 from an Eastern banking house, invested this capital in the purchase of other interests of the grant and began to promote it in the East in hopes of a huge pay-out.<sup>21</sup> His ability to sell the grant in the East was made difficult by the Civil War, but in its aftermath, the surge of attention towards investing in western expansion helped Gilpin to gain some new pivotal partners. In 1868 one of Gilpin's European agents introduced the ex-governor to William Blackmore, an up-and-coming British capitalist who had gained recognition (as well as some money to spare) by participating in the promotion the Union Pacific Railroad. Blackmore, who saw promise in the grant's extensive pastoral and mineral lands, brought Ferdinand V. Hayden on board after Blackmore participated in a Hayden-led geological survey that included much of Colorado's Front Range. Blackmore convinced Hayden, then in charge of the United States Geological and Geographical Survey of the Territories, to survey the Sangre de Cristo Grant. Because of the official report authored by Hayden, over one million acres of Colorado and New Mexico land gained credibility in international business circles as an exclusive piece of fee simple property.<sup>22</sup> Its promotion by notable capitalists with standing in the West, the East, and in Europe as well as the professional and scientific weight given to its boundaries and potential resources, made the Sangre de Cristo Grant – an unknown, sparsely-populated, million-acre western property – a truly hot commodity.

Of course, its promoters explained that the window of opportunity would not last long, and so attracted new investors who themselves added authority to the grant's name

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<sup>21</sup> For William Gilpin's activity with Colorado Land Grants, see Stoller, "Grants of Desperation," in *Spanish and Mexican Land Grants*, 34-37; Brayer, *William Blackmore*, 66, 70-71; Guy, M. Herstrom, *A Pygmy Among the Giants* (Place of Publication not given: 1960), 254-255.

<sup>22</sup> Brayer, *William Brayer*, 73; Kathleen A. Brosnan, *Uniting Mountain and Plain: Cities, Law, and Environmental Change along the Front Range* (Albuquerque: University of New Mexico Press, 2002), 68.

and prospects. With Blackmore in the driver's seat, the network of the capitalists organized the Colorado Freehold Land and Emigration Company in London and set its capital stock at £300,000. Within the frenzy of investment that commenced, the new corporate stature added another layer of legitimacy to the marketing of the grant. Prominent easterners such as Ambrose E. Burnside (a high-ranking Union General during the Civil War) and Charles A. Lambard (Director of the Union Pacific Railroad) acted as trustees and added their good names to the company's abstract.<sup>23</sup> Despite its lack of a railroad connection, any evidence of modern development or infrastructural growth, or even a sound patent to ensure its title to the million-plus acres, and coupled with the existence of prior inhabitants of Native American and Mexican background, shares of the Sangre de Cristo Grant found their way onto London and Amsterdam trading floors. To assuage the doubts of potential investors, Blackmore divided the grant between two estates and formed a new corporate body organized in February 1870 in the Territory of Colorado. The United States Freehold Land and Emigration Company (USFLEC) gained the façade of local ownership through the careful utilization of the incorporation process and its trail of paperwork; the grant's real ownership and directorship consisted of wealthy eastern and British capitalists who subscribed to a majority of the companies \$2.5 million in capital stock.<sup>24</sup>

Six months later, under scrutiny of potential Dutch investors as to the validity of a corporation organized under the authority of the Territory of Colorado, U.S. Congress gave life to a nationally-chartered version of the company. But the decision to do so was

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<sup>23</sup> Brayer, *William Blackmore*, 79-82; Lamar, *The Far Southwest*, 269-270.

<sup>24</sup> This group of trustees and directors included: Charles Lambard (Director of the Union Pacific RR), William H. Reynolds, Ambrose E. Burnside (Union General), Jerome B. Chaffee (Colorado Delegate to Congress, President of First National Bank of Denver), Robert C. Schenk, Samuel L.M. Barlow, Henry W. Gray, Hiram Hitchcock, and George E. Randolph. Brayer, *William Blackmore*, 82.

not unanimous. Questions of territorial prerogative, the public domain, and corporate power loomed at the forefront of the debate.<sup>25</sup> Did Congress have the right to give national validation to a corporate association that claimed ownership of territorial lands that would then be removed from the public domain? Blackmore, Lambard, Gilpin and others led the lobbying effort in support of the national charter in the split congressional body. Their central argument hinged on the idea that without Congress' approval, foreign investors would not direct money into the West and development would slow to a crawl amidst metaphors of the new speed of commerce brought about by the advent of transcontinental railroads. With the capitalists safely navigating the stormy congressional waters, the new United States Freehold Land and Emigration Company doubled its capital stock to \$5 million and set the valuation of its lands at over \$9 million. With national backing, trading houses in Amsterdam now found the investment to be secure and so finalized the long awaited sale of the grant. In hindsight, promoters like Blackmore, Gilpin, and Lambard proved quite shrewd indeed. Blackmore made-out with fantastic profits in liquid currency, company stock, and over 7500 acres of land.<sup>26</sup> The story of the sale of this grant, from Gilpin's initial investments of tens of thousands of dollars to the corporate windfall of millions offered just one example of the terrific potential for speculating in western lands. It also occurred simultaneously with the marketing of another Mexican grant of even greater proportions.

Like the Sangre de Cristo, the grant owned by land baron Lucien Maxwell transitioned from its approval by Congress in June 1860 to its sale to Dutch capitalists at the end of the decade through the machinations of an international consortium of

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<sup>25</sup> Brayer, *William Blackmore*, 85.

<sup>26</sup> Brayer, *William Blackmore*, 92-93.



speculators. Led by Jerome Chaffee of Denver who gained an “option” to market the grant, this group included all of the necessary components to promote almost two million acres of land in New Mexico and Colorado as a secure investment to stock traders in Amsterdam. Other than his elected office as Colorado’s Delegate to Congress, Chaffee also presided over the First National Bank of Denver and owned several lucrative gold and silver mines along the Front Range. He was to Colorado what Elkins was to New Mexico, sordid intentions and all.<sup>27</sup> Chaffee brought on board other Denverites such as George Chilcott and Charles F. Holly who also grew involved in banking, mining, and municipal improvement. The syndicate made room for local New Mexican support by bringing Dr. R.H. Longwill, Stephen B. Elkins, and Miguel A. Otero on as investors. The Coloradans acquired a streamlined connection to the U.S. Land Office through Surveyor General Thomas Rush Spencer and Surveyor William W. Griffin and had help getting their new association incorporated by New Mexico Governor William Pile and Supreme Court Justice John S. Watts.<sup>28</sup>

Together, this group formed the Maxwell Land Grant and Railway Company and officially incorporated in the territory of New Mexico on May 12, 1870 with a capital value of five million dollars. To give the company national and international prestige, William Jackson Palmer (Brevet Brigadier General, Managing Director of the Kansas Pacific Railroad, and founder of the Denver & Rio Grande Railroad), William A. Bell (photographer for the Union Pacific Railroad and founder of Manitou, CO) and Wilson

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<sup>27</sup> Brosnan, *Uniting Mountain and Plain*, 17-20; Montoya, *Translating Property*, 87-95

<sup>28</sup> Harold Hathaway Dunham, “Government Handout: A Study in the Administration of the Public Lands, 1875-1891,” (PhD diss., Columbia University, 1941), 221-235. Furthermore, Stephen B. Elkins acted as the progenitor of the 1869 survey of the Maxwell Grant conducted by William W. Griffin that came up with the 1.7 million acre figure.



Waddingham added their weight to the Maxwell Grant's list of investors.<sup>29</sup> Waddingham especially helped to promote the grant overseas, adding his own spurious information for potential buyers including a map of the Maxwell Grant containing audacious visuals of cotton and steamboats. The 1868 gold rush to Mt. Baldy, centered within the boundaries of the grant at Elizabethtown, advanced their cause. Finally, the Maxwell Land Grant and Railway Company sold the company in 1870 for \$1,350,000 to John Collinson of London, who then turned around and marketed the stocks and first mortgage bonds of the corporation in Amsterdam secured by a \$3.5 million mortgage. A well-respected Dutch mining engineer even went so far as to assess the land's value at over \$90,000,000.<sup>30</sup> This figure was ambitious indeed with New Mexico still almost a decade away from having a railroad. It would be many years more before the government "pacified" all Native Americans in the territory. William Bonney was still literally a child. And yet, the application of corporate shells to reduce liability and attract investment represented the cutting edge of capitalist technique for opening new and untested markets, whether in the American West or around the globe.<sup>31</sup>

By late 1870 Thomas Catron readied himself to move from his front-row seat to an active member of the traveling circus that carved up western lands with voracious appetite. New rounds of speculation provided just such an occasion. William Blackmore

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<sup>29</sup> David Remley, *Bell Ranch: Cattle Ranching in the Southwest, 1824-1947* (Albuquerque: University of New Mexico Press, 1993). While the sale of the Maxwell Grant was being carried out, John S. Watts and Wilson Waddingham participated in another set of land deals that brought the Pablo Montoya Grant and Baca Float # 2 into the possession of Waddingham.

<sup>30</sup> Jim Berry Pearson, *The Maxwell Land Grant* (Norman: University of Oklahoma Press, 1961), 52; Paul A. F. Walter, "Banking in New Mexico Before the Railroad Came!," Address to the Newcomen Society, 1955, 10-11.

<sup>31</sup> Eric Hobsbawm, *The Age of Capital, 1848-1875* (New York: Vintage Books, 1975), 32-33. The history of capitalism's entrance into the U.S. West during the Nineteenth Century presents one clear example of the historic connections that render the West as part of the larger global fabric of conquest, colonization, and capitalization. As the capitalists of war-weary European nation-states looked outwards for new markets and secure investments, the American West entered business portfolios in much the same way as zones of development.

and Wilson Waddingham assembled their networks and moved forward with goals for development, colonization, and new purchases. In these ventures Catron found opportunity to assert his ability and build his business network. The industrious and legally nimble Catron impressed Waddingham, who found ready use for the young attorney. The feeling was mutual, as the two continued to work together until Waddy's fateful stroke.

Over the years, Waddingham mentored Catron on the finer points of corporate finance and debt management. Having worked his way from runaway miner in the California gold fields to proprietor of a San Francisco saloon in the 1850s, and from mineral promoter to multi-mine owner in the Rocky Bar district of Idaho in the 1860s, Waddingham had certainly earned his capitalist chops in the American West. Few characters seemed to anticipate the Gilded Age, in all of its glory and grime, as Waddingham—the “Itinerant Tycoon of the Rockies.”<sup>32</sup> He had a knack for being well-connected and hard-to-find at the same time. His departure, for instance, from Rocky Bar, involved a sudden and covert dumping of his assets, followed by a trip to Mexico. One biographer commented that his greatest skill may have been the art of extraction, that is, of knowing when to get out.<sup>33</sup> But in reality, Waddingham largely made his own luck. He knew when to sell because he had insider knowledge of his companies' finances and future outlook. When the future looked grim, Waddy knew first and Waddy sold first. This may sound less like business sense than like moral laxity and corporate fraud, but as the corrupt backdrop for the Grant Administration set in, the “itinerant tycoon” seemed

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<sup>32</sup> David Remley, “The Gilded Age, I: Wilson Waddingham in Idaho and Colorado,” unpublished manuscript, Box 1, Folder 16, David Remley Papers, 1790-1991, Center for Southwest Research, University Libraries, University of New Mexico (Remley Papers).

<sup>33</sup> Merle W. Wells, “Wilson Waddingham in Idaho” *Denver Westerners Brand Book* 24 (1968): 256-278.

savvy, not shady. With his new office headquarters at the center of Denver's growing business district, he began his early speculation in Colorado and New Mexico land grants. In this process, Waddingham's easy-wheeling ways helped affix him to crucial agents, families, and regional networks (including the Santa Fe Ring), that in turn assisted and abetted his consolidation of millions of acres of private, communal, and federal lands.<sup>34</sup> If Waddingham really had one masterful trait, it was his ability to manage people, and perhaps more importantly, his reputation, so that his financial flops did not drag him under. This was the single most important lesson Catron learned (though incompletely and without introspection) from his masterful sensei of Gilded Age capitalism.

Catron tagged along as Blackmore and Waddingham developed plans that included populating the land grants and building transportation that would connect the new communities with a transcontinental as well as with already settled areas like Denver and Santa Fe. While their separate colonization companies promoted the agricultural and pastoral opportunities of the Southwest in the East and in Europe, the next step required the construction of a railroad. To this end, both Blackmore and Waddingham looked to William Jackson Palmer who had managed the construction of the Kansas Pacific Railway in its westward drive to Denver.<sup>35</sup> The U.S. Freehold and Emigration Company that controlled the Sangre de Cristo Grant enticed Palmer to build a line through their

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<sup>34</sup> David A. Remley, "The Gilded Age, I: Wilson Waddingham in Idaho and Colorado," and "The Gilded Age, II: Wilson Waddingham in New Mexico," unpublished manuscript, 10, 25-30, Folder 16, Box 1, Remley Papers.

<sup>35</sup> Herbert O. Brayer, *William Blackmore: Early Financing of the Denver & Rio Grande Railway and Ancillary Land Companies, 1871-1878, Vol. II, A Case Study in the Economic Development of the West* (Denver: Bradford-Robinson, 1949), 13; Brosnan, *United Mountain and Plain*, 93-95.

lands, while the Maxwell Land Grant and Railway Company voted Palmer president with the idea that he would bring the rails their way as well.

William Palmer's first course of action involved the organization of companies in New Mexico and Colorado. These corporations acted as pools of interest that could simultaneously provide the money and influence to move forward plans on the local level, market stocks and bonds internationally, and lobby U.S. Congress for government recognition and potential subsidies. In February 1870 Palmer led the way by filing for the incorporation of the Rio Grande Rail Road and Telegraph Company to do business in the territory of New Mexico. The stated object of the company was to construct a railway and telegraph line from the source of the Rio Grande through New Mexico to El Paso and on to Chihuahua, connecting with other lines at its termini. Branch lines would also tap the resources of mineral rich areas such as Elizabethtown and Pinos Altos.<sup>36</sup> At its outset, the railroad company claimed a capital stock of \$20,000,000 although such an amount represented a fictional capitalization to match its fictional rails. On paper, however, the company looked robust and secure. In association with Palmer the corporation mustered most of the ruling officials of New Mexico including Governor William A. Pile, Chief Justice Joseph G. Palen, U.S. Attorney Stephen B. Elkins, U.S. Marshall John Pratt, Army Paymaster and Brigadier General Asa B. Carey, and Attorney General Thomas B. Catron. This roll of Republican spoilsmen then formed together with a grandiose network of eastern capitalists, railroad builders, politicians, and family members.<sup>37</sup> Palmer carried

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<sup>36</sup> Brayer, *William Blackmore, Vol. II.*, 20.

<sup>37</sup> This associated group included the likes of Colonel Robert H. Lamborn of Philadelphia (lifelong friend of Palmer and director of Kansas Pacific), E.W. Dennis, J.W. Davidson, William H. Greenwood (chief engineer of the Kansas Pacific), Edward F. Beale (founded a wagon trail road), Samuel M. Felton (Pres. Philadelphia, Williamsburg and Baltimore Railroad), Thomas A. Scott (former Asst. Sec. of War, former VP of Pennsylvania RR), J. Edgar Thompson (Pres. Of the Penn. RR), Francis H. Jackson (Palmer's uncle), Charles S. Hinchman (ex-captain from Palmer's regiment), Josiah C. Reiff (New York financier), William

through a parallel formula in the territory of Colorado. He then set about to achieve congressional verification and to obtain a \$6.5 million mortgage against the bonds of his companies with which to actually begin the grading and construction of the railroad. By October of the same year, Palmer reorganized and consolidated his interests into a single corporate entity: the Denver & Rio Grande Railway Company.<sup>38</sup>

In New Mexico, the official creation and early construction of the road leading southward out of Denver heightened the speculative attention focused on the purchase of land grant interests throughout the Hispano Borderlands. The rabid pace of railroad growth after 1869 convinced investors that rails would soon enter the territory and bring an overnight increase in land values and the potential for resale or resource exploitation.<sup>39</sup> Coupled with the profitable ventures of the Maxwell and Sangre de Cristo grants on European markets, the conditions in southern Colorado and northern New Mexico appeared ripe for the cheap accumulation of unpatented lands. To this end, buyers developed a range of methods by which they located, appraised, and purchased individual “interests” from grant heirs or prior speculators. These strategies necessarily required contributions by the office of the surveyor general and plenty of work for local lawyers, especially if they could conduct business in Spanish, the lingua franca of a large majority

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P. Mellen (soon to be Palmer’s father in law and connected to Salmon Chase), Cyrus M. Field (Atlantic cable pioneer), John D. Perry (Pres. of the Kansas Pacific), Thomas J. Wood (retired major-general), William Thompson, M.W. Baird (Baldwin Locomotive Works), and Allen S. Anderson.

<sup>38</sup> Lamar, *Far Southwest*, 280-281.

<sup>39</sup> Because of his popularity in the aftermath of the Sangre de Cristo sale, William Blackmore received offers to involve himself in the sale of land grants believed to include in total between seven and ten million acres of lands. Local capitalists sought out Blackmore or his associates to try to induce him to join in their individual plans for land grant speculation or development. More often than not, Blackmore did decide to participate in these schemes, relying heavily on his experience with the Sangre de Cristo to direct his business activities. His eyes proved bigger than his wallet, however, as he overstretched his finances in less than a decade to the point where he found suicide a more favorable option to the financial embarrassment and bankruptcy that loomed upon him and the corporations he directed. Brayer, *William Blackmore, Vol. 1*, 255 n. 4, 318.

of the local population and grant heirs. It was in this role that Thomas Catron asserted his usefulness and started to assemble his own network of friends and associates.<sup>40</sup>

### **Networks of Speculation in the Hispano Borderlands**

During the window of frenetic speculation, the most commonly implemented method for buying up a grant involved three clear sets of actors. From afar, international and eastern investors made up the first group. These capitalists provided the currency or credit that formed the life-blood of their operations. They also leveraged their good names to obtain favors in Washington, D.C. or upon the floors of powerful trading houses in the U.S. and abroad. The second set of actors included all of the middle-men who carried out the actual transactions and associated legal services. Most of this second set of participants originated from the ranks of western lawyers, politicians, merchants, and military men. Their ranks included shrewd wheelers and dealers of Euro-American and Mexican background who held crucial regional ties that gave them local notoriety or at least a greater sense of permanency. But these same individuals lacked sufficient purse sizes to undertake the purchase of entire grants and so associated with sources of money typified by the Eastern or European speculator. With these backers, the second group could facilitate deals with Nuevomexicano sellers who represent the third group (and will be discussed in greater detail below). The middlemen functioned as interlocutors at the nexus of the worlds of finance capitalism and mercantile pastoralism and in the process

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<sup>40</sup> For instance, in early 1872 an American merchant and land speculator by the name of John T. Graham sold half of his interest – approximately 12000 acres – in the Cebolla Grant for \$3000 to William Blackmore. Graham then hired Thomas Catron to secure confirmation of the grant. Catron collected all the necessary paperwork and materials to convince surveyor general Thomas Rush Spencer that the grant was genuine; Spencer suggested confirmation by Congress that spring. Brayer, *William Blackmore*, Vol. 1, 161.

disproportionately affected New Mexico's development and record of land ownership after the Civil War.<sup>41</sup>

At the top of this pyramid, international capitalists like William Blackmore and Wilson Waddingham continued to participate in schemes for buying up the multiple interests to grants with the clear object of consolidating ownership and then flipping the land. Each of these capitalists built several local networks and conglomerate pools within which members, friends, and competitors acted simultaneously throughout the region. It was in many ways a small world, navigated on horseback, and communicated in person. Capitalists expanded their social networks and connected their interests to those of the growing nation by doubling their efforts as scientific explorers and cartographers, hunting and trapping parties, surveyors, engineers, and geologic assayers. The efficient settling of the West required a scientific rigor towards codifying and distributing western lands; far from a slinking coyote, surreptitiously following these government expeditions in hopes of easy pickings, agents of capitalism led the way.<sup>42</sup> In doing so, they gained early and unequal access to the rich bounty of the West.

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<sup>41</sup> In reality, this is a nebulous grouping of actors that includes people like Thomas B. Catron, Stephen B. Elkins, T. Rush Spencer, Henry M. Atkinson, William Breedon, and William W. Griffin, all sometime members of the "Santa Fe Ring," but also includes a wide range of agents such as Anthony Joseph, Thomas D. Burns, Wilmot E. Broad, Charles Gildersleeve, Lucien B. Stewart, Elias Brevoort, Charles P. Clever, William F. Ellsworth, Louis Sulzbacher, Adolph Guttman, Julius Friedman, John S. Watts, Spruce Baird, William Gilpin, Jerome Chaffee, David H. Moffat, Charles F. Holly, Benjamin F. Butler, R.H. Longwill, John H. Knaebel, Eugene A. Fiske, Col. Samuel S. Smoot, and Captain E.N. Darling. Furthermore, these capitalist-interlocutors could not have operated without the direct assistance of numerous even-more localized Mexican agents and contacts such as Miguel A. Otero, Jose Leandro Perea, Pedro Perea, Nicolas Pino, Francisco A. Manzanares, and Pedro Valdez who facilitated the sale of land grant interests by a generally rural and seasonally mobile Nuevomexicano population.

<sup>42</sup> William deBuys, *Enchantment and Exploitation: The Life and Hard Times of a New Mexico Mountain Range* (Albuquerque: University of New Mexico Press, 1985), 167. As William deBuys so astutely commented regarding the 1876 Wheeler Survey that included the Sangre de Cristos of New Mexico, "the soldier-scientists of the Wheeler Survey came to the mountains in search of treasure. All the westward expansion of the nation was a great collective treasure hunt, and for a short time Wheeler and his men were among its official guides." Next to them, literally, were the speculators, who spun their involvement in the most innocuous of ways in their search for insider knowledge and competitive edge.

Development of local resources factored into the plans of these men and their syndicates only as a promotional tool to attract potential buyers and to raise the value of their real estate.<sup>43</sup> Other than his network derived through the incorporation of the U.S. Freehold Land and Emigration Co., Blackmore stood at the center of another pool organized under the moniker New Mexico Trust Lands. It involved a number of moving parts and participants from the United States and England. This amorphous group operated in New Mexico and Colorado, methodically accumulating interests in over a half-dozen grants including the Cebolla, Los Luceros, Mora, Cieneguilla, Sebastian Martin, Cañon de Chama, and Conejos.<sup>44</sup> It was in connection with the Trust Lands organization that Thomas Catron acquired some of his earliest parcels of grant land.

As with many of Catron's early business ventures, his relationship to Stephen Elkins earned him access to the unpatented lands of the Mora Grant. Located in northeastern New Mexico, the investors claimed that the Mora contained over 800,000 acres and encompassed the lands of Fort Union as well as miles of the well-traveled Santa Fe Trail.<sup>45</sup> Through a common method of gaining title to grant lands, Elkins

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<sup>43</sup> Brayer, *William Blackmore*, 226.

<sup>44</sup> The New Mexico Trust Lands was in fact an English entity, although some of its members attempted to incorporate the Western Lands Improvement Company on a federal level in the early 1870s. The roster of names included William Blackmore, Colonel Samuel Smoot, James Archer, Cyrus Fisher, John Horation Lloyd, Robert Todd Lincoln, George Denison, John Russell Bartlett, Charles P. Clever, Lehman Spiegelberg, Henry H. Sturgis, George W. Hoge, Robert E. Randall, James A. Valentine and Edward S. Blackwell. The incorporation procedure died in the U.S. Congress, partially in response to increased congressional scrutiny of western land development companies after the unwholesome activities of some of their predecessors had come to light. Brayer, *William Blackmore*, Vol. 1, 182-186.

<sup>45</sup> As found in the Office of the Surveyor General and then subsequently copied and housed in the law office of Thomas Catron, the original presentation of the Mora Grant was made by the Republic of Mexico to each of seventy-six individually named heirs on September 28, 1835. New Mexico surveyor general William Pelham then reported the Mora Grant for confirmation on July 9, 1859 and was confirmed by U.S. Congress as New Mexico Land Claim No. 32 on June 21, 1860 as one of sixteen grants signed upon that day. U.S. Surveyor Thomas Means conducted an official survey of the grant in 1871, which was then approved by surveyor general Thomas Rush Spencer on August 5, 1871 and reported to Congress. A second (and possibly third) round of surveying took place between 1873 and 1875, with an official survey of 827,621 acres approved by surveyor general Henry M. Atkinson in 1876 and once again reported to Congress, which then approved the survey and issued a patent to (once again) each of the individual



performed legal services in defense of a Mexican client facing criminal charges, who in lieu of currency paid his attorney in land. The initial gain whetted Elkins' appetite and led him to bring Catron on board to help procure subsequent interests. By November of 1870 Elkins and Catron worked assiduously towards the purchase of any and all Mora Grant lands as part of a private agreement with Colonel Samuel S. Smoot, Captain E.N. Darling, and surveyor general Thomas Rush Spencer. This sly party then settled upon a strategy by which one-fifth of their grant purchases would transfer to a consortium represented by Smoot who was then charged with the international promotion and sale of the Mora Grant.<sup>46</sup> This web of investors, buyers, and agents stopped with William Blackmore and the New Mexico Trust Lands. Regardless of their place within this speculative echelon, the cohort shared the understanding that they would be able to collect all portions of the grant, gain clear title, and market it wholesale or in pieces. Like so many other grant schemes, however, the clarity of operations on paper belied a practical quagmire of legal, business, and title complications that unsettled the grant and Catron's ownership from its official patenting in 1876 well into the twentieth century.

What started as a trickle of purchases quickly turned into a deluge of eastern investment in the land grants of the Hispano borderlands. Boosters in the region embraced the trade and publicized land grants among the other opportunities available in New Mexico. For instance, alongside a plea for statehood, William Army published a

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seventy-six heirs of the Mora Grant on August 15, 1876. Congress added wording to this patent to ensure that Ft. Union maintained its reservation of land while also pre-empting the precedence of the Supreme Court decision in *Tamerling v. U.S. Freehold and Emigration Co.* that allowed for the patent to include more than eleven square leagues. Between 1907 and 1913 owners of the Mora Grant once again found themselves in court debating the exact boundaries of the grant and defending their interests against the U.S. Forest Service and the office of the Secretary of the Interior.

<sup>46</sup> Robert D. Shadow and María Rodríguez-Shadow, "From 'Repartición' to Partition: A History of the Mora Land Grant, 1835-1916," *New Mexico Historical Review* 70 (1995): 257-298, 264; Westphall, *Thomas Benton Catron*, 40.

promotional booklet in 1873 defending the land grant industry and praising the capitalists at its helm. He explained:

It is said by those who ought to know, that there are very few, if any, spurious grants in the Territory—certainly very few compared with the number brought to light in California. Some of these grants of land are now held by our citizens, other grants by large and flourishing communities, and others have been purchased by capitalists and wealthy companies with a view to their settlement and application to agricultural, stock growing and mining uses.<sup>47</sup>

Army went on to publicly thank the current Surveyor General, James Proudfit, as well as the clerks and translators in the office, David J. Miller and Samuel Ellison, for furnishing the office’s annual reports and specific grant information used in the publication. These same gentlemen happily provided information to Elias Brevoort the following year for his promotional tract that unabashedly presented the position of land grant business in New Mexico. Brevoort clearly expressed his self-interest in a preface, affirming for potential clients, that being a land grant agent (see our card at the end), and being, as we think we are, thoroughly posted in

all matters and things relating to or in anywise concerning Spanish or Mexican private land claims in the Territory—as to their locality, extent, character, capacity and title tenure—and being as we are as a “middle man” ready at all times to give information concerning any of them or to operate in their purchase or sale, we desired to enlarge our business in the ample field New Mexico now affords therefor.<sup>48</sup>

Like others looking to get ahead in the land grant business, he understood the strategic placement and integrity of his “middleman” role and the importance of networking. For those interested parties that actually flipped to the back to read his card, Brevoort listed

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<sup>47</sup> W.F.M. Army, *Interesting Items Regarding New Mexico Its Agricultural, Pastoral and Mineral Resources, People, Climate, Soil, Scenery, Etc.* (Santa Fe: Manderfield & Tucker, printers, 1873), 14.

<sup>48</sup> Elias Brevoort, *New Mexico, Her Natural Resources and Attractions Being a Collection of Facts, Mainly Concerning Her Geography, Climate, Population, Schools, Mines and Minerals, Agricultural and Pastoral Capacities, Prospective Railroads, Public Lands, and Spanish and Mexican Land Grants* (Santa Fe: Elias Brevoort, 1874), ix.

his references, including Stephen Elkins, Miguel A. Otero, Santa Fe Plaza merchants Johnson & Koch, and Bost & Jenkins, a land grant firm based in San Francisco.<sup>49</sup>

The optimistic and open atmosphere of speculation in the early 1870s led agents like Thomas Catron to aggressively procure land grant interests. His initial acquisitions in the Mora Grant and Ojo del Espiritu Santo Grant as well as the indicators that a railroad and possibly statehood for New Mexico stood within reach led Catron's cohort to collectively expand operations. On rare occasion, this did in fact entail outright fraud, such as in October 1872 when Catron and Elkins attempted to file a claim on the fictitious Sierra Mosca Grant. The partners initiated this scheme by publicizing supposedly lost documentation signed by Mexican Governor Armijo. Although they used their influence to push the claim through the surveyor general's office, the falsified document fell far short of convincing bureaucrats in the U.S. Land Office or in Congress, where bona fide grant documents with Armijo's true signature shed light on the forgery at hand.<sup>50</sup> Catron received no punishment, though he learned some lessons. Over the next decade he procured legitimate quit claim deeds to the Mora, Ojo del Espiritu Santo, Antonio Ortiz, Anton Chico, Juan de Gabaldon, Mesita de Juana Lopez, Beck, Eaton, San Miguel del Bado and Tierra Amarilla Grants.<sup>51</sup> To fund these purchases, however, Catron needed access to capital and the ability to use it at his discretion. His appointments came

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<sup>49</sup> Ibid., ix & "card at end." With regards to networking, Brevoort also made sure to explain that he was a twenty-four year resident of New Mexico and that he was indebted to the following for information: William F.M. Arny, John Clark, Joab Houghton, Joseph G. Knapp, James K. Proudfit, David J. Miller, Abram V. Hoyt, F.V. Hayden, Cyrus Thomas, W.J. Palmer, C.C. Parry. Talk about name-dropping!

<sup>50</sup> "Another Grant Fraud," *Albuquerque Morning Democrat (N.Mex.)* 27 March, 1886, p. 2.

<sup>51</sup> "Index of Deeds and other documents concerned with transfer of and within New Mexico Land Grants," c. 1898, CP, Series 307, Vol. 1. It is also likely that he had informal ownership of other grants through partnerships or secretive contracts that circulated the speculative pools of the Southwest. Similar to the holding of water rights in areas that required irrigation, by covertly owning interests, individual capitalists could maintain control over a much larger network of lands and operations without extending their liability or allowing competition to realize the extent of their holdings.

with a comfortable annual salary, which he added to through his private legal practice. These positions elevated him to a solidly middle-class standing, but did not remunerate him near enough to play with the leading capitalists.

Once again, Elkins came to his aid by including Catron on the board of directors of the First National Bank of Santa Fe (FNSF). In a wholly Schumpeterian twist on capitalism's *creative destruction*, the origins of the bank itself derived from the marketing of land grant paper on international trading floors.<sup>52</sup> In the aftermath of selling his estate in 1870, Lucien Maxwell used \$150,000 of the proceeds to open New Mexico's first nationally chartered bank. Within a year, Elkins and other ringmen convinced Maxwell to sell off the FNSF under the carrot of a quick return on investment and the stick of bluffed competition.<sup>53</sup>

On top of the bank's high interest rates of up to twelve percent (above which rates were considered usurious and therefore illegal), the FNSF also profited from the assay of precious minerals; their safe movement to Denver and New York; trading in government bonds and vouchers; and by charging fractions of a percentile on drafts, exchanges, and express charges.<sup>54</sup> In a relatively short amount of time by southwestern standards, the bank grew into a profitable enterprise. Beginning in August 1871 with a four percent dividend, it paid out its profits to its stockholders on a regular semi-annual basis. By the end of 1879, the FNSF already returned 108% of its original investment. Perhaps due to

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<sup>52</sup> Joseph A. Schumpeter, *Capitalism, Socialism and Democracy*, Third Edition (New York: Harper Torchbooks, 1962), see Schumpeter's discussion under "The Process of Creative Destruction" pp. 81-86; as well as Richard White's contextualization of this Schumpeterian process in the American West in *Railroaded*, xxv-xxvi.

<sup>53</sup> The First National Bank of Santa Fe and the relationship between banking institutions and regional development can be found in Gene M. Gressley, *Bankers and Cattlemen: Politics, Investors, Operators, From 1870 to 1900* (Lincoln: University of Nebraska Press, 1966); Maria Montoya, *Translating Property*, 2002; and Jim Berry Pearson, *The Maxwell Land Grant*, 1961.

<sup>54</sup> Letters to the bank grumbling about their extra and erroneous fees show that modern complaints with regard to banking charges and obscure practices are nothing new to the 21<sup>st</sup> century.

the otherwise lamented lack of railroads in New Mexico, the First National barely stumbled after the panic of 1873, which led to mass bankruptcy and uncollectable paper throughout the eastern United States. The 1880s proved even better for stockholders, with the bank returning another 165% on its initial \$150,000 capitalization.<sup>55</sup> This success benefited the directors in several ways, offering regional prestige, national connections, regular profits, and most important for Catron, a ready source of credit and surety.<sup>56</sup>

As part of the directorship of the bank, Catron helped himself to credit. This relationship aided him to year-by-year make additional land purchases. In 1872 for example, he acquired (in his name) fourteen new grant interests, at least five more in 1873, and another nine in 1874. The next year however, he had only two land transaction on his books, likely due to an overstretching of his funds and the need to reorganize his finances.<sup>57</sup> When the aggressive Catron used up his legally permitted credit, as he was wont to do every few years, he found friends to take out money for him in their name. Under FNSF President Elkins (1871-1884), Catron's signature alone represented all the security the bank required.

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<sup>55</sup> Minutes of the Board of Directors of the First National Bank of Santa Fe, Notebook 2, Box 4, William Parish Papers, 1700-1964, Center for Southwest Research, University Libraries, University of New Mexico. Total dividends listed for the period from 1871 to 1893 (when the financial panic of that year prevented the bank from declaring dividends for several years) amount to 330% of the initial investment and average out to 15% return per annum. Within this period, dividends for poor half-years fell as low as 3% and for rich half-years as high as 10%. In a financial environment in which a 6-8% yearly return was considered rewarding, the bank's success and dividend pay-outs can be considered quite lucrative indeed.

<sup>56</sup> The First National of Santa Fe grew a strong working relationship with multiple other banks and trading houses. Regionally, the directors engaged in a constant business and correspondence with the First National of Denver, sharing business tips, financial information, and several important clients such as Wilson Waddingham. On a broader scale, the FNSF dealt with the New York firms of Northrop and Chick (address at 6 Wall St., New York, NY), wool merchants Court & Battie of New York, and the 4<sup>th</sup> National Bank of New York. According to a letter between William Griffin and John Symington of Albuquerque, dated 27 November 1871, the FNSF dealt in over \$60,000 per month in exchange with New York firms and banks.

<sup>57</sup> "Index to Deeds and other documents concerned with transfer of land within New Mexico land grants," 1897, CP, Series 307, Vol. 1.

For the first decade of his land grant operations, Catron relied on the FNSF to supply him with necessary infusions of capital and to grant him freedom in how he put it to use. To this end the FNSF directors adapted the bank toward their individual speculative ends. They financed the purchase and promotion of New Mexico land grants as well as associated railroad and development companies. In their own backyard, Elkins, Catron, and Griffin fostered a relationship with the Maxwell Land Grant and Railway Co. similar in function to the association between the First National of Denver and the U.S. Freehold and Emigration Co. of the Sangre de Cristo Grant. The FNSF's first summer of operation witnessed the movement of thousands of dollars to and from its vaults and those of the Maxwell Company. Similarly, the FNSF interlocked directorates with the Consolidated Land, Cattle Raising, and Wool Growing Company, an enterprise that never actually stocked the range or grew any wool. More impressively, the company purchased a whopping 754,157 acres for one dollar from Waddingham, who had himself aggregated the lands of the Pablo Montoya Grant and Baca Float #2.<sup>58</sup> The outfit's corporate shell proved well suited for the purpose of obscuring ownership and exchanging title, which transpired within fourteen months of its initial incorporation. In December 1873 possession of the company passed right back to Waddingham who renamed it the U.S. Land & Colonization Company (USLCC). He desired to build a venerable cattle kingdom across the open range of eastern New Mexico stocked with English immigrants and Texas longhorns.<sup>59</sup> Catron was along for the ride.

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<sup>58</sup> David Remley, *Bell Ranch*, 69. Waddingham worked closely with the Santa Fe crowd to gain free and clear title to the ranch lands near Fort Bascom that would become the Bell Ranch and later Red River Valley Company. He also moved to control access to the nearby water sources by purchasing at least 70 different parcels along the Canadian River from the U.S. Land Office. It is likely that his connections in Santa Fe worked in his favor to buy up much of this federal land.

<sup>59</sup> "Minute Book of the United States Land and Colonization Company," CP, Series 607, Vol. 1. Original incorporators include: Wilson Waddingham, Frank Chapman, David A. Moffat, Jr., Alfred Sayre, Trinidad

## Catron's Empire Takes Shape: Local Growth after the Bubble Burst

Western investors and promoters bet against a large-scale downturn in the capital markets of the East; their wagers proved shortsighted and their speculations unsecured. The financial panic originating from the office of Jay Cooke spread westward out of New York at an alarming pace. What started as a single house's downfall triggered a wholesale panic and market downturn that led to mass bank shutdowns, suspension of business, and extensive bankruptcy across the country. In Colorado and New Mexico, eastern and foreign investors felt the ruptures of the panic most acutely. Just like the financial houses and trading floors that supported them, these speculators contracted their monetary supply and set aside plans for future growth. International capitalists did not return to the area in quite the same way until the western cattle boom of the 1880s. Similarly, East-coast investors shunned the markets for almost half of a decade until motivated by the return of significant railroad growth.<sup>60</sup> For English capitalist William Blackmore, the Panic of 1873 threw his southwestern schemes into a tailspin. Unable to attract railroads, colonists, or new buyers to his grants, his obligations piled high until April 1878, when under the weight of imminent bankruptcy and financial embarrassment, he shot himself in his Salisbury home.<sup>61</sup>

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Romero, and John Henry Stout. The initial capitalization was set at £525,000. Alongside the transfers of the ranching company and its lands, Wilson Waddingham maintained a regular line of commerce with the FNSF and kept up a dazzling reputation in regional circles.

<sup>60</sup> "Record of Incorporation Classified," 1867-1910, Reel 34, TANM, Records of the Secretary of the Territory, Center for Southwest Research, University Libraries, University of New Mexico; Lamar, *Far Southwest*, 291.

<sup>61</sup> Brayer, *William Blackmore*, 318 & 311. William Blackmore committed suicide on April 12, 1878. Brayer presents Blackmore's failure as a result of his overextension of landholdings (issues that Waddingham and Catron would both suffer from later), stating that "The strain of trying to keep his entire "empire" intact during a period of world-wide depression, together with an unsound policy of increasing



Although outside sources of capital cautiously avoided southwestern ventures during the mid-1870s, local investors renewed their interest in land accretion while seeking to economize on properties already owned. With the attention of the nation directed elsewhere and a fresh concentration of Republican Party rule in the territory, the Santa Fe ringmen developed a new boldness toward the management of local affairs. They utilized their established networks of friends to push the transfer of grant titles through territorial courts and grant confirmations through the Office of the Surveyor General. With a vacancy in New Mexican leadership created when Elkins moved to Washington, D.C., to serve as Delegate to Congress, Catron took a leading role in managing the Ring's territorial affairs, including the pursuit of grant lands.

The experience Catron gained through his lesser roles in major land deals gave him the confidence, the connections, and the wherewithal to branch out his efforts toward locating and purchasing new interests. As a member of several distinct and often interconnected pools, Catron already owned portions of the Mora, Antonio Ortiz, Ojo del Espiritu Santo, Juan de Gabaldon, Agua Negra, and Mesita de Juana Lopez grants and acted as a silent partner in the acquisition of the Anton Chico, Pablo Montoya, Baca Float No. 2, Bosque del Apache, and the Armendariz grants.<sup>62</sup> After the panic Catron and his

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rather than exploiting or developing his holdings, had placed the promoter [Blackmore] in such serious financial straits that only a miracle could have save the pyramid structure from collapse.”

<sup>62</sup> This list is compiled from Series 302-310, Miscellaneous Land Title Records, 1840-1920, Catron Papers. Especially useful is Series 307, “Index to Deeds and other documents concerned with transfer of land within New Mexico land grants,” 1897.

Other than his participation in William Blackmore's New Mexico Trust Lands, or Samuel Smoot's Mora Grant group, Thomas Catron grew interested in the Antonio Ortiz Grant of San Miguel County through a secret partnership organized in 1870 between himself and Stephen Elkins. The two friends determined to conduct a full purchase of the grant and split all costs and proceeds equally, but that for the purpose of consolidating the various interests, Elkins put all conveyances in his name with Catron as a silent partner. Elkins deeded Catron his equal part of the grant in 1885 through a Quit Claim Deed. “Deed, between Stephen B. Elkins and Hallie D. Elkins of New York and Thomas B. Catron of Santa Fe,” 28 December 1885, CP, Series 305, Box 1, Folder 2. This pool also likely purchased interests in the Agua



agents resumed the collection of these lands with the goal of accumulating or representing full ownership for the purposes of negotiating a sale. By 1885 this list also included partial ownership of the Eaton (San Cristobal), Beck, and San Miguel del Bado grants as well as full and perfect title to the massive Tierra Amarilla Grant of 594,515 acres. Catron did not stop there. He continued to grow and manipulate his land grant empire into the twentieth century, though his strategies for obtaining interests changed over time. For instance, the appointment of George W. Julian as surveyor general in 1885 shifted the tactics of acquisition to favor legal and corporate mechanisms. Prior to this sea change, Catron and other grant sharks relied most heavily on the simpler and quieter method of cash and credit transactions.<sup>63</sup> This approach required hundreds of individual negotiations and title transfers for each grant as represented by Catron's acquisition of the Tierra Amarilla and Mora estates.

No other single property illustrates both Catron's success as a lawyer-speculator and his failings as a marketer-manager like the Tierra Amarilla Grant. From his initial purchase of a single heir's interests in 1874, through his controlled manipulation of land records that led to his victorious suit to quiet title in 1883, and ending with the sale of the grant in 1909, Tierra Amarilla symbolized the possibilities and the limits of Catron's – and in a grand sense, capitalism's – ability to control development in the rural Southwest.<sup>64</sup> Replete with timber, coal, oil, and pasturage, the almost six hundred

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Negra Grant, with record showing ownership by Elkins and Catron as early as 1872. S.B. Elkins per T.B. Catron to Severiano Martinez, Certificate of Agreement, 27 August 1872, CP, Series 103, Box 19, Folder 1.  
<sup>63</sup> Westphall, *Public Domain*, 33 & 102-105. A noticeable slowdown in the quantity of land grant transactions and an increase in corporate or joint parties after 1885 is visible in Thomas Catron's "Index to Deeds and other documents concerned with transfer of land within New Mexico land grants," 1897, CP, Series 307, Vol. 1.

<sup>64</sup> Scholarship regarding the Tierra Amarilla Land Grant and Catron's involvement in the purchase, consolidation, management, and later sale of the grant includes Victor Westphall, *Thomas Benton Catron and his Era* (Tucson: University of Arizona Press, 1973); Frances Leon Swadesh, *Los Primeros*

thousand acres of northern New Mexico and southern Colorado stood as the jewel of Catron's land grant empire.

When Catron arrived in New Mexico, the U.S. Congress had already confirmed the existence of the Tierra Amarilla Grant as the property of the heirs of Manuel Martinez whose name appeared as the *poblador principal* on the original documentation from Mexico. This established the scenario (Catron would later argue in the territorial courts) that the Martinez family alone held all right and title to the grant. Despite the presence of other residents of the grant with *hijuelas* (deeds, or shares) obtained from Martinez heirs in the 1860s, Catron hatched a plan involving the purchase of only outstanding Martinez interests, since as he found in the office of the surveyor general, these were the only names represented on Mexican and United States title documents. So beginning in 1874 with his first cash purchase of land from a Martinez heir, Catron and his agents worked tirelessly towards the accumulation of the entire grant.<sup>65</sup> New Mexico's surveyor general Henry M. Atkinson sweetened the prize by contracting a very friendly party to survey the grant, helping to balloon its boundaries to encompass over 594,000 acres before rubber

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*Pobladores: Hispanic Americans of the Ute Frontier* (Notre Dame: University of Notre Dame Press, 1974); Roxanne Amanda Dunbar, "Land Tenure in Northern New Mexico: An Historical Perspective" (PhD diss., UCLA, 1974); Malcolm Ebright, *The Tierra Amarilla Grant: A History of Chicanery* (Santa Fe: Center for Land Grant Studies, 1993); Malcolm Ebright, *Land Grants and Lawsuits in Northern New Mexico*, John Van Ness, ed., New Mexico Land Grant Series (Albuquerque: University of New Mexico Press, 1994); and David Correia, *Properties of Violence: Law and Land Grant Struggle in Northern New Mexico*, Geographies of Justice and Social Transformation (Athens: University of Georgia Press, 2013).

<sup>65</sup> "Abstract of Title of the Tierra Amarilla Grant in the County of Rio Arriba, Territory of New Mexico," 1901, typed letter book, CP, Series 305, Box 6. This abstract begins with the granting of Tierra Amarilla to Manuel Martinez in 1832 under the government of Mexico, its confirmation by Congress on June 21, 1860 to the heirs of Manuel Martinez, and the issuance of a patent signed by the president on February 21, 1881 listing the grant as encompassing 594,515 acres in Rio Arriba County, NM and Conejos County, CO. The large acreage of the grant, like the Sangre de Cristo and Maxwell grants, traces its origins to the hasty confirmation in 1860 and the Tamerling Supreme Court case in 1876. The abstract then traces the genealogy of the titles of all Martinez heirs until they were completely consolidated by Thomas B. Catron.

stamping the grant on September 30, 1876 with the official approval of his esteemed office.<sup>66</sup>

Thomas Catron was not the only party involved in the acquisition of Tierra Amarilla lands, though he alone (or with his wife Julia) represented the buyer in at least thirty deals by the start of his quiet title suit. The list of recurring individuals found throughout the abstract of title include Julian Martinez, Frederick Muller, Henry Mercure, Joseph Clouthier, Francisco Manzanares, Roque Sanchez, Ramon Salazar, Eliseo Salazar, Hugh Campbell, Elias Brevoort, Wilmot E. Broad, and Thomas D. Burns.<sup>67</sup> Alongside Catron these individuals bought and traded grant parcels at a frenzied pace, paying anywhere from one U.S. dollar to two-hundred Mexican pesos to tens of thousands of dollars, depending upon the size of the interest and the knowledge of the seller.<sup>68</sup> Where Catron rose above the rest on this mixed list of Nuevomexicano and Euro American buyers and sellers is that he fostered partnerships with those best connected on the ground at Tierra Amarilla to covertly facilitate the constant transfer of the property to his name.

Thomas D. Burns and Wilmot Broad who lived and worked in Tierra Amarilla proved especially helpful for Catron.<sup>69</sup> These proxies had personal connections to many

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<sup>66</sup> Mortgage to Thomas B. Catron and Julia A. Catron from The Mercantile Trust Company of the City of New York, 22 July 1882, CP, Series 305, Box 6, Folder 13.

<sup>67</sup> "Record of Deeds and Conveyances in the County of Rio Arriba," Signed by Fernando Salazar, Probate Clerk and Ex Officio Recorder of Rio Arriba County, 24 July 1882, CP, Series 305, Box 6, Folder 1.

<sup>68</sup> In general, a full 1/8 interest sold to an American speculator went for around \$8000 while many more transactions made between Nuevomexicanos or residents of the grant like Thomas Burns involved partial interests that sold for several hundred pesos or dollars. It is interesting to note that when Mexican sellers dealt with known land investors like Catron or Brevoort, the price rose substantially compared to the majority of sales between personally acquainted local parties. Also, many of the deeds that transferred in the probate books of the territory until the late 1870s were recorded and printed in Spanish, both when the sale involved multiple Nuevomexicano actors or sales to Euro American speculators. These figures are taken from a combination of documents found in the Abstract of Title, and Folders 1, 10, and 11 in the Catron Papers, Series 305, Box 6.

<sup>69</sup> Thomas D. Burns developed a power base of his own in northern New Mexico from his position in Nutritas, which changed its name to Tierra Amarilla in 1880. See: Robert J. Torrez, "'El Bornes': La Tierra Amarilla and T.D. Burns," *New Mexico Historical Review* 56 (April 1982): 161-75.

of the Mexican inhabitants of the grant, knew the Martinez family, and knew the local probate clerks. They built lasting relationships with Catron as creditors, debtors, land agents, and land developers. Thomas Burns alone accounted for over thirty-eight conveyances of Tierra Amarilla land rights that he then transferred to Catron in 1881 and 1882 as part of two discreet transactions.<sup>70</sup> When Wilmot Broad grew indebted to Catron in the 1870s, Broad partially fulfilled his obligation through the purchase of the collected interests of Elias Brevoort who had serious reservations about selling the lands to Catron. Through these often opaque means, Catron methodically obtained the interests of all Martinez heirs.<sup>71</sup> To do so, according to one preeminent scholar of land grants, he ended up spending over \$200,000 of personal and borrowed capital. (According to most inflation calculators, this equates to almost \$5 million in the 2010s). This figure is substantiated in the minutes of the U.S. Land and Colonization Co. as the amount of a “first mortgage Deed of Trust” from the Mercantile Trust Company of New York. Thomas and Julia Catron obtained these funds on July 22, 1882, secured by seven percent “Land Grant Bonds.”<sup>72</sup> His crowning achievement yet to come, however, was the successful suit to quiet title (legally define and convey ownership) for Tierra Amarilla. Catron orchestrated the suit to produce a legally binding title to the grant with his name as the sole owner. Then, he immediately transferred the enormous grant to the stockholders of the USLCC, a corporation in which he held the offices of vice president and director.

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<sup>70</sup> “Memorandum of the land of T.D. Burns on Tierra Amarilla Grant,” CP, Series 305, Box 6, Folder 1.

<sup>71</sup> Frances Leon Swadesh, *Los Primeros Pobladores: Hispanic Americans of the Ute Frontier* (Notre Dame: University of Notre Dame Press, 1974), 84-85.

<sup>72</sup> Ebright, *Tierra Amarilla*, 25; U.S. Land and Colonization Co. Minute Book, CP, Series 607, Vol. 1; Mortgage to Thomas B. Catron and Julia A. Catron from The Mercantile Trust Company of the City of New York, 22 July 1882, CP, Series 305, Box 6, Folder 13.

When Catron filed suit in the district court of Rio Arriba County against the “Unknown heirs of Manuel Martinez,” he crafted an eloquent and salient case around a main argument that no other residents of the Tierra Amarilla Grant could claim possession or right to its lands, except those heirs of Martinez.<sup>73</sup> This argument and the mathematical rationality that it produced by which interests could be easily distinguished as fractions of the whole, presented an important official redefinition of land grant ownership that Catron and his cohort broadly applied to both private and community grants.<sup>74</sup> His deep knowledge of the Mexican and U.S. land systems in New Mexico meant that Catron knowingly subverted documentation and precedence that deviated from his clearly defined legal position. In court, he relied upon the testimony of fellow speculators and friends such as Eugene Fiske, Thomas Burns, and Wilmot Broad to help construct his case and to de-legitimize the rights and interests of other parties whether they held no relation to the Martinez family or simply passed the statute of limitations for filing their ownership in fee simple in the U.S. courts. Catron likely knew that with his old friend and ring member Samuel B. Axtell on the bench as Chief Justice of the Territory, his case would be upheld.<sup>75</sup> His legal training, however, led him to want to go even further than just quieting the title in 1883. Catron’s brilliance at the moment (and from other perspectives, his wickedness and greed), argued for the setting of a long-standing precedence regarding the Tierra Amarilla Grant so that while other lands constantly required adjudication to clarify clouded titles and questionable statuses, the

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<sup>73</sup> *Thomas B. Catron v. Unknown heirs of Manuel Martinez*, 1883, CP, Series 305, Box 7, Folder 1.

<sup>74</sup> Shadow and Rodríguez-Shadow, “From ‘*Repartición*’ to Partition” 277.

<sup>75</sup> *Thomas B. Catron v. Unknown heirs of Manuel Martinez*, 1883, CP, Series 305, Box 7, Folder 1; Corriea, *Properties of Violence*, 65.

New Mexico courts cemented his ownership of almost 600,000 acres and upheld this ruling on several future occasions.<sup>76</sup>

In the immediate aftermath of his victorious suit, Catron desired to replicate the early accomplishments of William Blackmore, Wilson Waddingham, and his good pal Stephen Elkins. By June 1883, he successfully conveyed his newly established ownership to the United States Land and Colonization Co., the same corporate entity that replaced the Consolidated Land, Cattle Raising and Wool Growing Company in 1873 as the owner of the Pablo Montoya Grant and Baca Float #2. Since its official incorporation in New Mexico on August 14, 1875, the USLCC stood at the center of a robust network of southwestern speculator-entrepreneurs including Catron, Waddingham, Frank Chapman, David A. Moffat Jr., Trinidad Romero, Marcus Brunswick, Michael Slattery, and Charles Iffeld. With business offices at Fort Bascom, Las Vegas, Santa Fe, and Denver, and with an initial value set at \$2.5 million, this company positioned itself at the nexus of what its stockholders hoped would become a sprawling empire of range, mine, timber, and colony. In payment for the transfer of “a full, absolute, and perfect title in fee simple in and to” the Tierra Amarilla Grant, the board of directors of the USLCC, of which Catron was a member, unanimously agreed upon a purchase price of the company’s “entire capital stock.”<sup>77</sup> Taken at face value this insider trade represented a ten-fold return on investment for Thomas Catron, though it is not clear whether he really obtained all of the stock of the company or if it was worth anything close to its full valuation on the open market. Regardless, Catron set to work under the umbrella of the USLCC to arrange for

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<sup>76</sup> Catron’s successful defense of his ownership of the Tierra Amarilla Land Grant in 1883 did not prevent future litigation, but rather provided Catron and his legal teams with sufficient evidence and precedence to validate his ownership on each occasion. For instance, cases in one form or another attempted to dislodge Catron’s ownership in 1885, 1889, 1893, and 1901, but never succeeded in overturning the 1883 ruling.

<sup>77</sup> CP, Series 607, Vol. 1.

an international marketing campaign designed to attract new investors and the money to develop the grant, or even better, to quickly flip Tierra Amarilla as a hot commodity to the next round of speculators.<sup>78</sup>

Similar processes led to Thomas Catron's acquisition of whole or partial interests on grants such as the Eaton and the Mora, both in northern New Mexico.<sup>79</sup> He spent countless hours researching lists of grant heirs, abstracts of title, probate records, and legal pretexts that could help establish individual, fee simple ownership.<sup>80</sup> While traveling across the territory to conduct his legal duties as a nationally appointed official for New Mexico, he doubled as a speculator and land agent. This multiplicity of purposes allowed Catron to make new friends and associates in the different regions of the developing territory, but especially throughout the mostly Nuevomexicano communities that sprawled northward from Santa Fe along the Rio Grande. Once he set his sights on obtaining part of a grant, he either did so openly and with his own funds, or more often, found an on-site agent and supervisor to manage the purchase and collection of interests. This method continued for Catron into the early 1880s, but by mid-decade he started to shift his focus on the incorporation and development of his grant lands so as to cultivate more stable profits and less transparent lines of ownership.

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<sup>78</sup> For instance, Catron paid for the research and publication of a booster report by John McCulloch titled "Report on the Tierra Amarilla Grant, The Property of T.B. Catron, Esq." and sent it to James Black of London on 3 November 1883, CP, Series 305, Box 7, Folder 11. In this optimistic report, John McCulloch estimated that the Tierra Amarilla Grant would produce annual revenue of around \$177,500, mostly from livestock, but also from timber, coal, and agriculture. The author went on to firmly endorse and recommend the grant to James Black and his associate investors.

<sup>79</sup> "Abstract of Disposition of Interests, Mora Grant," 1898, CP, Series 305, Box 1, Folder 5; "Abstract of Title, Eaton Grant, Richard H. Hanna, Attorney and Abstractor," 12 January 1909, CP, Series 306, Box 2, Vol. 1.

<sup>80</sup> Catron's records include hundreds of pages of documents, notes, and indexes gleaned from the Territorial Archives and the Office of the Surveyor General. Catron and his law partners must have spent an extraordinary amount of time recording this information themselves, or more likely, hired legal apprentices who wanted to work in Santa Fe to do it for them. "Index 1: To Wills and General Abstract of Archives in Sur. Genl. Office," and "Abstract of documents found in the Office of the Surveyor General," CP, Series 310, Vols. 1 & 2.

## **Nuevomexicanos and the Land Grant Bubble**

By the early 1880s the speculative bubble in grant lands and the resultant dispossession of much of the Mexicano population had already transpired. While the inequities and injustices of the Court of Private Land Claims had not yet surfaced to diminish Nuevomexicano ownership of individual and common lands even further, the period of grant land acquisition by speculator-capitalists had already divested the large Hispano underclass of much of New Mexico's best lands and usufruct access to natural resources.<sup>81</sup> Structural forces organized against Nuevomexicanos made for an unequal system, but not necessarily the inescapable alienation from their land, from economic power, and from political power.

The fact remains that land grant heirs willingly participated in thousands of individual transactions.<sup>82</sup> For instance a bound volume titled "Abstract of Disposition of Interests, Mora Grant," represents a complete genealogy of the ownership of the Mora Grant through its original seventy-six heirs in 1835 to the time the volume was hand recorded in 1898. The volume follows each individual grantee from their awarded possession of a 1/76 share of the Mora Grant in 1835 through the myriad transactions and transfers with other Nuevomexicanos and Anglo Americans. For many of the grantees listed in the volume more than ten proceedings were listed representing the fact that each small part of the Mora Grant was sold, leveraged, and traded on multiple occasions. Most of the interests of the Mora Grant did at some point pass through the hands of Stephen Elkins or Thomas Catron, and end in the hands of a non-Mexican, non-heir. This verifies

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<sup>81</sup> Holtby, *Forty-Seventh Star*, 28-30.

<sup>82</sup> "Abstract of Disposition of Interests, Mora Grant," CP, Series 305, Box 1, Folder 5.



the alienation of ownership that occurred during this period, but the sheer amount of transactions between Nuevomexicano parties obscures the story of unilateral fraud and malfeasance by Anglo speculators, lawyers, and politicians. Names of prevalent buyers found in the disposition of interests includes Stephen B. Elkins, Thomas Catron, Julia Catron, Louis Sulzbacher, Pedro Perea, Jeff Reynolds, Frank Springer, John H. Knaebel, Robert H. Longwill, Pedro Valdez, H.C. Blythe, and Eugene Fiske; Mexican sellers are too numerous to list in full, but include families with the surnames Abeyta, Baca, Carabajal, Chacon, Cruz, Garcia, Gonzales, Gurule, Lopez, Lujan, Martinez, Mestas, Montoya, Quintana, Pacheco, Rivera, Romero, Sanchez, Tapia, Trujillo, Valdez, and Vigil. Furthermore, the abstract book includes amounts paid for some (but not all) of the transactions, showing that different sellers received different compensation for the lands based on size of interest and their ability to negotiate. This remained true from the beginning of the Land Grant bubble that began around 1869 and continued right up to the cusp of the twentieth century. Sales to Catron or to Anglo buyers in the 1890s indicate that not all Mexican heirs were willing to sell in the 1870s or 1880s but that it took decades for the American newcomers to convince these owners to divest of their land grant interests. The overall impression gained from rich sources such as the “Abstract of Disposition of Interests” for the Mora Grant is that yes, Nuevomexicanos were targeted by a relatively small group of lawyers and speculators for the titles to their lands, but that they also actively participated in the onset of capitalism and capitalist practices in the nineteenth century. To say that these men and women were only victimized is to do them historical injustice the same as the narrative of backwardness and ignorance that scholars and writers used to characterize the Mexican community during the first half of the

twentieth century. Instead, to give the Nuevomexicano people fuller historical agency is to recognize their participation in the very system of practices – albeit at an unequal level – that destabilized them as a distinct ethnic population of the American West and led to a reinvention of the Nuevomexicano people as property-less, migratory wage laborers.<sup>83</sup>

While buyers such as Thomas Catron with direct access to capitalist networks and the records of the Office of the Surveyor General readily gained from the power of information, sellers utilized local knowledge and communicated freely with neighbors and family to determine going rates and favorable terms. Their acceptance of cash for land may look shortsighted, but in the currency starved Southwest, the money received was often more than they could make through a decade of hard work. The money could immediately find use to pay-off long standing debts that kept them or their families in a state of peonage or finance the purchase of a small herd for their own use and benefit. When fraud or falsification occurred, it usually focused on the new legal meanings of property and sale, especially with regard to communal lands, to which sellers were often misled to believe that they had continued legal access.<sup>84</sup>

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<sup>83</sup> This argument is not really new, either. Robert D. Shadow and María Rodríguez-Shadow developed the same line of reasoning in their 1995 article that focused on the history of land ownership and use rights on the Mora Grant from its legal creation in 1835 to the aftermath of its court-ordered partition in 1916. Instead of treating Nuevomexicanos as a “monolithic block,” the authors explicated that “Without denying the presence and power exercised by outside agents in the struggle for the commons, we would like to return local peoples to a more central, active, and transformative role in their own history, as well as pay closer attention to the relationship of internal social differentiation and class stratification in the breakup of the commons. Local society responded to capitalist expansion, commodity production, and the privatization of resources not only through resistance but also with opportunism...” Shadow and Rodríguez-Shadow, “From ‘*Repartición*’ to Partition,” 264.

<sup>84</sup> The troubles surrounding Nuevomexicano ownership and access stemmed in large part from the types of deals organized by Thomas Catron or his agents. Recognizing that the decision to actually remove Nuevomexicanos from their lands was both impossible to fully implement as well as impolitic to a high degree, Catron looked to informal contracts and agreements that stipulated that heads of household could maintain their residence on grant lands, even though full title transferred to outsiders and their corporations. In so doing, Catron increased his power and patronage while surreptitiously divesting families of land ownership in ways that only showed the true intent and destabilization years and sometimes decades in the future.

For their part, many of the heirs of the Spanish and Mexican grants made for savvy negotiators regarding the sale of their lands. While speculators certainly duped or swindled some heirs into low sales prices and poor terms, many of the Mexican grant owners shared information with neighbors, friends, and family to set more favorable prices and avoid undercutting their kin. Furthermore, members of the Mexican community doubled as purchase agents and sources of information about where to find heirs and where to locate boundaries. Members of the Chavez, Vigil, Otero, Ortiz, Perea, and Manzanares families participated alongside their Euro American peers in Santa Fe to help expand their own land holdings and statuses within the territory. Likewise, Nicolas Pino made himself into an indispensable party regarding Catron's accumulation of the Eaton Grant. By 1878 Pino owned over one-third of the entire 81,032 acre grant. He sold this interest to Catron in 1894 only after the two had partnered together for the purpose of leading a partition suit through the territorial court to break up the Eaton property into individual estates.<sup>85</sup> Pino's experience in the land grant buy-up adds complexity to our understanding of the various options available to land grant heirs during the Gilded Age.

One issue that the mostly Nuevomexicano sellers came across developed due to the changing culture of oral contracts. Whereas many of the land use agreements initiated by Nuevomexicanos centered on oral agreements with a local known patron figure, the rapidity with which land changed hands after 1870 destabilized this system. Allowances made to Mexican sellers such as the right to continue prior land use arrangements could and often did fall apart when new owners brought ejection suits. Oral agreements with previous owners simply lacked the legal protections necessary to combat corporate-

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<sup>85</sup> "Abstract of Title, Eaton Grant, Richard H. Hanna, Attorney and Abstractor," 12 January 1909, CP, Series 306, Box 2, Vol. 1.

backed ejections and led to newfound contempt on both sides of the equation. On the other hand, buyers had a seriously constrained ability to actually remove residents from their grant lands. Mexicans who sold what they considered to represent only their individual parcels continued to use common lands well into the twentieth century with a relative degree of impunity. The new proprietors of land grants could post signs, file ejection suits, and use violent means to attempt to displace the Nuevomexicanos and Native American “squatters,” but the remoteness, community support, mobility, and seasonal lifestyle of many of these inhabitants made owners’ efforts expensive and futile. Furthermore, the hostility engendered by prolonged challenges to residence and land use had the opposite effect on development and property values while helping to foment anti-monopoly, anti-land grant, and anti-ring feelings throughout the villages and towns of the region.

Dispossessed Nuevomexicanos and opponents of the Santa Fe Ring increasingly leveled charges of corruption and foul play against Thomas Catron as the worst perpetrator of thievery and land-grabbing in the territory. Most of these charges rolled off his back with little concern. By the mid-1880s he had acquired an immense fortune in southwestern lands, though the possibility to sell these lands for his idea of their fair value diminished as statehood remained out of grasp and the strong markets of the eighties were replaced by depressed markets of the nineties. Instead, as New Mexico entered the railroad age, Catron took a new stance towards his landed empire. He would actually try to develop its diverse resources while biding his time until statehood brought an overnight doubling of land values. One theme remained constant as Catron tried his hand at the establishment and management of ranching, mining, irrigation, utility, and

town site companies: all of his new ventures developed a corporate organization. The now middle-aged Thomas Catron continued to pursue available grant lands, legal business, elected offices, and national recognition, but as will be discussed in the next chapter, his participation on the board of directors or as an officer for numerous corporations worked to pull New Mexico and its hinterlands ever deeper within capital markets and push the majority of the territory's population ever further from the land and the values that they shared just a generation before.

## Chapter 4

### The Equity of Empire: Corporate Growth and Regional Competition, 1879-1893

*I am the owner of about 900.00 acres of land worth about \$2 Per acre to all of which I hold perfect titles, the same being Mexican and Spanish grants in this Territory which have been confirmed by the Congress of the United States. I own in addition to this between two and three hundred thousand acres of land some of which has been confirmed by Congress and some has not. I own real estate in the City of Santa Fe of a value to exceed \$100,000.00 I have outstanding indebtedness due me, the greater portion of which I consider absolutely good, amounting to about \$150,000.00. I have \$10,000.00, of the First National Bank Stock worth over \$20,000.00. I have personal property to the amount of about \$25,000. I have \$65,000.00 of the stock of the American Valley Cattle Company, worth not less than sixty cents on the dollar. I own stock in other companies and an interest in three mines, neither one of which owes a dollar, and all of them considered valuable. I owe about \$100,000 to Banks and other parties, I have about \$7,000.00 on hand. The only property that I have mortgaged is my dwelling house and \$14,000.00 of the First National Bank Stock. I had given a mortgage to secure \$200,000.00 of bonds issued by me, and which I have given as collateral to secure \$100,000.00, this \$100,000.00 is not the same \$100,000.00 which I above stated that I owed, but the payment of this \$100,000.00 has already been made or at least is arranged to be made in this way. I sold during last year to Mr. Winter and Mr. Waddingham of Kansas City real estate to the amount of \$140,000.00 and took their notes, which are due about the present time, they agreed, or at least Mr. Waddingham did, to take up the \$100,000.00 last mentioned out of the proceeds of this sale when it fell due. I understand from Mr. Waddingham that he has done so. The mortgage has not been satisfied on the record but the debt has been paid, the balance of that sale is due me.*

*I have insurance to the amount of \$45,000.00 on my house and personal property. I consider that I am worth at least One million and a half dollars over and above my just debts and liabilities.*

*Very truly &c., T.B. Catron  
(dictated)*

*P.S. I have an annual income of about \$50,000.00 from my real property.*

Personal Statement of Value, T.B. Catron to T.O. Vinton, El Paso, Texas, April 22, 1889

### American Valley Dreamin’

Thomas Catron must have thought he was getting the better of John P. Casey in August 1886 when he turned a \$6,000 mortgage held by Casey into joint ownership between himself and Henry M. Atkinson of \$132,500 in stock of the newly organized American Valley Company (AVC). On paper this deal represented a ten-fold increase for Catron from the initial loan he made to Casey in 1883 to his signing of the articles of

incorporation three years later.<sup>1</sup> The new corporation, fully capitalized at half a million dollars, presented an amazing opportunity for involvement in the growing cattle industry of territorial New Mexico. More specifically, the company presided over a range that newspapers claimed ran sixty by forty miles on the high plains to the west of Socorro.<sup>2</sup> The AVC's monopoly on water rights along Gallo Creek (one of the few regular water sources in the vicinity) and its control over an enormous range and hill country represented the pinnacle of many western cattle baron's ambitions.

For Catron, however, the AVC and its ranch signified little more than a continuation of his speculative investment in New Mexico, its lands, and its resources. The company and its property represented tangible equity for Catron that he hoped would work for him in at least two lucrative ways. First, in determining his personal finances and accounting, Catron tallied his capital stock in the plus column and often relied upon these securities to act as the necessary collateral in some other of his myriad business affairs. Stocks could be especially alluring in this regard because their values were easily manipulated. On paper, Catron often took on the form of a blowfish. By watering his stocks he could puff up his personal value and his financial security thus giving him enhanced access to other pools of capital for exploitation. On the other hand, when tax season came around stock value was non-assessable and so as a form of equity held no obligation to the collector.

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<sup>1</sup> "Articles of Incorporation of the American Valley Company," 2 August 1886, Thomas B. Catron Papers, 1692-1934, Center for Southwest Research, University Libraries, University of New Mexico, Series 611, Box 2. Split evenly and at full face value, Catron's ownership of \$66,250 in stock of the American Valley Company indicates an impressive 1100% increase on his original loan. Even if we flash forward to January 1894 with stock valued at forty cents on the share, Catron's manipulation of a personal mortgage into substantial AVC holdings puts his base gain after eight years at about 440% plus any dividends paid out.

<sup>2</sup> "A Big Deal. Consolidation of the American Valley Interests Effected in Santa Fe," *Santa Fe Weekly New Mexican and Livestock Journal*, 19 August 1886, p. 3. A range of 40 by 60 miles represents 2400 square miles or an area larger than the state of Delaware and easily the size of many American counties.

Second, in the aftermath of railroad construction that crisscrossed the territory, Catron and his friends in Santa Fe desired to take a leading role in developing the latent resources of New Mexico to spruce up its economic appeal for eastern investors and politicians. With overwhelming optimism the string-pullers in the territorial capital worked to direct growth under the notion that statehood would bring about a significant rise in land value and political empowerment.<sup>3</sup> Catron likely believed that his involvement with the AVC would pay dividends through his ownership of company stock, through the increased value of AVC lands with statehood (and the affiliated rise in AVC stock value), and through the increase in value he would then represent to his political and social connections. But as Catron and so many others learned time and time again in New Mexico, equity rarely grew fast enough to outpace debt and so his southwestern empire swelled more from the latter than the former, requiring constant infusions of new equity to prevent the scale from tipping over towards insolvency and that worst of all black mark in the business world, financial embarrassment—bankruptcy.

This chapter will focus on the surge of capital investment in New Mexico after the entrance of the railroad. While local businessmen and politicians tried to direct the growth that followed the extension of rail service, fierce competition for regional incorporation meant that networks from Denver, El Paso, Chicago, and Boston more

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<sup>3</sup> Self-interest and home rule grew to particular importance to Catron and his Santa Fe cohort during the aggressive push for statehood during the late 1880s and early 1890s. Following a wave of scrutiny and reform brought about by President Cleveland's Democratic administration that produced a shake-up in the territory, an admixture of ringmen and monied interests sought statehood to safeguard the weighted political economy of New Mexico that had balanced in their favor from the 1860s to 1885. David V. Holtby, *Forty-Seventh Star: New Mexico's Struggle for Statehood* (Norman: University of Oklahoma Press, 2012), 11-13. Holtby's clearly defined argument follows: "Catron and the Santa Fe Ring sought statehood to protect their self-interest, perpetuate their money-making schemes, and reduce popular discontent." Without quibble here, I add that statehood represented a money-making scheme in-and-of-itself for Catron and his peers, and the lack of statehood, or a failed statehood campaign, represented a complex political and financial risk with tangible injuries to values, cash flows, and business outlook.



forcefully influenced territorial economic development. Thomas Catron's corporate involvement mirrored this pattern and presents a lens through which the historian can trace the attempts of New Mexican insiders to shape the territory's economy in conversation and competition with other capitalist circles vying for control. In a sense, Catron's economic fortunes were often tied to those of the Nuevomexicano community. His investment in New Mexico land greatly relied upon Spanish and Mexican land grants, and so intertwined his interests with those lands and in no small part, with their residents. As capital moved into New Mexico, especially during the decades of the 1880s and the 1900s, it mostly flowed into the "new" parts of cities and towns or newer, more Anglo-dominated regions of the territory. Concentrations of capital occurred in mostly-white spaces, marking much of Catron's empire as marginal, even as the territory and later state grew more and more connected to international markets. Catron and Santa Fe ultimately failed to consolidate market forces to their mutual advantage. Their marginalization likewise resulted in a loss of even the semblance of economic control by many Nuevomexicanos. Like Catron, Nuevomexicanos depended upon maintaining their clout in Santa Fe as a strategic source of power. As the capital lost out in the larger picture of regional development, so too did the Nuevomexicano people of the Hispano borderland, who found their choices for livelihood more clearly dictated by distant cities and transnational market forces.

Busier, and perhaps bolder than most, Catron's business involvement in the 1880s evolved parallel to the territory's economic trends. Like so many southwestern capitalists, his agenda shifted in anticipation of the extension of rail traffic, including targeted local improvement in strategic towns and cities of New Mexico in combination with a new

focus on extractive industry for his rural land grants. His involvement with the American Valley Company, the Monero Coal & Coke Company, and at least two dozen other corporate entities speaks to Catron's modern and comprehensive approach toward development, his reliance on the institution of the joint stock company, and his (sometime) ability to organize his interests in synergy with other regional and national networks. He also characterized the changes under way in the business of land speculation. Though never out of sight, speculators re-aligned in scope, reasoning that instead of flipping western lands, which grew more competitive and more clouded since the early 1870s, they could exploit the land's latent resources to boost its' prospective value, their personal value, and their bottom line in the process. Land owners and their partners increasingly established mining, ranching, timber, water, and utility companies with designs to profitably harness, extract, and market natural resources. These businesses formalized their presence and intent at an accelerated rate in the 1880s through the process of incorporation. The mechanisms of the limited liability corporation fit many of the capitalists' needs concerning southwestern lands. Corporations spread out individual risk (a relished fact when dealing with overtly risky lands), enabled their directors to sell securities for infusions of capital, and added to the value of properties relatively unknown to and untested in Eastern markets.<sup>4</sup> Furthermore, property and improvements were assessable for taxation, whereas in New Mexico and Colorado, corporate securities were not. And last, but by no means least, overlapping and

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<sup>4</sup> Jonathan Levy, *Freaks of Fortune: The Emerging World of Capitalism and Risk in America* (Cambridge: Harvard University Press, 2012), 4. Thomas Catron fits quite well into Jonathan Levy's characterization of the new risk-oriented capitalist of the late nineteenth century included his growing dependence upon financial institutions, markets, and new forms of wealth for his economic security and that he trusted in the corporate form as an economic and cultural tool to advance his business and personal interests and shape New Mexico's development.

interlocking directorates cushioned competition and extended friendship circles. And yet, in the case of the AVC, the corporate form seemed to do just as much harm as good.

John P. Casey first came to the area west of Socorro as a homesteader sometime in 1881 with the intention of ranching cattle on the still open range that he called the “American Valley.” As rail service brought market penetration to this remote pocket of New Mexico, others followed Casey and started to pre-empt land entries. Casey’s ambition was to acquire the vast amount of land surrounding Gallo Peak (now in the Gila National Forest), especially those parcels with access to Gallo Creek.<sup>5</sup> Access to water was pivotal to controlling the range. Casey had steadily worked alongside Henry M. Atkinson, Surveyor General of New Mexico from 1876 to 1884, to identify, locate, and file the proper paperwork for these lands. Atkinson, easily one of the most corrupt officials in the history of the U.S. territorial system, had developed a cottage industry in partnering with land sharks to snatch up potentially valuable holdings. In the American Valley, Atkinson pooled land with Casey and pooled investments with Catron and John H. Thompson to create and organize the Boston and New Mexico Cattle Company in January 1882. The sanguine group valued their corporation at two million dollars and set about backing Casey in his continued effort to buy up land sections and to ward off newcomers.<sup>6</sup> It is likely through his investment in the Boston and New Mexico Cattle Co. that Catron lent money to John Casey and started to pay attention to the activity taking place in western Socorro County.

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<sup>5</sup> Victor Westphall, *Thomas Benton Catron and His Era* (Tucson: University of Arizona Press, 1973), 160.

<sup>6</sup> CP, Series 611, Box 2, Bundle 1.

For a while Atkinson worked diligently in Santa Fe pushing Casey's acquisitions through the land office while also keeping tabs on competing land entries. Casey relied on Atkinson's insider knowledge to intimidate other homesteaders, including two families who refused to sell out and leave the American Valley. When the two patriarchs were found murdered the following May 6, 1883, the resulting investigation led to the apprehension, trial, and acquittal of five of Casey's ranch hands. Catron protected his investment, expertly manipulating the case to be tried outside of its original jurisdiction and creating plenty of doubt surrounding the events of the past May.<sup>7</sup> When it came time to pay the legal fees, Casey found himself unable to raise the funds and instead entered a deal with Catron to provide collateral in land of the American Valley. From this vantage Catron continued to operate as a (mostly) silent partner of Henry Atkinson as they maneuvered their way into ownership of 4,300 acres of land along the creek. Whatever became of the Boston and New Mexico Cattle Co. is unclear, but by August 1886, Catron and Atkinson joined up with Henry L. Warren and William B. Slaughter (who was busily engaged in similar practices) to consolidate their interests and establish a monopoly across the American Valley.<sup>8</sup> The new partners cut John Casey out of the equation entirely, earning Catron another long-time enemy in the territory.

Following the zeitgeist of the times, the form taken by their partnership was that of an officially chartered and contracted limited liability corporation. Though based in Socorro, the group met at their branch office in Santa Fe (which just so happened to be Catron's law office) on the second of August to properly file their corporate name, compose by-laws, and organize the consolidation. The first two of these items had

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<sup>7</sup> Westphall, *Thomas Benton Catron*, 160.

<sup>8</sup> "Articles of Incorporation of the American Valley Company," 2 August 1886, CP, Series 611, Box 2, Bundle 2.

become commonplace by the mid-80s, the mundane requirements of capitalism's conjoined twin, bureaucracy.<sup>9</sup> For the most part the documents followed a stock format and composition. The ever-studious Catron was fully up to date on the status of corporate law in the territory and made sure that his LLC's met all obligations while remaining as dexterous as possible when it came to their application.<sup>10</sup> In the midst of leadership issues within some of his other companies, Catron even included specific wording meant to ameliorate the risks caused by an antagonistic directorate.

The third item, a company agreement detailing the specifics of the merger of land and livestock provides a window into the art of creating value.<sup>11</sup> In the contract, Catron and Atkinson transferred ownership of 4,300 acres of land with all attached water rights, fourteen hundred head of cattle, and the tools and sundry items then in use at the American Valley Ranch in exchange for joint ownership of \$132,500 of capital stock. For his part, William Slaughter assigned 4000 acres of land with water rights alongside over ten thousand head of cattle, eighty horses, four wagons, and complete ranch and camp outfits in receipt for \$367,500 in AVC stock. The consolidation resulted then in the AVC owning 8300 acres of range land (plus unspecified interests that if added would provide \$16/acre to the deliverer in AVC bonds), over 11,400 head of cattle, and all of the

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<sup>9</sup> "Articles of Incorporation" and "By Laws" of the American Valley Company, 2 August, 1886, CP, Series 611, Box 2, Bundle 2. The stated object of the AVC was "to buy and sell real estate, cattle, horses, sheep, swine, to raise and sell cattle, horses, mules, sheep and swine and to own and cultivate lands, to buy, own and sell town property, houses, ranches and live stock of all kinds, to lease and rent lands and tenements, to buy and own all implements and machinery necessary in the carrying on their business. To construct ditches or conduct in water pipes for irrigating or other purposes, claim or own water rights." This may be word for word the same stated objective of the New Mexico Land & Livestock Company, also founded by Henry M. Atkinson.

<sup>10</sup> Ibid. For instance, Article XIV states that "No expense shall be incurred or indebtedness created by this Company only for proper and legitimate operating and current expense of caring for the live stock and other property of the Company except by the consent of the holders in writing of not less than three fourths of the stock of the Company." While this would make it seem difficult for any stockholder to borrow against the company, there were only three stock holders and Catron was nothing if not a great manipulator of friends and credit.

<sup>11</sup> "Agreement of August 2<sup>nd</sup> 1886," CP, Series 611, Box 2, Bundle 2.

necessary equipment with which to commence operation. Over time the company's holdings grew to 12,000 patented acres, though they controlled much, much more.<sup>12</sup> For their part, Catron, Atkinson, and Slaughter became the owners of \$500,000 in saleable and transferrable stock. And, because the three incorporators also filled the roles of company officers and directors, as well as the majority (only) stockholders for the AVC, they never really relinquished ownership of the value of the ranch lands and cattle.<sup>13</sup> In this way they created multiple levels of equity that the owners could pull from, including speculative value in stock, promised value in bonds, or actual real estate and livestock.

Of course, most of these types of values were predicated upon a range of considerations regarding the markets for securities, for lands, or for beef. Interaction with these markets also depended upon how efficiently the new company could manage its ranch operations and its ability to avoid troublesome expenses, especially legal fees that sapped capital at an alarming rate.<sup>14</sup> Unfortunately for the AVC, Henry Atkinson's death the following October and the inheritance of his stock by his wife, Ada Atkinson, led to

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<sup>12</sup> Gene M. Gressley, *Bankers and Cattlemen: Politics, Investors, Operators From 1870 to 1900* (Lincoln: University of Nebraska, 1966), 83-84.

<sup>13</sup> If we consider the \$16/acre value for additional acreage to apply towards the land already transferred, then the 8300 acres equal \$132,800 leaving \$367,200 to correlate in value to the 11400+ livestock and outfitting. Any way to make sense of this places the company's valuation at an exaggerated level that could not (and did not) maintain its position on the open market.

<sup>14</sup> The business of ranching dealt with no shortage of pitfalls and obstacles that cut into stockholders and ranchers profits, even during the era of the open range and the extensive use of the public domain. Cattlemen could no more prognosticate the market price on any given day than what the weather would bring that winter. The result was plenty of congratulations when profits were realized, but more likely, plenty of finger-pointing and damning when all factors added up to a loss. For a business world that found its philosophic center in the liberal market – free competition, individualism, government non-interference – ranchers sure found plenty on which to place the blame as to why they failed and why profits failed to materialize. Of course, when set upon with blame, few individuals or companies ever consented to being at fault, contributing in turn to an atmosphere of acrimonious buck-passing. Two histories of western ranching, Gene Gressley's *Bankers and Cattlemen* (1966) and David Remley's *Bell Ranch* (1993), provide comprehensive analysis of the ranch business, with Gressley contributing a clear structure to ranch organization, management, and finance in the late nineteenth century, and Remley supplying an in-depth study of a New Mexico ranch from its speculative and Gilded Age origins to its continued operation well into the twentieth century. Together, these authors characterize a fraught business environment for ranchers and their stockholders.

cycles of litigation that helped to drag down the company.<sup>15</sup> Interesting to note here is that a frequently used argument in favor of the LLC was that it provided much better legal context for dealing with a stockholders' death or estrangement as compared to traditional partnerships or business pools. In reality the opposite could easily take place and often did for Thomas Catron. When the obligations of his business partners threatened jointly owned corporate property, Catron usually found his only option was to cosign on the debt and renew the loan. The alternative was to risk losing the very land that the company came to represent. For Catron, Atkinson's estate trouble served as a warm up to the Waddy-gate fiasco thirteen years later.

Whatever the plans of the AVC had been, Atkinson's death created a serious problem for his business associates when his estate turned out to be overextended to a reckless degree. Just like Catron, Atkinson relied upon a constantly growing base of equity, much of which he mortgaged as soon as possible to help support previous speculations. His sudden passing that October left some of his American Valley lands unpaid for and in limbo. Much to Catron's consternation, the two month-old corporation faced great risk if he did not move quickly to pay for range land on Atkinson's behalf, including \$10,000 to John P. Casey. While the company lurched forward under Slaughter's care, Catron and Ada Atkinson became embroiled in a legal feud that continued in time and expense until 1899 when an insolvent AVC entered a period of

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<sup>15</sup> A card placed inside the wrapping to bundle 2 reads: "Documents pertaining to the estate matters of H.M. Atkinson, his wife, Ada I. Atkinson, and their interests in the American Valley Co., and in conflict with T.B. Catron." This "bundle" of documents produced by the ongoing case involving Catron and Ada Atkinson contains a series of snapshots into the financial management of the American Valley Company, its accounts, and the acrimonious lawsuit between Thomas Catron and Ada Atkinson. CP, Series 611, Box 2, Bundle 2.

corporate reorganization.<sup>16</sup> For all of the potential worth that Catron envisioned he would gain from the AVC, the company rarely exceeded its value as of August 2, 1886, the day it filed for incorporation.

## Railroad Capitalism

The long-anticipated entrance of the Atchison, Topeka and Santa Fe Railroad in 1879 spearheaded a new age of capitalist infusion for New Mexico. To the arid Southwest, the coming of the railroad represented nothing less than a transportation and communication revolution.<sup>17</sup> In spite of the often-cited and foolishly arrogant idea that the entrance of the Iron Horse would bring about a complete mastery over the forbidding environment of the Great American Desert, it did solve some troublesome logistics of southwestern travel and trade.<sup>18</sup> In doing so, the railroad age brought about a range of shifts not only to the economic conditions in the territory, but also its politics and society. These changes varied widely, including the end (or at least the beginning of the end) of an expansive and veteran freighting network sixty years in the making, the movement of

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<sup>16</sup> Frank W. Clancy to Ada Atkinson, 8 February 1890; Neill B. Field to Ada I. Atkinson, 16 January 1894; T.B. Catron to N.B. Field, 10 December 1896; Neill B. Field to Ada I. Atkinson, 7 August 1898, CP, Series 611, Box 2, Bundle 2. This dispute likely caused a rift in the relationship between Thomas Catron and his law partner Frank Clancy, who left the partnership of Catron, Knaebel, and Clancy on December 31, 1890.

<sup>17</sup> Unlike much of the East, Midwest, South, and even major corridors through the U.S. West, prior revolutions in transportation dealing with steam power and its ability to allow for greater commerce along rivers largely impossible in the Southwest, leading to an even greater degree of change when railroads entered the region. While telegraph lines had entered New Mexico during the 1870s, the spree of new wires and new telegraph offices allowed for greater communication within New Mexico and between New Mexico and the outside world like never before. Historians have articulated the revolutionizing aspects of the change in a number of ways, both positive and negative, in works such as: Lamar, *Far Southwest*, "Chapter 7: New Mexico Comes of Age, 1880-1900," focuses on this period of change as a direct result of rail service; also David F. Myrick, *New Mexico's Railroads---An Historical Survey* (Golden, Colo.: Colorado Railroad Museum, 1970), 9-10; Nieto-Phillips, *Language of Blood*, 105-07; and Holtby, *Forty-Seventh Star*, 7-8; for railroads role in promoting capitalism, see Kristine Burland and David C. Mowery, "Technology and the Spread of Capitalism," in Larry Neal and Jeffrey G. Williamson, eds., *The Cambridge History of Capitalism, Volume II: The Spread of Capitalism From 1848 to the Present* (Cambridge, UK: Cambridge University Press, 2014), 87.

<sup>18</sup> Barbara A. Babcock and Marta Weigle, eds., *The Great Southwest of the Fred Harvey Company and the Santa Fe Railway* (Tucson: University of Arizona Press, 1996).



market centers from mostly Mexican villages to “new towns,” the beginning of a new effort to incorporate and assimilate the Southwest into a national market and national culture, a new era of regional competition and pork-barreling, new potentials for industrial production and mass consumption, a construction boom, and new waves of migrants, laborers, tourists, and adventurers.<sup>19</sup>

Railroad companies were chomping at the bit to enter New Mexico, access its markets, and continue onward to make continental connections. The territory’s population in 1880 of 119,565 made it the third most populous in the Rocky Mountains (see Appendix, Table 7) behind only Colorado and Utah, both of which already contained extensive rail mileage.<sup>20</sup> If market competition was not a sure enough motivator (it was), in 1878 the New Mexico legislature encouraged construction by offering eight years of tax exemption on all land and improvements owned by railroads. To push through the law, ringmen and merchants of the territory worked together, finding common cause in their lobbying effort. Railroad companies extended their lines into New Mexico with no mindset of teamwork or collaboration. Instead, construction in the territory progressed amidst railroad wars and constant competition, which led companies to add mileage at a crazed pace. A boom of railroad growth began as the AT&SF won the race for the Raton Pass and by July 1879 arrived in the gateway city to the plains, Las Vegas. The rail connection between Missouri and Las Vegas marked the death-knell for the old Santa Fe Trail. From there, the AT&SF built hastily across difficult terrain to beat other potential

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<sup>19</sup> For changes to merchant economy, see Parish, *Charles Ifield Company*, 109-10; for erasure of Nuevomexicano political and social power, see Nieto-Phillips, *Language of Blood*, 107-08 and Deutsch, *No Separate Refuge*, 19-21.; for railroad and tourism industry, see Babcock and Weigle, *Great Southwest*.

<sup>20</sup> Colorado population as of 1880 is registered at 194,327 and Utah at 143,963. The Arizona Territory only confirmed 40,440 residents that year. Census data pulled from Leonard J. Arrington, “The Changing Economic Structure of the Mountain West, 1850-1950,” *Utah State University Press Monograph Series X* (Logan: Utah State University Press, June, 1963), 31, Table IV.

carriers to the heartland of the Rio Abajo, the territory's most lucrative market. The line that would come to represent Santa Fe and the Southwest more than any other business or entity decided in fact to bypass the capital due to the engineering difficulties and the high costs involved.<sup>21</sup> Instead, after reaching Galisteo Junction (renamed Lamy in 1881), eighteen miles from the plaza, President Thomas Nickerson and General Manager William B. Strong convinced the residents of Santa Fe County to approve \$150,000 in seven-percent, thirty year bonds to fund the construction of a spur line. For the city's enterprising citizens, the risk of civic debt paled in comparison to the risk of further marginalization. With capital in hand for building and the county's promise of interest, the AT&SF finished the spur to Santa Fe on February 9, 1880.<sup>22</sup> Two months later the AT&SF established its New Mexican hub in Albuquerque's New Town, and less than a year later made its first connection with the Southern & Pacific at Deming.<sup>23</sup>

In 1879 the Santa Fe line may have been the first to build in New Mexico, but by the summer of 1881 four major carriers offered service to the territory. The Denver & Rio Grande railway, representing first and foremost the entrepreneurial interests of William Jackson Palmer and his well-connected network of Denver capitalists, built to Espanola in 1880 (35 miles from Santa Fe) and across northern New Mexico to the rich mineral

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<sup>21</sup> Also relevant to the decision of the AT&SF to forego the capital of Santa Fe on its direct line was the continued litigation between itself and the D&RG with regards to building rights and market competition in the Southwest. For a concise account of the railroad war between the AT&SF and the D&RG can be found in Lamar, *Far Southwest*, 172-74. An interesting addendum to the AT&SF's decision to forego Santa Fe concerns the role played by lead surveyor and construction engineer William R. Morley, who as a Colfax County resident and long-time enemy of the Santa Fe Ring, may have purposefully organized a route that logically bypassed the capital.

<sup>22</sup> James Marshall, *Santa Fe: The Railroad that Built an Empire* (New York: Random House, 1945), 166; Chris Wilson, *The Myth of Santa Fe: Creating a Modern Regional Tradition* (Albuquerque: University of New Mexico Press, 1997), 64-65; Victoria E. Dye, *All Aboard for Santa Fe: Railway Promotion of the Southwest, 1890s to 1930s* (Albuquerque: University of New Mexico Press, 2005), 13-14.

<sup>23</sup> Myrick, *New Mexico's Railroads*, 18 & 28.

districts of the San Juan Range in southwestern Colorado.<sup>24</sup> The Atlantic & Pacific Railroad (owned and operated by the St. Louis & San Francisco, and so known as the ‘Frisco) brokered a deal with the AT&SF to lay tracks westward out of Isleta, twelve miles to the south of Albuquerque. In June 1880 the ‘Frisco started building away from the Rio Grande and crossed into Arizona by March of the following year.<sup>25</sup> Finally, the Southern & Pacific Railway Company of New Mexico, chartered in Santa Fe in April 1879, crossed the southern portion of the territory with new tracks from October 1880 until May 1881 when it reached El Paso.<sup>26</sup> The deluge of rail construction inspired development in multiple sectors of New Mexico’s economy, generally bringing high times to the territory and feelings of optimism, even in the \$150,000-indebted capital of Santa Fe.

That so much mileage was added to a remote territory, and so rapidly, should leave room for pause.<sup>27</sup> National economic forces and fierce regional competition set off

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<sup>24</sup> Robert Athearn, *The Denver and Rio Grande Western Railroad* (Lincoln: University of Nebraska Press, 1962), 5-6, 96-100.

<sup>25</sup> Myrick, *New Mexico’s Railroads*, 29 & 34.

<sup>26</sup> “Gentlemen; Incorporated Southern Pacific Railway Company” *The Mesilla News*, 26 April 1879, p. 1. The incorporation of the Southern Pacific presents a view into some of the overlapping business networks that connected capitalists and political cronies of the West. The President of the newly incorporated, New Mexico installment of the Southern Pacific was none other than Charles Crocker (one of California’s Big Four), while the Vice President was William Breedon, who was affiliated with the First National Bank of Santa Fe, the Santa Fe Ring, and the Montezuma Lodge of Free and Accepted Masons. The three directors listed in the April 1879 paper were: Lehman Spiegelberg, Richard P. Hammon, and J.E. Goulds.

<sup>27</sup> White, *Railroaded*, xxvii. Perhaps a long pause.

The sheer amount of failing businesses and strapped capitalists that exist, either with shameless bravado and documentary largess, or shadowlike in the ephemera of business and corporate archives, are representative of a rich, though often haphazard, source base, still underutilized by historians. Building on Richard White’s argument that failure shaped modern U.S. history as much as success, I too find failure and its forlorn remnants of paramount significance in my understanding of New Mexico’s economic development and twentieth-century underdevelopment. The railroads of New Mexico present a case in point. The record shows that by 1900 there were far more railroad companies in New Mexico than there were railroads. In fact, the Classified Records of Incorporation from the Secretary of the Territory show a total of 126 “Railroad and Express” companies and another twelve Street Railways that filed for incorporation in New Mexico from 1869 to 1899. This is of course far more railroads or express companies than ever conducted business in the territory. If so many people pointed to the railroads as the pinnacle of evil corporations that could unnaturally influence the market in their own, best, corporate interest, and the

this avalanche of construction. Two financial panics bracket the period of growth, starting with the Panic of 1873, which significantly delayed railroad construction in the Southwest for half of a decade. Then, only about a dozen years after their initiation of rail service in New Mexico, at least three of the territory's largest carriers fell into receivership due to the Panic of 1893 and required rounds of corporate reorganization.<sup>28</sup> These economic downturns proved tortuous to navigate for southwestern capitalists and likely encouraged risky financial behavior by emphasizing short-term windfalls over long-term investments. If the railroads, the best capitalized and largest corporations in the territory, with fully functional political networks and legal counsel, could not maintain solvency and protect their assets, what chance did the average New Mexican – or even Thomas B. Catron – have as a modern, aggressive, industrial face of capitalism so sharply altered the territory.

Alongside the changes brought to New Mexico by the railroad, increased telegraph coverage revolutionized communication and connected cities and towns with dispatch offices to the growing nexus of news, market reports, and governance. An ugly situation in Socorro in 1880 helps describe the meaningful adjustment that came with telegraph service. Three days after Christmas, a posse of undeputized white men made a citizens' arrest of five upstanding Nuevomexicanos, including the town sheriff, and refused to relinquish them to Socorro County authorities. The posse charged the Mexican men with plotting and carrying out the murder of a white man named A.M. Conkling, and held them as prisoners in town. The families of those imprisoned gathered the Mexican community of Socorro together in opposition to this unlawful procedure, leading

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railroads proved that they could fail just as easy as anyone else, it was certainly risky business to put all of your eggs in the basket of New Mexico business.

<sup>28</sup> Myrick, *New Mexico's Railroads*, 34.

townsfolk to fear the potential for riot, lynching, or even a local race war. But, in no small part due to the extension of telegraph service, no violent outcome and no shoot-out in the streets erupted that December in Socorro.<sup>29</sup>

By midday telegraphs had already pulsed out of Socorro, informing the Governor's Office, the District Judge, the District Attorney, and powerful contacts in Albuquerque. The dispatcher in Socorro warned of the "great danger of bloodshed + excitement."<sup>30</sup> One message requested gubernatorial aid and military intervention to keep the peace and protect property. In Santa Fe, acting Governor William G. Ritch (filling in for Lew Wallace) immediately dispatched telegrams over military channels to send U.S. troops to the town, to notify the proper district officials, and to "all the citizens of Socorro." Ritch notified them that troops were en route and threatened the townspeople with harsh consequences if peace was not preserved.<sup>31</sup> It is unclear whether Ritch's note made any impression on the scene at Socorro and on top of that troops did not arrive for several hours. It is likely, however, that a telegram from the powerful Nuevomexicano politician and District Attorney of the Second District, J. Francisco Chavez, sent to Juan Maria Garcia, the Sheriff of Socorro County, helped to bring about a lawful conclusion. Chavez authorized Garcia to summon a posse of county citizens to preserve the peace and to forcefully apprehend the imprisoned Mexicans and properly arrest or free them as ruled by the Justice of the Peace.<sup>32</sup> In this way, concerned Mexican and American

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<sup>29</sup> I have pieced together the events from this episode based on a collection of telegrams found in the papers of William G. Ritch, Territorial Secretary from 1873 to 1886 and acting Governor during this commotion. See, Box 28, Papers of William Gillet Ritch, Henry Huntington Library, San Marino.

<sup>30</sup> Juan Jose Baca to Governor Lew Wallace, 28 December 1880, RI 1907; Albert A. Robinson to Governor Lew Wallace, 28 December 1880, RI 1906, Box 28, Ritch Papers.

<sup>31</sup> W.G. Ritch (Acting Gov.) to W.J. Dougherty, Juan Jose Baca and all citizens of Socorro, 28 December 1880, RI 1908, Box 28, Ritch Papers.

<sup>32</sup> J. Francisco Chavez to Juan Maria Garcia, Sheriff of Socorro Co., 28 December 1880, RI 1912, Box 28, Ritch Papers.

townsfolk in Socorro, the District Attorney in Valencia Co., the Governor in Santa Fe, and federal troops all communicated with each other over the course of December 28 so that by the end of the day tranquility, not racial violence, descended upon the town. Of course, the telegraph also operated as a technology of state repression and military force, ominously foreshadowed by Governor Ritch's attempt to intimidate the townspeople.

Rails and wires brought about ample change to New Mexico's hinterlands as well. The entrance of four rail lines to the territory from 1879 to 1881 fueled a decade of renewed interest in its land and resources from local entrepreneurs as well as new immigrants and sources of capital.<sup>33</sup> Between 1880 and 1890, the total value of property in New Mexico almost quintupled, an impressive metric of growth. The assessed value attached to railroads alone (their land, rail lines, rolling stock, depots, etc.), was greater in 1890 than that of all property in the territory ten years earlier.<sup>34</sup> Amplified attention to the public domain occurred as a natural outcome of the growth spurt. Under the special deposit rule established by Congress in 1862, individuals could place a deposit through the office of the Surveyor General to initiate the process of surveying and patenting lands that they wished to file homestead, timber, or desert land entries upon. When an 1879 amendment to this law changed it to allow the certificates of deposit to become negotiable the system witnessed a spike in traffic and deposits. All deposits prior to 1880 came to \$13,432. Over the next five years the General Land Office for New Mexico

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<sup>33</sup> Scott Fritz, "Merchants and Modernity: Market Transformation in New Mexico and the Southwest, 1865-1929," (PhD diss., Northern Arizona University, 2004).

<sup>34</sup> Jim Heath, "A Study of the Influence of the Atchison, Topeka and Santa Fe Railroad upon the Economy of New Mexico, 1878-1900," (master's thesis, University of New Mexico, 1955), 72-78. Heath's specific figures are as follows: Total Property Valuation for the Territory of New Mexico: 1860 - \$20,813,768; 1870 - \$31,349,793; 1880 - \$49,000,000; 1890 - \$231,459,897; 1900 - \$268,285,425. The percentage increase from 1880 to 1890 therefore represents a 472% rise in value. His figure for railroad value in 1890 was \$75,469,333, which is indeed greater than New Mexico's total property value of \$49,000,000 in 1880.

brought in \$891,707 in special deposits.<sup>35</sup> This represents in real terms a sudden spike in the market for the public domain, though this should not be conflated with an equally sharp rise in individual homesteads and family farms. The sheer majority of these entries trace back to large ranching operations, often with corporate ownership, like Catron's American Valley Company. It would not be until the twentieth century that New Mexico witnessed a rise in homestead entries matching the democratic ambition of original act.<sup>36</sup>

The entrance of rails brought New Mexico and New Mexicans more forcefully into the world of industrial capitalism, competitive markets, and Euro-centric business attitudes. For the Native and Nuevomexicano populations of the territory, many of these changes further threatened access to social, political, or economic power that had been maintained with notable continuity since the period of U.S. conquest began.<sup>37</sup> As explained by Sarah Deutsch, this community found adaptive ways to live and work alongside incoming Euro-Americans until the 1880s when the railroad and a new corporate-backed, steam-powered jolt of capitalism entered the territory.<sup>38</sup> Simply put,

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<sup>35</sup> Victor Westphall, *The Public Domain in New Mexico, 1854-1891* (Albuquerque: University of New Mexico Press, 1965), 25-27.

<sup>36</sup> "Report of the Secretary of the Interior," Vol. 2, 1883-1884, 556-57 "How the homestead and pre-emption work in New Mexico, 1883," Folder 2, Box 3, Marion Dargan Papers, 1890-1943, Center for Southwest Research, University Libraries, University of New Mexico. In this excerpt culled from the Report of the Secretary of the Interior for 1883 and 1884, the report comments explicitly that "In this dry and mountainous country the contrary effect has been produced, and under the operation of the homestead and pre-emption laws the greatest land monopoly exists, and of the most objectionable character...A cattle company, or an individual may, by owning a few acres, have the occupancy of a tract as large as some of the States in the Union. If existing practices are permitted to continue, it will not be long before the cattle business of the Southwest will be in the hands of a few, the Government furnishing lands gratuitously."

<sup>37</sup> Furthermore, if the conquest of New Mexico was made possible by the long-term work of merchants and traders as discussed in Chapter 1 and generally agreed upon by historians, it is telling that the historical junction for the decline in Nuevomexicano real power was spearheaded by the extension of rail service and the incorporation of southwestern markets. One way or another, changes in capitalism rest at the heart of social change in New Mexico despite its existence on the margins of the national economy.

<sup>38</sup> Deutsch, *No Separate Refuge*, 13. Deutsch also argues that the land manipulation of the 1870s "held little tangible threat" to the Hispano population as a whole. While the alienation of Nuevomexicano lands did not immediately result in dislocation or loss of use rights for many communities, the question remains for the most part a matter of when, not if, Hispanos faced some form of displacement. Suffice it to say that those who lost or sold their lands in the speculative frenzy of the 1870s fared poorly in the twentieth century.



too much of the new influence came from people and capital foreign to New Mexico. Members of the native population, sensitive to the vulnerability of their situation, recognized that the railroad could generate this outcome. During the 1870s some Nuevomexicano politicians stood in plain opposition to legislation favorable to rail intrusion, but the pro-railway forces, their money, their influence, and their promises of a bright future, proved too much.<sup>39</sup> Nuevomexicanos who had sold or otherwise were dispossessed of their lands generally found the following decades increasingly difficult. Some looked to seasonal or migratory labor to maintain their communities. Others utilized a range of techniques to resist, from “squatting,” to illegally cutting timber or pasturing livestock, to social banditry and outright political violence.<sup>40</sup>

Nuevomexicanos approached the changing conditions with a variety of strategies that represented the vitality of the Hispano borderlands. Though the arrival of the railroad marked the beginning of a long-term economic challenge to Nuevomexicano wellbeing, their population and settlement distribution in fact grew during the 1880s and 1890s.<sup>41</sup> They extended acreage under cultivation, forests under ax and saw, the number of sheep and cattle on the range, and the amount of range land under pasture. Signs of cultural advancement also spread, such as the burgeoning Spanish-language press of the territory that counted more than one new periodical published every year through the turn of the

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<sup>39</sup> Doris Meyer, *Speaking for Themselves: Neomexicano Cultural Identity and the Spanish-Language Press, 1880-1920* (Albuquerque: University of New Mexico Press, 1996), 10.

<sup>40</sup> The multiplicity of Nuevomexicano interpretations, actions, and reactions to the powerful changes of the late nineteenth century can be found in: David J. Weber, *Foreigners in their Native Land: Historical Roots of the Mexican Americans* (Albuquerque: University of New Mexico Press, 1973), Part V. “Accommodation, Assimilation, and Resistance,” 203; Deutsch, *No Separate Refuge*, 1989; Meyer, *Speaking for Themselves*, 1996; Tobias Duran, “Francisco Chávez, Thomas B. Catron, and Organized Political Violence in Santa Fe in the 1890s,” *New Mexico Historical Review* 59 (July 1984); Phillip B. Gonzales, “Struggle for Survival: The Hispanic Land Grants of New Mexico, 1848-2001,” *Agricultural History* 77 (Spring, 2003): 293-324.

<sup>41</sup> Deutsch, *No Separate Refuge*, 10.



century.<sup>42</sup> They also found cultural expression through involvement mutual aid collectives and with the Brotherhood of the Penitentes, who maintained the practice of their beliefs and rituals despite being misunderstood and derided by Euro-Americans. Politically too, Nuevomexicanos continued to exist as the majority population and so could effectively marshal elective clout on the local stage or press for considerations regarding territorial law and its enforcement. Though still as factious as ever, members of the majority population could also unite when they recognized communal interests were at risk. That stuffy Euro-Americans such as Secretary of the Territory William G. Ritch interpreted Nuevomexicano political intransigence as a major obstacle to proper growth and development for the territory seems evidence enough of their ability to sway or block local legislation.<sup>43</sup>

In the 1880s, Catron's relationship with the Nuevomexicano community took on an increasingly complex bearing. He recognized that as the territory grew his power base out of Santa Fe became more and more unstable and that to preserve the capital city's stature required a careful balancing act. For instance, as part of the Assembly in 1884, Catron forcefully maneuvered the capital building and penitentiary bills through the legislature. When it came time to contract these projects, Catron and the Republican Party made sure that Nuevomexicanos received a share of the work and then also looked

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<sup>42</sup> Meyer, *Speaking for Themselves*, 8. No other place in the United States during the late-nineteenth century developed such a wide ranging and culturally powerful Spanish-language press as did New Mexico. Doris Meyer places the figures at seventeen new periodicals published in the 1880s and over forty more during the 1890s. This hardly resembles the actions of a weakening regional community.

<sup>43</sup> William G. Ritch, "Which, Stagnation or Progress?" and "Creed and Greed" are two examples of Ritch's anti-Catholic, anti-Mexicano rants published in the territorial press. That Ritch never achieved his desired office of Governor likely comes down to his prejudice against the Nuevomexicano people and their institutions, and that he made his impolitic positions readily accessible through publications and speeches did not help the Secretary make friends. See anti-Jesuit articles and clippings in Box 27, Ritch Papers.

to their friends in the native population to fill many of these territorial posts.<sup>44</sup> Similarly, Catron employed a number of Nuevomexicanos over his years in Santa Fe in the construction and upkeep of his properties.<sup>45</sup> Other examples can be found in 1889. In this year Catron busily engaged personal and territorial campaigns in hopes of achieving statehood and an enormous windfall on his investment in land grants and in New Mexico itself. That year, other than building his namesake block in Santa Fe, Catron worked to secretly defeat an education bill that was widely disliked in the Nuevomexicano communities due to its purpose of shifting power away from the Catholic Church by requiring all children to go to public schools.<sup>46</sup> Also that year he donated the grounds for a church in Chama, New Mexico, and held a grand party and fireworks show on the Fourth of July at Santa Fe.<sup>47</sup> By the 1890s, Catron had developed an extensive relationship with the Nuevomexicano people and in some ways managed to mesh their political and business interests with his own.

In the years following the railroad's entrance, Catron shifted gears from dealing mostly with land acquisition to improving and developing his extensive land grant holdings. His business activity involved participation in railroad projects, irrigation companies, gas and light utilities, and construction and town site companies. Other enterprises sought to exploit the extractive resources of his lands including the mining of coal, zinc, mica, lead, and precious metals; sheep and cattle ranching; and cutting and milling lumber. His participation with financial services complemented his business

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<sup>44</sup> "Rump Stake. That's What Valdez Wanted and He Got It. A Few Remarks About Catron's Asylum," and "Capital Orgies, Passage of the Capital Bill--\$200,000 is the Figure, Santa Fe Celebrates its Passage by Bands, Bonfires, and a Big Drunk," *Las Vegas Daily Gazette (N. Mex.)*, 27 March 1884, p. 4.

<sup>45</sup> Bills + Receipts, "D", CP, Series 114, Folder 4.

<sup>46</sup> Folder 1, Box 4, Dargan Papers; also "The Proof of Bargain," *Mesilla Valley Democrat (Las Cruces, N. Mex.)*, 22 October 1889, p. 3.

<sup>47</sup> "Round About Town," *Santa Fe Daily New Mexican*, 3 July 1889, p. 4 and "Round About Town," *Santa Fe Daily New Mexican*, 5 July 1889, p. 4.

portfolio, including affiliation with life insurance companies, savings and loan associations, and commercial banks, of which his most important connection remained the First National of Santa Fe. This wide array of corporate enterprises put Thomas Catron in board rooms with very different groups of local and international contributors and as such, he often served as a middleman between the interests of financial backers from places like Denver, St. Louis, Minneapolis, Chicago, or Boston, and local interests from across New Mexico. He and his associates made sure to include the elite Nuevomexicanos and German Jews who represented the leading business circles of the territory.

It is in these board rooms and through the enormous amount of communication generated in between, that I situate Catron's understanding and practice of business. During a time in American and Mexican history in which business acumen represented virtue, honor, strength of character, and manliness, Thomas Catron played to these strengths whenever and wherever possible.<sup>48</sup> To eastern capitalists and underwriters, awash with official credit reports and ready-made assumptions about the backward state of affairs along the southwestern frontier, Catron took extra effort to style himself as a cosmopolitan gentleman and modern businessman of the United States.

### **Incorporating New Mexico**

Compared to the wave of early investment directed toward land speculation in the 1870s, the 1880s witnessed a booming infusion of capital and energy that stimulated

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<sup>48</sup> For discussions of the role of masculinity, manliness, and manhood with regard to business relations in the late nineteenth century, see: White, *Railroaded*, 101 & 132; as well as Mark C. Carnes and Clyde Griffen, eds., *Meanings for Manhood: Constructions of Masculinity in Victorian America* (Chicago: University of Chicago Press, 1900).

business activity in New Mexico.<sup>49</sup> New enterprises organized in record numbers, many filing papers of incorporation as foreign companies with headquarters in places like New York or Boston, but with branch operations housed in the territory (see Appendix, Tables 2 through 6). Whereas an average of just over 8 companies filed in the territory annually since the passage of incorporation laws in 1867, in 1880 alone the office of the Secretary signed 76 new charters into existence. Through the rest of the decade the yearly average for new corporations stood at over 130, with an average of 25 of those filing as foreign owned and operated. The data found in the classified records of incorporation for New Mexico clearly indicates a spike in corporate business growth starting in the 1880s. The prevalence of mining and livestock enterprises conforms to New Mexico's main industries of economic growth for the period.

The territorial records for incorporation organized through the office of the Secretary of the Territory presents a rich history of the changing business environment for New Mexico during the 1880s.<sup>50</sup> Classified into twenty-four categories and then again based on whether they were resident or foreign corporations (those chartered outside New Mexico), the data indicates some major shifts in local enterprise. For instance, in the immediate aftermath of rail extension, mining, milling, and smelting operations arose in particular connection to the extension of rail service. Companies with the intended purpose of profiting from the mineral riches of New Mexico represented exactly half (38 of 76) of those filing for incorporation in 1880. Their numbers for the next few years

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<sup>49</sup> Fels, *American Business Cycles*, 119-21; Heath, "Influence of the Atchison, Topeka and Santa Fe Railroad upon the Economy of New Mexico," 72. Concerning national market cycles during the Gilded Age, New Mexico's periods of substantial speculation in land grant land followed by the railroad, ranching, and mining boom match up to Rendig Fels findings that two major economic spikes occurred in this period, the first 1869-1873 and the second 1879-1885. These cycles correlate to New Mexico's bursts of economic growth, signifying the regional attachment of the West to U.S. national trends.

<sup>50</sup> "Record of Incorporation Classified," 1867-1910, Reel 34, TANM, Records of the Secretary of the Territory, Center for Southwest Research, University Libraries, University of New Mexico.

were even higher, with a notable increase in foreign interest and investment in New Mexico's mining sector. All told, mining corporations represented just over forty percent of all incorporations during the 1880s and over fifty percent of those with foreign ownership. Even more telling, the sheer majority of these foreign companies entered the territory within four years of the new rail access, marking a high tide of outside investment in New Mexico that would not surge again until the early twentieth century.<sup>51</sup>

Alongside the activity in the mining category, other types of companies grew in direct result to rail construction in New Mexico. Not that surprising, the groups of "railroads and express," "street railways," and "telegraph and telephone" companies witnessed a brief spike in the early 1880s. Whether to profit from the boon of the AT&SF and the Southern Pacific or to develop competing rail and cable networks, these companies worked rapidly to make gains on the territory's new infrastructure. Similarly, from 1880-1882 utility companies (water, light, and gas) witnessed their highest rate of incorporation in any three-year period found in the territorial records. Likewise, incorporations for manufacturing spiked from 1881-1884, almost all filing as domestic. Real estate and townsite companies incorporated at elevated rates as well, although periods of large-scale immigration produced high levels of activity in this sector of the economy in the nineties and oughts that easily eclipsed the work of the early eighties.<sup>52</sup> The recent immigrants, many who settled in the eastern and southern parts of the territory, prompted the incorporation of an increasing amount of irrigation companies as they confronted the reality of making farming pay in the Pecos and Rio Grande valleys. To this degree the economic growth of New Mexico follows paths seen elsewhere in the

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<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

country and certainly throughout much of the U.S. West. The advance in transportation and communication allowed by the railroad caused growth and development to echo through multiple parts of the territory and its economy.

By mid-decade the general rise in mining activity that produced so many new incorporations leveled off and other sectors of the territorial economy accelerated. For the industries categorized into livestock and ranching, the 1880s marked much more than a period of increased stock and range. Cattle (*Ganado mayor*) and sheep (*Ganado menor*) ranches were central to New Mexico's pastoral economy for generations and represented much of the wealth of the *rico* class, especially from the Rio Abajo.<sup>53</sup> The major transformation of the eighties then included the move towards incorporation and official capitalization of ranching operations, especially by Euro-Americans. Whereas only three livestock companies filed for incorporation from 1867 to 1880 (two of which were filed by members of the Santa Fe Ring in connection to grant lands), the period from 1883 to 1887 witnessed the heaviest five years of activity for the whole territorial period.<sup>54</sup> In this time, ninety-seven operations filed for incorporation as resident companies of New Mexico and another twenty-six filed as foreign companies doing business in the territory. This swell in the number of ranching companies in New Mexico marks, just as it did in other parts of the country, a move towards an end to the era of the open range. The fact that numbers for new companies dwindle in the next five years to half that of this boom period fits with national trend that in the wake of the devastation of the cattle industry by

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<sup>53</sup> Gilberto Espinosa and Tibo J. Chavez, *El Rio Abajo* (Portales, N.M.: Bishop Publishing Co., [1967]); Boyle, *Los Capitalistas*, 101.

<sup>54</sup> In fact, the years 1883 to 1887 represented 56% of total incorporations for livestock or ranching companies from the period 1867-1899 and just over 1/3 of the total incorporations in this category within the territorial records. "Record of Incorporation Classified," 1867-1910, Reel 34, TANM, Records of the Secretary of the Territory.

environmental forces during the summer and winter of 1886-87, known as the “Great Die-Up,” saw the consolidation of range ownership and better breeding practices make entrance into the livestock market less egalitarian.<sup>55</sup>

Of course, these official incorporations represent only part of the larger economic picture for New Mexico. A significant portion of the territory’s business continued to function through informal arrangement, oral agreements, and barter and credit-based *partido* contracts. For the majority of the Nuevomexicano population, daily life and work continued to follow seasonal and community rhythms.<sup>56</sup> Though the 1880s presented a time of change for this population, the effects of land grant consolidation by outsiders was not yet so harshly felt in the short term. The speculation-heavy enterprise of the 1870s led to significant fluctuations in land ownership, but not necessarily land occupancy. The alienation of Nuevomexicano use-rights occurred haphazardly, picking up steam during the 1890s amidst a newly-placed emphasis on order and management that cut into the old informal agreements between the grant owners and the old-time Mexican residents of the land. Alongside the intrusion of corporate capitalism, networks of mercantile capitalism continued to orient local economies and direct the products of Nuevomexicanos. The general stores of the Charles Ifeld Company, for example, endured as centers for the collection of raw materials and the extension of credit to the mostly rural population of San Miguel and Mora counties. Enforceable *partido* contracts bound the subsistence economy of pastoral Nuevomexicanos to commodity and credit

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<sup>55</sup> White, *Your Misfortune and None of My Own*, 222-25; Westphall, *Public Domain*, 82.

<sup>56</sup> Deutsch, *No Separate Refuge*, 7. When Anglo capitalists dominated the region’s economy “what Chicanos had in common with European immigrants of the same era was less a geographic phenomenon than an economic one. They found themselves partially incorporated into an increasingly powerful national and international capitalist economy controlled by an alien culture.” Deutsch goes on to comment that Nuevomexicano’s “immigrated” to a new economy, rather than a new space.

networks of the mercantile capitalist and therefore increasingly to the macroeconomic fluctuations of the manufacturing and industry of the East. In this way, systems of mercantile and industrial capitalism overlapped and existed side-by-side in territorial New Mexico.<sup>57</sup>

True to form, business directories and booster publications, themselves the offspring of the territory's growth, overlaid the changing economic environment in the territory. While promotional tracts existed since the days of the Santa Fe Trail, rail service attracted a fresh round of regional publicity. New directories and gazetteers blended information on agriculture, industry, history, geography, culture, and tourism with a heavy dose of entrepreneurial optimism. Their creation stemmed from the overlapping interests of corporate sponsors, especially railroads, with publication companies, and of the Territorial Bureau of Immigration.<sup>58</sup> Of course, the Santa Fe crowd was quick to get in on the action.

The Hotel World Publishing Company of Chicago created an early version of this type of booster booklet in 1880. Titled "Historical Sketch of Santa Fe, New Mexico," the book instead begins with an opening spread featuring the city of Chicago and an advertisement for the Rock Island & Pacific Railroad with a map indicating the vast rail network connecting it with the West.<sup>59</sup> The Rock Island, via the AT&SF, promised to add the far southwest into Chicago's orbit. The lithograph on the following page presented a "View of the City of Santa Fe" that lacked signs of modern transportation, communication, or industry. Instead, the "Oldest City in America" featured crudely

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<sup>57</sup> Parish, *Charles Ifeld Company*, 35.

<sup>58</sup> For characterization of the promotional blitz of the early railroad days and the part played by railroad companies and the Territorial Bureau of Immigration, see Nieto-Phillips, *Language of Blood*, 108.

<sup>59</sup> H.T. Wilson, "Historical Sketch of Santa Fe, New Mexico" (Chicago: The Hotel World Publishing Co., H.I. Bohn & Co., Proprietors, 1880), 1.



constructed buildings of wood and adobe with an American flag prominently placed in the center. The two images show a striking dichotomy in regional development that is then supported through the remainder of the book. Exaggerated profit potentials and claims to A1 commercial status stood in relief against description of Santa Fe as “the oldest city in America...the last in modern improvements and inventions” The compilation leaves the reader unsure sometimes whether they are supposed to be attracted or deterred.<sup>60</sup>

The pages labeled business directory did not fare much better. Listed businessmen in the capital consisted of less than one hundred names. The two largest groupings included merchants and attorneys. Many of the associated names appeared in the following pages in the purchased advertising space as well.<sup>61</sup> The ads speak volumes about New Mexico’s and Santa Fe’s place in the markets of the West. Secretary of the Territory William Ritch’s *Complete Business Directory of New Mexico, and Gazetteer of the Territory for 1882* included regional advertisements featuring Kansas City, St. Louis, and Denver between directory sections. By the end of the decade railroad growth had connected the territory more clearly to a wider western network. The *Southwestern Business Directory* included New Mexico with nine other states and territories to present the investment possibilities and important cities of each. From the 81 listings found in the 1880 production, by 1890 the city showed slow growth to 189 civic and business listings. Albuquerque and Las Vegas showed their economic rise by each having over two hundred and fifty entries.<sup>62</sup>

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<sup>60</sup> Ibid., 2.

<sup>61</sup> Ibid., 83-85.

<sup>62</sup> [William G. Ritch], *A Complete Business Directory of New Mexico, and Gazetteer of the Territory for 1882* (Santa Fe: New Mexican Printing and Publishing Company, 1882); *Southwestern Business Directory*

In contrast to the desires of boosters and their implicit support from the business community, many residents of the territory considered the boom of the early 1880s and the surge in capital investment and foreign ownership unwelcome. The consolidation and monopolization of large land grants and much of the public domain only added to this opinion. As a result, the New Mexico Legislature passed an Anti-Alien Law in 1887, under the years of Democratic administration and reform led by Governor Ross and Surveyor General Julian. Specifically, and particularly jarring to Catron, the law made it illegal to sell New Mexico lands to foreigners. No longer could Catron and his companies attempt to sell their large grants to foreign investors, a major blow to their promotional effort. An unintended consequence, however, involved the increased reliance on the corporate container by large land holders who found new ways to transform their equity in acres into equity in capital stock. Still, few laws peeved Catron more so than the Anti-Alien Law, adding to his desired reasons for wanting statehood.<sup>63</sup>

### **Catron, Competition, and Coal in the 1880s**

When Thomas Benton Catron entered the decade of the iron horse, he was as confident as ever. As other carpetbaggers came and went, his presence in the territory grew larger and firmer. In October of 1880 he turned forty years old. Compared to a decade earlier, when he was still a relative newcomer riding the Elkins bandwagon to a place of local power, by the time rail lines arrived Catron had established himself as a

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*1889-1890—Including—Principal Towns On Atchison, Topeka and Santa Fe Railroad, Chicago, Kansas and Nebraska Railway, Kansas City, Fort Scott and Memphis Railroad, Denver, Texas and Forth Worth Railway, Texas and Pacific Railway, Denver and Rio Grande Railway, Colorado Midland Railway, And Atlantic and Pacific Railroad* (Denver, Col.: McKenney Directory Company, Publishers, March 1889), the section for Albuquerque starts on 446 and the section for Las Vegas starts on 466.

<sup>63</sup> T.B. Catron to J.M. Freeman, Denver, Colo., 20 June 1892, CP, Series 105, Vol. 5; T.B. Catron to O.H. Platt, U.S. Senator, 18 July 1894, CP, Series 105, Vol. 10.

leading force in territorial politics and development. He proved to be one of the most-capable and hardest-working lawyers of Santa Fe and one of the ablest Spanish speakers of the Euro-American crowd of transplants and appointees. His marriage to Julia Walz and their settlement in a permanent home in Santa Fe helped. With two young boys, John and Charles, born in 1878 and 1879, respectively, the Catron family appeared more at home and more inspired to build up their home than ever before.<sup>64</sup>

Buttressed by support from Washington, D.C., through the continued rise of “Smooth” Steve, Catron’s weight in territorial circles admitted him to the offices, chambers, parlors, and dining tables of influence. For instance, in July of 1880 Catron met with U.S. Grant during the ex-President’s tour of the West. Then, a few weeks after his fortieth birthday, he acted on a reception committee for President Rutherford B. Hayes.<sup>65</sup> That these meetings were largely superficial in their tone and agenda did not likely detract from Catron’s ambitious desires for personal advancement. Of course, the meetings would also then highlight the major obstacles to the national recognition he sought, most obviously New Mexico’s territorial status and its reputation as an unsettled backwater. Catron worked steadily to overcome both of these concerns.

Starting already in late 1879, Catron and his extended network of friends and associates began organizing new businesses. That November, Catron and fifteen others, with clear ties to the Montezuma Lodge, incorporated the “The Rio Grande Placer Ditch Company and Corporation” in Santa Fe.<sup>66</sup> Capitalized at \$500,000, the company

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<sup>64</sup> Westphall, *Thomas Benton Catron*, 137.

<sup>65</sup> Ritch, *Complete Business Directory and Gazetteer*, 9; New Mexico Scrapbooks, Vol. 13, Ritch Papers, Huntington Rare Books.

<sup>66</sup> The list of names of participants in this company includes: Henry M. Atkinson, William T. Thornton, Phineas W. Hitchcock, J. Sterling Morton, John G. Mahony, Benjamin B. Wood, Martin A. Bartleson, L. Bradford Prince, George Taylor, R.J. Palen, William W. Griffin, William H. Manderfield, Palle J. Herlow, Lew Wallace, William Breeden, and Henry L. Waldo.

proposed a wide-ranging and fairly vague objective “to survey, lay out, construct, maintain and operate a ditch or Acequia in the counties of Taos and Rio Arriba for the purpose of irrigation, placer mining, milling and the reduction of ores and for general use as a water power in all kinds of mining operations.”<sup>67</sup> No record exists of this company actually doing anything. As a shell, the corporation had much greater value for its organizers, however, because its limited liability gave the company the ability to deal in land and mining interests without specifically implicating any of its stockholders. Unsurprisingly, federal appointees and members of the Santa Fe Ring adorned the incorporation record book with high frequency, often alongside long lists of eastern investors.<sup>68</sup>

It is unclear how many of Catron’s new corporations functioned as financial shells. What is known from the records is that from 1879-1891 he participated in the official incorporation of at least eighteen new companies through the office of the Secretary of the Territory. He also bought, transferred, schmoozed, or bullied his way into officer or director positions with eight others.<sup>69</sup> Together, these companies

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<sup>67</sup> “Articles of Incorporation for the Rio Grande Placer Ditch Company and Corporation,” 3 November 1879, Slide 152, Reel 33, TANM, 1846-1912, Records of the Secretary of the Territory, State Records Center and Archives, Santa Fe.

<sup>68</sup> Ibid.

<sup>69</sup> Between 1879-1890 Thomas Catron’s name appears on the incorporation roll for the following companies that I have documented: The Rio Grande Placer Ditch Company and Corporation, 3 November 1879; Pecos and Placer Water Pipe Company 21 February 1880; New Mexico Chihuahua and Southern Rail Road Company, 25 February 1880; The Santa Fe Hotel and Building Company, 2 August 1880; The Las Vegas Hill Site Town Company, 1 December 1880; Texas, Santa Fe, and Northern Railway – the Chili Line, 10 December 1880; Santa Fe Progress and Improvement Co., n/d, 1881; Boston and New Mexico Cattle Company, 20 January 1882; Water & Improvement Co., 10 March, 1883; American Valley Company, 2 August 1886; Rio Puerco Irrigation Company, August 1889; Valverde Irrigation Ditch Company, September 1889; W.G. Walz Company, n/d, 1890; Carlisle Development Company, 18 March 1890; Tularosa Land and Cattle Company, 5 April 1890; Las Vegas Electric Light Company, 2 July 1890; Mora Mining Company, 2 July 1890; Mora Copper Mining Company, 2 July 1890.

Companies that Thomas Catron acted as a director or officer for, but that he did not incorporate include (in chronological order based on the first found mention of Catron’s involvement): “Cerrillos and Southern Railway Company” Catron named a director, 7 January 1882; “Las Vegas Gas & Coke Company” Catron elected Director and VP, 25 March 1883; “Monero Coal & Coke Company,” Catron

broadened Catron's business circle to include prominent merchants, railroad men, miners, ranchers, and investors from Missouri, Texas, Kansas, Colorado, Massachusetts, and Maine, while entrenching his interests in New Mexico through associates in almost every county and major population center. In this way he tapped into home-grown and imported investment opportunities, and further enmeshed his interests with those of Santa Fe and the Southwest.

As such, Thomas Catron played the part of the big fish in the small pond. On a national or even international level, he was rarely more than a middleman putting outsider's capital to use in New Mexico. He hardly managed the personal wealth to buy his way into eastern board rooms and he lacked the political prestige to influence development outside of his southwestern jurisdiction. When he did try to intimidate associates or stockholders in places like Kansas City, Chicago, or Boston, they were not impressed. That Catron was more often than not effusively courteous when addressing eastern capitalists leads me to believe that he knew this. But he also knew very well what he did have, including his network of interlocking directorates in New Mexico and Colorado, vast tracts of western lands, and some powerful friends. With these, he toiled in vain to grow an empire in his small pond, overly optimistic that it too, would grow.

The surge of interest in New Mexico's lands and resources by capitalists and entrepreneurs also brought about changes in the handling of business in the territory. By the 1880s the secret ownership pools and land trusts of the previous decades had more carefully, and clearly, delineated their ownership and management structure through the

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becomes majority stockholder and President, October 1884; "Aztec Mining Company," Catron a director as of 8 November 1884; "Texas, Santa Fe, and Northern Railway" Catron elected President, c. 24 December 1885; "American Building and Loan Association, Santa Fe Branch" Catron elected President December 1888; "Cerrillos Coal & Iron Company" Catron a director as early as 13 May 1889; "Columbia Building and Loan Association" Catron elected President 17 July 1891.

process of incorporation. Rest assured; the corruption, collusion, and cronyism of the Ring continued to operate out of Santa Fe to direct territorial development. But under Catron's leadership, the evolving Ring would start to look more like an interlocking directorate than a secret society of appointed officials and freemasons.<sup>70</sup>

What's more is that Catron and the Santa Fe crowd were hardly alone in spinning interlocking webs of directorates across the territory. Emanating from the capital, Las Vegas, Albuquerque, and to a lesser extent the Mesilla Valley, developers, speculators, and civic boosters found common goals and a burst of entrepreneurial energy.<sup>71</sup> This new railroad-inspired zeal for development, like much of capitalism's spread in New Mexico, overextended its influence beyond what the resources and markets could bear.<sup>72</sup> The competing networks of territorial capitalists increased the pace and scope of their activities. They found the corporation once again to be of great utility through the creation of dummy companies, usually secured by their own valueless stock, to stake claims to choice town sites, rights of way, mines, or points of water access.<sup>73</sup> New Mexico's new stocks rose like a mushroom cloud over the territory, leading some to take note of modern progress while others grew alarmed at the emptiness of the new southwestern securities.

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<sup>70</sup> Caffey, *Chasing the Santa Fe Ring*, 190 & 197. By the mid-1880s Thomas Catron was undisputedly the leader of the remnant faction of the Santa Fe Ring, though power grew more diffuse in general, and by 1897 when Miguel Antonio Otero gained appointment as Governor of New Mexico, the schism in the Republican Party crippled the Ring as an efficient power broker.

<sup>71</sup> Lamar, *Far Southwest*, 164; Lehmann, "Santa Fe and Albuquerque," 157.

<sup>72</sup> Competition of the time drove new business activities that often acted in defensive ways to stem the intrusion of a competitor. In the process, the defensive company places great stake in steady capital infusion that often dried up. When this happened the dummy would most often simply cease to be, leaving creditors to stomach the loss. In this way, many eastern capitalists grew increasingly conservative about making investments in western securities.

<sup>73</sup> Levy, *Freaks of Fortune*, 309. Levy comments upon the corporate world of the 1980s stating that the rules had changed sufficiently by then to allow industrial corporations to become "hollowed out" and to resemble "sieves – porous containers of financial transactions." Though the author discussed corporations here with regard to the late twentieth century, I believe that his comments seem to fit perfectly with the corporate world of the Rocky Mountain West of the late nineteenth century.

Catron's new ventures fit well with the overall picture of business activity presented in the Territorial Records of Incorporation. He helped to create or was involved with regional railroad projects, ranching outfits, mining claims, town site developers, utility providers, and of course land speculators. Compared to his earlier work, many of the new corporations attempted to directly harness territorial resources for profitable returns. By the arrival of the railroad Catron and his friends had already secured massive holdings. Those who did not flip their lands quickly found that the wave of growth of the 1880s brought little clarity to their clouded titles. Instead they found the ownership of grant lands fraught with increased complication, both legal and political in nature.<sup>74</sup> Congress and the federal government asserted its desire to ameliorate the Southwest's land troubles, but the situation grew exponentially worse before Congress delivered any relief. Between 1882 and 1885 alone, at least seven special agents from the Government Land Office made investigations in New Mexico with regard to boundary and title issues.<sup>75</sup> Then in 1885, the territory's new Surveyor General George Julian made his sweeping attack on land grant fraud publicly known.<sup>76</sup> One response to these changing circumstances was to diversify interests by obtaining important parcels of the public domain, especially along waterways. City real estate deals also made lucrative investments, especially when paired with insider knowledge of federal contracts. Another way to manufacture profits was to simply ignore title controversies while continuing money-making schemes on large grants. Catron involved himself in all of the above.

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<sup>74</sup> Compared to the early days of land grant speculation in which twenty-two land grants gained official patents and surveys from the federal government, no other grants would receive proper title and patent until the onset of the Court of Private Land Claims that initiated claim adjudication in 1893.

<sup>75</sup> Victor Westphall, *Public Domain*, 102.

<sup>76</sup> George Julian publicized his beliefs about fraud regarding land grants, and the important part played by land monopolists like Catron and Elkins in, George W. Julian, "Land Stealing in New Mexico," *The North American Review* (1887): 17-31.

The Minotaur at the center of his own incorporated labyrinth, Catron was himself imprisoned by the formidable business empire that he presided over. Tracking the activities of each of Catron's corporations is both exceedingly complex and frustratingly mundane.<sup>77</sup> For those companies that kept clear record or "minute" books the problem arises of too much information, often of dubious character and with little means for substantiation. The detailed balances of account ledgers contain their own silences in between the red and black of the bottom line. Worse yet is the inconsistency of accounting styles, usually the result of personnel changes or improvisation. Other enterprises appear as mere glimpses in the archival collections and like so many mirages leave the researcher with many more questions than answers. And then, there is the difficulty in keeping all of the distinct companies in order, while their activities actually intertwined with regular frequency. With overlapping directors, mutual interests, and secretive business arrangements, the full extent of Catron's fortune and failing remains murky.

Like many of his business endeavors, Thomas Catron's involvement in the Monero Coal & Coke Company stemmed from the overextension of his lending practices. According to Frank W. Clancy (filling the office of company treasurer), far from an entrepreneurial interest in the coal industry, Catron only took on a leading role in the MCCC because of the failure of one of his debtors. With the happy decision to accept watered MCCC stock or nothing at all on a bad debt, Catron plunged headfirst in October

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<sup>77</sup> For instance: "Account Ledger for the Aztec Mining Company, 1884-1889," CP, Series 603, Vol. 1; "New Mexico Land & Live Stock Co., Minute Book, 1883-1904," CP, Series 606, Vol. 1; and "Tularosa Land and Cattle Company Minute Book, April 3, 1890-June 17, 1891," CP, Series 608, Vol 1.



of 1884 into the rough seas of coal mining.<sup>78</sup> While economic data might here present a picture of continued interest and output in New Mexico's mining sector, the story of the Monero Coal & Coke Company continued to follow failure and debt with more failure and debt.

The MCCC began with what looked like sound logic by Wilmot E. Broad, Catron's trusted agent (and of all his agents, perhaps the most trustworthy) on the Tierra Amarilla grant. The Denver & Rio Grande Railway built to Espanola and Chama by the end of 1881 to harness the mineral riches and potential agricultural markets of northern New Mexico.<sup>79</sup> To induce the line to build on their property, Catron and the U.S. Land & Colonization Company provided the D&RG with a right of way through his expansive TA grant in proximity to large timber stands and immediately adjacent to the Monero mines.<sup>80</sup> With the intention of servicing the railroads rising coal requirements, Broad and another partner, Pascal Craig, incorporated the Monero Coal & Coke Company in 1883. The partners found ready sources of funding in the Northeast led by a past President of the AT&SF, Thomas Nickerson, who financed the project by commissioning his son-in-

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<sup>78</sup> Frank Clancy to Geo. W. Fowle, Esq., Jamaca Plain, Boston, 2 August 1889, CP, Series 604, Monero Coal & Coke Company of New Mexico, Vol. 1. As evidence of the fact that MCCC stock held exaggerated value, Clancy also comments in this that Catron was trying to sell his MCCC stock for under \$40 per share but could not find any buyers. The next year, Catron offers his stock to Thomas Nickerson for the low price of \$5 per share.

<sup>79</sup> Athearn, *The Denver and Rio Grande*, 102; David F. Myrick, *New Mexico's Railroads---An Historical Survey* (Golden, Colo.: Colorado Railroad Museum, 1970), 104. The D&RG first entered Chama on February 1, 1881.

<sup>80</sup> See "Deed for Right of Way," T.B. Catron to Denver and Rio Grande Railway Company, 26 September 1891, Folder 13; and "Abstract of Title of the Tierra Amarilla Grant in the County of Rio Arriba, Territory of New Mexico," 7 November 1901, CP, Series 305, Box 6, Vol. 1. The deed, dated 10 December 1881, conveyed for \$1 to Catron, the right of way to the Denver & Rio Grande Railway and provided 50 feet of land on each side of the railroad (the "Chama Lumber Branch") and also land for a station at Chama, New Mexico. As the headquarters for Catron's Tierra Amarilla business and home to Wilmot Broad, Catron surely wanted the town of Chama, located on his grant, to boom.

law to sell subscriptions for MCCC stock.<sup>81</sup> Encouraging initial reports on the grade and quantity of coal at Monero likely added to the eastern investors' faith that selling coal to an expanding railroad would turn a steady profit. The MCCC established a company town with direct rail access to the D&RG and the owners of the TA grant provided further inducements such as water use rights to lesson costs and promote increased railroad activity.<sup>82</sup> Surely this was a recipe for success.

And yet, hints that running the company would not go smoothly should have been apparent from the start. Distance and competing lines of favoritism immediately created a rift between MCCC president, Catron, and the board of directors who met in Portland, Maine. Shortly after becoming majority stockholder, Catron's nepotistic urge led him to appoint his brother-in-law Edgar Walz as superintendent of the mine. Though Walz had badly bungled Catron's business in Lincoln County, the ringleader habitually supported his family and friends as they failed upwards. Ed Walz did not remain in control of the mine for long (though he still managed to disappoint). Instead, Jacob H. Crist executed a hostile takeover of the property with the support of the eastern stockholders who had been unsatisfied with Walz and more likely, with the sudden monopoly of control Catron held over their investments. At the next annual board meeting Catron more forcefully pressed his interests by using his majority stock to vote in a friendly directorate. This

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<sup>81</sup> Frank W. Clancy to Thomas Nickerson, Newton, Massachusetts, 15 April 1890, CP, Series 604, Vol. 1. In this letter sent to obtain an affidavit from Thomas Nickerson, Clancy presents a list of some of the eastern stockholders including: Thomas Nickerson, Newton; Thomas E. Faunce, Boston; Geo. W. Fowle, Jamaica Plain, Boston; Lavinia S. Goodwin, Boston; Horatio McKay, Boston; C.S. & E.B.P. Keith, Boston; Jeremiah C. Carr, Portsmouth, NH; and David E. Cole, Cleveland, Ohio. Other correspondence indicates that the list of stockholders also includes: Harry E. Lewis, Cotton Exchange, New York. James Marshall, *Santa Fe: The Railroad that Built an Empire* (New York: Random House, 1945), 140. Thomas Nickerson presided over the AT&SF from 1874-1880, including through its right-of-way dispute with the D&RG over the Raton Pass.

<sup>82</sup> J.A. Carruth, compiler and publisher, *Business Directory of Arizona and New Mexico, For 1897* (Las Vegas, N.Mex.: Daily Examiner Printing and Binding Establishment, 1897). This business directory includes Monero, New Mexico in Rio Arriba County and comments that it was a company town with a population of less than one hundred persons.

included bringing in Frank Clancy, the law partner and frequent business associate of Catron, but as part of a compromise with Nickerson, Catron agreed to retain Crist.<sup>83</sup>

Whether the MCCC paid out dividends over the next several years under Crist is unclear, though Frank Clancy later claimed that this period operated at a loss.<sup>84</sup> For his part, Crist lacked the organization and leadership to successfully oversee the mine and the miners. Deteriorating – and therefore depreciating – grounds at Monero and unclear or lost books point to weaknesses in the former, while Crist’s inability to check a costly strike in 1886 highlights the lack of leadership.<sup>85</sup> To right the situation, Catron replaced the poorly performing superintendent in February 1888 with Alex Bowie, an experienced coal miner.<sup>86</sup> In making this otherwise rational management decision, Catron gained a bitter enemy in J.H. Crist, who would thereafter seek to undercut the efforts of the MCCC whenever possible. For starters, Crist held copies of the company accounts with information concerning MCCC credits and debts which he refused to supply Catron or Clancy. To make matters worse, he left the mines at Monero in lousy condition and the machinery in need of replacement. Even with an expert coal man at the helm in early

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<sup>83</sup> Frank Clancy to Geo. W. Fowle, Esq., Jamaica Plain, Boston, 2 August 1889, CP, Series 604, Vol. 1. What is certain is that J.H. Crist led a group of heavily armed miners to barricade themselves inside the mine; that he refused to leave until he was granted control and superintendence, and that the eastern directors wrote to Catron in support of Crist for the position. What is less clear is whether Crist first masterminded the murder of an employee that set off a manhunt the following day, leaving the mine vulnerable to seizure.

<sup>84</sup> The account ledgers for the company burnt in Catron’s notorious office fire of 1888. Because of this, much of the information on the Monero Coal & Coke Company derived from correspondence after August 1888 and from letterpress books kept at Monero rather than in Santa Fe.

<sup>85</sup> Thomas B. Catron to J.H. Crist, Monero, 28 December 1888, CP 105, Vol. 1; Frank W. Clancy to J.H. Crist, 4 August and 29 August 1888, CP, Series 604, Vol. 1.

<sup>86</sup> T.B. Catron to the Board of Directors & Stockholders of the Monero Coal & Coke Co., Portland, Maine, 18 October 1889, CP, Series 604, Vol. 1. As superintendent, Alexander Bowie earned \$200.00 per month, which Catron notes is a larger sum than was paid J.H. Crist, but that Bowie would more than make up for it, Catron explained, by considerably reducing current expenses.

Frank Clancy to Stephen C. Perry, 30 Exchange Street, Portland, Maine, 18 October 1888, CP, Series 604, Vol. 1. With some latent optimism, Clancy explained to Stephen C. Perry, the Clerk of the Monero Coal & Coke Co., that “The company is still heavily indebted, and it will be a considerable time before we can hope to declare any dividends, but it is evident that the property, under good management, can be made to pay a moderate profit, and will earn something for the stockholders.”

1888, the company owed on unspecified debts, had no consistent income, and required a substantial influx of capital before it could work efficiently enough to run a profit.<sup>87</sup>

It is at this moment, like countless others in his life, that Catron was hemmed in by a confluence of interests dictated by optimism and dreams of empire. The Monero coal fields and the connection to the Denver & Rio Grande line added to the value of Catron's Tierra Amarilla Grant as well as his other lands and grants of the Rio Arriba. During the late 1880s Catron placed great trust in the proximity of statehood and was not about to abandon properties or projects that he believed would double in value (at the very least, he would often claim) upon New Mexico's full entrance into the Union.<sup>88</sup> Nor did he care to make any moves that would harm New Mexico and its already weak credit rating and heightened risk profile in national circles. Leveraging current instability against the potential of a bright future, Catron threw good money after bad in his attempt to bring the coal company into the black. Instead of growing more profitable, however, the MCCC became a carbonic money pit. Year after year, Catron funneled personal funds into the mine and still barely staved off insolvency.

Although the company had extracted coal from its Monero mine since 1883, ownership of the land and its minerals turned into a costly and time consuming problem. Because of the immensity of the western territories and states the Government Land Office dealt with a constant backlog of work to make public lands accessible to homesteaders and buyers.<sup>89</sup> That the government had not yet done this probably worked

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<sup>87</sup> T.B. Catron to the Board of Directors & Stockholders of the Monero Coal & Coke Co., Portland, Maine, 18 October 1889, CP, Series 604, Vol. 1; Frank W. Clancy to A.D. Archuleta & Bros, 5 January 1889, CP, Series 604, Vol. 1.

<sup>88</sup> Holtby, *Forty-Seventh Star*, 11-13.

<sup>89</sup> Westphall, *Public Domain*, 15 & 27; Also, Ritch's Gazetteer included figures for the amount of public domain surveyed and unsurveyed in New Mexico, with the unsurveyed portion representative of a majority of all New Mexico land.

in favor of the mining company. If the MCCC did not officially own the lands, its valuation by the Territorial Board of Equalization would have been substantially lessened, a tax loophole that Catron exploited with regularity due to the constant title disputes surrounding his New Mexico lands. When the land office finally surveyed and plotted land parcels in remote northern New Mexico, the MCCC was required to file for its land entry and mining claim. Though Catron was supposedly paying attention, he did not get a good enough jump on filing for the claim and another man, William Tomlins, acting for J.H. Crist, filed a competing entry within a week of the MCCC in March, 1889.<sup>90</sup> The existence of two claims resulted in a formal hearing in the local branch of the Land Office. This meant legal fees, the time and energy necessary to compile the relevant data, and another instance of Crist trying to humiliate the company and its president. Though Catron had total faith that the decision would be favorable to the MCCC, he scrambled to find the money needed to buy the 640 acre entry that encompassed his Monero mines. With inconsistent profits from sales to the D&RG, Catron extended his debt in the company to make sure that it owned the lands it occupied, writing to a fellow stockholder that even though its current stock had dropped in value, the MCCC would be completely worthless if it somehow failed to gain full title to the property.<sup>91</sup>

By the spring of 1890 most interested parties strove to rid themselves of the headache that was Monero coal. That May the two largest stockholders, Catron and

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<sup>90</sup> T.B. Catron to Alex Bowie, 27 August 1889; T.B. Catron to the Board of Directors & Stockholders of the Monero Coal & Coke Co., 18 October 1889; and T.B. Catron to William E. Webster, Newton Centre, Massachusetts, 7 April 1890, CP, Series 604, Vol. 1.

Frank Clancy to Alex Bowie, Monero, NM, 24 October 1888, CP, Series 604, Vol. 1. In response to a letter from Superintendent Alex Bowie, Frank Clancy explained that Thomas Catron was way too busy in the fall and early winter of 1888 playing politics to pay full attention to the interests of the MCCC. This is in fact the very time that the Land Office officially surveyed the land in and around Monero.

<sup>91</sup> T.B. Catron to Thomas Nickerson, Boston, 11 June 1890, CP, Series 105, Vol. 3.

Nickerson, desperately tried to sell each other their MCCC stock.<sup>92</sup> Both parties probably recognized that without a miracle from the D&RG, the question was *when*, and not *if*, the company would fail. In the heated exchange that continued across the summer the capitalists traded criticism and accusations of blame for their corporate woes. Catron railed against the “Boston Board” and its brand of favoritism that led to the mine’s downfall. He referred of course to the placement of Crist as superintendent, but Catron’s flourish for argumentation faced the reality that Crist had been fired years ago and still Monero floundered. Nickerson turned around and heaped the fault on Catron, who he felt had lacked decorum and had “abused” him in their correspondence.<sup>93</sup> As a result, Nickerson turned to a strategy of non-compliance and Catron was left to fume about the malicious machinations of the railroad and the personal investments that he would surely forfeit.

These were at least valid complaints. The Denver & Rio Grande may very well have schemed towards the failure of the MCCC. At the very least the railroad adopted discriminatory practices towards the New Mexican company with regards to traffic, tonnage, and rates. Furthermore, the railroad engaged in long periods of “freezing out” the MCCC, giving it no business, sometimes without notice.<sup>94</sup> This tactic made for serious difficulties at the mine with regard to the management of labor and efficiency of

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<sup>92</sup> F.W. Clancy to Thomas Nickerson, 2 May 1890, CP, Series 604, Vol. 1; T.B. Catron to Thomas Nickerson, Boston, 4 May 1890, CP, Series 105, Vol. 3.

<sup>93</sup> T.B. Catron to Thomas Nickerson, 11 June and 14 July 1890, CP, Series 105, Vol. 3.

<sup>94</sup> T.B. Catron to C.M. Hobbs, Purchasing Agent, D&RG RR, 24 July 1891, CP, Series 105, Vol. 3. In this letter, Catron specifically accuses the D&RG of trying to “freeze out” the MCCC and points to comparative local coal rates as positive evidence of the railroad’s goal. He goes on to implore to Purchasing Agent Hobbs that “I have been a friend in every imaginable way to the company and I insist that in view of these facts your company ought not to undertake to perpetrate this great outrage on our company by freezing it out in the interests of Colorado parties...It occurs to me that with the amount of interest you have in this country your company ought to be desirous of having some friends here and the best way to have friends is to keep those you already have and try to get more.”

operations. Superintendent Alex Bowie, and later his replacement Hugh McGinn, complained about the combination of sudden halts in D&RG orders for coal set against short bursts of abundant work. Trying to navigate this haphazard schedule led to costly labor disputes, a high rate of miner turnover, and chaotic flurries of activity that produced shoddy work and shipments of poor quality. The railroad would then dock payment on inferior or dirty loads, cutting into any profits the MCCC might actually have earned.<sup>95</sup> Most financially damning for the coal company, however, were the lapses in payment for coal actually received by the D&RG. In the last years of his management of the MCCC, Catron griped continuously about the arrears in payment by the railroad and the resultant strains placed on his company made worse by their need to take out loans from the FNSF to cover fixed costs. With interest accruing faster than profit, each new note of the Monero Coal & Coke Co., cosigned by Catron as President, sapped his credit and brought the corporation closer to insolvency.<sup>96</sup> Each month the railroad ignored the MCCC (purposefully or otherwise) was one month closer to the company's ruin.

What appeared to Catron to be a direct attack on him and his interests as carried out by the D&RG was more likely the progeny of regional competition and a legacy of fierce railroad wars. Vast hinterlands of the Southwest remained to be incorporated into the modern industrial economy and urban centers like Chicago, Denver, and El Paso continued to compete for new markets and new caches of resources. Catron was well

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<sup>95</sup> T.B. Catron to D.F. Moffat, President, D&RG Railroad, 14 April 1889; T.B. Catron to Alex Bowie, Supt. MCCC, 27 August 1889; F.W. Clancy to J.W. Gilluly, Treasurer, D&RG, 15 December 1890; Hugh McGinn to F.W. Clancy, 9 August 1891, CP, Series 604, Vol. 1.

<sup>96</sup> F.W. Clancy to Alex Bowie, 24 January 1889; T.B. Catron to S.T. Smith, General Manager of the D&RG, 27 December 1890, CP, Series 604, Vol. 1; T.B. Catron to E.T. Jeffreys, 9 January 1892; T.B. Catron to C.M. Hobbs, Purchasing Agent, 18 January 1892, CP, Series 105, Vol. 4.

aware of these motivations, as evidenced by his comment to Edward T. Jeffreys, President of the D&RG that:

Our people here think that no such discrimination as this should be made in favor of Denver as against Santa Fe. If that lumber could be shipped to Santa Fe at the same rate it is shipped to Denver, I am satisfied that quite a large trade would grow up here. Those saw-mill men [Catron's men cutting on the TA Grant] inform me that they are unable to get rid of all their lumber in Denver. Thus by putting on this heavy rate to Santa Fe your company cuts them off from an additional market.<sup>97</sup>

Perhaps this was exactly the plan. Still, Catron kept up a constant stream of communication with the officers of the railroad, especially the purchasing agent and president. He cycled between solicitations of fairness for the sake of mutual benefit and repetitive condemnations against the railroad and its true underlying purpose, to shut down the mines at Monero.<sup>98</sup> At his most irate, Catron threatened to rescind the right-of-way across the Tierra Amarilla grant. But the officers of the D&RG understood exactly the position that Catron and the MCCC occupied. Catron's idle threats did not likely concern them and his usual bluster failed to inspire amicable relations or future acquiescence. The coal company would certainly fail to exist without the railroad, but the road had already exploited the potentials of Monero and by the 1890s could more easily shift its business elsewhere.

In January 1892, with statehood suddenly more uncertain than ever and market prices dropping, the years of constant debt and the inability of the company to stay in good business standing with the D&RG had taken their toll. Catron finally moved to rid himself of the debt trap that was the MCCC. He called upon mine Superintendent Hugh McGinn to make a full assessment of all company property, improvements, and

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<sup>97</sup> T.B. Catron to E.T. Jeffreys, Denver, 5 December 1891, CP, Series 105, Vol. 4.

<sup>98</sup> T.B. Catron to Edward T. Jeffreys, 5 December 1891 and 9 January 1892, CP, Series 105, Vol. 4.



machinery and ready them for sale.<sup>99</sup> Not long after, Wilmot Broad and Pascal Craig, the original incorporators of company, entered into an agreement that transferred ownership back to them. Catron groaned to an agent on the TA grant that he was “compelled to dispose of my interests in the MCCC for a mere bagatelle and at a sacrifice of over sixty thousand dollars.”<sup>100</sup> In fact it was even worse than that. He no longer acted as president or majority stockholder for the coal mine, but its debts continued to hound him. In the wake of the Panic of 1893 for instance, when Catron was under acute financial stress, the debts of the MCCC (including those cosigned by him in the process of its transfer of ownership in 1892) just about tipped him over the edge. He confided to Wilmot Broad that if the First National of Santa Fe called in his MCCC debts for collection, the usually wily Catron would simply be unable to pay. If this occurred and the court then ordered judgment against him it would unleash a torrent of collections that would drown his finances, send his business interests into disarray, and force him to take shelter in bankruptcy.<sup>101</sup> Only by imploring his associates for more time and by renewing existing notes did Catron avoid complete embarrassment.

The ultimate failure of the MCCC speaks volumes about Catron’s (in)ability to successfully profit from selling coal to the D&RG railroad or to open up new markets for sale and distribution in northern New Mexico. It also highlights the continued competition that influenced investment and development throughout the Southwest. In a financial market that charged twelve and sometimes eighteen percent on borrowed money, to not boom was to rapidly go under. An important factor to a growing capitalist

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<sup>99</sup> Monero Coal & Coke Co. Account Ledger, 1891-1892, CP, Series 605; T.B. Catron to Hugh McGinn, Monero, 13 January 1892, CP, Series 105, Vol. 4.

<sup>100</sup> T.B. Catron to J.D. Biggs & Son, Chama, 27 April 1892, CP, Series 105, Vol. 5.

<sup>101</sup> T.B. Catron to Wilmot E. Broad, Chama, 2 December 1894, CP, Series 105, Vol. 10.

system is the steady incorporation of new or broadening markets, something that the politically powerful ringmen of Santa Fe could not readily accomplish with any amount of conniving. Within this mindset it is not without reason to find some truth in Catron's ranting to and about the D&RG vis-a-vis their purposeful tactics of freezing out the mines at Monero in favor of others with more directly integrated profit motives. Favoritism proves to be one of the most potent factors in determining corporate profits in the Southwest. The key is that someone almost always profited. Who, why, and how much was less about business acumen and more about business connections. Lastly, Catron's ambitious schedule kept him constantly overworked and unable to place proper focus on his individual enterprises. Tracking his involvement with the MCCC shows a measure in extremes. On one hand, Catron's long hours and great energy in maneuvering the company through its many obstacles paints the picture of an attentive and impassioned manager. But, his focus rarely remained on Monero for long, and so the company sometimes suffered from neglect or from the gruff and reactionary decisions that sprung from the scrambling that followed each crises.

In the end, the real victim in this corporate history was New Mexico. Though the mine continued some work off-and-on under Broad's ownership, Monero hardly presented an example of lasting and meaningful development. Denver and its flagship road demonstrated market dominance over the southern Rockies while Santa Feans watched their own economic status weaken. And, as in so many of these cases, the experience of doing business with Catron soured eastern stockholders toward New Mexico. While Catron continued to send optimistic reports of the future activity of the MCCC as late as November 1891, they inspired little confidence upon their reception in

the east. His speculative designs on risk would return to haunt him later in life, however, when Catron seethed about the impossibility of attracting eastern capital to New Mexico. For all the wrong reasons, he was the master of his own destiny.

### **Optimism & Aggression: Catron's Blind Spot**

Thomas Catron's experience occurred as part and parcel of an aggressive capitalist culture that entered the Southwest during the Gilded Age. The enhanced level of competitiveness had antecedents in the Panic of 1873 and the industrialization of the Northeast and Midwest, which surely influenced the way market forces met in the West, when the tactics of ruthless robber barons collided with a new generation of entrepreneurial upstarts. On top of these cultural influences, the heightened risk for investments in New Mexico led speculators to attempt to divide or defraud sellers and partners alike. The goal was often a belligerent entrance and undercutting of market prices to gain access or assets for as little as possible. Once again, information and contacts, not inherent business acumen, determined the winners and losers of this capitalist game. In this context, Catron and his fellow ringmen were as strategically situated as they could be with embedded ties to the federal government, territorial courts, Freemasons, regional banks, major railroad companies, and an interlocking jigsaw puzzle of corporate directorates. And yet, all of the networks in the world could not save these capitalists from the underwhelming market longevity of Santa Fe and the Hispano borderlands, where capital's aggressive entrance was matched by an equally turbulent exit.

Though railroads in some ways had just brought the territory face to face with the technology necessary for modern industrial practices, the technology of finance and risk management had found its way to New Mexico at least a decade earlier. So for Catron, the entrance of railroads not only led to speculations in new land, but also to work towards tapping the resources on already acquired land grants. For many capitalists like Catron, the new economic formula brought about by the rail revolution placed a much greater value on the resources of the West.

This is not to say that Catron and the Santa Fe crowd did not attempt to better position themselves and their home town. The reality is that for years Santa Feans put forth a steady effort towards gaining direct rail connection and better access to local markets. They also hoped to bring satellite markets more closely within their orbit as well as that of local banks. For instance, even before the Southern Pacific entered the Territory, Catron and a familiar cast, including Stephen Elkins, William Griffin, Henry Atkinson, William Manderfield, and H.B. Stout, incorporated the New Mexico Railway Co. with an object to construct a road southward to meet the S&P at its proposed path. Though capitalized at a hefty figure of \$10,000,000 the railway company never appears to have built anything, and more likely served as a corporate pawn in the right-of-way wars to follow.<sup>102</sup> Catron and friends invested in another project incorporated in Santa Fe in late February 1880, just a few weeks after the AT&SF reached Lamy. Filed under the name the New Mexico, Chihuahua, and Southern Rail Road Company, this 1.8 million dollar organization was led by AT&SF officers from Massachusetts and Kansas, including President Thomas Nickerson. Ring staples represented the local parties on the

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<sup>102</sup> "Record of Incorporation Classified," 1867-1910, Reel 34, slide 124-25, TANM, Records of the Secretary of the Territory.

incorporation papers. Once again, other than its corporate existence, it is doubtful that this company actually produced anything.<sup>103</sup>

Not all of the rail schemes of the ringmen were hollow. One example of development came in the form of the Texas, Santa Fe, and Northern Railway. Because of the ongoing railroad war between the AT&SF and the D&RG, as well as some tricky engineering concerns, neither company built to the territorial capital.<sup>104</sup> By the early 1880s a boundary agreement between the two major lines further reduced the likelihood that they would extend to Santa Fe. The Texas, Santa Fe, and Northern emerged then as a separate corporation with designs to construct a thirty-five mile spur to fill the gap between Santa Fe and the D&RG at Espanola.<sup>105</sup> Under Catron's leadership as President of this twelve million dollar company, in January 1887 the Texas, Santa Fe, and Northern completed its connection. But, instead of working to funnel goods and services into Santa Fe, the "Chili Line," as it became known, transitioned ownership to the D&RG, helping instead to extend the Colorado carrier's network more so than New Mexico's.<sup>106</sup>

This hardly deterred the stubbornly confident Thomas Catron. In the summer of 1888 Catron travelled through Europe in company with English business partner Wilson Waddingham. The partners sat on similar corporate boards and jointly owned several properties in New Mexico and Colorado. In general, Catron looked after local interests

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<sup>103</sup> Ibid., Reel 33, slide 113. Incorporators in the New Mexico, Chihuahua, and Southern Rail Road Company include Thomas Nickerson (Boston), William S. Strong, Edward Wilder, G.O. Manchester, A.S. Johnson (all of Topeka, KA), George J. Anthony (Leavenworth, KA), Thomas B. Catron, William W. Griffin, Henry L. Waldo, William Breeden (all from Santa Fe), Frank Springer (Cimarron), Miguel Otero (Las Vegas), and Simon B. Newcomb (Las Cruces).

<sup>104</sup> Athearn, *The Denver and Rio Grande*, 98.

<sup>105</sup> Myrick, *New Mexico's Railroads*, 96.

<sup>106</sup> "Getter Thar Eli!" *Santa Fe Daily New Mexican*, 24 December 1885, p. 4; and "The T.,S.F.&N.R.R. The Board of Directors Hard at Work, *The Santa Fe Daily New Mexican*, 26 January 1886, p. 4. Other than President Catron, this meeting included Bernard Seligman, VP; Lehman Spiegelberg, Treasurer; John Symington, Secretary; and Gen. Robert E. Carr of St. Louis.

Robert Athearn adds that the D&RG purchased the Texas, Santa Fe, and Northern line in July 1895 for \$75,000, and that the line never thrived. Athearn, *The Denver and Rio Grande*, 186.

while Waddingham, who built a palatial home in New Haven, Connecticut, found the money. In July and August of 1888, the partners set out for a Grand Tour of Europe with some stops organized to meet with prospective capitalists on the Continent and in England. The pair travelled to Moscow, Vienne, Budapest, Constantinople, Switzerland, Holland, Stockholm, London, and Liverpool, staying in fine hotels all along the way.<sup>107</sup> While it is unclear whether their business trip achieved the desired result of obtaining a large loan mortgaged against New Mexico grant lands, the answer from the Dundee Mortgage Company identified a real obstacle that set Catron and entrepreneurship in New Mexico back time-and-time-again. No matter how much of a gentleman of business Catron presented himself, the Dundee Mortgage Company did not make loans to residents of U.S. territories or on territorial securities. With the tightened money supply after the major financial panic, for years after 1893 he could not even secure any money from the Midwest on thousands of acres of southwestern collateral.<sup>108</sup> And yet, the boom of the 1880s allowed Catron to boast of a rather impressive stature in Santa Fe at the center of his territorial domain.

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<sup>107</sup> Receipts from the following hotels found in this folder: The Midland Grand Hotel, London; Hotel Dussaux, Moscow; Britannia Hotel, Trondheim; Grand-Hotel, Paris; Grand Hotel, Stockholm; Grand Hotel, Christiania; Hotel National, Genève; Hotel Sacher, Wien; Grand Hotel D'Europe, Rue Michel, St. Petersburg; Hotel D'Angleterre, Constantinople; Hotel D'Angleterre, Copenhagen. CP, Series 801, Box 1, Folder 4 "Trip to Europe."

<sup>108</sup> Ibid., correspondence between Thomas B. Catron and the Dundee Mortgage Company of Scotland.



Catron Building, northwest corner, facing Santa Fe Plaza, New Mexico, c. 1915. Law Office of Thomas B. Catron, III, Santa Fe.



Thomas B. Catron's Law and History Library, found in his law office on the Santa Fe Plaza, c. 1907. Law Office of Thomas B. Catron, III, Santa Fe.

By 1890 Thomas Catron styled himself as a cosmopolitan, modern businessman of the world. He owned enormous tracts of land valued at millions of dollars (making him one of the largest taxpayers in New Mexico), hundreds of thousands of dollars in corporate stock, as well as businesses in all of the major industries of the Southwest. In Santa Fe, Catron owned his home, several rental properties, and an entire block in his name on the east side of the Plaza.<sup>109</sup> He was also the attorney on record for the Southern Pacific Railroad and the Western Union Telegraph Co. and so travelled most rail lines as

<sup>109</sup> T.B. Catron to T.O. Vinton, El Paso, TX, 22 April 1889, CP, Series 105, Vol. 2.

a “deadhead” and received “frank” books for free communication, had direct access to top D.C. circles through his friendship with Stephen Elkins (Sec. of War, 1891-1893), held influential power in the territorial legislature, Republican Party, Bar Association and First National Bank of Santa Fe.<sup>110</sup> He also claimed ownership of over \$300,000 in debt, a figure that only grew over the preceding decade, casting a menacing shadow upon his optimism and ambition.<sup>111</sup>

The advance of business in the American West drew heavily upon borrowed capital and evolved attitudes towards risk management. Catron encapsulates this to the fullest. Catron’s ambitious movements to build his empire in the eighties simultaneously added sources of equity and accelerated the acquisition of debt. Capital raised for new concerns often trickled backward to pay older notes. And yet he continued forward in an endless cycle of debt management that connected his businesses and his lands to creditors across the country. The basis for much of this liability came from exaggerated claims to the value of real estate or corporate property that could not stand up to market realities. In this context, the optimism of Catron and other New Mexico boosters became their most troublesome blind spot. Their companies held far too much water; the lands that they owned far too little. Catron’s energy and influence in New Mexico, alongside his extended network of hopeful friends, led him to believe that he could overcome the patent insufficiencies of his projects. For the most part, he could not, and his range of corporations suffered in the process.

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<sup>110</sup> [Gov. Ross; Thomas Catron; Wilson Waddingham], *Santa Fe Daily New Mexican*, 22 December 1885, p. 2. In this newspaper article, it is claimed that Catron and Waddingham were the two highest taxpayers in the territory, paying annually at least \$5,200 and \$6,000 respectively.

<sup>111</sup> T.B. Catron to T.O. Vinton, El Paso, Texas, 22 April 1889, CP, Series 105, Vol. 2.



## **Chapter 5**

### **Fortune and Failure:**

### **Thomas Catron's Search for Order, 1893-1907**

*All of these experiments have led to failure and loss. Our only income has been what we have been able to secure by leasing pasture rights, and that has been insufficient to meet even the accruing taxes.*

John H. Knaebel, President of the Banded Peak Land and Mining Company, February 17, 1903

#### **Of Empire and Debt: Keeping Up with Catron's Accounts**

Thomas Catron owned and controlled more acreage in his name during the first decade of the twentieth century than during any other point in his long career in southwestern land speculation. In direct correlation, he also held claim to an astronomical amount of debt. Catron's obligations linked his extensive landholding as well as his myriad corporate securities to capital lenders and money markets around the country and even overseas. That Catron's empires of land (which continues by most metrics to represent the most stable form of wealth) and debt reached their peaks simultaneously poses no paradox, however. If anything, it points to a real irony that pulses through New Mexico's long history of treasure hunters – their grand schemes and their epic failures – connecting Catron to a line of historical descent going back to Oñate. A breakdown of his indebtedness, totaling over half a million dollars of borrowed capital for the year of 1903 alone, will help to clarify.<sup>1</sup>

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<sup>1</sup> The following section is derived from Thomas Catron's incoming correspondence for 1903, spanning the Catron Papers, Series 103, Box 16, Folder 4 (January 1903) through Box 19, Folder 2 (January 1904). From Thomas Catron's incoming correspondence for 1903, I have come to the positive confirmation of \$433,296 in specifically documented loans, notes, and mortgages held by, or signed by, Thomas Catron and for which he received notices to pay. I reach up to the half-million mark in my estimate by including the tens of thousands of dollars Catron owed in back taxes in New Mexico and Colorado plus new taxes for that year alongside unclear statements from at least three lenders, a litany of unspecified personal loans, and some large settlements that continued to hang over Catron from the Waddy-gate affair. According to

To begin, Catron owed sizeable sums to a half-dozen banks in New Mexico, Colorado, and Missouri. The presidents of New Mexico's most stable banks all knew Catron by name, face, and signature. The most glaring source of his outstanding balance with these money houses came from the corporate reorganization and business expenses of the American Valley Company. Catron partnered with Charles Elmendorf to revamp the ranching outfit starting in 1901. When the AVC remained an operational mess, its notes with the First National Bank of Santa Fe, First National Bank of Albuquerque, Albuquerque Bank of Commerce, Silver City National Bank, and Kansas City Bank of Commerce, secured by the company's capital stock, bonds, and sheep, went unpaid. By 1903 over \$50,000 of liability hung over the finances of the AVC, drawing 8-12% interest and quickly reaching (or already passed) maturation. When due dates arrived with unsettled principal, cashiers came to Catron to fix the matter, but he could not readily do so. Instead, he pled for extensions, offered promises of future responsibility, and borrowed elsewhere for sufficient funds to make interest payments that satiated his creditors for the time being. This strategy could not maintain the status quo for long, however, and three banks filed suit for collection in 1903, targeting Catron, his partners, and his corporate holdings. These embarrassments brought public attention to Catron's troubled finances and in the case of the Banded Peak Land and Mining Co., led to foreclosure and sale of 60,000 acres in Archuleta County, Colorado. Ever wily, the land baron managed to legally "redeem" his properties, though this required considerable extra energy, expense, and frustration.

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<http://www.measuringworth.com/uscompare/> the historical value of \$500,000 in 1903 is comparable to between \$12.8 and \$74 million in 2010.

When the banks of the territory and region refused to lend any more, Catron solicited the leading merchants, obtaining small-to-midsize pots of money from the likes of the Ifeld Co., Gross, Kelly Co., and Burns-Biggs Co. Following their mercantile arrangements, sheep, wool, and wood represented the securities placed on these loans, as Catron harnessed the products of his lands to help with his constant resort to band-aid financing. Through these contracts, the royalties and labor from several of his grants paid down the balances due banks and trust companies.

Mortgages held by financial institutions represented the largest individual debts. Charles Catron entered the worst of his father's structured agreements regarding mortgages on several grants, including a \$250,000 set of loans in Charles' name with 520,000 acres of the Tierra Amarilla Grant as the security. Just to grease the wheels enough to obtain the loan, Catron agreed to return a \$45,000 commission to Adolph Jarmuth and his associates at the Continental Trust Co. of Denver.<sup>2</sup> Even building debt cost money. In Kansas City, the Fidelity Trust Co. owned a mortgage on the lands of the AVC of Socorro County, as well as a large portion of the company's bonds. Importantly, while Catron could still effectively blunt some of the worst possibilities of his bank debt in the territory, the trust companies in Denver, Kansas City, Chicago, New York, and London found his constant pleadings for more time unprofessional and where more likely to sink their hooks into him and his property in exchange for leniency.

When these options ran out, the hard-to-hold-down Catron found other sources for loans from insurance companies and his extensive network of personal friends and business associates. In his scrambling to repay notes and avoid sacrificing property, he

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<sup>2</sup> Numa Reymond to Thomas B. Catron, 10 January 1902, CP, Series 103, Box 14, Folder 3; and Thomas B. Catron to Adolph J. Jarmuth, Denver, 23 September 1902, CP, Series 103, Box 15, Folder 5.

borrowed over \$10,000 against his life insurance policies, as well as those of his wife Julia, through the Northwestern Mutual Life Insurance Co. of Milwaukee and the Mutual Life Insurance Co. of New York.<sup>3</sup> Never enough, Catron borrowed widely from any friends that were in a position to part with some funds for a time. His correspondence include balances owed to several parties in connection with the estate of Wilson Waddingham, as well as personal loans from T.D. Burns, Stephen Elkins, and Numa Reymond, who alone held a mortgage against the Mora Grant on which Catron still owed over \$30,000 alongside a separate note for \$15,000, both of which loomed over Catron for the remainder of the decade.<sup>4</sup>

Finally, property taxes. Not to be confused with borrowed debt, Catron's assessments in no less than ten counties in New Mexico and Colorado (and maybe as many as fifteen) required cumulatively substantial biannual payments.<sup>5</sup> The land baron routinely contested his tax bills, successfully early on, but by the 1900s the county boards of equalization more forcefully compelled Catron to pay assessments, both the new, quickly rising rates that came with the economic prosperity and bureaucratic order of the decade, and the old, with numerous years piled together plus penalties and accruing interest at ten percent.<sup>6</sup> And, while not the equivalent of a loan or a mortgage, unpaid

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<sup>3</sup> Oliver Williams, Northwestern Mutual Life Insurance Co., to Thomas B. Catron, 16 July 1903, CP, Series 103, Box 18, Folder 1.

<sup>4</sup> R.J. Palen, President, First National Bank of Santa Fe, to the American Valley Company, T.B. Catron and C.H. Elmendorf, 2 July and 9 July 1903, CP, Series 103, Box 18, Folder 1. In these letters from Rufus Palen to the American Valley Company, and likely targeted at Catron, Palen presented the full weight of the debt that Catron owed Reymond. Total principal and interest owed in July 1903 equaled \$49,686. In this regard, Catron is fortunate that Reymond had grown close with his family in general, and maintained a level of friendship and respect with Catron through their long personal, political, and business relationship in New Mexico.

<sup>5</sup> Thomas Catron received property tax statements from at least the following counties in New Mexico: Santa Fe, Rio Arriba, Guadalupe, San Miguel, Valencia, Socorro, Dona Ana, Mora, Sandoval, and Bernalillo; and in Colorado: Archuleta and Conejos.

<sup>6</sup> Then, as now, a funny thing happens regarding taxes in that Thomas Catron both paid more and evaded more taxes in the Territory of New Mexico than any other individual, family, or company. When enemies

taxes represented a lien against Catron's holdings just the same, so that counties could, and did, take possession of his properties and sell them at public auction for arrears.

In light of this cancerous mass of over-extended obligation, Thomas Catron's land-based empire proved more risk than reward and even as greater material progress came to New Mexico, his problems grew more rapidly than his profits. Catron tirelessly worked towards the advancement of his properties while doing the same for the cause of New Mexican statehood. He continued to place faith in the ideal that progress for his adopted home would benefit him for several reasons. At the top of his list was that statehood would bring migrants and money, both of which would generate substantial returns on his investment in landed wealth.<sup>7</sup> Instead, when New Mexico failed to earn recognition as a state, Catron's interests suffered. But, his issues went much deeper than the Congressional slighting of New Mexico. First and foremost, he simply attempted to own and operate too much. He had more partners, agents, and enemies than he could keep track of and he was accumulating debts in the forms of bonds, notes, insurance policies, personal loans, and property taxes much more rapidly than he could find the money to pay them. For these reasons, he set out to gain firm control of his lands and to centralize management of the companies that worked them. His move towards enhanced order for his New Mexico empire came from a specifically business oriented agenda.

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hurled charges of tax evasion against Catron to portray him as a shirker of his duties, his friends could just as easily publish figures that showed that Catron paid a great amount more in taxes than the average New Mexican, with numbers that hardly appeared miniscule or dodgy under basic presentation.

<sup>7</sup> T.B. Catron to R.C. Kerens, St. Louis, 3 February 1894, CP, Series 105, Vol. 8. Thomas Catron clearly expressed his belief that statehood would result in great wealth in this letter in which he explains to Kerens that "The glitter of a United States Senatorship is very little to me. If I can get New Mexico in as a State, be it Democratic or Republican, my property will be doubled in value, and so will yours and that of Elkins in this Territory. I would gladly let the Democrats take and keep the State, if I can double the value of my property."

To make matters worse, a stressed business environment after the panic of 1893 prevented capital and credit from entering New Mexico, reinforcing the territory's marginal status within capitalist circles. Catron's business contacts and correspondence present an insider account of the struggles faced by the leader of the once potent Santa Fe Ring as he strained desperately to maintain his New Mexican land and resources. But changing equations of land use and productivity cut to the heart of his troubles. The change stemmed in large part from an influx of progressive-minded institutions, such as the Court of Private Land Claims and the U.S. Forest Service, which sought to bring order to New Mexico's land and resources.<sup>8</sup> Though soft on social policy in the territory, the managerial, scientific, and bureaucratic reforms spurred forward by progressive thinking in fact heightened competition over New Mexico's land grants and public domain. The transition both helped and hurt Catron. On one hand, greater clarity of title made the likelihood of a windfall sale that much more possible. On the other, the move towards order more noticeably imprinted the forces of the market and the state on lands that for decades had encountered only minor oversight. More and more the County Collectors, easily embraced by the Santa Fe Ring in the past, functioned outside of Catron's control as they raised assessments and denied delays. For Catron, this meant that his speculative lands and corporations could no longer sit idle as his debt reached a

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<sup>8</sup> Generally speaking, the Progressive Era in the United States is best known for its shift toward order, reform, and professionalism, as characterized by Robert Wiebe in *The Search for Order, 1877-1920* (New York: Hill and Wang, 1967). Inspired in part by the trans-Atlantic history of progressivism by Daniel T. Rodgers in *Atlantic Crossings: Social Politics in a Progressive Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 1998), as an active ideology and culture that was shared by Europe, the United States, and other nations of the Atlantic World, historians have more readily considered the ways that progressive culture reached different places with strikingly different results and adaptations. For New Mexico, progressivism most clearly influenced state policy toward land, water, and resources, through the creation and empowerment of new agencies like the U.S. Forest Service. I would also argue that a professionally inspired and managed Court of Private Land Claims set upon the land grants of the Hispano borderlands with an intensely rigid, ordered, and calculable goal to finally fix New Mexico's troubles with land grants and titles, as well as to reduce overall grant acreage.

crescendo, causing the wily land baron to demand more from his properties, pushing the limits of land-use and allocation to serve the capitalist engine that he and his cohort undoubtedly helped to crank. This chapter seeks to navigate Thomas Catron's fortune and failing from 1893 to 1907 and by doing so, will help to illuminate the forces that directed capital, development, and cultural adaptation in New Mexico at the turn of the twentieth century.

In this accounting, it is important to recognize how meaningfully Catron's economic fortunes were tied to those of the Nuevomexicano community. His investment in New Mexico land greatly relied on Spanish and Mexican land grants, and so intertwined his interests with those lands and in no small part, with their residents. As capital moved into New Mexico, especially during the decades of the 1880s and the 1900s, it flowed most obviously into the "new" parts of cities and towns or more recently settled, Anglo-dominated regions of the territory. Concentrations of capital occurred in mostly white spaces, marking much of Catron's empire as continually marginal, even as the territory and later state grew deeper and deeper connected to international markets.

### **Panic and Progress: Economic Transition at the Turn of the Century**

Catron's sinking fortunes in the 1890s developed in tandem with a failed push for statehood and a depressed national economy. After the Panic of 1893 upended railroads, banks, and the western mortgage market, a great hesitancy developed by lenders outside New Mexico to direct capital to the territory.<sup>9</sup> Whereas the territory fared comparatively

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<sup>9</sup> The depression of the 1890s was especially hard on the capital markets of the Rocky Mountain West and Rural South, with a constricted money supply and interest rates well above the averages of the Northeast and Midwest. See: Lance E. Davis, "The Investment Market, 1870-1914: The Evolution of a National Market," *The Journal of Economic History* 25 (Sept. 1965): 355-99, especially Davis' tables breaking down interest rates and monetary exchange by region.

well during the panic twenty years prior, the depression of the 1890s spread along the newly constructed railways, transforming the conduits for capital gain into the forerunners of a depressed business environment that settled on the Southwest with a disturbing permanency. Both the Territory as a whole and the city of Santa Fe fell on hard times. At mid-decade, for instance, New Mexico's territorial government operated at an annual deficit with "interest and part principal of public debt" as the single largest item in the "expenditure" column.<sup>10</sup> For its part, the capital city ran afoul of its creditors after distributing several bond issues, only to find itself, like so many others, unable to make payments. Its bonds drifted into default and as a result, the city's credit rating, hardly sterling to begin with, took a major blow. This created another obstacle for Catron, as Santa Fe's poor credit represented a black mark that many eastern capitalists then associated with him and his solicitations for money.<sup>11</sup> Just like his home city, Thomas Catron's chief concern was to pay off creditors, especially several banks in New Mexico that held mortgages to his property as collateral.<sup>12</sup>

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C.H. Coffin to E.L. Bartlett, 11 January 1896, Folder 4, Edward L. Bartlett Papers, 1882-1903, Center for Southwest Research, University Libraries, University of New Mexico. The correspondence found in the Bartlett Papers for the year 1896 include multiple mentions of the stringent money and bond market that continued through the 1890s. C.H. Coffin, of the Municipal Investment Company with branches in London and Chicago for instance, wrote to Bartlett from London stating that the market there was "completely blockaded" and so had to refuse to loan the small amount of \$200.00. Other correspondence confirm this point of view and taken from Bartlett's personal and business matters, help to confirm that other capitalists in New Mexico felt the panic and the depression of the 1890s in much the same way as Thomas Catron.

<sup>10</sup> J.A. Carruth, compiler and publisher, *Business Directory of Arizona and New Mexico, For 1897* (Las Vegas, N.Mex.: Daily Examiner Printing and Binding Establishment, 1897), 29-30.

<sup>11</sup> *Ibid.*, 30; Thomas B. Catron, Washington D.C. to Edward L. Bartlett, 14 December 1896, Folder 4, Bartlett Papers. In this correspondence from Catron, as Delegate to Congress, to Bartlett, Catron explained the circumstance of a vote to take place in the U.S. Congress regarding debt-forgiveness for the City of Santa Fe based on bond issues that went back at least as far as 1884. Catron expressed his hope that Santa Fe's biggest creditors would "cut down their bonds if all other creditors of the county will do the same, so that Santa Fe County can be able to pay the interest upon its indebtedness, otherwise we will be in bad condition."

<sup>12</sup> Especially worrisome situations threatened foreclosure from the First National Bank of Santa Fe, the First National Bank of Las Vegas, and a personal loan from Numa Reymond of Las Cruces.



By early 1893, Catron was already scrambling to obtain loans from Banks or Trust Companies in Chicago, Cincinnati, Minneapolis & St. Paul, Kansas City, and Denver. He offered to these different companies various types of securities including stocks, bonds, corporate property, personal property, and livestock. Replies to Catron's aggressive requests indicated that even before the panic started later in the year, money had grown scarce in New Mexico and that outside sources had grown increasingly stubborn about lending to the southwestern territory. Though he solicited widely, Catron recognized that because of his distance from the "money men" his exertions were ineffective.<sup>13</sup> For those who could persuade eastern brokers to furnish some capital, usually at 6 or 7% interest, the potential to then re-lend the money at the going rate of 12% interest common in the territory showed just how coveted sources of capital remained for New Mexicans. Catron and other public and private lenders understood the inflated value of cash in the territory and put other people's money to use in this regard often enough. But in the sudden midst of the panic, the ability for most of Catron's debtors to pay had diminished and he found himself as another link in too many chains of bad debt.

Catron wrote to a Cincinnati banker in July of 1893: "The hard times which have come on have shut down upon us in the west more fearfully than they have on your industries in the east. We have plenty of property but very little money."<sup>14</sup> Later that year Catron openly expressed to his lifelong friend Stephen Elkins how the panic had treated him. He wrote in November that: "These hard times have shut down on me as hard as they have on anybody on earth and were it not for my strong constitution, energy and

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<sup>13</sup> T.B. Catron to R.C. Kerens, St. Louis, 3 January 1893, CP, Series 105, Vol. 7.

<sup>14</sup> Thomas B. Catron to Arthur Goebel, Cincinnati, 21 July 1893, CP, Series 105, Vol. 7.

determination they would carry me under; but that cannot be.”<sup>15</sup> To try to right his sinking ship, Catron started a protracted collection campaign by writing to men and women all over the territory including Dr. Samuel J. North of Clayton for \$250, Don Juan Navarro of Mora for \$226, Sabino Salas of Santa Fe for \$350, and A.M. Bergere of Los Lunas for \$750.<sup>16</sup> But the scarcity of hard currency in the territory made collecting on many of these debts a laborious process even when successful. One letter from Catron to Mr. Ira M. Duckworth of Raton began, “I am in possession of your letter and assure you that I am disgusted with you.”<sup>17</sup> Needless to say, Duckworth could not pay.

New Mexicans were not alone in their inability to furnish the obligated capital. The severity of the financial panic and the closure of banks across the country created chain reactions of debt, insolvency, and bankruptcy that choked up the money market. As Catron wrote to business associate R.C. Kerens of St. Louis, “Your company certainly cannot appreciate the situation in which I am pecuniarily placed just now...I have worked too long and too hard to be compelled to sacrifice what I have simply because those who owe me and who can pay me will not do it.”<sup>18</sup> Catron’s following comments presented a moment of candor regarding the state of the financial market from his point of view. For all of the value allotted to securities (stocks, bonds), these instruments offered no salvation when what was needed was currency. In reply to an alternative type of payment, Catron starkly expressed, “You have asked me if I will take bonds. I could not realize on the bonds; I cannot borrow money on them - - neither can I eat them.”<sup>19</sup> But Catron was

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<sup>15</sup> T.B. Catron to Stephen B. Elkins, 18 November 1893, CP, Series 105, Vol. 8.

<sup>16</sup> For collection letters written by Thomas Catron in 1893, see CP, Series 105, Vols. 6-8.

<sup>17</sup> T.B. Catron to Ira Duckworth, 4 November 1893, CP, Series 105, Vol. 8. Thomas Catron backed up his collection notice with a veiled threat that, as counsel for Duckworth in a criminal case, Catron would be unsurprised should Duckworth be convicted.

<sup>18</sup> T.B. Catron to R.C. Kerens and C.H. Smith, St. Louis, 13 July 1893, CP, Series 105, Vol. 7.

<sup>19</sup> Ibid.

in no better position himself to pay the U.S. Comptroller of Currency when the Socorro National Bank, of which he was President, faced government closure and liquidation.

Catron's original subscription of \$10,000 in capital stock of the Socorro National Bank represented an investment in the incorporated City of Socorro and its growing attachment to a sizable mineral hinterland. Having learned a great deal about the world of banking and finance from his continued affiliation with the First National of Santa Fe where he held the office of VP from 1891 to 1894, Catron surely understood that influence over a regional bank translated to influence over regional development. Socorro's growth at the time looked promising. The start of construction of New Mexico's School of Mines would help boost mineral production in the rich countryside around the growing town of 4,500 that aspired to compete with El Paso as a hub of mining and ranching business of the Southwest.<sup>20</sup> His subscription in May of 1891 gave him twenty-percent ownership of the bank that opened for business under national charter that month. An exemplar of synchronization, Catron also established a law office at the new bank and partnered with bank incorporator and cashier John S. Sniffen.<sup>21</sup> Catron undoubtedly considered the potential of this venture to outweigh the risk involved, but his trust – in John Sniffen and southwestern economic stability – proved to be misplaced.

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<sup>20</sup> *Southwestern Business Directory 1889-1890—Including—Principal towns on Atchison, Topeka and Santa Fe Railroad, Chicago, Kansas and Nebraska Railway, Kansas City, Fort Scott and Memphis Railroad, Denver, Texas and Forth Worth Railway, Texas and Pacific Railway, Denver and Rio Grande Railway, Colorado Midland Railway, and Atlantic and pacific Railroad* (Denver: McKenney Directory Company, Publishers, 1889), 485.

<sup>21</sup> Annual Report of the Comptroller of Currency, 61<sup>st</sup> Cong., 2<sup>nd</sup> Sess., GPO, 1909; "The Sniffen Bank," *Santa Fe Daily New Mexican*, 20 October 1893, p. 4.

The Socorro National Bank incorporated in the territory of New Mexico with a capitalization of \$50,000 and received its official charter from the U.S. Comptroller of Currency on May 26, 1891. According to the newspaper article titled "The Sniffen Bank" the management and control of the bank was mostly under care of Sniffen with Catron playing the part of a silent investor until the summer of 1893 when he took on a more active role. [Perhaps include this article in full; it is juicy]

The reality was that the world of finance in New Mexico continued to operate along the edges of conservative banking principals. Credit and debt in the 1890s still passed through the hands of local mercantiles, political bosses, personal lenders, and nationally and privately chartered banks, so that the specifics of federal banking law could easily get lost in the process.<sup>22</sup> The ringmen of Santa Fe knew this and took advantage of the grey area, though they expressed surprise or indignation when the peccadillos of others came to light. Catron did just that when a string of bank failures brought new federal oversight. The inquiry began after the Albuquerque National and the Albuquerque Savings banks collapsed, tying up over \$60,000 of the territorial budget in receivership hearings. This led the assistant Comptroller of the Currency to instigate a special round of investigation into the banks of New Mexico, including a pet bank of Catron's in Socorro.<sup>23</sup> The scrutiny on the Socorro National Bank brought the curious practices of cashier John Sniffen to the surface. Even though the bank's finances were not in total shambles, hazy account activity and an outstanding debt of \$12,000 provided National Bank Examiner E.A. Abrey with sufficient reason to temporarily close the bank's doors.<sup>24</sup> Catron, who had only recently become president, burst into activity and correspondence with a zeal (and great concern) to save the bank and his investment. He managed to persuade several creditors including the Union National Bank of Denver, the

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<sup>22</sup> Richard Sylla, "Federal Policy, Banking market Structure, and Capital Mobilization in the United States, 1863-1913" *Journal of Economic History* 29 (Dec. 1969): 657-686. Specifically, New Mexico bankers did not always seem to follow the letter of the law regarding the maintenance of reserve funds, of the types of collateral used to secure notes, and the legal limits on individual loans or individuals' total credit allowances.

<sup>23</sup> "Official Budget," *Santa Fe Daily New Mexican*, 17 July 1893, p. 4. The City of Albuquerque also defaulted on an issue of bonds sold in New York in the early summer of 1893. Unclear if the failure of the banks and the inability to pay on the bonds are connected.

<sup>24</sup> T. B. Catron to Neill B. Field, Albuquerque, October 19 1893, CP, Vol. 8. "The Banks," *Santa Fe Daily New Mexican*, 23 October 1893, p. 1. According to the *Santa Fe Daily New Mexican* the bank had approximately \$8000 in deposits on hand; \$51,000 in loans; and another \$10,000 in debt. The Comptroller of the Currency placed the outstanding debt at between \$12-15,000.

First National Bank of Albuquerque, and Numa Reymond to postpone collections against the Socorro National. To lessen liabilities he (perhaps foolishly) doubled-down by personally paying thousands of dollars of debt and in so doing, successfully kept the institution afloat through the winter.

By the time the Socorro National re-opened its doors for business in mid-November the Board of Directors led by bank President Catron replaced Sniffen and sought to take control of all business. Their plan involved a concerted effort to collect on all outstanding notes and to bring balance to their accounts.<sup>25</sup> But this proved impractical and largely impossible. Catron and new cashier D.H. Harroun could write letters and threaten suit all they wanted; the money would not come. By the spring of 1894 the directors of the Socorro National had not improved their position, and they knew it. Catron brought up the possibility of voluntary liquidation with U.S. Comptroller of the Currency James H. Eckels, explaining that “the great trouble is the extreme hard times which prevail in this territory have made it almost impossible to get money, and people demand time and when we sue them they avail themselves of every technicality to obtain delay.”<sup>26</sup> I think it is fair to say that he wrote these lines from experience.

Slightly more than a year after being elected president, Thomas Catron presided over a series of stockholders’ and directors’ meetings to determine the fate of the Socorro National Bank. With accounts still out of balance and no clear solution in sight after six

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<sup>25</sup> “The Socorro National Bank,” *Santa Fe Daily New Mexican*, 27 November 1893, p. 4. Also see CP, Series 105, Vol. 8 for a volume of letters written on 23 October 1893 with regards to collections and considerations.

<sup>26</sup> T.B. Catron to James H. Eckels, Comptroller of the Currency, Washington, D.C. 30 July 1894, CP, Series 105, Vol. 10. Included in this formal statement of voluntary liquidation is a list of the stockholders of the bank: T.B. Catron (90 shares); A. Courtesy; P.E. Harroun; T.H. Wilcox; J.M. Robinson; D.H. Harroun, Cashier; L.M. Baca; J.S. Sniffen by J.M. Robinson (proxy); R.A. Jones; C.A. Robinson; D.W. Pruet; G. Biavaschi; Severo Vigil. Directors meeting: TB Catron, Pres; J.M. Robinson; T.H. Wilcox; P.E. Harroun, Directors, and D.H. Harroun, Cashier.

months of canvassing accounts and bluffing to sue (many of the outstanding accounts were worth less than the potential legal fees), the bank decided to voluntarily liquidate its assets.<sup>27</sup> This federally sanctioned corporate cut-and-run allowed the Socorro National to place its books with the U.S. Comptroller, whose office then presided over the liquidation of the bank and an equitable disbursement of its credits and debts. Catron made sure to include the \$8,783 that the bank owed him front and center in the statement of accounts sent to Washington, D.C.<sup>28</sup>

In light of bank closures, the lack of hard currency, and high interest rates, it is unsurprising that New Mexicans of all backgrounds participated in barter and credit economies with regional mercantiles. These general stores and their proprietors continued to perform the functions of informal localized banks, warehouses, and aggregate dealers in the products of the countryside well into the period of early statehood. They did so in no small part because of the personal relationships they maintained with their patrons and their flexibility to conduct business outside the cash economy.<sup>29</sup> Although the banking practices of territorial New Mexico may not have stood up to national standards, they still come across as too formal and too insensitive to the financial conditions for many residents of the Hispano borderlands.

The story of the shortly-lived Socorro National Bank is relevant to the economic difficulties experienced by New Mexicans. For one thing, in the aftermath of the 1893 panic, the money supply in most of the territory – typically scarce already – severely constricted, which led to a double-dip formula for middling capitalists like Catron who

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<sup>27</sup> T.B. Catron to James H. Eckels, Comptroller of the Currency, Washington, D.C., 30 July 1894, CP, Series 105, Vol. 10.

<sup>28</sup> Ibid.

<sup>29</sup> Fritz, “Merchants and Modernity,” 183, 207.

could neither pay nor collect on their accounts. Furthermore, the interconnectivity of New Mexico's money supply meant that hard times in one industry quickly bled over to the next so that the diversification of Catron's interests, instead of propping him up, sometimes pulled the whole network down. His failures then, as much as his achievements, influenced his attitudes towards present and future sales, investments, and plans for development. Under these conditions, territorial capitalists responded to the panic following national patterns, including a turn away from an unmitigated market and a more thorough embrace of risk management.<sup>30</sup> In the waning years of Catron's financially-wild West, the Panic of 1893 signaled nothing less than an upending of the old mentality that energy and ambition alone would pave the way to success. In the rebuilding that followed, the federal government once again asserted its value by providing new weapons of defense for capitalists to safeguard their interests or at least lessen the blows.

Even as Catron's political fortunes looked strong in the fall of 1894, his financial conditions had not changed. During the summer of that year multiple parties charged Catron with insolvency and tried to work through the courts to make him file for bankruptcy. He recognized that if the courts ever set about to make an injunction against him, it would open the way for his creditors to pounce and would leave him entirely embarrassed.<sup>31</sup> One of the ways that he avoided this end was to write widely to his friends to postpone his debts. Also, as an active capitalist in the territory, Catron had aligned his business interests with others through interlocking directorates, so that many in the territory had no desire to see the old ringleader go bankrupt. Through mixed means

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<sup>30</sup> For the national patterns, see: Levy, *Freaks of Fortune*, 274.

<sup>31</sup> T.B. Catron to Wilmot E. Broad, Chama, 2 December 1894, CP, Series 105, Vol. 10.

Catron weathered the financial drought of the 1890s and financed his empire into the twentieth century.

By 1900 a quick rundown of his achievements shows that in New Mexico, Catron had already held two appointed positions, won six elected offices, presided over New Mexico's Board of Education, its Territorial Penitentiary, and its Republican Party, served as president of the Territorial Bar Association and as council in one-third of the Court of Private Land Claims cases. With regards to business, he was a director and officer in the First National Bank of Santa Fe and the Socorro National Bank, constructed the Catron Block on the Santa Fe Plaza, incorporated over twenty-five corporations, held interest in over thirty land grants, controlled title to millions of acres of land, and even amassed the largest personal library in the territory. And, at the age of sixty, he was not close to being done with his legal, political, business, and family affairs. Alternatively, Catron also fought off bankruptcy and dissolution, found himself on the outs with the leading Republican, Governor Miguel Otero, failed to achieve statehood or the sale of any of his large landholdings, and watched several of his prized companies go belly-up. Adding insult to injury, he lost thousands through investment deals with unreliable partners, was charged and then acquitted from disbarment, and was even censured by the New Mexico Freemasons. And so, after more than thirty years in the Territory of New Mexico, Thomas Catron found himself once again playing the part of the speculator as he continued to gamble on his adoptive home.

The new century marked a sea change in the territory's economic growth, prompted by a return of strong eastern markets and the nation's imperial agenda that shifted to high gear with the Spanish American War. More stable national markets



accompanied build-ups in most of New Mexico's economic sectors. The ranching industry, both sheep and cattle, received a bump from wartime production needs, some relief from international gluts due to the Republican tariff schedule of President McKinley, and plenty of rain. The unusually wet decade also contributed to a raise in agricultural output alongside the railroad expansion that opened new regional markets.<sup>32</sup> Mining and milling fared well with greatly enlarged output, benefitting from the railroad growth and technological innovation that together reduced shipping costs and raised value and demand on non-precious metals such as lead, zinc, copper, and coal. For his part, Thomas Catron tried to take advantage of the upward trend by once again expanding his incorporated empire. He participated in new irrigation companies, mining companies, and land development schemes, hardly missing a beat as he continued to chase speculative opportunities.

A sign of the growth of business in general during this time is that from 1900 to 1910, a total of 2,177 newly organized corporations filed papers with the Office of the Secretary.<sup>33</sup> In this ten-year span the territory brought in almost as many new businesses as it had from the start of records keeping in 1867 to the end of the nineteenth century.<sup>34</sup> (See Appendix, Tables 5-A, 5-B, and 6). Some old patterns of corporate growth continued, such as in the sectors of mining, milling, smelting, ranching, livestock, and irrigation. Oil companies, mostly absent until the turn of the century, sprang up with newfound frequency, especially in 1901 and 1902 as a new round of speculators –

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<sup>32</sup> Larry Schweikart, "Early Banking in New Mexico from the Civil War to the Roaring Twenties" *New Mexico Historical Review* 63 (January 1988): 1-24, 17.

<sup>33</sup> "Record of Incorporation Classified," 1867-1910, Reel 34, TANM, Records of the Secretary of the Territory, Center for Southwest Research, University Libraries, University of New Mexico.

<sup>34</sup> *Ibid.* From 1867 to 1899 there were a total of 2452 recorded incorporations in the Territory of New Mexico.

wildcatters – began to survey more and more of the territory in search of underground riches. A substantial commercial market for oil did not mature in New Mexico until the 1920s, but these early hopefuls set the precedent for the industry to follow a corporate model.<sup>35</sup> Manufacturing companies also made substantial inroads, increasing by over 150% by 1910 with the heaviest years of growth at mid-decade and then slowing after the Panic of 1907, marking a notable trend for the period.<sup>36</sup>

New Mexican industry significantly benefitted from a demographic boom as well. Between 1890 and 1910, the population doubled from 160,282 to 327,301. More dramatically, the first decade of the century counted 131,991 new additions to the territory, a sixty-seven percent increase, and the largest percentage gain since modern census data.<sup>37</sup> New towns sprang up across the territory and with them came new opportunities for land development and commercial growth. But Catron and the Santa Fe Ringmen could no longer make a couple backroom deals to direct the economic activity of New Mexico's hinterlands. Euro-American migrants, many of whom claimed portions of the public domain through the process of homesteading, settled with growing frequency in the San Juan, Pecos, and lower Rio Grande valleys. As the number of farms and acreage of farm land tripled in the territory, the transportation network that bypassed Santa Fe twenty years ago once again insured that the multiplying products of the fields and plains were absorbed by other regional hubs.<sup>38</sup>

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<sup>35</sup> Paige W. Christiansen, "The Story of Oil in New Mexico," *Scenic Trips to the Geologic Past* 14 (Albuquerque: University of New Mexico Printing and the New Mexico Bureau of Mines & Mineral Resources, Socorro, NM, 1989).

<sup>36</sup> "Record of Incorporation Classified," 1867-1910, Reel 34, TANM, Records of the Secretary of the Territory.

<sup>37</sup> Census data pulled from Leonard J. Arrington, "The Changing Economic Structure of the Mountain West, 1850-1950," *Utah State University Press Monograph Series X* (Logan: Utah State University Press, June, 1963), 31, Table IV.

<sup>38</sup> Roberts and Roberts, *New Mexico*, 143.

The territorial records of incorporation provide strong evidence to quantify how the boom in territorial population impacted New Mexico's economy. For industries connected to city, town, neighborhood, or civic development, the period witnessed a considerable rise in business activity. The number of construction companies reported over a 400% increase, which also contributed to good markets for timber, milling, and manufacturing as they overlapped with the housing industry. General mercantiles showed a similarly fantastic rise, while the categories involving real estate and utilities indicated growth between seventy-five and one-hundred percent. To complement these figures, robust numbers for new publishers, banks, abstractors, churches, and fraternal societies signal attention to town and city development.<sup>39</sup> Albuquerque topped 10,000 residents during the decade and convincingly proclaimed its place as New Mexico's urban and commercial center.<sup>40</sup> Smaller towns and cities, such as Roswell, Clovis, Farmington, and Socorro all boasted ample growth, while older New Mexican enclaves like Santa Fe and Taos virtually stagnated. With the rise in population and its impact on the rise in commercial activity, many New Mexican towns and cities organized commercial clubs and regional fairs.<sup>41</sup> Events such as the New Mexico Territorial Fair, held annually in

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<sup>39</sup> "Record of Incorporation Classified," 1867-1910, Reel 34, TANM, Records of the Secretary of the Territory.

<sup>40</sup> Albuquerque's population growth for the decade represented a 76% increase with a 1910 pop of 11,020. Marc Simmons, *Albuquerque: A Narrative History* (Albuquerque: University of New Mexico Press, 1982).

<sup>41</sup> *Polk's Arizona and New Mexico Pictorial State Gazetteer and Business Directory: First Statehood Edition, 1912-1913*, (St. Paul, Minn.: R.L. Polk & Co., Publishers, 1912). Polk's Classified Directory for 1912 listed the following active commercial clubs: Alamogordo Retailers & Business Men's Assn, Commercial Club of Albuquerque NM, Artesia Commercial Club, Aztec Commercial Club, Carlsbad Commercial Club, Clovis Chamber of Commerce, Columbus Chamber of Commerce, Deming Chamber of Commerce, Farmington Commercial Club, Farmington Fruit Growers Assn, Fort Sumner Commercial Club, Los Lunas Commercial Club, Magdalena Board of Trade, Portales Cantaloupe & Produce Assn, Portales Commercial Club, Raton Commercial Club, Roswell Commercial Club, Roswell Fruit Growers Assn, Roswell Retailers & Business Men's Association, Santa Fe Merchants Association, Santa Fe Chamber of Commerce, Silver City Chamber of Commerce, Silver City Retailers & Business Mens Assn, Taos Valley Chamber of Commerce, Tucumcari Chamber of Commerce, and the Willard Commercial Club.

Albuquerque, came to represent a heightened forum for the exhibition of the region's growing market production. New Mexicans also actively participated in the myriad fairs, exhibitions, and congresses of the age, constantly shifting from regional self-promotion to national-alignment as they jostled for market and political relevance.<sup>42</sup> Catron may not have been able to pull string quite like the old days, but he remained ensconced in New Mexico's political and economic development. His extensive land holdings and large corporate footprint directly connected him to the mining, ranching, and milling industries of the region, to which we now turn.

### **Rents, Royalties, and Hinterland Development**

One arena to which Thomas Catron placed increasing emphasis as his holdings grew was his role as a landlord or rentier. Having amassed a fortune in city properties, grant lands, mining claims, and sections of the public domain, he effectively removed lucrative resources from the immediate usage of private enterprise only to make those same resources accessible, at a price. Catron's incoming correspondence included countless requests for the rental, lease, or utilization of one piece of land or another.<sup>43</sup> Nuevomexicano men and women, Anglo speculators and homesteaders, and prospectors and corporate directorships alike coveted the natural resources encompassed within his holdings. Their solicitations most often focused on one of four interests: mineral, timber, stock raising, or town site. Catron benefited greatly as a landlord. Lessees added material,

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<sup>42</sup> Matthew F. Bokovoy, *The San Diego World's Fairs and Southwestern Memory, 1880-1940* (Albuquerque: Published in cooperation with the San Diego Historical Society by the University of New Mexico Press, 2005); Bryan W. Turo, "Politics, Identity, and Statehood at the New Mexico Territorial Fair, 1881-1912," *New Mexico Historical Review* 87 (Fall 2012): 391-421.

<sup>43</sup> For instance: D.C. Deuel, Treas. & Manager, La Cueva Ranch Company, LLC, to Thomas B. Catron, 15 August 1900, CP, Series 103, Box 11, Folder 1; Hugh Bibb to T.B. Catron, 27 May 1901, CP, Series 103, Box 12, Folder 4; W.E. Gortner to Thomas B. Catron, 25 July 1902, CP, Series 103, Box 16, Folder 1.

potential, and anecdotal value with which to augment his optimistic abstracts to send to investors or buyers.<sup>44</sup> At the very least they might offset taxes. In the case of his city rentals in places like Santa Fe, East Las Vegas, and Chama, tenants could also double as political or business allies. He had no trouble at all, for instance, offering pleasing rental rates to railroad or telegraph companies. But leaseholders could also become bothersome thorns, especially when plans ran afoul and expected returns remained just that. The uncertainties of the land and of profitable development frustrated Catron to no end.<sup>45</sup> Like so many other roles, that of landlord came with a kick. When rents and royalties flowed in, Catron could think of himself as a stately rentier. But when lessees could not, or would not pay, he returned to the ranks of those wondering how they would cover their taxes.

Over the years, Thomas Catron's ownership of land encompassing mineral deposits, or his acquisition of specific mines and mineral claims, led to long-term interaction with the world of prospecting, mining, and smelting in New Mexico and the surrounding states. In some concerns, such as the Monero Coal & Coke Co. or the Aztec Mining Co., Catron took a leading role in financing operations and managing the application of capital.<sup>46</sup> In many more ventures, he is better characterized as detached. He owned or held title for the claims, but participated very little in the decision-making

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<sup>44</sup> T.B. Catron to Hon. J.M. Freeman, Denver, CO, 16 May 1894, CP, Series 105, Vol. 10; and Elmendorf to Thomas B. Catron, 20 March 1901, CP, Series 103, Box 12, Folder 2.

<sup>45</sup> If the situation was one in which Catron alone suffered from constant set back, or that his bills piled up faster than others, or that only he made strings of poor decisions, that would substantiate views that he was, pure and simple, terrible at business and finance. This is not the case (though he surely made plenty of questionable business decisions). Those around Catron – entrepreneurs, speculators, prospectors, and parasites – experienced the same troubles associated with debt, building interest, scarce capital, distance of operation, and legal intrigue.

<sup>46</sup> Records exist for these two companies that show that Catron was involved in the financial, managerial, and legal decision-making process. See CP, Series 603, The Aztec Mining Co., 1884-1889, and CP, Series 604, Monero Coal & Coke Company of New Mexico, 1888-1892.

process other than to huff, puff, and blow invective at the operators who did not send him sufficient royalties. For their part, visionary prospectors and engineers generated contracts and royalty agreements to gain access to mineral claims, hoping for untapped veins of gold or silver, but just as happy to find coal, lead, zinc, copper or other non-precious metals. Prospective lessees signed legally binding promises to divide income gained from successful mining operations with the wealthy landholder. In return, he provided access to the land for a set period of time. With large interests at his behest and his signature necessary to open them up, by the turn-of-the-century, private capitalists like Thomas Catron acted as the gate-keepers to various scales of hinterland development in the West.<sup>47</sup>

Even when the contracting miner had done his geologic homework, these deals offered cases of speculation squared, with both sides placing great hope (and accepting just as great risk) in natural and market factors. And there was no shortage of risk. For starters, minerals had to be where the lessee sunk their shaft. Then, skilled and trustworthy labor made a world of difference, but finding it was up to nepotism or the open market; applicants from the first pool usually lacked skill, and those from the second, trust. Next, transportation had to be available to bring crushed ore to smelters, and railroads were not known for their fair pricing schemas to small operators. Finally, mining companies required a constant influx of ready cash, necessary to get them through sections of hard rock or stretches of hard times, while also waiting several months for

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<sup>47</sup> The willingness and ability of Thomas Catron to accept or decline contracts for lease or royalty on his properties must take into consideration his unique political economy. His political ambitions worked in concert with his economic woes to induce Catron to make hurried contracts and to crowd his agents and operators to push short-term over long-term gain. Because of the repetitive cycle of this equation, it stands to follow that the “boom” and “bust” characterization of western development is less a natural market given, and more the result of individuals playing a high-stakes game of risk and reward under the rationalist guise of modern capitalism.

smelter returns while expenses and payroll added up. For all involved, this check list could easily mark the way towards peril. The combined effect of the many pitfalls that could, and did, befall Catron the mine owner help explain why by March 1893 he was already of the spirit to declare to mine operator George H. Bibb, “I am tired of spending money in mines and getting nothing back.”<sup>48</sup>

Catron could have pointed to several projects that had already proved more headache than payload. The Aztec Mining Co., a gold mine that operated in Elizabethtown, New Mexico, ended each period from 1884 to 1889 in the red.<sup>49</sup> The coal at Monero sat idle as the company folded, which was at least better than the Cerrillos Coal & Iron Co. whose lands were “plundered” of coal by independent miners and squatters while its board squabbled in Kansas City.<sup>50</sup> Mr. Bibb was no better himself. The Fairview and Thunder mines that he excavated in search of the silver-rich North Star Vein that cut through Sultan Mountain near Silverton, Colorado, did little more than tease at profit. Yet for at least the decade from 1892-1902, Bibb presided over these San Juan Range claims and convinced his patron, Thomas Catron, to wire money and wait patiently for the big strike, which according to the diagrams, cross-sections, and

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<sup>48</sup> T.B. Catron to G.H. Bibb, 20 March 1893, CP, Series 105, Vol. 6. Catron’s comment about his mines failing to remunerate came with an apropos \$3500 check for George Bibb to use towards the work on the Thunder Mine near Silverton, Colorado.

<sup>49</sup> “Aztec Mining Co. Account Book, 1886-1889,” CP, Series 603.

<sup>50</sup> Thomas B. Catron to R.C. Kerens, 13 May 1889, CP, Series 105, Vol. 2. The incomplete story of the Cerrillos Coal & Iron Co. is pieced together by following the central actors and directors, R.C. Kerens of St. Louis, Stephen Elkins of West Virginia, and Thomas Catron and Frank Clancy of Santa Fe. In 1892 this company seems to have changed its corporate name to the Kansas & Texas Coal Co. The directors and stocks of this new company remained the same with the addition of B.F. Hobart who worked for the Bank of Commerce of St. Louis. The company also had some connection to the New Mexico Mining Co. that had its main office at 102 Broadway in New York City with L.M. Lawson the company president. Kerens, Elkins, and Catron all remained involved.

professional reports, could only be a matter of time.<sup>51</sup> But in the most basic sense, time was not on the side of business enterprise in the Southwest. Still, Catron held off the sales of the Fairview and Thunder mines for \$10,000 in 1893, trusting in Bibb's perseverance to locate the vein and thereafter churn out royalties.

The preceding years of development of Catron's mineral claims near Silverton by George Bibb left behind his record of sincere optimism in himself, his faith in modern geology and engineering, a speculative streak underscored by an aversion to failure, and no payload.<sup>52</sup> What had started with a basic contract in which Bibb agreed to sink one tunnel into the Thunder Mine turned into protracted years of mineral hide-and-seek. Low silver prices and personal instability led Catron to halt development in 1894. But by 1899 the effervescent miner once again set about in search of the elusive strike and convinced Catron to front monthly installments to pay for supplies and additional labor.<sup>53</sup> Bibb drew on the First National Bank of Santa Fe for his \$100-\$200 in monthly funds while constantly spinning his correspondence to somehow transform repetitive letdown into

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<sup>51</sup> George Bibb to Hon. T.B. Catron, 25 April 1900, CP, Series 103, Box 10, Folder 2. This letter included a hand-drawn map of the Fairview Tunnel and the North Star lead vein as George Bibb believed them to intersect.

<sup>52</sup> Scott Sandage, *Born Losers*. Even after the major panics of 1873 and 1893, failure in business or vocation carried connotations that transcended account ledgers, bankers' books, or quantitative judgment in general. While, under Progressive legislation and the seismic shifts of the Great Depression, the meanings attached to "failure" began to move away from constructions rooted in Social Darwinism and personal flaw, the turn-of-the-century focus on rugged individualism left little room for men like George Bibb to disassociate his mining failure from some underlying personal shortcoming. The defensive nature of much of his correspondence and his redundant assertions over weeks, months, and years, that success was merely a few feet of hard rock away, highlight the words of a man balancing precariously on the precipice of hope and ruin. One such iteration of this is found in a letter received by Catron from Bibb who commented that: "I know I am right you have got a mine and a good mine. Every indication points to it – The face of the tunnel now shows mineral more or less all through it – and proves beyond a doubt that I am approaching close to mineral bodies. I have no object Mr. Catron in this matter but to strike it and strike it I am going to do – The mineral is there and every shot places me closer to it. So I ask of you in this last request to let me run on to the lead and prove all I have said. You will then control two of the best mines on Sultan Mountain viz the Fairview and Thunder. And Every promise I have made to you will have been kept." (emphasis from the original) G.H. Bibb to Hon.T.B. Catron, 29 April 1900, CP, Series 103, Box 10, Folder 2.

<sup>53</sup> The development of the Fairview and Thunder mines of Sultan Mountain, near Silverton, CO, illustrates a microcosm of the structure and movement of a tight money supply for small mining operations.



assurances for the future. On several occasions, the operator struck small ore bodies of good value.<sup>54</sup> These fleeting samples only compounded the disappointment of the mines, however, by rearing Bibb's confidence and his requests for new leases, new contracts, and of course, more money. And Catron, with lottery ticket dreams checking his better judgment, assumed the new risks and continued to pay. By the time a thoroughly deflated Bibb wrote to Catron in April and then November of 1902 to report that the Fairview and Thunder mines, respectively, were busts, thousands of dollars of irretrievable funding had seeped through the porous enterprise.<sup>55</sup> Far from profiting from leases or from any royalties, Catron's Sultan Mountain mines produced plenty of optimism only, but in the world of southwestern capitalism of the early Twentieth Century, the currency of confidence held intrinsically less value than it had during the speculative bubbles of the early Gilded Age.

Beginning in the mid-1890s the practice of contracting leases extended to include the search for oil, especially near the Navajo River along the northern stretch of the Tierra Amarilla Grant.<sup>56</sup> Even John Rockefeller supposedly gained interest in the potential oil reserves on the grant. At one point, Catron's agents explained that Rockefeller secretly sent land and mineral surveyors to the grant to report on the presence

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<sup>54</sup> For instance, on January 12, 1901, Bibb sent Catron the original return from an assay office in Silverton that quoted two samples taken from the Fairview mine to contain 73 ounces and 76 ounces of silver per ton. Unfortunately, the ore body which the samples came from turned out to be much smaller than Bibb originally believed and did not connect to the North Star vein or indicate its whereabouts. G.H. Bibb to Hon. T.B. Catron, 12 January 1901, CP, Series 103, Box 11, Folder 6.

<sup>55</sup> G.H. Bibb to Hon. T.B. Catron, 13 April 1902, CP, Series 103, Box 14, Folder 6; G.H. Bibb to Hon. T.B. Catron, 23 November 1902, CP, Series 103, Box 16, Folder 2. Without full view of account books and receipts for the Fairview and Thunder mines of Sultan Mountain, I can reasonably assume that Thomas Catron directed at least \$10,000 into financing this operation, much of this taken from loans and so subject to interest charges. One hanging question is whether George Bibb, who claimed on several occasions that the money he drew on should be charged to his "account," ever settled this balance with Catron or the First National Bank of Santa Fe.

<sup>56</sup> Oil and gas leases (or propositions thereof) also found in Catron's Papers with regards to the Ojo del Espiritu Santo Grant, Bosque del Apache Grant, and Preston Beck Grant.

and quality of oil found there. When the Rockefeller parties then created exceedingly negative reports points to either poor conditions on the grant, or a purposeful desire of Rockefeller to torpedo the oil interests of the grant for competitive purposes.<sup>57</sup>

Independent parties contracted to drill test sites in exchange for their sole right to harvest the black gold if successful in locating a well. One such agreement executed on June 22, 1895 gave J.A. Merrick of Randolph, New York a twenty year lease on 25,000 acres of the grant situated in Colorado. For one-eighth of the proceeds earned of the sale of oil, Catron opened up the land “for the purpose of boring, drilling, mining and operating for oil and for the use of erecting any machinery or structures for the purpose of developing and operating oil on the same.” For his part, Merrick agreed to begin work within three months and to allocate at least \$40,000 towards his purpose.<sup>58</sup> Deals such as this appeared advantageous to Catron for many reasons, creating potential sources of income, adding value in machinery and improvement to the grant, and accessing valuable resources that he was ill-equipped to tap. Conversely, when Merrick did not find oil in significant quantities, his bad fortune metamorphosed into a deficiency of the land. For the Banded Peak Land and Mining Company that owned the northern 60,000 acres of the TA grant, poor showings devalued their land and their capital stock, so that by early 1903 the company faced foreclosure in Archuleta County, CO.<sup>59</sup> After an unsuccessful sale of

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<sup>57</sup> W.E. Broad to T.B. Catron, June 1, 1901, CP, Series 103, Box 13, Folder 1. Broad explains in his letter that “Mr. Rockefeller” organized an official investigatory tour designed to meet with Broad and canvas the grant, but then secretly sent a man registered as C.W. Thompson from Denver who made a hasty exploration of the property and then authored a very disappointed report. Broad seemed skeptic as to how much Thompson could have actually seen and surveyed with the quick visit and so concludes that Rockefeller had purposefully followed this course of action. Of course, it is entirely possible that Thompson knew exactly what he was doing and that the oil potential on the grant was in fact quite poor.

<sup>58</sup> Contract for Lease between Thomas B. Catron of Santa Fe, New Mexico, and J.A. Merrick of Randolph, New York, 22 June 1895, CP, Series 305, Box 6, Folder 1.

<sup>59</sup> The Banded Peak Land and Mining Company splintered off from Thomas Catron and Wilson Waddingham’s US Land and Colonization Co. in 1894 when John Knaebel and James Freeman of Denver

the property left few options, director John Knaebel broke the bad news in a letter to the stockholders, explaining that multiple attempts were made to find oil and precious metals, but “all of these experiments have led to failure and loss.”<sup>60</sup> He went on to present the few possibilities left, which involved scraping together sufficient funds to pay off the mortgage and judgment against the company or to allow the County to sell the company’s property and then legally redeem it within six months. Privately to Catron, Knaebel figured that the latter of the options was actually the most economical.<sup>61</sup> Instead of enriching both parties, contractors like Merrick could easily cut-and-run, leaving a trail of devaluation and environmental degradation that was the landholders’ problem, and none of his own.

Although Catron’s involvement with the world of mining unearthed more disappointment than silver or gold, he had the exact opposite experience with stumpage royalties collected on lumber cut from his grants. No other extractive process proved as lucrative for the land baron than his leasing of timber rights, to the extent that without the royalties paid Catron on his Tierra Amarilla grant alone, his empire would likely have crumbled on several occasions. His first contracts organized stumpage fees with owner-operator companies that followed the extension of the D&RG railway into northern New Mexico in the early-1880s. By the turn-of-the-century, market competition left only a few well-connected and well-capitalized companies operating on the TA grant, while on the

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organized with Catron to finance the northern 60,000 acres of the TA grant in Archuleta County, CO as a separate company.

<sup>60</sup> John H. Knaebel, President, Letter to the Stockholders of the Banded Peak Land and Mining Co., 17 February 1903, CP, Series 103, Box 16, Folder 5.

<sup>61</sup> Ibid.; John H. Knaebel to T.B. Catron, 25 February 1903, CP, Series 103, Box 16, Folder 5. The County of Archuleta went ahead and sold the Banded Peak Company’s property at public auction, where it was purchased by John E. Law (really!) who represented the interests of William J. Palmer of the Denver & Rio Grande Railway. Thomas Catron and John Knaebel redeemed the 60,000 acres within the time limit, but thereafter they had issues making mortgage payments to their new trustee, General Palmer.

Mora grant, Catron partnered with local mercantiles to arrange, enforce, and collect on stumpage fees for personal and commercial cutting.<sup>62</sup> In true capitalist fashion, Catron recognized that the steady income from these operations represented another form of security that he could borrow against. Money may not grow on trees, but credit certainly did. In accessing it, Catron acted as the middle-man of his own empire, directing hundreds of thousands of dollars of net income from royalty contracts to regional banks and trust companies while millions of board feet of lumber and ties left his lands to service the growing railroad, mining, and construction industries.

The rise of the timber industry in the Southwest is another example of the significant transformation brought about by the entrance of railroads. Other than some seasonal flows, few rivers along the New Mexico-Colorado borderland provided the means to channel logging enterprise towards downstream mills. Expanding railways opened up the development of forest lands on two fronts: they created local markets for logging and milling (based in no small part on the production of railroad ties and telegraph poles), and they supplied the necessary function of transportation to and from the mills. To no surprise, the companies that contracted with Catron on the TA grant located their operations with regard to the route of the Denver & Rio Grande railroad while the railroad company purposefully selected a path that situated their line in proximity to heavily wooded areas.<sup>63</sup> The result was a symbiotic relationship that generated substantial profits for Thomas Catron, even if they rarely lingered in his hands for long. For instance, during the well documented period of 1886-1889, Wilmot Broad reported that Catron earned \$153,637.73 from stumpage fees from three companies

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<sup>62</sup> Gordon S. Chappell, *Logging Along the Denver & Rio Grande: Narrow Gauge Logging Railroads of Southwestern Colorado and Northern New Mexico* (Golden, Colo.: Colorado Railroad Museum, 1971).

<sup>63</sup> *Ibid.*, 7.

logging on the TA grant. He remitted \$147,458.83 of the same, mostly to pay notes held by the First and Second National Banks of Santa Fe, leaving \$6,178.90 to pay grant expenses, taxes, and Broad's salary as agent over this four-year period.<sup>64</sup> So often for Catron, these capital gains were akin to blood transfusions, and as such, they kept his empire alive.

When Catron's stumpage royalties held strong, his system of collateralizing them against debts worked to his advantage. But timber stands played out and competition brought down prices. Contracting companies went through periods of renegotiation that lessened Catron's cut and relocation that stopped-up royalties entirely for months at a time. In general, the clear-cutting of large southwestern timber stands did not present a concern, except when it came to marketing grant lands. Then, Catron happily directed buyers' attention towards the current mills, while instructing his agents to avoid showing areas that underwent extensive logging. With a potential sale of the TA grant on the line during the spring of 1901, Catron grew anxious due to the stoppage of work of the Burns-Biggs Lumber Company. The collaborative venture of T.D. Burns (local merchant and ex-agent for Catron) and J.D. Biggs (the most prominent timber-man on the TA grant) had used up its current base of operation and so entered negotiations to move elsewhere. Catron, alarmed at the possibility of losing this revenue source and its associated value for the property, enticed the Burns-Biggs Co. with a 25-30% discount.<sup>65</sup> Though successfully convinced to remain on the grant, the company explained that it would take time to construct the new mill and connect it to the nearest rail junction. Similarly, in

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<sup>64</sup> "Statement of Remittances made on Royalties earned on lumber sawed at Biggs Bros. and Co. and E.M. Biggs Mills from Aug. 1886 to January 1<sup>st</sup> 1890," and "Statement of Remittances made on Royalties earned on lumber sawed at A.J. Sullenberger's Mills from June 1886 to January 1<sup>st</sup> 1890," CP, Series 305, Box 6, Folder 4.

<sup>65</sup> Wilmot E. Broad to T.B. Catron, 13 March 1901, CP, Series 103, Box 12, Folder 2.

1903, Catron lost out on almost a full year of returns when the Burns-Biggs Co. once again relocated, this time to El Vado where Catron leased them land that had previously belonged to Refugio Martinez.<sup>66</sup> The resumption of ample royalties during the summer of 1904 came none-to-soon for the spiraling Catron, as they meaningfully chipped away at the \$250,000 mortgage held by the Continental Trust Co. of Denver secured by 520,000 acres of the TA grant. Fortunately for Catron, the new mill at El Vado operated by Burns-Biggs worked at a competitive pace. Stumpage fees for 1904, 1905, and 1906 collectively paid \$77,856.09 on his debts and expenses.<sup>67</sup> By the first decade of the twentieth century, Catron had started to look beyond large contracting companies to furnish royalty revenue, and initiated the collection of timber fees on grants such as the Mora, Bosque del Apache, and Anton Chico.

The transition from a focus on a few, high-paying contracts, to widespread commodification of timber resources, marks a larger shift in the attitudes of Catron and his peers towards land value and land management in New Mexico and the Southwest.<sup>68</sup> The exogenous shock of the Panic of 1893 and the protracted nature of the cash-starved economy led capitalists to seek out new means to exact revenue from their properties. For Catron, repaying his myriad debts and keeping up with county taxes was enough of an impetus to capitalize on the traditional economies of his grants. Whereas the schemers of

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<sup>66</sup> Wilmot E. Broad to T.B. Catron, 13 February 1903, CP, Series 103, Box 16, Folder 5.

<sup>67</sup> "Burns-Biggs Royalty Statements, 1904 to 1907," CP, Series 305, Box 6, Folder 5.

For clarification, the Tierra Amarilla Grant originally gained patent at 594,000 acres, but 60,000 acres transferred to the Banded Peak Mining and Land Company and over 14,000 more were held by towns, such as Chama, or individual owners. By the mid-1890s, most promotional material representing the TA grant claimed that the property consisted of the round figure of 520,000 acres.

<sup>68</sup> William G. Robbins, "In Pursuit of Historical Explanation: Capitalism as a Conceptual Tool for Knowing the American West" *Western Historical Quarterly* 30 (1999): 277-293, 281. Here I look to the theoretical arguments, such as made by William G. Robbins, that frame capitalism as more than an economic system, but rather, as a mode of production that attaches powerful ideological and cultural significance to the transformation of landscapes into manufacturers of wealth and material progress.

the territory managed to dodge or decrease taxes for much of the late-nineteenth century due to the continued reality of clouded titles, unpatented grants, overlapping interests, and insider manipulation of the Territorial Board of Equalization, the regime change brought about by Governor Miguel A. Otero and the rulings of the Court of Private Land Claims eliminated many loopholes and tax shelters.<sup>69</sup> Speculators with large holdings, like Catron, could no longer sit on their titles indefinitely, defer payments, and hope for a windfall. The trick here was to transform grant lands, “unproductive” by conservative capitalists’ standards, into gainful (or at least net-zero) operations. No magic was actually required. Instead, effecting “productivity” seems to have meant little more than charging residents for the labor they already performed.

Packaged as modern land control and resource management, Catron and friends took to the collection of rents, cutting fees, range fees, and lambing fees with a new vigor. Suddenly, the alienation of the commons perpetrated by the lawyer-speculators of the 1870s reared its ugly head. Nuevomexicanos that held no title to their land confronted stark options regarding residency and use-rights: pay or go. In practice, other options existed for these men, women, and communities.<sup>70</sup> One involved the continued patterns of land allocation and usufruct rights to the commons in disregard (covert and blatant) of formal postings, cease and desist notices, and ejectment suits. Another comprised the networks of seasonal migration and wage labor that increased in scope in the early twentieth century and connected the communities of northern New Mexico to urban and

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<sup>69</sup> T.B. Catron to Robert C. Gortner, 26 May 1902, CP, Series 103, Box 15, Folder 1. Catron instructed his law partner Robert Gortner to “take an appeal from every raise of any valuation which I may have fixed on any property for taxation, or any change made in any return made by me.”

<sup>70</sup> Sarah Deutsch’s *No Separate Refuge*, for instance, illustrates that Nuevomexicanos adapted a broad range of strategies to combat dislocation and alienation that involved a broadened sphere of labor options, seasonal migration patterns, and multi-village social networks.

hinterland economies of Denver and El Paso.<sup>71</sup> These strategies included their own inherent risks, however, as Euro-American population growth and new enterprise shifted power further outside of their control. Landowners worked in concert with respected local leaders and mercantiles to draw dissidents – by carrot or by stick – into their economic orbit. Catron’s collection of timber royalties and pasture leases on the Mora Grant illustrates the complexities of this process and the overlapping modes of capitalism that maintained saliency in the Hispano borderlands of the twentieth century.

Unlike other grants subject to consolidation and incorporation after the Civil War, the 827,000-acre Mora Grant followed a somewhat unique trajectory because no individual owner or company gained full title and early efforts at partition languished.<sup>72</sup> To the contrary, by the twentieth century distribution of the grant was murkier than ever, especially with regard to competing, overlapping grant claims and occupancy rights that badgered the adjudication process.<sup>73</sup> Nuevomexicano grant heirs jockeyed for recognition of their individual or partial interests while the old-time speculators and their estates communicated through legal counsel to determine how to move forward. The answer for all in the mid-1890s was to consolidate interests so that the otherwise antagonistic parties

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<sup>71</sup> Ibid.

<sup>72</sup> Robert D. Shadow and María Rodríguez-Shadow, “From *Repartición* to Partition: A History of the Mora Land Grant, 1835-1916” *New Mexico Historical Review* 70 (July 1995), 257-298, 263. The authors make a clear argument here to articulate a nuanced reality for land ownership and use on the Mora Grant that, compared with scholarship that focuses on the finality of legal dispossession, includes local contexts to show how multiple systems of distribution – and here I would add economic systems – played out. Specifically, they suggest that: “there were two levels of reality in the evolution of land tenure in Mora (and, by extension, elsewhere). One level consists of the court claims in which speculators, among others, demonstrated ownership of a certain number of interests in the Mora grant through deed conveyances. The other deals with de facto land possession, which did not always coincide with interest ownership.”

<sup>73</sup> Fred Dennett, Commissioner of the General Land Office, Report on Resurvey of the Mora Land Grant, to the Secretary of the Interior, 24 August 1912, CP, Series 305, Box 5, Folder 4. In this twenty-nine page report, Dennett provided a full abstract and background on the Mora Grant and included the figure that 16,000 people lived on the 827,621 acre grant in January, 1888. Compared to his other grants (with the possible exclusion of Tierra Amarilla), the large resident population on the Mora Grant – of Nuevomexicano vecinos and Euro-American ranchers and homesteaders – created special challenges to Catron and the other owners.



together represented 57/76ths of the Mora Grant (exactly 75% or 620,250 acres), which they sought to market at a wholesale price.<sup>74</sup> But from 1896 to 1899 the Catron-Elkins-Butler-Ames party failed to accomplish a sale. They worked primarily through agents in Chicago, Milwaukee, and London, including an abortive deal with Mr. Pabst of the Pabst Brewing Company (back when their “blue ribbon” actually meant something).<sup>75</sup> The years after witnessed the entanglement of Catron’s Mora lands in the estate debacle following the death of Wilson Waddingham as well as the division of the grant along the 36<sup>th</sup> parallel between Catron and the Butler-Ames interests.<sup>76</sup> The potential for a sale grew less likely as these complications piled up and while land agents continued to try to sell the grant back east, locally attention shifted to the production of short-term profits, though this too was fraught with difficulties.<sup>77</sup>

Of all his properties, Mora most consistently presented challenges to Catron, due mostly to the adverse actions of the grant’s residents. Situated adjacent to San Miguel County, the hotbed of Las Gorras Blancas, the Mora Grant witnessed acts of violence and property destruction in the 1880s and early 1890s, especially against fences and properties owned by or affiliated with the ringmen of Santa Fe.<sup>78</sup> To lessen the hostility,

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<sup>74</sup> T.B. Catron to M.S. Baldwin, Chicago, Ill., 29 March 1894, CP, Series 105, Vol. 3.

<sup>75</sup> M.S. Baldwin, a real estate agent in Chicago, working towards a sale of the Mora Grant for \$200,000.

<sup>76</sup> Shadow and Rodríguez-Shadow, “From *Repartición* to Partition,” 26. Based on their fractional ownership, the estate split gave Catron his 21 (or 23?) 76ths, or about 225,000 acres of the Mora Grant situated north of the 36<sup>th</sup> parallel.

<sup>77</sup> Specifically, M.S. Baldwin of Chicago, J.M. Freeman and Hal Sayre of Denver, and Wilmot Broad of Chama acted as agents for Catron towards the sale of the Mora Grant around the turn of the century. They marketed the grant through the use of “options,” many of which incentivized bumping up the price of the grant to add to their commission. The most common explanation for failed deals came down to the uncertain title of the grant and the inability of Catron to provide official and comprehensive paperwork to eastern buyers who had grown increasingly conservative towards investing in western lands, especially Mexican land grants with imperfect titles.

<sup>78</sup> T.B. Catron to Gen. Adelbert Ames, Lowell, Mass., 26 July 1893, CP, Series 105, Vol. 7. In this letter, Thomas Catron argued that the Union Land & Grazing Co. owed him upwards of \$25,000 for legal fees as payment for his work for the company to securing ownership of its ranch on the Mora Grant. He commented to Adelbert Ames that: “I attended to the case for eight or ten years, risking my life frequently,

Catron attempted to adjudicate land matters outside the court in 1894 by brokering deals with several local agents on the Grant. To Severiano Trujillo, for instance, appointed by the people of Mora to meet with the land baron, Catron expressed that he wanted to deal “fairly and equitably” with the people. He did not want to evict them from their lands, he urged, but would rather agree to give titles to those that could prove that they had continuously lived on their land for ten years. If not, fair rents and use fees would allow all who wanted, to be able to stay.<sup>79</sup> With this shrewd, paternalistic move, Catron sought to clarify ownership by placing specific titles or rental agreements in the hands of Mora’s residents, to create new profits for himself in the process, and to diminish regional enmity or even gain new friends. It is not likely that this strategy was very effective at the time. Instead, Nuevomexicanos from families or communities that supported the White Caps a decade before did not look well upon Catron’s demands for rents and use-fees after the turn of the century and so many residents simply refused to pay. On the grant, every step taken towards asserting his control opened new avenues of resistance that challenged not only Catron, but also the modern legal and economic rationality he sought to imprint on Mora’s residents and resources.

As a tactic to avoid implicating his lands in the fierce cycle of estate and debt issues that plagued him throughout his later life, Thomas Catron transferred ownership of

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as I was threatened with violence, paying out a great deal of money to get copies of the records, secure the attendance of witnesses at Santa Fe, the witnesses being all intimidated, and taking various and sundry other great risks”

On Las Gorras Blancas see: David Correia, “‘Retribution Will be Their Reward,’ New Mexico’s Las Gorras Blancas and the Fight for the Las Vegas Land Grant Commons,” *Radical History Review* 108 (2010): 49-72.

<sup>79</sup> T.B. Catron to Severiano Trujillo, Mora, N.M., 27 November 1894, CP, Series 105, Vol. 10; In an earlier letter to Frank Washburn, the attorney for the Butler-Ames party, Catron attempted to persuade Washburn to send a Power of Attorney from his clients to make deeds for Mora Grant heirs and residents as to their individual plots. Working through a Mr. Barela, Catron planned to approach “settlers” on the grant and sign deeds of conveyance in duplicate. T.B. Catron to Frank L. Washburn, Ashburden Place, Boston, 29 April 1894, CP, Series 105, Vol. 9.

the grant to his twenty-three-year-old son Charles in 1902, charging the young man with more efficiently directing its affairs, while micromanaging him all the while. The father-son team made some headway towards the collection of royalties on Mora's timber by tapping into the localized markets that circulated through a few powerful mercantile companies.<sup>80</sup> By the twentieth century, these multi-branch mercantiles, such as the Charles Iffeld Co., Gross, Kelly Co., and Browne & Manzanara Co., combined the economic activity of a general store, a commercial bank, and a centralized buyer of wool, wood, grain, and livestock.<sup>81</sup> As territorial population grew, transportation networks expanded, and competition increased, these enterprises that relied on retail trade and personal relationships to cement their vital position in the economies of pastoral northern New Mexico had to shift their focus to embrace a wholesale marketplace. Branch stores allowed mercantile companies to harness the resources of distant hinterlands, funneling the resources and raw goods of rural communities into larger and more cost-efficient commodity flows.<sup>82</sup> As part of this larger process, both the Charles Iffeld Co. and Gross, Kelly Co. sought to incorporate trees from the Mora Grant into their accounts. The mercantiles contracted to act as middle-men between land owners like Catron and loggers such as Ira Hazzard and Richard Dunn, who then benefitted from the close, steady market, and the credit allowed them and their laborers at the local store.<sup>83</sup> It also

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<sup>80</sup> Ira Hazzard to Thomas B. Catron, 12 November 1902, and Gross, Kelly, & Co., to T.B. Catron, 19 November 1902, CP, Series 103, Box 16, Folder 2.

<sup>81</sup> Parish, *Charles Iffeld Company*, 109-110; Fritz, "Merchants & Modernity," 68. By the twentieth century, these mercantile companies had themselves carried through a period of consolidation from which combinations arose. These often included one Euro-American family (usually of German-Jewish descent) and one Nuevomexicano family. This strategy pooled economic, political, social, and cultural resources and systems of knowledge within each mercantile, connecting the businesses to the local communities and pastoral hinterlands, and helping them to remain not only relevant, but essential, to the regional economy of New Mexico until the onset of the Great Depression and WWII.

<sup>82</sup> Parish, *Charles Iffeld Company*, 193.

<sup>83</sup> Parish, *Charles Iffeld Company*, 114.

heightened the need for clearer business conditions on the grant, as the companies paying royalties grew discouraged from accurate reporting due to the presence of many settlers and squatters who refused to pay. So in the fall of 1902, Catron and Butler made an agreement with Richard Dunn and the Mora Timber Co. to consolidate the leases of Chas. Ifeld, H.G. Coors, The Moore Lumber Co., H.D. Reinken, and the Vorenberg Mercantile Co. to work towards parity of pricing and better accountability of the cutting and movement of timber and ties from the Mora Grant.<sup>84</sup> Acting upon this new arrangement, Dunn wrote to Catron in December asking his assistance in bringing suit against eight parties, Tito Melendez, R.W. Sammon, Louis La Rue, L. Chene, Joseph Chene, Anto. Ma. Rivera, and Sipio Carrillo. Dunn explained that these groups needed to cease cutting or apply for a lease by the first of January or he would proceed with the charges.<sup>85</sup> In many ways, the bottom lines brought into the equation by professional loggers and mercantile institutions forced Catron to belatedly strive toward order and productivity on the Mora Grant.

A simple account statement from Gross, Kelly & Co. made out to Hon. T.B. Catron on the fourteenth of July, 1904, tells us a great deal about how development came to many sections of New Mexico and who benefitted the most. The “Royalty report for Quarter ending June 30<sup>th</sup> – 1904, on timber cut from Mora Grant” included two sections, one for lumber and the next for ties, cut during the months of April, May, and June. In these three months, the surnames of Chene, Carrillo, Abeyta, and Romero paid Catron 2.25 cents per 100 foot of lumber cut. This amounted to \$335.39 in total payment. During the same time, Abeyta, Cassias, St. Vrain, Coors, Gandert, Lange & Lipton, and Weil &

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<sup>84</sup> Gross, Kelly & Co., to Hon. T.B. Catron, 19 November 1902, CP, Series 103, Box 16, Folder 2.

<sup>85</sup> Richard Dunn, Mgr, Mora Timber Co., to T.B. Catron, 30 December 1902, CP, Series 103, Box 16, Folder 3.

G. cut railroad ties at two to four cents in royalty, with a total balance of \$999.26 to the landholder. The combined account of \$1334.65 did not then go to Catron, however, as his debts to the Bank of Commerce of Albuquerque were secured in part by an agreement to turn over all proceeds of timber and ties from the Mora Grant. In this way, the act of harvesting small amounts of wood for household use was rationalized into the same double-column accounting as the cutting of ties to sell in wholesale fashion to railroad companies. And yet, whether Nuevomexicano or Euro-American, the circulation of money that began with timber removal from the Mora Grant ended in the ledgers of a bank in Albuquerque and the Gross, Kelly Co., whose branches in Las Vegas, Albuquerque, and Tukumcari continued to practice forms of petty capitalism, such as the supply of credit to locals in exchange for raw materials and tradable commodities.<sup>86</sup> These relationships highlight the variable modes of capitalism that existed in New Mexico well into the twentieth century. They provide evidence in favor of the endurance, and even escalation, of the region as an economic borderland.

### **Rationalizing Grant Lands**

Collecting royalties on minerals blasted from the earth or cut and milled timber presented Catron the rentier with clear opportunities to benefit from the growth of extractive industry on his grant lands. For the most part Euro-American operators entered these contractual lease or royalty agreements with Catron, and both parties sought to gain as participants in the capitalist transformation of southwestern landscapes. Their success or failure depended upon a range of human and natural contingencies, but it is at least fair to say that Catron and his contractors were willing participants and as such, accepted

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<sup>86</sup> Statement to Hon. T.B. Catron from Gross, Kelly & Co., 14 July 1904, CP, Series 103, Box 21, Folder 1.

certain degrees of risk to carry out their plans and in so doing, embossed the economic and social structures of American capitalism across New Mexico's high-desert terrain. This represents a model of economic synergy that unfolded across the West; the players agreed not only on the explicit terms of contract, but implicitly on the social order that upheld those contracts as expressions of the legal, economic, and cultural world dominated by Euro-American men and an ideology that fused national advancement with market expansion.<sup>87</sup> But alternative systems also emerged, such as the collection of rents and pasture fees from Nuevomexicano land grant residents and heirs who did not likely share, or fully partake in, this ideological underpinning. For many of these people and their communities, capital and national advance could (and often did) take more pernicious forms and so they responded in innumerable ways that challenged Catron's managerial designs toward order and income in New Mexico.

Little record exists (at least within Catron's papers) to indicate the extent by which Catron charged formal rents or pasture fees to Nuevomexicano residents of grant lands prior to the turn-of-the-century. His role as territorial politician and impromptu patrón required a subtler, more personal approach, which involved an assortment of oral agreements and partido contracts between Catron, his agents, and Hispano heads of household.<sup>88</sup> During the period of consolidation and early endeavors to flip grant lands,

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<sup>87</sup> During the Gilded Age this fusion of national/capitalist progress took a decidedly inward perspective for the United States, focusing attention both East and West, but within the boundaries of the nation. The late nineteenth century marks a shift here as Americans more forcefully shifted attention outwards and projected visions of American Empire in Latin America, the Caribbean, and the Pacific Rim.

<sup>88</sup> Whereas literature, such as that on Las Gorras Blancas, points to the transition to a cash and wage-labor based economy in San Miguel County and especially on the Las Vegas Land Grant since the 1880s, there is little in Catron's papers or elsewhere to indicate that Thomas Catron pressed Nuevomexicano grant heirs to pay on a cash basis prior to the economic troubles that unfolded during the 1890s. While there was at least one formal assassination attempt on Catron's life in February 1891, there does not seem to be a groundswell of antagonism towards him by land grant heirs, excepting that found on grants such as Mora and Anton Chico where support for Las Gorras Blancas was more palpable. Although Catron presented a

attempts to evict residents turned “squatters” proved untenable and largely impolitic, especially for the Republican ringmen who substantially benefitted from their monopolization of the Mexican vote. Even if landlords attempted to assert their ownership, rural New Mexico remained cash-starved, and so payments in currency could not be reasonably expected. Catron’s finances themselves tell a story of money moving from his accounts to the hands of Nuevomexicano/as, and far fewer examples of being repaid in cash. Instead, symbolic payments and partido contracts more commonly defined Catron’s bond with his informal tenants. Heads of household sometimes signed notices agreeing to remit as little as ten cents per year to Catron, an arrangement whereby their fee secured continued residence and use-rights for them and their family, while the owner gained tangible documentation outlining the hierarchal relationship and proper line of title. The partido system presented another means by which Catron, through a local agent, established his authority and incentivized productive land use without cutting against the social fabric or power structures of Nuevomexicano families and communities. These relationships, reminiscent of those linking peon and patrón, built on personal ties, hierarchies of social class and respect, and a territorial political economy oriented towards the goals and interests of the Santa Fe clique.

But the tactics of the Santa Fe Ring no longer held the same sway as New Mexico entered the twentieth century.<sup>89</sup> The old ringleader could no longer assert his will by pulling a few strings or maintaining Nuevomexicano voting patterns in his favor. The

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constant target for anti-monopoly, anti-ring, anti-carpetbagger, and anti-Republican presses, in English and Spanish, there is little evidence of directed resistance against him across many of his northern New Mexico land grants, which leads to the supposition that he understood and acted within a political economy mutually defined by himself, his cohort, and Nuevomexicano community leaders.

<sup>89</sup> This is not to say that the Santa Fe Ring did not evolve to meet the changing face of territorial New Mexico or that the turn-of-the-century marked a changing of the guard, but rather, the traditional modes of control sustained by the ring could no longer operate with impunity.

territory's population had grown substantially with much of the new population centered in regions' outside of the ring's control. One of the clearest signs of the waning power of the Santa Fe crowd was the schism that divided New Mexico's Republican Party under the Governorship of Miguel Antonio Otero.<sup>90</sup> When Otero gained the appointment of governor under President McKinley, he and Catron were not initially squared off as enemies. If anything, Catron supported the newly selected Otero as a proper choice because of his Mexican background and connection to powerful Nuevomexicano families.<sup>91</sup> But, as Otero distanced himself from Catron and friends, instead of replacing the system of nepotism and spoils at the center of territorial politics, the parties merely formed competing factions that often worked to undercut each other.<sup>92</sup> One result was a significant erosion of the political economy that beforehand softened Catron's, and capitalism's, edge toward land grant communities.<sup>93</sup>

For one thing, time had passed and new generation came of age in a territory very different from the one Catron moved to after the Civil War. Oral contracts made with elderly Nuevomexicanos would not pass down to their sons and grandsons, and as lands passed in-and-out of Catron's hands, these agreements grew difficult to enforce and uphold. Another issue was that as Catron's debt cycles continued, his debtors sharpened

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<sup>90</sup> Caffey, *Chasing the Santa Fe Ring*, 196-98.

<sup>91</sup> Thomas Catron was a vocal proponent of placing Mexican Republicans in appointed seats of power. A campaign speech he delivered for Pedro Perea made this case explicitly. "Ferguson on the race issue and religious prejudice in New Mexico," speech by Thomas Benton Catron, c. 1898, CP, Series 401, Folder 9.

<sup>92</sup> Caffey, *Cashing the Santa Fe Ring*, 196-98. At least this is the type of ammunition both groups fired at each other whenever a Democrat gained an elective office.

<sup>93</sup> It occurs to me that Charles Catron's education in land grant manipulation developed during a very different period than that Thomas Catron. Thomas actively developed personal relations with Nuevomexicano families and cultivated, at least superficially, lines of mutual benefit and respect. When Charles Catron gets involved in the handling of land grant interests, the shift in political economy was such that he did not enter reciprocal associations with the Hispano population to anywhere near the same level of familiarity that his father had engendered since the 1860s. While so much of their character, personality, and attitude seems to overlap in historical accounts (to the clichéd tune of like father like son), the generational divide highlights the significant differences in New Mexico's demographics, politics, and economy that influenced the relationships forged by the Catron family.



their teeth and the potential for default, foreclosure, or tax sale loomed over robber baron and his grant lands. In response, Catron sought to make each individual grant or tract more self-reliant. Rents, pasturage fees, stumpage fees, or royalties became more common, even on lands that had stood in abeyance for years, as he tried to account for rising taxes and the ever accumulating bills and interest rates that he so gamely juggled.

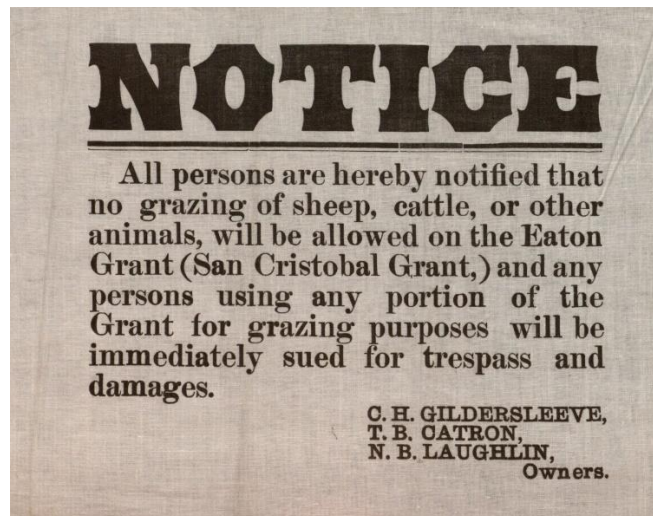
A result was that by 1905, Thomas Catron collected fees on a cash basis from Hispano men and women living on his land grant properties throughout the territory. Specific agreements, leases, or lists of renters exist in Catron's land grant papers for the Tierra Amarilla, Mora, Anton Chico, Antonio Ortiz, Baca Float No. 1, Beck, Piedra Lumbre, La Majada (Bajada), and Agua Negra grants.<sup>94</sup> The change in attitude represented by increased attention to formal rents can be traced to the litany of setbacks that influenced Catron's relationship with his large land holdings and in turn, influenced the relationship between countless New Mexicans, their land, and their labor. When statehood never materialized, for instance, neither did the rise in land values Catron so obviously gambled upon. His inability to sell his large land grants, especially the numerous misfires of the TA grant sale, meant that taxes piled up and the window for a windfall shut tight. His inability to steer the Court of Private Land Claims in a direction favorable to heir and lawyer alike led to a staggering decrease in grant lands and a flurry of new activity on the federal public domain.<sup>95</sup> And finally, Catron's fall from grace within territorial Republican circles altered the equation of his political connection to

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<sup>94</sup> See Catron Papers, series 305 and 306.

<sup>95</sup> Thomas Catron served as counsel in at least sixty-four cases before the Court of Private Land Claims. He had mixed success in this court, as its rigid code for confirming grants prevented even him from effectively moving every grant through the process. For instance, Catron filed twenty-five cases prior to March 1893 and gained confirmation on seventeen, but of the thirty-eight more cases filed in the last month allowed for petition resulted in only seven confirmations, a substantial drop in success. For Catron's participation in the Court of Private Land Claims, see CP, Series 303, "U.S. Court of Private Land Claims, Santa Fe District, U.S. Attorney's Dockets, 1891-1903," Vols. 1-3.

Nuevomexicano communities. In this light, Catron’s attempt to assert control of his lands and put his finances in order derived from his explicit inability to do so—made that much worse by the grinding years of economic depression that characterized most of the 1890s for New Mexico. Then, just when the territory turned the corner towards growth at the end of that decade, the estate debacle of Wilson Waddingham prevented Catron, his properties, and his accounts from climbing up out of the mire. To the contrary, in the aftermath of Waddy-gate, Catron held more debt and more land than in any other period of his life. He could no longer afford – literally – to keep up the informal arrangements of the past decades, and so more and more, sought to rationalize the productive capacity of his lands within the mode of managerial capitalism that emerged from the corporate branch of Progressivism.<sup>96</sup>



“Notice” of ownership of Eaton Grant by C.H. Gildersleeve, T.B. Catron, and N.B. Laughlin, c.1903. Printed on canvas for posting on grant. Thomas B. Catron Papers, Series 306, Box 2, Folder 2, Center for Southwest Research, University Libraries, University of New Mexico.

To facilitate this process, Catron continued to rely on local agents to set terms, enforce boundaries, and gather rents. Some land grant communities elected commissions

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<sup>96</sup> For discussion on the corporate and business-oriented agenda of the Progressive Movement and Progressive mentality in the U.S., see Gabriel Kolko, *The Triumph of Conservatism: A Reinterpretation of American History, 1900-1916* (New York: The Free Press, 1963).

to organize seasonal schedules for pasture and forest land, to ensure fair standards of use and payment, and that doubled as protective associations to prevent non-residents from encroaching on their range. One result of the reliance upon agents was that the process of bringing order unfolded differently across Catron's regionally diverse grants and that Nuevomexicanos found space to firmly asserted their rights and their interests involving the nature of lease agreements and rate negotiations. For instance, Francisco C. Chaves of Abiquiu contracted with Catron to

represent, take, hold and possess all of said interests, rights, titles and estate and land and the whole of said grant of land [Piedra Lumbre, Rio Arriba County], and as such agent for me...to cultivate, pasture, rent and use the same and make and make such use thereof in our name, place and stead as may suited to or fitted to the nature, resources and character thereof, and ever part thereof.<sup>97</sup>

Chaves made this deal in the 1890s after Catron and George Hill Howard manipulated a successful partition and re-consolidation of the grant, whereby the court awarded the Catron parties about two-thirds of the 49,000 acre property.<sup>98</sup>

Chaves took his role as agent quite seriously as he worked to preserve the interests of the communities of Abiquiu, Cañones, and Coyote over those of outside parties. The most usual point of conflict revolved around issues of land use and access. Chaves formed the first line of authority regarding land allocation and usufruct rights to the pastures and woodlands of Piedra Lumbre and the first line of defense against

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<sup>97</sup> Thomas B. Catron, Appointment of Frank C. Chavez, Agent, Piedra Lumbre Grant, CP, Series 305, Box 3, Folder 1.

<sup>98</sup> Decree for Partition in the case of *Candalario Martinez et al. v. Jose Maria Chavez et al.*, 2 June 1894, CP, Series 305, Box 3, Folder 1. The contents of Box 3, Folder 1: "Piedra Lumbre Grant (Court Records)" include deeds, agreements, and court records showcasing Thomas Catron's acquisition of interests on the Piedra Lumbre Grant in Rio Arriba County, his negotiations with Jose María Chavez and Jose Patricio Chavez, and the partition rulings of 1894 that determined ownership and borders of the recently confirmed and patented grant. The terms of partition of particular relevance here include the agreement whereby "Jose Patricio Chavez, Jose María Chavez, and Thomas B. Catron who have consented and stipulated that their interest, title, right and estate therein shall all be included in one single body of land, may have and hold in severalty the said parts therein amounting to thirty-seven fifty-fourths part of said entire tract of land and premises" while Amado Chavez, Max Frost, and George Hill Howard jointly received ownership to seventeen fifty-fourths, resulting in two ownership pools controlling the entirety of the Piedra Lumbre grant after 1894.

encroachment. As the mouthpiece for “la gente,” Chaves informed Señor Catron about the “bastantes molestias” (great annoyance) placed upon his communities by outsiders, especially those from the Rio Puerco, who grazed livestock and cut firewood on the grant. At one point in March 1903, Chaves included a list with the names of thirteen trespassers, all of Hispano surname. He requested that Catron take action through the justice of the peace to file injunction against these individuals to prevent them from accessing the grant.<sup>99</sup> The defensive posture of Chaves and the communities he represented is unsurprising given the turbulence caused by the rounds of speculation and court decree that shifted ownership of Piedra Lumbre away from its communal origins and placed it, by the 1900s, alongside the fee simple properties that could so easily be bought, sold, and traded with little-to-no regard for the local residents.

The agent and the owner did not always agree on the best course of action. In response to the continued trouble raised by the presence of Luciano Salazar on the grant, the difference of perspectives becomes tangible. Chaves felt that Salazar should vacate the land. Catron preferred an alternative that allowed Salazar and his family to stay, but under the caveat that they “could not recognize him as being entitled to anything there; that he must recognize our title and he must take a lease from us for a nominal sum, say 10 cents per annum.” The plan, framed as a testament to Catron’s good will, showed its true intent when it was explained that Salazar would have no rights and agree to fully

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<sup>99</sup> F.C. Chaves to Honorable T.B. Catron, 29 March 1903, CP, Series 103, Box 17, Folder 1.

Chaves’ correspondence to Thomas Catron was all written in Spanish. Chaves followed a formal style of writing, including very respectful salutations such as: “Caro Señor y Amigo,” “Querido Señor,” “su fiel amigo y fiel servidor,” and “Con respecto su servidor.” Future correspondence includes: Chaves to Catron, 27 January 1904, CP, Series 103, Box 19, Folder 2; Chaves to Catron, 14 February 1906, CP, Series 103, Box 24, Folder 5; Chaves to Catron, [?] April 1907, CP, Series 103, Box 29, Folder 1; and Chaves to Catron, 4 July 1908, CP, Series 103, Box 32, Folder 3.

concede to the rights of the owners.<sup>100</sup> Once again, the purpose here stemmed from greater attention to defining the new legal limits of title and use-rights, implicitly organized to bolster Catron's position in the case of a potential real estate sale.

Another model unfolded on La Majada Land Grant of Sandoval County where the "Comision de la Merced de la Bajada" organized as early as 1890 in Pena Blanca. In the aftermath of receiving Congressional confirmation and an official survey, completed and filed in 1899, the commissioners sought to formalize their control over the commons.<sup>101</sup> They too wished to harden their borders against encroaching parties of Anglo or Nuevomexicano settlers and to assert their water rights. In August 1905, under leadership of Marcelino Baca, president, and Jose Ignacio Dimas, secretary, the commission established a two-tiered system of fees that differentiated between grant heirs and outsiders, as well as between personal and commercial use. They posted notice of these new "impuestos por pasteos" and legitimized their right to do so by retaining the law firm of Catron & Gortner to defend their ownership rights.<sup>102</sup> Catron cared to do so because he held one-fifth of the "unoccupied and uncultivated lands" of La Majada, or so he argued in the district court of Sandoval County.<sup>103</sup> This case, and the unity of interest organized

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<sup>100</sup> T.B. Catron to Frank C. Chaves, Esq., 31 October 1903, CP, Series 103, Box 18, Folder 4.

<sup>101</sup> "Argument of T.B. Catron for Himself and for the People Residing on and Claiming the Grant," In the District Court in the County of Sandoval, Territory of New Mexico, 6 June 1913, CP, Series 305, Box 4, Folder 2; Quimby Vance, Surveyor General, to T.B. Catron, Atty. for Clts., "La Majada" Grant, 4 January 1899, CP, Series 103, Box 7, Folder 1.

<sup>102</sup> Marcelino Baca, Jose Ignacio Dimas, Felipe Marez, Jose Baca y Padilla, and Jose Ignacio Montoya, comisionados, to T.B. Catron and Gortner, 15 September 1905, CP, Series 103, Box 23, Folder 4; "Aviso!" Comision de la Merced de la Bajada, Marcelino Baca, Presidente, Jose Ignacio Dimas, Secretario, 1 August 1905.

<sup>103</sup> Catron argued that he deserved this one-fifth claim for his work in the Court of Private Land Claims as counsel for La Majada grant commission led by Marcelino Baca. District Judge, Merritt C. Mechem disagreed, however, and awarded Thomas Catron less than one percent of the grant under order of partition, or 503.5 acres out of the total surveyed area of 54,404.1 acres. Charles Catron claimed 870.4 acres of this and the largest sole owner A.J. Bendle held a 54% interest in the grant. Of the numerous Nuevomexicano claimants, the largest individual holding stood at 1.8%, or 979 acres. "Judgment of Partition," Merritt C. Mechem, District Judge, 6 June 1913, CP, Series 305, Box 4, Folder 2.

by the grant commission, presents a fairly successful attempt at adapting the shifting legal and economic landscape to work in their favor.

Nuevomexicano lessees proved just as able to maintain mutually beneficial business relationships with Catron as their Euro-American peers. Renters like Ramon C. Montoya actively negotiated for lease terms that worked towards his own best interest while paying deference to the wishes of the proprietors. Montoya, a dealer in sheep, cattle, horses, and goats from San Antonio, New Mexico, initiated a deal with Catron in December 1897, proposing to lease the Bosque del Apache Grant in Socorro County for four years at \$300 per annum. With confidence, Montoya explained that he wanted sole privilege of the grant to graze livestock, that he wanted a long-term lease so as to best manage his herds, and that in the case of a sale he agreed to vacate the land to the new owners. To sweeten the deal, he even offered to dispose of old wood found on the Bosque del Apache by selling it to mills in San Marcial or Socorro at an agent's commission of twenty-five percent.<sup>104</sup> Though the wood business turned out little more than an annoyance for Montoya, citing exorbitant freight rates and theft as major obstacles to a profitable trade, he continued his work as an agent on the grant and renewed the lease (that Catron originally made for two years) in January 1900 under the same terms.<sup>105</sup> Montoya remained in charge there until the April 1901 transfer of the Bosque del Apache from its actual ownership by Stephen Elkins and John Collinson to the American Valley Company.<sup>106</sup> Like many of the land grants Catron grew involved in, its title moved

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<sup>104</sup> R.C. Montoya to Hon. T.B. Catron, 9 December 1897, CP, Series 103, Box 4, Folder 2.

<sup>105</sup> R.C. Montoya to Hon. T.B. Catron, 21 January 1900, CP, Series 103, Box 9, Folder 4.

<sup>106</sup> According to a "Memorandum of Agreement," signed 31 May 1879, the 60,117.39 acres of the Bosque del Apache Grant of Socorro County, were "bounded on the North by the Socorro Grant, on the South by the Valverde Grant, extending about two leagues East and West from the Rio Grande." The full interest of the grant was purchased by John Collinson of London for \$35,000 from the heirs of grantee Antonio Sandoval on 25 July 1871 and patented and surveyed through the law office of Stephen Elkins.

several times over the next twenty years, first to the Socorro Company and later to the Sandoval Grant Company. In the end, Montoya's prediction as to the timing of a sale proved correct, but nevertheless, the corporate ownership and its designs to market first mortgage bonds required the lessee to vacate the Bosque del Apache for good.

Catron's most successful lease operation unfolded, unsurprisingly, on the Tierra Amarilla grant where ownership and authority most clearly upheld his position as rentier. There, the business association between Catron and his agent Wilmot E. Broad of Chama produced a detailed record of the collection of pasturage dues.<sup>107</sup> Starting in 1901, Broad effectively set and gathered grazing and lambing fees on number of Euro-Americans and Nuevomexicanos alike. The resultant rental statements help to characterize land use on the TA grant during the first decade of the twentieth century. For instance, from 1901 to 1907, approximately three-quarters of the tenants had Hispano surnames, and of that sample, a majority paid fifty dollars or less on an annual basis. For the Euro-Americans on the lists, only twenty percent paid under one-hundred dollars per year, suggesting either lessened prices for Hispanos or larger acreage utilized by Anglos.<sup>108</sup> More importantly, the rental statements provide evidence to indicate Catron's hardening stance towards managed grant development.

To match rising costs, Catron more than doubled the rent in 1905, privileging those outfits with greater scale of efficiency. The average amount collected that year was

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Memorandum attached to letter: S.B. Elkins to Thomas B. Catron, 15 May 1899, CP, Series 103, Box 7, Folder 1.

<sup>107</sup> For correspondence between T.B. Catron and Wilmot E. Broad, see Catron Papers, Correspondence Series 103 (incoming) and Series 105 (outgoing). The back and forth between these two is representative of their personal, business, and land grant oriented relationship, easily involving over one thousand entries between 1890 and 1912.

<sup>108</sup> For rental statements on the Tierra Amarilla Grant, prepared by Wilmot E. Broad for Thomas B. Catron, see: Wilmot Broad to T.B. Catron, 6 July 1901, CP, Series 103, Box 13, Folder 2; 15 July 1902, CP, Series 103, Box 15, Folder 3; 16 January 1905, CP, Series 103, Box 22, Folder 1; and "T.B. Catron – Rental Statement," 1905-1907, CP, Series 305, Box 6, Folder 5.



\$237 for Hispanos (whose averages had never even topped \$100) and \$425 for Euro-Americans. No longer would small-holders represent a majority of his lessees and in general, the percentage of Hispanos paying grazing fees lessened. By 1907 one-third of the renters were Anglo and paid a greater total amount to Catron, marking a shift in the formal use of range lands on the TA grant.<sup>109</sup> The allocation of this income went to paying tax bills, land agents, and Catron's various debts, so that the funds rarely reached his pockets and often could not even fulfill the primary goal of self-sustainability. Even after bumping the price of land in 1905, his end of year statements placed the TA grant and Catron in the red.<sup>110</sup> Still, the money was not insubstantial, nor was the meaning attached to it. Compared to the late-nineteenth century, potential buyers of the TA grant requested much clearer operational abstracts of the property, its yearly expenses, and potential income. These revised requirements of sale pressed Catron to more clearly articulate the situation on the grant and its remunerative possibilities. So, the land baron kept grasping at the order and profit that would help to achieve Tierra Amarilla's financial stability, while his aggressive use-policy inscribed an unsustainable pattern of grazing and activity.

In the midst of Catron's struggle to mend his debt-addled empire, Nuevomexicanos more decidedly pressed for their own interests on the land grants of northern New Mexico. They too desired a reorientation of land-use, but one in which grant residents and their communities asserted first priority. In doing so, they sought to resist the legal and market forces at the heart of the land baron's equation of value and productivity. The most obvious form resistance took involved little more than a

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<sup>109</sup> Ibid.

<sup>110</sup> "T.B. Catron – Rental Statements" 1905-1907, CP, Series 305, Box 6, Folder 5.



continuation of residence and resource allocation. Others more forcefully presented their rights through aggressive land monitoring and through the New Mexico courts.<sup>111</sup> Like the vecinos of the Piedra Lumbre and La Majada grants, Nuevomexicanos on many of Catron's grants hardened community barriers and more forcefully guarded grant boundaries, pasture lands, and timber stands from outside encroachment.

Several conditions added to the defensive posturing of Nuevomexicano communities. At the top of the list was the recent work of the Court of Private Land Claims, through which the Supreme Court substantially decreased grant acreage and transferred millions of acres of *ejidos* (commons) to the public domain or to federal agencies.<sup>112</sup> The loss of lands was compounded by the dispossession that occurred during the speculative bubble of the Gilded Age, which had remained dormant until the burst of activity of the strong economy after the Spanish American War. Finally, a steep rise in population, including natural growth and Anglo-American immigration, created new pressures on the land and its utility. The emergent generation of Nuevomexicanos recognized their precarious situation and so, emboldened and embittered by the already clear history of double-dealing and manipulation, fought back against any further alienation of their lands and their social power.<sup>113</sup>

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<sup>111</sup> It is of value to note that much of the evidence of legal resistance comes from court cases that took place in the 1910s. It did not take until the 1990s and 2000s for grant heirs to attempt to work through legal channels to right the injustices that came from New Mexico's Gilded Age. Instead, grant residents fought back repeatedly through the courts from the 1880s into the 1920s, and it is telling the Catron and his sons defended their titles, their interests, and their boundaries on numerous occasions. These cases shed light on the attempts by landowners, often corporate in form, to better manage grant lands while meeting resistance and non-compliance over and over again. Catron, or his distinguished counsel, spun their own narratives of paternal maintenance of the land and its people. His all-too-often appearance as defendant in court, however, implies that the plaintiffs disagreed. See Catron Papers, Series 305 & 306.

<sup>112</sup> Ebright, *Land Grants and Lawsuits*, 45-46.

<sup>113</sup> Sally Deutsch, *No Separate Refuge*, 30. Deutsch illustrates that Nuevomexicano communities across northern New Mexico also developed and adapted systems of seasonal migration, wage labor, and inter-community support to meet the changing economic, social, and political realities of the twentieth century. I do not mean here to challenge the structural rubric as identified by Deutsch, but to add to it and help to

In heavily contested regions, such as those surrounding Las Vegas, NM, a longtime hotbed of land grant activism, residents of the Mora, Anton Chico, Preston Beck, and Antonio Ortiz grants not only made positive claims to their continued ownership, but blatantly disregarded Catron's agents and the notices they posted to set lease and royalty fees. On these grants, in particular, Nuevomexicanos challenged Catron and his ability to define ownership and use of his lands.<sup>114</sup> Rather than evidence of a stride towards ordered land development and resource allocation, these places witnessed a continued social, cultural, and economic clash that surfaced in the towns, the courts, and on the range. Here, recalcitrance to Catron's authority over grass and timber doubled as defiance towards the increasingly formal land system and its ideological underpinning in American understandings of property ownership and corporate personhood.<sup>115</sup>

On the 380,000 acre Anton Chico Grant, heirs categorically refused to recognize the title held by the New Mexico Land & Livestock Co. from 1883 to 1901 and by Thomas Catron thereafter.<sup>116</sup> Residents of the small town of Anton Chico petitioned since the 1880s for proper delivery of patent to the town itself, but a wholly manipulated quiet title ruling from 1884 in favor of the livestock company provided firm ground to defend

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extrapolate the ways in which Thomas Catron's interaction with New Mexico lands emphasized a liberal capitalist model that Nuevomexicano communities dealt with through a range of resistance, response, and adaptation.

<sup>114</sup> Attitudes of land grant heirs in the Las Vegas vicinity influenced Nuevomexicanos on other grants as well, such as brought to light by Andrieus A. Jones when he wrote to Thomas Catron that residents of the Perea Grant refused to testify as witnesses without subpoena because of criticism and fear of backlash by the residents of Anton Chico. See A.A. Jones to T.B. Catron, 11 November 1905, CP, Series 103, Box 24, Folder 1.

<sup>115</sup> Many of the Nuevomexicano ranchers who challenged Catron did not so clearly challenge a capitalist system or a cash economy in its own right. They participated in the rounds of stocking and overstocking the range lands, spurred on by a capitalist engine of international perimeters through which many Nuevomexicanos toiled in vain as the products of their labor lessened in value, leading many to seek wage labor (often seasonal) outside their home communities.

<sup>116</sup> Michael J. Rock, "Anton Chico and Its Patent," in John R. and Christine M. Van Ness, eds. *Spanish and Mexican Land Grants in New Mexico and Colorado* (Boulder: Center for Land Grant Studies and the Colorado Humanities Program, 1980), 86-91.

fee simple ownership. Catron looked to do just that after acquiring the grant from the estate of Wilson Waddingham, relying upon his full title to secure a mortgage with the Continental Trust Company of Denver for \$75,000 on June 1, 1904.<sup>117</sup> As usual this move, which was designed to alleviate Catron's monetary woes, really added a large principal to his debt as well as the ten percent interest that required payments of \$3750 twice a year. To try to meet this new expense, Catron employed a familiar strategy by arranging leases for grazing rights on the Anton Chico. Residents of the grant disputed the owner's right to make these contracts and thereby, his right to title. In February 1906, a committee led by Florencio García, Jesús María Rivera, David Marquez, Fernando Baca, Liberato Aragon, Santiago Parras, and Fidel Gallegos obtained the service of attorneys Charles Spiess and Stephen B. Davis. Jr. of Las Vegas to bring suit against Catron and the NMLLSC.<sup>118</sup> The prolonged litigation that followed tested the 1884 quiet title ruling to the limit, as grant heirs pressed their cause and illuminated the manipulation that resulted in their dispossession in the first place. The Town of Anton Chico Grant Committee continued to seek legal redress through the 1910s and worked through several appeals, forcing Catron to return to the courtroom over and over to defend his position.<sup>119</sup> More debilitating, the constant legal maneuvering by the Town of Anton Chico and their outright refusal to pay or honor leases made it that much more difficult to sell the land,

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<sup>117</sup> Directors Meeting, 8 February 1904, Minute Book, New Mexico Land & Live Stock Co., 1883-1904, CP, Series 606; W.T. Ravenscroft to Thomas B. Catron, 6 December, 1905, CP 103, B24, F2, CSWR, UL, UNM. The directors of the New Mexico Land & Live Stock Company in 1904 included Thomas B. Catron, Charles C. Catron, his son, Willard A. Barney, his nephew, Robert C. Gortner, his law partner, and William E. Gortner, Robert's brother and a trusted associate living in East Las Vegas. Their formal meetings took place in Las Vegas, likely at William Gortner's law office.

<sup>118</sup> Rock, "Anton Chico and Its Patent," 91; "Abstract of Record," CP, Series 306, Box 1.

<sup>119</sup> CP, Series 306, Boxes 1 and 2; The same group of Nuevomexicano committee members appeared in the appeal cases that moved from the District Court of Guadalupe County to the Supreme Court of the Territory of New Mexico. T.B. Catron represented the appellants in these cases that continued from 1906-1918, acting as counsel for himself, the New Mexico Land and Live Stock Company, the Continental Trust Company, and all Unknown Claimants against the Town of Anton Chico. See Abstract of Record In the Supreme Court of the State of New Mexico, January Term, 1917, CP, Series 306, Box 1, Folder 1.

while court fees, mortgage payments, and tax bills piled up. Like so many of Catron's grants, ownership of the Anton Chico came with the dubious reward of extra debt and remained unprofitable and largely unmanageable through his lifetime.

Hispano ranchers on the Mora and Antonio Ortiz grants lacked the unity of purpose and collective authority held by the committee members representing the Town of Anton Chico, but their attitudes overlapped in meaningful ways with their neighbors in Guadalupe County. They too refused to concede ownership to Catron or other corporate interests, or at the very least challenged title holders to enforce property rights. Supported by local and ethnic communities, few, if any, Nuevomexicanos paid usual royalties on the Mora or Ortiz grants, though they continued to run cumulatively enormous flocks on these lands.<sup>120</sup> Catron's agents pled with him to remove these "squatters," citing their presence as damaging to the land, its potential output, and its sales appeal. Alongside these requests came those of white entrepreneurs and cattle men who coveted the lands that "sheep men" – read Mexican – so improperly used. For them, the economic (and cultural) capital of cattle stood far above that of sheep, and so peaked Catron's attention by offering to sign steady grazing leases if the owner could vacate the sheep ranchers.<sup>121</sup> But the Nuevomexicano ranchers proved difficult to track down, obscured their activities, movements, and livestock ownership, and when cornered, often explained (or bluffed)

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<sup>120</sup> Frank Clark to T.B. Catron, 15 March 1907, CP, Series 103, Box 28, Folder 2. Land agent Frank Clark corresponded with T.B. Catron regarding the Antonio Ortiz Grant. In March, 1907, Clark explained that "The resident sheep owners of the Ortiz grant still refuse to pay any rent for pasturage and are holding meetings all the time for the purpose of deciding on plans and engaging a lawyer to contest your right in the grant."

William E. Gortner to Robert, 18 August 1902, CP, Series 103, Box 15, Folder 4; William E. Gortner to T.B. Catron, 13 October 1902, CP, Series 103, Box 16, Folder 1. William Gortner explained in these letters that between 50-60,000 head of sheep pastured on at least 130,000 acres of the Mora Grant and so prevented other ranchers from leasing these lands and prevented Thomas Catron to profit from their usage.

<sup>121</sup> W.E. Gortner to TBC, 13 October 1902, CP, Series 103, Box 16, Folder 1; A.A. Jones to TBC, 7 February 1903, CP, Series 103, Box 16, Folder 5; A.A. Jones to TBC, 18 March 1903, CP, Series 103, Box 17, Folder 1; William Gortner to Bob Gortner, 15 October 1904, CP, Series 103, Box 21, Folder 3; William Gortner to TBC, 21 October 1904, CP, Series 103, Box 21, Folder 3.

that Catron bestowed personal allowances. They utilized mobility, clouded boundaries, and feigned ignorance to graze their herds, support their villages, and avoid formal leases. The rural, pastoral landscape of Las Vegas' hinterlands allowed these ranchers to fly under the radar as a means of resistance, a practice that Hispanos carried out to a modicum of success during this period of heightened attention to land management by capitalists and federal bureaucrats alike.

Evasion and misdirection represented only one side of the equation for Hispano ranchers, however, who also asserted usage and possession by their continued presence on and defense of common lands. If the range lands of eastern New Mexico offered the space to avoid management from Santa Fe, it also attracted cattle men in droves and by the early twentieth century already showed signs of overgrazing.<sup>122</sup> The cultural contest that resulted fused the issues of ownership and allocation with race and labor. American cattle ranchers grew increasingly angered by the land use of grant residents while the heirs grew increasingly aggressive in protecting their range and their interests.

The success of two men, Mr. Montoya and Alberto Valdez, represents just such a scenario. When the McCormick Cattle Company of Cimarron leased the northeastern corner of the Mora Grant from Thomas Catron in January 1905, the ranch likely expected to utilize some unclaimed winter grazing land for a herd of five hundred cattle overseen by a Mr. Strahan. But, when Strahan attempted to run the cattle on the designated portion of the grant, Montoya and Valdez chased away him and his stock. Both Montoya and Valdez claimed portions of the common land of the Mora Grant for their sheep, and even

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<sup>122</sup> Environmental saturation was already evident on much of New Mexico's pastoral lands by the first decade of the twentieth century, but the capitalist engine, instead of throttling to prevent great degradation, required parties to run more livestock to make up for price differentials and international market gluts that undercut their ability to keep their bottom line in the black.

though they lacked fences, they protected their plots and their right to graze. Montoya, who ran approximately 7500 head of sheep alongside his brother-in-law, explained to Mr. Strahan that he had an agreement with Catron that upheld his use of the range and so ordered Strahan off the premises. Valdez was not so diplomatic. Every time Strahan crossed onto Valdez' land, the sheep rancher set his men and dogs upon the intruders. The McCormick Cattle Company quickly tired of the conflict, removing Strahan and their cattle from the Mora Grant as soon as practical.<sup>123</sup> In the shift towards managed land use, profit, and productivity, Catron and countless others found the grant lands of northern New Mexico to be troublesome indeed. Nuevomexicanos, on the other hand, adapted to the new age in a number of informal ways as well as found solace in the legal chaos and rural lifestyle that continued to shield their communities and their grants.<sup>124</sup>

Much of the inherent trouble with these lands and these places stems from their maintained presence as an economic borderland, in which subsistence living, mercantile capitalism, extractive industry, municipal incorporation, and tourism-oriented capitalism overlapped with increasing regularity. The early progress of the twentieth century, including the influx of migrants and the strong growth in most business sectors, largely took place outside of the Nuevomexicano villages and communities of northern New Mexico. For this reason, rural Nuevomexicanos could continue a mode of subsistence or pastoral production, and/or seek wage labor in the capitalist economy. Through their interaction with mercantile houses, such as those owned by Charles Ilfeld or Gross, Kelly, & co., Nuevomexicanos and their traditional *efectos del pais* entered the wider

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<sup>123</sup> W.E. Gortner to Hon. T.B. Catron, 28 January 1905, CP, Series 103, Box 22, Folder 1.

<sup>124</sup> Clark S. Knowlton, "The Mora Land Grant: A New Mexican Tragedy," in Malcolm Ebright, Ed., *Spanish and Mexican Land Grants and the Law* (Manhattan, KS: Sunflower University Press, in cooperation with the Center for Land Grants Studies, 1989), 59-73, 70.

marketplace, but in a way, without them having to do so explicitly as business was rarely conducted in cash and personal relations of fealty and patronage remained essential. The rural mercantiles represented the economy of the Hispano borderlands in this way, with one foot squarely set in the hinterland trade, and the other just as firmly planted in the Euro American world of capitalism as organized around railroads, corporations, banks, and interconnected money markets. Catron too, lived and worked within this economic borderland, constantly unable, it would appear, to successfully navigate his way among international capitalists and Nuevomexicano *pobladores* alike. In keeping with his middling path, Catron made quite an empire for himself in territorial New Mexico, but he no doubt found that time after time, his business in the borderlands failed to make sense to those on the outside. From this point of view, Thomas Catron's fortune and failure are actually one and the same.

## **Conclusion: A Crumbling Empire and Catron's Capitalist Legacy**

*As I look back over our forty or fifty years of life in New Mexico and at this outcome, I can certainly see that we have not done for ourselves what we should have done. We should have centralized our affairs and our ambition more in the line of adding to our finances; because it seems to be that money talks more than anything else at this age of our lives. But we are confronted with crippled finances and a hungry crowd of new comers who would swim and ride over God, Devel and everybody else, for the money there is in it.*

Melvin Mills to T.B. Catron, September 12, 1911

### **Another One Bites the Dust**

For all of Thomas Catron's puppetry of the Gilded Age, the twentieth century and the arrival of statehood was in many ways sobering for the ringleader and for New Mexico in general. Modernity, and the managerial order it promised to deliver, left a bifurcated economy throughout the Hispano borderlands. With great fluidity, the region split between the competing cultures and values of the corporate world, beholden to the secular bottom lines of distant stock or bondholders, and the rural village, where tradition, heritage, and meaningful attachment to the land infused a local, community-focused adaptation to the hard realities of the marketplace. As a land monopolist, entrepreneur, lawyer, and local politician, Catron occupied and interacted with both of these realms. He was well connected with national and international networks of finance, though from his vantage point in Santa Fe, he too often felt the caustic effect of market forces well outside his purview for control. The bank panics, stock plunges, and political wrangling from afar sent shockwaves through western economies so that even New Mexico's most iconic land-grabbing robber baron found himself fiscally upended and scrambling to protect his empire. Catron's holdings linked him to the region's hinterlands



as well, including the rural, village-oriented components of development, fraught with the issues of land contest, resource allocation, and fragile value, all made especially volatile due to the earlier cycles of aggressive speculation mixed with the environmental degradation that crescendoed during the first decades of the twentieth century. Like the Nuevomexicano communities he systematically dispossessed, who witnessed more and more of their men journey outside the region to find work and wages, Catron found respite only through the painful process of leaving the land behind, and not always by happy choice.<sup>1</sup>

The collapse of Catron's once mighty land grant empire took place sporadically across a decade and a half that otherwise witnessed the transition to statehood, high rates of incoming migration, and growth in most sectors of New Mexico's economy. The circumstances surrounding each sale, repossession, or boundary reduction are indicative of another significant stage in the already unsettling history of New Mexico's Spanish and Mexican land grants. Having owned, controlled, or held partial interest in at least thirty-eight grants during his half-century of activity, aggregating over 2.5 million acres (as well as fleeting ownership or control over another two million), it is notable that by the time of his death, Catron held some claim to only eight (though perhaps as many as eleven) and that these claims represented no more than 350,000 acres in equity, most of which he already tapped.<sup>2</sup>

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<sup>1</sup> Deutsch, *No Separate Refuge*, 41. In Deutsch's analysis, the maintenance of the village community developed into a system organized by gender roles in which men seasonally left the village to follow wage labor positions while women fit at the center of family life, and therefore the networks of villages and communities that provided communal refuge from the onslaught of capitalism and Euro American development.

<sup>2</sup> Westphall found evidence of continued ownership of the Anton Chico, Bosque del Apache, Eaton, Ojo del Espiritu Santo, Juan de Gabaldon, Mesita de Juana Lopez, and Santa Teresa grants. Westphall, *Thomas Benton Catron*, 385. To this I add the Piedra Lumbre Grant, which Thomas Catron, II still held part of until 1929 when he sold it for \$49,500 to Manuel R. Salazar of Canones, Rio Arriba County, New Mexico. Sale

So what happened to all of the grants? While complexity underscores many of the transactions or conveyances that divested Catron of his titles, the most basic explanation comes back once again to their continued poor performance as investments and securities. The corporate debt organized on each grant, in combination with legal fees, developmental expenses, and annual taxes simply overawed his accounts. In the aftermath of the Panic of 1907, when the money markets tightened, Catron found obtaining new loans or mortgages almost impossible. He struggled to sell some of his lands at strong prices, but real estate and investment agents counseled Catron that large tracts of New Mexico land stood in a sort of limbo as potential buyers conservatively waited for statehood to see how prices would pan out. Then, after his agent Don A. MounDay of Topeka, Kansas, was indicted for false advertising and fraudulent use of the U.S. mail, Catron finally caught glimpse of the writing on the wall and reduced his per acre rates to levels that would allow him to pay off his debts, but little more.<sup>3</sup>

For instance, after two decades of working towards the sale of the Tierra Amarilla grant with costs ranging from \$3 to \$5 an acre, he finally departed with the property for \$500,000, or just under a dollar per acre. With the money he paid the \$400,000 mortgage held against the grant and used to rest to cover back taxes and his other corporate debts. An inglorious end for his prized jewel. The new owners, the Arlington Land Company, represented a syndicate of Minnesota investors.<sup>4</sup> Similarly, he helped to convey the Baca Location No. 1 in 1910 from his Valles Land Co. to the Redondo Development

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Agreement, South Two-Thirds of Piedra Lumbre Grant, 26 October 1929, Folder 13, Ojo del Espiritu Santo Company Records, 1911-1934, Center for Southwest Research, University Libraries, University of New Mexico (OdESCo Records).

<sup>3</sup> Don A. MounDay to Thomas B. Catron, 14 July 1909, Thomas B. Catron Papers, 1690-1934, Center for Southwest Research, University Libraries, University of New Mexico, Series 107, Box 1, Folder 3; and Fred Robertson, U.S. Attorney, to Thomas B. Catron, 30 August 1913, CP, Series 107, Box 1, Folder 3.

<sup>4</sup> Swadesh, *Los Primeros Pobladores*, 88.

Company. In cases such as these, the land grants moved from one corporate owner to the next. The Nuevomexicano residents never stood a chance.

Another common situation by which Catron lost acreage developed as part and parcel of the system of jurisprudence he helped to install in New Mexico.<sup>5</sup> Legal contests and partition suits continued to cloud land grant titles well after 1904 when the Court of Private Land Claims concluded its business. The new iteration of legal land wrangling picked up steam in the years following statehood, though many of the main attorneys involved – A.B. Renehan, N.B. Laughlin, A.B. McMillan, A.A. Jones, and C.C. Catron – represented a generational bridge back to the territorial days. Still, the New Mexico court no longer acted as Thomas Catron’s partner in crime as it did during the heyday of the Santa Fe Ring. In one case, concerning the partition of La Majada grant that came before Judge Merritt Mechem in 1913, the court ruled to throw out an agreement made in 1890 between Catron and Marcelino Baca stipulating that the lawyer should receive one-fifth of all uninhabited and uncultivated lands in defense of and successful production of the grant’s title and patent. Whereas Catron claimed twenty percent of La Majada’s commons, roughly ten-thousand acres, the 1913 ruling left him with a fractional interest of less than one-percent of the grant, or about 503 acres.<sup>6</sup> For all of the actual legal labor performed by Catron and his office, this outcome revealed an acute loss. The unending litigation that enveloped the Anton Chico grant proved even more injurious. Attained in the estate debacle of Waddy-gate, Catron managed the full title to Anton Chico’s 383,856

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<sup>5</sup> Indeed, through his efforts as an appointed officer of the courts in the 1870s, elected representative of the legislature from the 1880s to the 1910s, and as a continuous participant in the courts and Bar Association, Thomas Catron played an influential role in the evolution of legal code and enforcement in New Mexico. The legal sphere of his life and the direct impact he had on New Mexico jurisprudence through the application and setting of precedents as well as his collection of the most substantial legal library in the region requires further analysis and evaluation beyond the scope of any current work featuring Catron or Territorial New Mexico.

<sup>6</sup> “Judgment of Partition.” 6 June 1913, CP, Series 305, Box 4, Folder 2.

acres as held by the NMLLSC.<sup>7</sup> But two lagging and nagging issues pulled the rug out from under this corporate design. The first involved the sustained efforts by the residents of the Town of Anton Chico to prove their continued existence on the grant and regain ownership and access to its commons. Catron defended his company's title late into the 1910s, but he steadily lost ground until by the end of the decade, his interest evolved into claiming sole ownership of about 80,000 contested acres that overlapped between Anton Chico and the Preston Beck grants.<sup>8</sup> The AC-PB overlap (totaling approximately 120,000 acres) grew into the next major thorn for the Catrons. The issue was not fully resolved until 1928 when the owners of the Beck grant, with precedence as the first of the two grants to gain confirmation by Congress (by less than a year), and therefore *de novo* existence prior to Anton Chico, was awarded ownership of the overlap.<sup>9</sup> Another one bites the dust.

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<sup>7</sup> Directors Meeting, 8 February 1904, New Mexico Land & Live Stock Co., Minute Book, 1883-1904, CP, Series 606, Vol. 1. In the minute book, the following passage from the Directors' Meeting, attended by Thomas Catron, Charles Catron, William Gortner, Robert Gortner, and William Barney, stated: "Whereas, the NMLLSC is justly indebted to T.B. Catron in the sum of money in excess of Two Hundred Thousand Dollars, for money paid, laid out and expended by him for the use and benefit of said company in perfecting the title of said company to its property, and in correcting and remedying irregularities in its affairs and in relieving it from various entanglements and difficulties into which it had gotten and for his services in accomplishing said objects, and Whereas, it is necessary to raise funds with which to reimburse said Catron for his said expenditures and services so rendered."

<sup>8</sup> Michael J. Rock, "Anton Chico and Its Patent," in John R. and Christine M. Van Ness, eds. *Spanish and Mexican Land Grants in New Mexico and Colorado* (Boulder: Center for Land Grant Studies and the Colorado Humanities Program, 1980): 86-91, 90-91.

<sup>9</sup> While few tears should be shed for the loss of the overlap by the Catron family, the situation was in fact much more complex by the 1920s (as it always seemed to be). After Thomas Catron had effectively lost-out in his attempt to maintain ownership of the entirety of the Anton Chico grant, his position (and afterward that of Charles and Fletcher) was that the overlap should rightfully belong to Anton Chico as the elder of the two grants. By right of first possession, the Catrons argued, Anton Chico held title to the overlapping acreage well before the Preston Beck grant came into existence. Instead, as noted in the text, the court employed the same precedence and logic as used by the schemers of the 1870s and 1880s to say that confirmation of land grants by the U.S. Congress represented a *de novo* existence in the life of the grant, and therefore, under U.S. statute, a grant's age or continued presence and residence was effectively erased and begun anew through the U.S. system that replaced its Mexican and Spanish predecessors. Once again, Nuevomexicanos must have looked on with astonishment as the basic facts of their history entangled with the American procedures of land law only to emerge with less land, less faith in the fairness of the system, and the painful lessons (traumas) regarding their standing and that of their history in American

Perhaps the most painful loss to Catron's empire came at the hands of the county assessor and tax collector. Specifically, the public auction and sale of 250,000 acres of the Mora grant in 1913 marked the end of Thomas Benton's tenure of interest in the area.<sup>10</sup> In actuality, this finale came after years of tax troubles and several prior public auctions and last-minute payments or redemptions. Despite the continued income the Catrons garnered from the grant as rentiers, including timber royalties, land rents, and grazing leases, the capitalist order imposed on the property never produced sufficient income to cover the costs of ownership. So instead, Frank Roy of Las Vegas purchased the land at a bargain that February, and Thomas Catron was unable to raise the funds to redeem it.<sup>11</sup> Catron's loss of the Mora Land Grant in many ways marks the botched ending to a deeply unsettling story of capitalism set loose upon the West. From the numerous failed sales that followed the aggressive speculation of the late nineteenth century, to the unrelenting legal conflicts over fee simple title, to the unsuccessful management of the land's inhabitants and their relationship to its resources in the early twentieth century, Mora's story is one of a miscarriage of economic modernity. And in this unfortunate tale, Thomas Catron, far from the usual depiction as a mastermind of southwestern scheming, plays the unmitigated fool. That the federal government, through the U.S. Forest Service gained control over large swaths of the lost land only adds insult to injury for the Nuevomexicanos who were slowly and steadily dispossessed, marginalized, and pressed for the payment of royalties and rents.<sup>12</sup>

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society. Severiano R. Sisneros, Jr., "A Brief History of the Anton Chico Land Grant From Its' Beginning Until the Present," submitted to the New Mexico Land Grant Council.

<sup>10</sup> Thomas B. Catron to Herbert W. Clark, 1 September 1913, CP, Series 305, Box 1, Folder 5.

<sup>11</sup> T.B. Catron to Mr. Charles A. Spiess, 5 March 1913, CP, Series 305, Box 1, Folder 5.

<sup>12</sup> Shadow and Rodríguez-Shadow, "From *Repartición* to Partition," 298, argues that prior scholarship, presenting dislocation and dispossession as a *fait accompli*, makes the social justice issue look already

While his empire crumbled, however, the ever-wily Thomas Catron was not yet done scrapping and scraping. At public auction in February 1911, for instance, he purchased the entirety of the Caja del Rio Grande grant for fifty dollars.<sup>13</sup> Of note, the 49,322 acres of the grant came up for public auction in 1904, 1906, and then again in December of 1910, showing that Catron was not the only owner troubled by the increasing tax assessments on large tracts of land and the heightened bureaucratic attention towards collecting these revenues. Nevertheless, his astounding bargain came at the ridiculous price of just over \$1 per 1000 acres of land in Santa Fe County! To no great surprise, the purchase grew hotly contested, especially as the local bankers and attorneys put-out by the transaction struck back. They claimed that Catron worked in underhanded methods to purchase the grant from the courthouse without stirring up competitive offers and creating a bidding war that would have certainly driven up the price. The ensuing suit, heard in the District Court of the First Judicial District of the State of New Mexico in March 1914, brought out a parade of land lawyers and their collaborating witnesses, including a not so infrequent occasion in which Charles Catron led the cross-examination of his father, a U.S. senator at the time.<sup>14</sup> The Catrons

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settled, when in fact, land use and ownership continues to bring to the surface a number of contemporary social, political, and economic questions and policy issues.

<sup>13</sup> The purchase of the Caja del Rio Land Grant by Thomas Catron at public auction came up in the testimony James M. Norment as examined by N.B. Laughlin in the case of *Aniceto Abeytia et al., v. Willi Spiegelberg et al*, No. 4123, District Court of the First Judicial District of the State of New Mexico, County of Santa Fe, 5 March 1914, Folder 3, Caja del Rio Grande Testimony, Center for Southwest Research, University Libraries, University of New Mexico (Caja Testimony).

<sup>14</sup> The list of witnesses called during the ongoing trials from 1907 to 1914 concerning the Caja del Rio Grande grant, presents, in and of itself, a curious cross-section of those early-nineteenth-century individuals who were personally interested in or well-informed about land grants, their histories, and their genealogies of title. In no particular order, the witnesses included: Clements Ortiz, Aniceto Abeytia, R.B. Willison, Ambrosio Ortiz, R.J. Palen, Luciano Serrano, Trinidad Alarid, Jose Salazar y Ortiz, Leandra Abeytia de Angel, Patrocina Abeytia de Sena, Leandro Sena, E.A. Fiske, N.B. Laughlin, E.F. Sidebottom, Jose Ignacio Dimas, Marcelino Baca, Charles M. Conklin, John Law, F.H. McBride, L.B. Prince, Hilario Baca, P.P. Stimmell, George A. Riddle, S.S. McBride, T.B. Catron, Amado Chaves, and A.R. McCord. Note that 13/27 of the witnesses had Hispano surnames and that at least six of them (Alarid, Fiske, Laughlin, Prince,

successfully defended their interests that March, though it is unclear what became of the grant and their claim to possession. Another example of Catron's attempt to apply his position and power took place during the build-up to statehood when he and business partner William H. Austin of El Paso revamped the Texas-New Mexico boundary dispute. The stakes centered on roughly 20,000 acres of land along the Rio Grande that Catron and Austin claimed belonged to New Mexico and therefore to their Santa Teresa Land Company, owner of the Santa Teresa land grant in Dona Ana County.<sup>15</sup>

Alternatively, Texas claimants of the Canutillo Grant in El Paso County lobbied their state legislature to block the boundary change. The affair escalated quickly, with Austin writing to Hon. Joe Cannon and Catron to President William H. Taft in assertion of New Mexico's right to these bottom lands, citing the natural fluctuation of the Rio Grande itself as the pretext for the Texans' land grab.<sup>16</sup> Ultimately, when his compatriots implored him to give up the issue as an unnecessary (and self-serving) obstacle to statehood, Catron backed off. Instead, he used the issue to grandstand against the abuses suffered by New Mexico at the hands of Texas, an easy sell for much of his constituency.

Alongside the many losses and few gains involving land grants, Catron never detached himself from an array of business interests linked to land speculation in the American West. When the Socorro Company, reorganized from the AVC in 1903, had turned insolvent already by 1906, he traded much of the debt owed him by the company for the Gibraltar Building, a fixer-upper of an office building in a no-longer-central

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Catron, and Chaves) were heavily involved in land grant speculation and adjudication. *Aniceto Abeytia et al., v. Willi Spiegelberg et al*, No. 4123, District Court of the First Judicial District of the State of New Mexico, County of Santa Fe, 5 March 1914, Folders 2 & 3, Caja Testimony.

<sup>15</sup> W.H. Austin to Hon. Joseph Cannon, 1 February 1911, CP, Series 103, Box 36, Folder 8; T.B. Catron to Hon. William H. Taft, POTUS, 17 April 1911, CP, Series 103, Box 37, Folder 1.

<sup>16</sup> *Ibid.*



district of Kansas City.<sup>17</sup> In receivership, the bondholders of the Socorro Co. then transferred the company's property, including the American Valley Ranch and Bosque del Apache grant, to the newly incorporated Sandoval Land Grant Company.<sup>18</sup> Catron remained marginally involved. In association with his oldest two sons John and Charles, he also persisted with timber land speculation along the Rogue River and in the Jordan Valley of Oregon.<sup>19</sup> Then there were mining enterprises in New Mexico and Sonora; real estate deals in Southern California; the purchase of stocks in Texas oil companies; and through Frank Broad (the son of his old trusted agent Wilmot Broad) an investment in the Negros-Philippine Lumber Company.<sup>20</sup> Maybe nobody told him that his empire was collapsing; maybe he thought these ventures would turn things around.

When all was said and done the reality is that Thomas Benton Catron was a gambler—even addicted to gambling. His game was not poker, like his Senatorial partner Albert B. Fall, nor was it faro or horseracing or boxing. Catron's game was capitalism, and he could not stop.<sup>21</sup> The American West was his casino, land speculation his favorite game, and New Mexico his table of choice. The new financial tools of the day, in combination with his Gilded Age network of friends and associates, provided the means for his monumental early success. But these methods also caged him in the post-Civil

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<sup>17</sup> "Bills, Receipts, and Correspondence, Ed Duncan, Manager, Gibraltar Building, Kansas City," CP, Series 611, Box 1.

<sup>18</sup> "Memorandum prepared by C.H. Stoll showing devolution of title from the completion of the abstract by James G. Fitch down to the present time. Feb. 20, 1915," CP, Series 611, Box 1. This memorandum included some details of the Socorro Company bankruptcy, including its final balance of indebtedness at \$748,088.

<sup>19</sup> Charles Catron to T.B. Catron, 29 January 1903, CP, Series 103, Box 16, Folder 4; W. Keegin to T.B. Catron, 8 April 1907, CP, Series 103, Box 28, Folder 5; John Catron to T.B. Catron, 9 January 1910, CP, Series 103, Box 35, Folder 2.

<sup>20</sup> Frank Broad, Chama, to Thomas B. Catron, 12 November 1910, CP, Series 103, Box 36, Folder 5.

<sup>21</sup> Jackson Lears, *Something for Nothing: Luck in America* (New York: Viking, 2003), 2. In this history of luck in America, Lears contends that "Debate about gambling reveals fundamental fault lines in American character, sharp tensions between an impulse toward risk and a zeal for control." I believe that Catron fits this characterization, in all of its contradiction, to the fullest.



War mentality that placed such onus on acquisition and speculation. Then, when the world—and the markets—evolved around him, he stuck to plan and found succor in his vast landed empire. The circumstance did not change drastically whether we turn the time machine dial to 1885, 1895, 1905, or 1915, though the excuses for failure shifted with the times. Nevertheless, Catron played after the big chance, certain that one big deal could propel him within reach of the providential end he so ambitiously pursued. Like so many before him, Thomas Benton Catron came to the country and chased visions of golden cities in the distance. And just like his predecessors, he never found them. For all of the time and energy spent building his fortune, the forces of the market dried up capital and desiccated companies in New Mexico so that Catron’s most lasting legacy for his adopted home was an empire of dust.

### **Capitalism and its Discontent in the Hispano Borderlands**

In “An Empire of Dust” I have argued that innovative forms of financial and corporate capitalism transformed parts of the American Southwest after the Civil War and yet failed to impart prolonged development or sustained economic growth. In the preceding five chapters, I have shown that in his half century of residence in Santa Fe, Thomas Catron forged meaningful links between the southwestern periphery and international centers of power and finance. He and his cohort employed the tools of the U.S. territorial system, legal system, ring politics, and corporate enterprise to consolidate and control millions of acres of New Mexico’s land grants and public domain. Catron could, at moments, personify a Gilded Age robber baron; wealthy, wily, powerful, cosmopolitan, and respected and feared (in both orders). But all did not go well for

Catron and like-minded speculators who gambled on an early transition to statehood and unmitigated economic growth. Their ultimate failure illuminates how and why much of New Mexico never transformed into the booming extractive landscape they desired. Instead, by the advent of statehood in 1912, the entrepreneurs of Santa Fe and its hinterlands shied away from their aggressive speculation in the area's lands and resources to embrace a service economy and promote a pre-capitalist southwestern regional identity.<sup>22</sup>

For historians looking forward upon the world of capitalism that emerged in New Mexico after the Civil War, the findings indicate some different possibilities for the territory's economic growth and development.<sup>23</sup> Though the region never really shook off the stereotypes and negative impressions cast upon it from the centers of money and power in the East, the modes of capitalism and finance that arose in New Mexico after 1869 represented the avant-garde of investment techniques, LLC use and personhood, and global flows of capital and credit. The aggressive attention towards speculation in land grants, especially in the Southern Rockies and northern New Mexico, set off a burst of activity spearheaded by international capitalists in collusion with local political machines and regional boosters. As the "itinerant tycoon of the Rockies," this was Waddy's world.<sup>24</sup> The immediate results included an impressive movement of financed capital to the Hispano borderlands, oriented towards corporations which acted as holding

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<sup>22</sup> The shift to tourism and the commodification of Santa Fe and northern New Mexico was in full force by 1912, shown for instance, in an "old Santa Fe style exhibition" that opened that year. Promoters advertised the event as a reason to come to Santa Fe, "The Tourist Center of the Southwest." Marta Weigle, "Selling the Southwest," in Scott Norris ed., *Discovered Country*.

<sup>23</sup> What I mean to say is that, from the perspective of June 1865, Americans projection of New Mexico's future would have looked very different than its actual evolution. I think it is important at junctures like this to step away from reporting what happened and why to question for a moment the extent of alternatives or at least to point to places where a different direction or choice was possible.

<sup>24</sup> Remley, "The Gilded Age," 2.

companies for millions of dollars (or pounds, or guilders) in securities, backed by millions of acres of grant lands and parcels of the public domain. And this transpired prior to—and in fact a full decade before—the entrance of the railroad. With unbridled confidence, the investors and stockholders wagered that with all of the attention paid to the region, and all of the potential value to be found in its untapped mineral, pastoral, and arboreal industries, all they needed was the technological innovation of a railroad and telegraph to erase the major issues of time and distance, and the power of the market would, as it had elsewhere, usher the high desert through the pearly gates of profit and progress.

But then, in no small part due to the Panic of 1873, the sanguine 1870s turned sluggish. None of the half-dozen proposed railways constructed their lines. Meanwhile, high interest rates and constricted money markets funneled capital out of the territories. Through local politico-speculators best represented by Jerome Chaffee of Colorado and Stephen B. Elkins of New Mexico, transnational syndicates turned their efforts toward re-investment, land-staging, and lobbying. Their purpose at the time included obtaining more land, ballooning boundaries, quieting titles, improving conditions (though just enough for promotion), enticing white American and European immigrants, and attracting that long-awaited life-blood of their speculative affairs—a transcontinental railroad. This period marked a high rate of cooperation between capitalist investors and the local political machines in Colorado, New Mexico, and much of the American West. The Santa Fe Ring evolved in direct association with this environment. Through its links to the most significant regional banks (First National of Denver, First National of Santa Fe, and the Second National of Santa Fe), the government land office, the office of the

Surveyor General, the New Mexico courts (at all levels), the territorial legislature, the appointed governor and attorneys, the press, and of unclear but no doubt relevant connection to the Freemasons, the Ring offered a clear conduit to the acquisition of land and power. It was also here, at the intersection of Waddingham's sly investment schemes and Elkins' smooth networking, as represented by the real-politic maneuverings of an otherwise evanescent political machine, that Thomas Catron cut his teeth to the world of wealth and its creation. I believe it fair to say that he never looked back. As a steward of the capitalist order, Catron steered New Mexico into the future, guided by the brash lessons of his Gilded-age education and its focus on a short-term capitalist economy.

When the railroad belatedly entered the fray, the capitalists once again set off on a rabid period of consolidation and incorporation. Optimism fueled the furnace as an explosion of corporate interests set their sights on those regions brought into the market's reach by the "iron horse." Catron actively participated in every major sector of this frenzy: rail lines to wagon roads; cattle, coal, and coke; lumber and lambs; dams, ditches, and development companies; banks, trusts, townsites; savings and loan companies, irrigation companies, oil companies, and utility companies. Between Catron's vast landholdings and his involvement in these economic sectors, we can trace the outline of an impressive southwestern empire unmatched in scale or scope by his contemporaries. But in many ways this represents an empire on paper only, a fictional façade that obstructs our view of the insolvency and illiquidity that haunted Catron's ventures from the 1880s through the 1910s, and then even that of his sons for decades to come. And yet, how can historians explain the discrepancy that separates the larger-than-life robber-baron Catron and the real man who, in 1920, at the age of eighty, can honestly be

represented as having spent the second half of his life barely one step ahead of bankruptcy and ruin. First, it stands to reason that he made plenty of poor or questionable business decisions. He too often exaggerated the value of southwestern lands, the strength of money markets, or the longevity of the national and international economy. Too many times did Catron set himself up to be “under water” in his enterprises before they were really afloat. It was close to impossible from his perch in Santa Fe to make back deficits on capital-intensive projects paying high rates of interest and steep commissions. Alongside the circumstantial choices of his own making, including his friends, partners, obligations, and investments, we must also consider the role played by the structural forces at work that so significantly influenced the onset and evolution of capitalism in the Hispano borderlands.<sup>25</sup>

In the post-Civil War social and economic environment, money flowed readily to exploit the extractive resources of the American West, including New Mexico. The markets for land speculation and extractive industry generated a truly impressive deluge of Eastern and European capital that was put to quick work in developing the region’s latent riches. Caught up in the optimism of the day, boosters from all corners of the West promoted their local cities and hinterlands as the next big thing. Their mines were the richest, their forests the most abundant, and their grasslands well-watered and never-ending. As part of this international rigmarole, developers directed capital to the

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<sup>25</sup> Beginning in the late 1970s, scholars of New Mexico and Nuevomexicanos framed their discussions more and more in the terms of dependency theory, and pointed to the many structural forces that held the state and people in an underdeveloped, dependent position. See some dissertations on the topic, including: Kenneth Ray Weber, “A New Mexico Village and the Metropolis: A Study of the Economy and Social Organization of a Rural Satellite,” (PhD diss., University of Oregon, 1972); Roxanne Amanda Dunbar, “Land Tenure in Northern New Mexico: An Historical Perspective,” (PhD diss., UCLA, 1974); David Alex Sandoval, “Trade and the ‘Manito’ Society in New Mexico, 1821-1848,” (PhD diss., University of Utah, 1978); and Gerry C. Williams, “Dependency Formations and the Spanish-American Community: An Interpretative and Theoretical Study of Modernization in New Mexico,” (PhD diss., University of Oklahoma, 1985).

mountains and plains of New Mexico, especially when located on land grants that allowed them to sidestep the usual procedures and red tape of the government land office.

Once brought into the broader capitalist world, however, the lands of the high desert proved more troublesome than anyone expected. For the sake of comparison, one of Andrew Carnegie's innovations in the iron and steel business involved the use of his equipment and machinery to capacity until it was technologically surpassed or absolutely used to margin. In doing so, he created more profitable and efficient factory models than the English and Scottish manufacturers that he competed against. His factories burned through equipment, but the scale of production created profits that Carnegie pumped back into new machinery; the cycle repeated until he stood atop an industrial juggernaut.<sup>26</sup>

This model utterly fails when employed on southwestern lands. The arid lands of New Mexico renewed far too slowly, while usage continued to grow from the nineteenth into the twentieth century. The land was literally overrun within the duration of Catron's life, leaving a trail of devaluation that stung patron and *partidario* just the same.<sup>27</sup> In contrast to the Protestant values attached to business and industry, the arid lands of the Southwest presented a modern obstacle to the achievement of American concepts of individualism, self-stability, and democracy through enterprise, in part because neither energy, industry, or frugality, nor technological innovation, could effectively change the equation. The West is where American capitalists learned the sober truths about the real power(lessness) of the almighty dollar.<sup>28</sup> But, while entrepreneurs, families, and

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<sup>26</sup> Livesay, *Andrew Carnegie*, 94-95 and 98-99. Also known as "hard driving."

<sup>27</sup> DeBuys, *Enchantment and Exploitation*, 218-220.

<sup>28</sup> This is intended to read both ways. Many American capitalists really did learn the power of the dollar through western investments and ventures. But when it came to relying on the resources of the West, including its land, grass, trees, animals, minerals, and especially water, Americans learned no shortage of lessons of how cruel the natural world could be, especially when compounded by the ruthless competition of free market capitalism.

syndicates alike learned the hard lessons that western ventures had to offer, the expanding world of investment opportunity in newly opened regions, countries, and hemispheres meant that failures could be collectively written off as aberrations and that Americans would only selectively learn the lessons of capitalism and its discontent.

In New Mexico, for instance, the stubborn land and climate refused to be commercially exploited for steady profit, so the capitalists changed the equation and exploited its natural stubbornness. The region's recent flood of corporate activity was carefully shielded from view, while adobe, that oft-maligned mud and straw, gained a central place in the new capitalist economy. After half a century of responding to the invasion of modern markets and progress, Natives and Nuevomexicanos were now touted and exploited for their connections to a pre-capitalist "American" past.<sup>29</sup> Of no little irony, the very features that made Territorial New Mexico unfit for statehood suddenly drew tens of thousands of tourists, health seekers, and refugees from urban life to visit and bask in its seemingly ancient glory.

### **The Catron Legacy**

As New Mexico's first senators, Thomas Benton Catron and Albert B. Fall brought a political education to their office that was uniquely territorial in its training.<sup>30</sup>

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<sup>29</sup> Sylvia Rodriguez, "Art, Tourism, and Race Relations in Taos," in Scott Norris, ed., *Discovered Country*.

<sup>30</sup> Stratton, *Tempest over Teapot Dome*, 9-10. Biographer of Albert Fall, David Stratton comes to a similar conclusion that Fall brought his territorial past with him into the Senate. Thomas Catron made this all the more obvious as he spent a great deal of his Senatorial hours lobbying for funding bills for New Mexico and his constituency at home. Even in Washington, D.C., Catron continued his old party patronage ways.



Investigating Committee of the United States Senate (left to right), Hon. George Chamberlain of Oregon, Hon. Wesley L. Jones of Washington, and Hon. Thomas B. Catron of New Mexico, c. 1914, Catron Scrapbooks.

They maintained a view of land use and land rights that idealized development and favored corporate activity. The bills introduced by Catron in the upper house of Congress, for instance, mostly involved concessions to railroads, or competing claims to forest or coal lands between companies and federal agencies.<sup>31</sup> When World War I brought new cooperation between extractive industry and federal agencies, New Mexicans proved well adapted to working with the government and its War Boards.<sup>32</sup> Business there had rarely existed outside of the realm of bureaucratic controls and fluctuations in eastern markets. Yet it is puzzling that during the 1910s and 1920s New Mexico garnered national attention for its resilience as an isolated, backward place.

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<sup>31</sup> Bills presented by Catron in the 64<sup>th</sup> Congress, 1<sup>st</sup> Session, Vol. 5; and Bills presented by Catron in the 64<sup>th</sup> Congress, 2<sup>nd</sup> Session, Vol. 6, Catron Scrapbooks, private collection, Santa Fe.

<sup>32</sup> Papers of Albert B. Fall, 1887-1941, Henry Huntington Library, San Marino. In his Senatorial papers, Albert Fall kept records of correspondence from business leaders and associations as they wrote to and about the government War Boards. In general these businessmen spoke in favor of the boards and the welcome market they created for the products of wool, coal, timber, or food staples.



Despite its corporate order, often inscribed on the landscape in the form of railroad tracks, sawmills, smelters and feed lots, the American people by and large looked to New Mexico for its local arts and crafts or for its climate and environment. It is this final irony, of a southwestern state fully enmeshed in the national corporate and political culture, but with a built environment and regional culture oriented along a pre-capitalist axis, that has provided the context for New Mexico's growth over the remainder of the twentieth century.<sup>33</sup>

At the age of eighty, and after fifty-five years of residence in New Mexico, Thomas Benton Catron died in Santa Fe. His passing marks the end of my story, but not quite the end of an era.<sup>34</sup> Although the New Mexico of 1921 was far removed from the gilded days of ring rule and the unwavering optimism that American industry and ingenuity would make the desert bloom, the young state would not easily shake its territorial character. Case in point, just a few months prior to his passing, the New Mexico Legislature voted unanimously to name the new county carved from the western half of Socorro County, not Frisco, but Catron County.<sup>35</sup> Republican Party bosses continued to dominate the political arena. Men like Bronson Cutting utilized similar strategies employed by Catron to build coalitions of English and Spanish speaking

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<sup>33</sup> Wilson, *Myth of Santa Fe*, 2-4.

<sup>34</sup> Thomas B. Catron Dies After Long Illness; Funeral To Be Held In Santa Fe On Tuesday," *Albuquerque Journal*, 16 May 1921, p. 1. The report stated that Thomas B. Catron died of cirrhosis of the liver and that his burial would be taken care of by the Montezuma Lodge of Freemasons. As correctly noted by Westphall, Thomas Catron's funeral was attended by the who's-who of New Mexico. "T.B. Catron is Sued for Payment of Tax Totaling \$19,951," *Albuquerque Journal*, 12 May 1921, p. 5. In a final twist of irony, the County of Santa Fe filed suit against Catron just days before he died for almost \$20,000 in unpaid taxes. *Etu Santa Fe?*

<sup>35</sup> Clinton P. Anderson, "New County, If Created, May be Named after T.B. Catron;" *Albuquerque Journal*, 15 February 1921, p. 1.

voters.<sup>36</sup> Big business remained the primary driver of the New Mexican economy. Corporations held the reins to the state's chief industries, which by the 1920s included ranching, mining (of non-precious metals), oil and natural gas extraction, dry farming, and to a growing degree, railroad and motorcar tourism. Chain stores, wholesalers, and mail-order catalogues presented New Mexican consumers with nationally-oriented commodity markets, increasingly concentrated in urban spaces such as Albuquerque. The new retailers, with national supply lines, could offer lower prices and even some early forms of consumer credit, resulting in a slow undercutting of the business arrangements of rural mercantiles that continued to employ *partido* contracts and informal agreements in the process of accessing the vulnerable hinterland productivity of the Hispano borderlands.<sup>37</sup> The mercantiles, vestiges of a more sober, more symbiotic brand of market penetration (one that better considered the economic life of Nuevomexicanos and their system of land use and allocation), also faced disintegration due to ecological collapse and networks of seasonal and migratory wage labor that carried *pobladores* away from their small communities, home plots, and range lands, finding them instead in the rail yards, lumber yards, and beet and coal fields of urban centers and neighboring states.<sup>38</sup>

Through his success, his failure, and his personal networks, Thomas Catron powerfully influenced the face of economic change for New Mexico from the nineteenth century through the first full decade of statehood. From the processes of land

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<sup>36</sup> Phillip B. Gonzales, "El Jefe: Bronson Cutting and the Politics of Hispano Interests in New Mexico, 1920-1935," *Aztlan* 25 (Fall 2000): 67-108; Richard Lowett, "Bronson Cutting and the Early Years of the American Legion in New Mexico," *New Mexico Historical Review* 64 (Spring 1989): 143-158.

<sup>37</sup> Fritz, "Merchants and Modernity," 162. Fritz characterized new department stores, in particular, as harsh new competition for older mercantile arrangements, in part, because of their embrace of corporate bureaucracy. He explained that department stores "sold larger volumes of goods at cheaper prices, used incorporation as a method of raising capital, and created ever-larger bureaucracies comprised of investors, managers, and workers."

<sup>38</sup> Deutsch, *No Separate Refuge*, 87-88.

consolidation and monopolization of the 1870s, through the effort to incorporate—markets, companies, and society—in the 1880s, to the traveling circus of debt and asset juggling that framed the 1890s, and finally the attempt to professionally manage order and profit on landholdings in the 1900s, Catron left a deep imprint on millions of acres of the Hispano borderlands. Few others so forcefully chartered the course from communal land grant to land grant company that shifted the political and economic power in New Mexico away from its native residents and that created significant connections between southwestern lands and capital currents. Despite his role as an usher of Gilded Age business practices and American corporate culture to New Mexico, Thomas Catron's final years brought no financial relief. His debts and taxes continued to pile up and he continued to fight and delay while one-by-one he traded, sold, or lost his once-precious properties. And yet, even as his empire crumbled around him, the elderly Catron seemed content, and maybe even happy, for what appeared to be the first time in his life.<sup>39</sup>

The legacy left by Thomas B. Catron for New Mexico, its land, and its economy can be traced in part through the activities of his four sons, John, Charles, Thomas II (born Thom), and Fletcher. The different directions taken by the four Catron heirs illuminates the genteel quality of life afforded by Thomas Senior, and the opportunities available to these boys. Though born in territorial Santa Fe, the boys received tutors while at home and attended schooling outside New Mexico, including university educations at Yale, Stanford, West Point, and the University of Chicago.<sup>40</sup> They all grew up speaking Spanish and generally excelled in linguistics. The Catron's were likely well aware that their southwestern roots set them apart from many of their prep-bred

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<sup>39</sup> Eulogy on the Life and Character of Hon. Thomas Benton Catron by Geo. W. Prichard at the Scottish Rite Cathedral in the City of Santa Fe, 17 May 1921, CP, Series 801, Box 2, Folder 4.

<sup>40</sup> Westphall, *Thomas Benton Catron*, 143-44.

classmates. At times, their letters home included complaints regarding their lodgings, their allowances, and their father's harsh condemnation of discretionary spending or leisure activities. But, they also embraced their western upbringing and maintained a lifetime attachment to the wilderness of northern New Mexico where from a young age they learned to ride, camp, hunt, fish, and sleep under the stars. As adults, two of the four, Charles and Fletcher, followed in Thomas Senior's footsteps by passing the New Mexico Bar and maintaining residence in Santa Fe. As their father did for the territory from the 1870s through the 1910s, the boys continued to do throughout the twentieth century by sustaining the linkage between the Catron family and New Mexico's legal, economic, and social development. Like dad, the boys developed a high degree of self-confidence that, perhaps also an inheritance, could easily translate into brazenness or arrogance while dealing with others. Nevertheless, between the four of them, the Catrons came to represent all of the best—and some of the worst—their father had to offer.

Of the four, Charles most strikingly inherited his father's business acumen, legal cunning, and level of involvement in New Mexico's land grants. This occurred in part because while his older brother John attended school to become a mining engineer, Charles' most significant education came in the form of apprentice, agent, and partner to his father.<sup>41</sup> Already by the age of twenty-one, Charles participated in the family's emblematic land grant affairs, including the transfer of land titles, the acceptance of substantial loans and mortgages, and the collection work of a rentier. What started as a conveyance of the Tierra Amarilla grant to Charles in 1901, which he used to secure a

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<sup>41</sup> This is not to say that Charles Catron received lackluster schooling, which is exactly the opposite. Charles and John both had tutors when they were children in Santa Fe, and then Charles attended a private academy in New Hampshire, followed by Leland Stanford University and the University of Chicago where he graduated in 1901. Westphall, *Thomas Benton Catron*, 142-44; T.B. Catron to Professor Coons, Silver City, NM, 25 April 1890, CP, Series 105, Vol. 3.

\$250,000 set of five loans from Denver, escalated quickly and never looked back. Soon after, he grew gradually more and more active in his father's business, travelling to places such as Mora, Chama, Denver, and even Oregon, to take care of land negotiations.<sup>42</sup> By the 1910s, Charles, and increasingly Fletcher (after he completed his education in Chicago), took over Thomas Benton's land grant companies and acted as legal counsel in defense of the family's land or equity-based interests. During the period from 1912-1917, for instance, when the elder Catron achieved his life's goal of sitting in the U.S. Senate, the boys attended to his local matters. And, just like their distinguished father, John, Charles, Thom, and Fletcher found the world of western speculation and New Mexico real estate to be a fraught and frustrating affair.

The difficulties faced by the Catron sons developed in part due to decisions made by their father and his friends, who, with one leg set squarely in the territorial past, and the other placed in the young state's precarious future, directed New Mexico's course through its early decades of statehood. The optimism and penchant for risk of Thomas Benton's generation, not to mention the fondness for speculative ventures and the ease by which they employed political grease or simply looked the other way, was not fully compatible with the operation of the new state, or the western economies and ecologies of the nineteen-teens and twenties.

More of the same can be seen as Charles, John, and Fletcher worked towards the development and sale of the Ojo del Espiritu Santo Grant, which transferred to them as the stockholders and directors of the Ojo del Espiritu Santo Company (OdESCO). The

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<sup>42</sup> Numa Reymond to Thomas B. Catron, 10 January 1902, CP, Series 103, Box 14, Folder 3. In this letter, Numa Reymond not only nicely lays out the transfer of the Tierra Amarilla grant to Charles Catron and the mortgage to Adolph Jarmuth of Denver, but goes on to remind Catron of an outstanding \$30,000 loan that was far past due.

grant's history reads like so many others that were caught up in the speculative frenzy of the post-Civil War era. Though confirmed by Congress in 1869, the final title and patent to 113,141.15 acres in Sandoval County was not conferred to Catron and the other stockholders of the OdESCO until 1916.<sup>43</sup> The grant's early confirmation did help the speculators, including Catron, who purchased his first partial interest in the grant in 1870, by keeping the grant from the Court of Private Land Claims' shrink ray. Then, in the process of partition in 1903, the court appointed Special Master Pedro Perea to referee the determination of interests and sale of the estate. Low and behold, later that year, Perea, Mariano Otero, and Thomas Catron incorporated the Ojo del Espiritu Santo Company, capitalized at \$113,141, representing a reasonable capitalization based on a dollar an acre of the land the company used as its corporate equity.<sup>44</sup> By 1907, Catron controlled 82,486 shares of the corporate stock (just under 73%), and by November 1915, the company's directors included Thomas Catron, Charles Catron (son and law partner), and Frank Lavan, (nephew and legal apprentice).<sup>45</sup> A true Catron corporation, it is not clear that the OdESCO developed or produced anything in its first twelve years of incorporated life, or thereafter for that matter. That was not its purpose, anyway. With three decades of limited liability education behind them, Catron, Perea, Otero and the other directors fully recognized the power of the shell company to legitimate title, garner credit, and stage local conditions, especially when the reality on the ground included imperfect lands with contested rights.

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<sup>43</sup> *Ojo del Espiritu Santo Company v. Ciriaco Baca* in the Supreme Court of the State of New Mexico, Transcript of Records, 28 June 1917, CP, Series 305, Box 1, no folder.

<sup>44</sup> *Ibid.*; "Ojo del Espiritu Santo Grant, Abstract," Folder 16, Box 1, OdESCO Records.

<sup>45</sup> Schedule of Exhibits, *Ojo del Espiritu Santo Company v. Ciriaco Baca* in the Supreme Court of the State of New Mexico, Transcript of Records, 28 June 1917, CP, Series 305, Box 1, no folder. Other stockholders in 1907 included: Pedro Perea, A.E. Perea, M.S. Otero, Jacobo Perea, Jacobo Yrisarri, Josefa Castillo, Jose & Justiniano Castillo, and Cesaria P. Hubbell.

Like so many other grants, the land was filtered through the process of speculation, consolidation, partition, and incorporation, while the resident population slowly and surely lost in the build-up of legal documentation that the company could bring against them.<sup>46</sup> Case in point, in the Supreme Court of the State of New Mexico in 1917, the company sued Ciriaco Baca for the cost of damages for him using the grant lands to graze his sheep. The OdESCO asked the court to render \$20,200 in total damages and costs, producing its titles and tax returns to emphasize the duration of its ownership. The verdict returned by Justice Reed Holloman favored the company, but for only \$800, which speaks to the legal correctness of the OdESCO's case as well as the ongoing reality of more ambiguous use patterns.<sup>47</sup> For more evidence of this, Frank Lavan wrote later that year to the Collector of Internal Revenue, Phoenix, AZ to explain that the company should not have to pay its taxes because it did not make a profit and instead was run over by sheepmen and squatters.<sup>48</sup> That the Catrons could not find a way to manage the grant to profit during the years of World War I, when prices surged for wool and fossil fuels, ominously foreshadowed the strain that would accompany the next decades of administration.

Like father, like sons. The Ojo del Espiritu Santo grant and the company that owned it turned into another financial boondoggle that the boys not only inherited, but perpetuated. In October 1916 Thomas Benton signed his name as President of the OdESCO to secure a \$60,000 mortgage on the land. Through the State National Bank of Oklahoma City, Bernard B. Jones underwrote the series of thirty-six notes, all at eight

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<sup>46</sup> David Benavides, "Lawyer-Induced Partitioning of New Mexican Land Grants: An Ethical Travesty" (master's thesis, Department of History, University of New Mexico, 1990).

<sup>47</sup> Ibid.

<sup>48</sup> Frank Lavan to Lewis T. Carpenter, Collector of Internal Revenue, Phoenix, AZ, 26 February 1917, Folder 5, Box 1, OdESCO Records.

percent interest, and all subject to foreclosure if not repaid to contract.<sup>49</sup> But, the grant garnered no profits to pay the loan. Even with rentals bringing in over \$5,000 a year after 1916, the company's expenses, taxes, interest, and principal moved them further into the red.

At the helm, Charles Catron placed his faith in the oil boom that arose alongside the Mexican Revolution and the war in Europe. He leased the land to prospectors and engineers from 1916 through 1925, typically asking one-eighth of net returns on oil or natural gas as royalty alongside a set annual rental fee.<sup>50</sup> With Fletcher they even tapped their mother's kinfolk for funds. Cousin Thos. Corry Walz responded for the family to the affirmative that they would "take a gamble, that the Catron family becomes a factor in the oil industry."<sup>51</sup> Still, the company could barely tread water. Charles Catron used 20,000 shares of its stock as collateral in 1922 to obtain a \$10,000 loan from the Citizen's National Bank of Albuquerque in order to pay corporate debts.<sup>52</sup> By the end of the decade, Charles and Fletcher transitioned to a sweeping, and frustratingly slow, sales process.

Unable to pay off the principal of the mortgage held by B.B. Jones, the directors of the OdESCO renewed the note in 1928, now for \$98,000 secured against the grant. Charles and Fletcher then set about to sell the land. They hoped to be return a profit at first, but by the time the Great Depression raged the brothers were just ready to be done

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<sup>49</sup> Trust Deed, Ojo del Espiritu Company, Stockholders and directors of OdESCO and Bernard B. Jones, Trustee, City of Washington, D.C., 16 October 1916, Folder 3, Box 1, OdESCO Records.

<sup>50</sup> Oil And Gas Lease, 25 June 1924, Folder 3, Box 1, OdESCO Records.

<sup>51</sup> Thos. Corry Walz to Charlie and Fletcher Catron, 14 September 1925, Folder 3, Box 1, OdESCO Records.

<sup>52</sup> Loan Agreement, C.C. Catron and Citizens National Bank of Albuquerque, 2 June 1922, Folder 5, Box 1, OdESCO Records.



with it.<sup>53</sup> They began by marketing the 113,141 acres of land as great for grazing and potentially oil rich. Placed with Los Angeles land agents, the Catrons attempted to capitalize on southern California's booming oil industry. But after starting at an asking price of \$10/acre, the environmental and economic factors quickly worked against New Mexico real estate, forcing Charles to cut their price in half, and then half again by 1932. In 1931, for instance, Charles received word from the Shell Oil Company that regrettably, they could not purchase the land due to the glut in the oil market created by overproduction from Texas, Oklahoma, and California.<sup>54</sup> And it continued like this for another two years. One of the brothers even wrote to Will Rogers at Fox Films Corporation in Hollywood, offering to sell him "113,000 acres of sweet grass and water."<sup>55</sup> Rogers kindly passed on the proposition.

When their attempts to entice private enterprises all failed, the Catron brothers turned their attention to the federal government and the New Deal. During a 1934 OdESCO stockholders meeting attended by Charles, John, and Fletcher, they decided to contact the Federal Emergency Relief Administration (FERA) with a proposition to sell the land at \$2.50 per acre. In their appeal to FERA, they explained that they wanted to sell the land "to assist in the progress of the United States to conserve natural resources and to rehabilitate people living on submarginal lands."<sup>56</sup> And it worked. FERA purchased the Ojo del Espiritu Santo Grant at the Catrons asking price of \$282,852. From

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<sup>53</sup> Proposal for Sale of Ojo Del Espiritu Santo Grant and Payment of Notes and Discharge of Mortgage held by B.B. Jones, 15 December 1928, Folder 14, Box 1, OdESCO Records.

<sup>54</sup> Communication between Charles C. Catron and the Shell Oil Company in which the two parties negotiate potential terms for the sale of the Ojo del Espiritu Santo Company from 1930 to 1932 can be found in folder 13, "Sale Agreements 1929-1934," OdESCO Records.

<sup>55</sup> Catron to Will Rogers, Fox Film Corporation, Hollywood, CA, 9 August 1932, Folder 13, Box 1, OdESCO Records.

<sup>56</sup> Certified Copy of Minutes to Stockholders Meeting held 15 October 1934, Folder 14, Box 1, OdESCO Records.

the proceeds, the contract included a stipulation to pay B.B. Jones the \$123,000 owed him, and another to pay the County Treasurer of Sandoval County \$16,954.62 for back taxes from 1929 to 1934. Charles Catron, President of the OdESCO, claimed the rest, which he divided among the corporate stockholders—his brothers.<sup>57</sup>

With exceptions found in the price setting of the WWI War Boards, the agribusiness gains affiliated with the 1916 completion of the Elephant Butte Dam, and the new attention paid to oil exploration and drilling, the prosperity of the Jazz Age largely eluded the young state. Long term environmental degradation met face-to-face with a broad climatic transition toward drought so that the 1920s witnessed the rapid depletion of land productivity. The Hispano borderlands were hit especially hard due to a general escalation of land use since capitalism's mid-nineteenth century incursion.<sup>58</sup> While some parts of the state shifted to oil production, to open pit mining, or to dry farming, northern New Mexico had for the most part already been picked through and discarded by the entrepreneurs of the Gilded Age. No longer would financiers in Scotland or New York look to the borderlands region and gamble on its hidden holdings. Newer markets for investment in New Mexico grew in places like Texas, Oklahoma, and California, especially in association with the oil boom and irrigated farming and horticulture in the lower Rio Grande Valley. For the Hispano borderlands, the most notable transformation involved the move toward regional tourism, by rail and more and more, by automobile.

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<sup>57</sup> J.S. Lansill, Director, the Land Program, Washington, D.C., to Ojo de Espiritu Santo Company, Santa Fe, 8 October 1934; and Certified Copy of Directors' Meeting, 15 October 1934, Folder 14, Box 1, OdESCO Records. It is possible that B.B. Jones, who held the mortgage on this unsellable piece of real estate, and who lived in Washington, D.C., helped to push the FERA to purchase the land under the consideration that the federal government represented his best chance to collect on the mortgage.

<sup>58</sup> DeBuys, *Enchantment and Exploitation*, 209-211.

For longtime residents, the significant shift to a tourism-oriented economic landscape simultaneously marked the retreat and the retrenchment of capitalism in their back yard. Instances of capitalists and lawyers scooping up the land from underneath land grant heirs abated, while competition over dwindling resources subsided, in part because development and extractive companies looked elsewhere for profitable venture. Throughout the Hispano Borderlands a new, repurposed corporate landscape emerged, led by the likes of the Santa Fe Fiesta and the Fred Harvey Company.<sup>59</sup> Rather suddenly, local communities of New Mexico's north were told to freeze for the market tastes of an increasingly mobile population of middle-class American tourists. For many Native Americans and Nuevomexicanos who faced dwindling alternatives, this new world, structured upon the superficial maintenance of the old for the enjoyment of outsiders, fostered a mindset of colonization and dependence for a new generation of economically-marginalized residents of the Hispano Borderlands.<sup>60</sup>

### **Coda: Still Marginal at Midcentury**

When a comprehensive economic plan and report conducted for the Santa Fe Trade area in 1961 indicated findings that between 1910 and 1960 the depressed decade of the 1930s represented the strongest period of economic growth for the capital city and

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<sup>59</sup> For histories of the AT&SF Railway Company and the Fred Harvey Company, in their connections with southwestern tourism, see: D. H. Thomas, *The Southwestern Indian Detours: The Story of the Fred Harvey/Santa Fe Railway Experiment in 'Detourism'* (Phoenix, AZ: Hunter Publishing Co., 1978), 13-15; Barbara A. Babcock and Marta Weigle, eds., *The Great Southwest of the Fred Harvey Company and the Santa Fe Railway* (Tucson: University of Arizona Press, 1996); Victoria E. Dye, *All Aboard for Santa Fe: Railway Promotion of the Southwest, 1890s to 1930s* (Albuquerque: University of New Mexico Press, 2005).

<sup>60</sup> See, for instance: Gerry C. Williams, "Dependency Formations and the Spanish-American Community: An Interpretative and Theoretical Study of Modernization in New Mexico," (PhD diss., University of Oklahoma, 1985), 167; Hal Rothman, *The Culture of Tourism, the Tourism of Culture: Selling the Past to the Present in the American Southwest* (Albuquerque: University of New Mexico Press, 2003); Andrew Leo Lovato, *Santa Fe Hispanic Culture: Preserving Identity in a Tourist Town* (Albuquerque: University of New Mexico Press, 2004).

its surrounding counties, it said a lot about northern New Mexico's relationship with capitalism in the twentieth century.<sup>61</sup> This less-than-optimistic report detailed that for Santa Fe and its surrounding hinterlands at midcentury, the chief industries and sectors of employment included government work followed by the retail and service trades. State and federal positions accounted for over half of the jobs in the area, presenting the increased importance of the public sector to Santa Fe's economic health. Retail and service jobs then tallied over another one-quarter of all work, with a clear predominance of the role of tourism in promoting the seasonal ebbs and flows in these fields. Outside of these sectors, the comprehensive report showed a general decline in the relevance of the Santa Fe trade area, not only nationally, but as it factored into New Mexico's population levels, output, and GDP since the first decade of statehood.<sup>62</sup> Once a continental crossroad for commerce, finance, and empire – the very engines of nineteenth-century capitalism – a very different equation marks Santa Fe of a century later, one focused on competing cultures who together retrofit a mythic southwestern past and unique regional identity against an atomic modernity and the conformity of the Cold War.

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<sup>61</sup> Joe C. Williams, Jr., Chief Resident Planner, "A Study of the Economy: City of Santa Fe, New Mexico," prepared for the City Council and the City Planning Commission, City of Santa Fe, New Mexico, (Santa Fe: Harman, O'Donnell & Henninger Associates, Inc., January 1961), 3; The report documents the economic conditions of the Santa Fe Trade Area, in which Santa Fe is the focal point of a trade area made up by all or parts of eight counties – Colfax, Los Alamos, Mora, Rio Arriba, Sandoval, San Miguel, Santa Fe, and Taos.

<sup>62</sup> Ibid., see section titled "Trade Area" for a breakdown of Santa Fe's position within New Mexico.

## Appendix

Table 2: Incorporations, Chartered by the Territory of New Mexico, 1867-1878

Category of Incorporation	1867	1868	1869	1870	1871	1872	1873	1874	1875	1876	1877	1878	Category Total
Abstracting Companies													
Banks and Trust Companies				1	1								2
Building, Loan Assoc.													
Churches, Religious Assoc.													
Educational Institutions												1	1
Construction Companies													
Fidelity, Guaranty Co.													
Fair Associations													
Fraternal, Benevolent Soc.													
General Mercantile Co.													
Hotels													
Irrigation		1					2		1			1	5
Livestock and Ranch						1			1				2
Manufacturing										1			1
Mining, Milling, Smelting	1	9	3	4	2	4		3	3	1	2		32
Miscellaneous	1	2		3	4		2		3	5	2	2	24
Oil Companies													
Publishing													
Railroads and Express			2	3	3	6		2	1	1	1	4	23
Real Estate and Tenants				2	1	2							5
Sanitariums													
Street Railways													
Telegraph and Telephone		1				1			1				3
Water, Light, and Gas													
<b>Total Incorporations/Year</b>	<b>2</b>	<b>13</b>	<b>5</b>	<b>13</b>	<b>10</b>	<b>15</b>	<b>4</b>	<b>5</b>	<b>10</b>	<b>8</b>	<b>5</b>	<b>8</b>	<b>98</b>

Table 3-A: Incorporations, Chartered by the Territory of New Mexico, 1879-1889

Category of Incorporation	1879	1880	1881	1882	1883	1884	1885	1886	1887	1888	1889	Category Total
Abstracting Companies				2	1	1	1	1	2	1		9
Banks and Trust Companies		1	1			4		2	1	2		11
Building, Loan Assoc.			1	1	1		1		3	4	1	14
Churches, Religious Assoc.		4	5	2	4	2	3	4	3	2	2	31
Educational Institutions	1	4	3		3	1		1	2	2	2	19
Construction Companies		1									1	2
Fidelity, Guaranty Co.												0
Fair Associations			2	1	1		1		1		1	7
Fraternal, Benevolent Soc.			2	1	3	2	1			2		11
General Mercantile Co.	1				4	4	1	1	2	5	4	22
Hotels												
Irrigation	2		3	6	5	10	3	6	14	18	27	94
Livestock and Ranch			5	6	16	15	27	19	20	8	6	122
Manufacturing		1	6	8	10	7		1	3	4	2	42
Mining, Milling, Smelting	2	33	18	70	31	34	16	24	32	30	36	376
Miscellaneous	4	3	5	9	6	5	8	3	2	7	3	55
Oil Companies					1			1				2
Publishing	1	2	1	3	4	2	1	1			2	17
Railroads and Express	1	5	14	9	7	1	3	1	2	3	3	51
Real Estate and Townsite		4	6	12	2	3	3	4	6	9	9	58
Sanitariums						1						2
Street Railways		3	4	1	1			1		1		11
Telegraph and Telephone			4	4	1		1	1		1		12
Water, Light, and Gas	2	10	8	13	5	5	2	3	5	1	6	60
<b>Total Incorporations/Year</b>	<b>14</b>	<b>71</b>	<b>158</b>	<b>148</b>	<b>106</b>	<b>77</b>	<b>72</b>	<b>75</b>	<b>100</b>	<b>102</b>	<b>105</b>	<b>1028</b>

Table 3-B: Foreign Incorporations, Chartered by the Territory of New Mexico, 1879-1889

Category of Incorporation	1879F	1880F	1881F	1882F	1883F	1884F	1885F	1886F	1887F	1888F	1889F	Category Total
Abstracting Companies												
Banks and Trust Companies												
Building, Loan Assoc.											1	1
Churches, Religious Assoc.			1	1	2							4
Educational Institutions												
Construction Companies											2	2
Fidelity, Guaranty Co.											1	1
Fair Associations												
Fraternal, Benevolent Soc.				1		2						3
General Mercantile Co.			1	1				1		1	1	5
Hotels												
Irrigation											2	2
Livestock and Ranch				2	5	6	9	6		3	8	39
Manufacturing					2	1		4		1	1	9
Mining, Milling, Smelting		5	26	32	13	7	7	6	7	11	7	151
Miscellaneous												
Oil Companies							1					1
Publishing											1	1
Railroads and Express				2	4			1	2	1	1	11
Real Estate and Townsite					1				1		1	3
Sanitariums												
Street Railways												
Telegraph and Telephone							1					1
Water, Light, and Gas												
<b>Total Incorporations/Year</b>		<b>5</b>	<b>60</b>	<b>41</b>	<b>23</b>	<b>16</b>	<b>18</b>	<b>18</b>	<b>10</b>	<b>17</b>	<b>26</b>	<b>234</b>

Table 3-A: Incorporations, Chartered by the Territory of New Mexico, 1879-1889

Category of Incorporation	1879	1880	1881	1882	1883	1884	1885	1886	1887	1888	1889	Category Total
Abstracting Companies				2	1	1	1	1	2	1		9
Banks and Trust Companies		1	1			4		2	1	2		11
Building, Loan Assoc.			1	1	1		1		3	4	1	14
Churches, Religious Assoc.		4	5	2	4	2	3	4	3	2	2	31
Educational Institutions	1	4	3		3	1		1	2	2	2	19
Construction Companies		1									1	2
Fidelity, Guaranty Co.												0
Fair Associations			2	1	1		1		1		1	7
Fraternal, Benevolent Soc.			2	1	3	2	1			2		11
General Mercantile Co.	1				4	4	1	1	2	5	4	22
Hotels												
Irrigation	2		3	6	5	10	3	6	14	18	27	94
Livestock and Ranch			5	6	16	15	27	19	20	8	6	122
Manufacturing		1	6	8	10	7		1	3	4	2	42
Mining, Milling, Smelting	2	33	18	70	31	34	16	24	32	30	36	376
Miscellaneous	4	3	5	9	6	5	8	3	2	7	3	55
Oil Companies					1			1				2
Publishing	1	2	1	3	4	2	1	1			2	17
Railroads and Express	1	5	14	9	7	1	3	1	2	3	3	51
Real Estate and Townsite		4	6	12	2	3	3	4	6	9	9	58
Sanitariums						1						2
Street Railways		3	4	1	1			1		1		11
Telegraph and Telephone			4	4	1		1	1	1			12
Water, Light, and Gas	2	10	8	13	5	5	2	3	5	1	6	60
Total Incorporations/Year	14	71	158	148	106	77	72	75	100	102	105	1028

Table 3-B: Foreign Incorporations, Chartered by the Territory of New Mexico, 1879-1889

Category of Incorporation	1879F	1880F	1881F	1882F	1883F	1884F	1885F	1886F	1887F	1888F	1889F	Category Total
Abstracting Companies												
Banks and Trust Companies												
Building, Loan Assoc.											1	1
Churches, Religious Assoc.			1	1	2							4
Educational Institutions												
Construction Companies											2	2
Fidelity, Guaranty Co.											1	1
Fair Associations												
Fraternal, Benevolent Soc.				1		2						3
General Mercantile Co.			1	1				1		1	1	5
Hotels												
Irrigation											2	2
Livestock and Ranch				2	5	6	9	6		3	8	39
Manufacturing					2	1		4		1	1	9
Mining, Milling, Smelting		5	56	32	15	7	7	6	7	11	7	151
Miscellaneous												
Oil Companies							1					1
Publishing											1	1
Railroads and Express			2	4				1	2	1	1	11
Real Estate and Townsite					1				1		1	3
Sanitariums												
Street Railways												
Telegraph and Telephone							1					1
Water, Light, and Gas												
Total Incorporations/Year		5	60	41	23	16	18	18	10	17	26	234

Table 4-A: Incorporations, Chartered by the Territory of New Mexico, 1890-1899

Category of Incorporation	1890	1891	1892	1893	1894	1895	1896	1897	1898	1899	Category Total
Abstracting Companies		2	1						1	1	5
Banks and Trust Companies	3			4	1	1			1	3	13
Building, Loan Assoc.	1	1	1	2	2	1		1		3	12
Churches, Religious Assoc.	2	6	2	5	6	3	3	2	2	5	38
Educational Institutions	1	2		2	1			2		2	10
Construction Companies											0
Fidelity, Guaranty Co.											0
Fair Associations		2			1			1			4
Fraternal, Benevolent Soc.	1	4	1	1	4	2	1	2	3	2	23
General Mercantile Co.	2	3	4	5	4	4	4	9	6	8	51
Hotels											
Irrigation	19	13	9	13	10	8	9	3	1	5	94
Livestock and Ranch	8	6	4	3	4	3	2	2	2	10	44
Manufacturing	4	9	5	7	3	2	3	5	4	3	45
Mining, Milling, Smelting	26	18	27	20	30	32	68	67	26	30	344
Miscellaneous	6	7	7	5	11	2	2	3	3	2	48
Oil Companies										1	1
Publishing	1		2			3	1	3		2	12
Railroads and Express	6	4	4	1		5	2	5	5	3	35
Real Estate and Townsite	6	10	15	16	13	8	7	6	4	6	91
Sanitariums			3	1		1	1	1		1	8
Street Railways		1					1				2
Telegraph and Telephone				1	5	4		4	2	2	18
Water, Light, and Gas	4	3	5	4	6	1	1	1			25
<b>Total Incorporations/Year</b>	<b>80</b>	<b>91</b>	<b>80</b>	<b>92</b>	<b>101</b>	<b>80</b>	<b>109</b>	<b>119</b>	<b>62</b>	<b>89</b>	<b>923</b>

Table 4-B: Foreign Incorporations, Chartered by the Territory of New Mexico, 1890-1899

Category of Incorporation	1890	1891	1892	1893	1894	1895	1896	1897	1898	1899	Category Total
Abstracting Companies				1						1	2
Banks and Trust Companies		4		3			2	1	1		11
Building, Loan Assoc.										1	3
Churches, Religious Assoc.	1					1					3
Educational Institutions											
Construction Companies	1			1							2
Fidelity, Guaranty Co.				1							1
Fair Associations											
Fraternal, Benevolent Soc.	1	1				2		1	1		8
General Mercantile Co.	1	1	3		1		1				7
Hotels											
Irrigation	1							1			2
Livestock and Ranch	4			1	1		3		1	2	12
Manufacturing		3	4	1	5	2	1	3	1		20
Mining, Milling, Smelting	7	6	9	7	5	4	10	12	10	8	78
Miscellaneous				1							1
Oil Companies											
Publishing											
Railroads and Express	1		1					2	2		6
Real Estate and Townsite	1		1	2	1	6	2			1	14
Sanitariums											
Street Railways											
Telegraph and Telephone		1		1							2
Water, Light, and Gas											
<b>Total Incorporations/Year</b>	<b>18</b>	<b>16</b>	<b>18</b>	<b>19</b>	<b>13</b>	<b>15</b>	<b>21</b>	<b>20</b>	<b>16</b>	<b>13</b>	<b>169</b>



Table 5-A: Incorporations, Chartered by the Territory of New Mexico, 1900-1912

Category of Incorporation	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	Category Total
Abstracting Companies	3	2	2			3	3	1	4	7	9		34
Banks and Trust Companies	3	1	1	3	1	4	17	10	3	11	8	1	63
Building, Loan Assoc.	2	2	1	1			3	1	2	2	1		15
Churches, Religious Assoc.	4	5	7	2	5	10	4	3	25	10	7		82
Educational Institutions	1	3	1	1	2		3	1		5	2		19
Construction Companies		1	2			2	2	4	1	2			16
Fidelity, Guaranty Co.											1		1
Fair Associations	1	2	1	2	2	1	1	1					11
Fraternal, Benevolent Soc.	1	3	3	7	5	9	3	7	11	5	5		59
General Mercantile Co.	8	10	21	28	19	29	44	57	33	26	31		306
Hotels													
Irrigation	2	5	11	6	7	9	8	16	6	17	17		104
Livestock and Ranch	8	9	14	17	8	12	9	7	9	12	10		115
Manufacturing	2	2	14	7	11	25	24	28	20	16	15	1	163
Mining, Milling, Smelting	53	72	63	58	46	37	61	49	30	21			400
Miscellaneous	2	4	3	9	4	3							25
Oil Companies		33	15	2	1	4	10	1	1	1	1		69
Publishing	5	1	2	7	1	3	5	9	4	4	5		46
Railroads and Express	6	7	6	3	8	8	8	2	2	3	3		58
Real Estate and Townsite	1	8	3	15	14	21	19	43					124
Sanitariums		1		1	2	1	1	4	1	3	1		15
Street Railways	1	1	1	3		1					1		8
Telegraph and Telephone	4	1	3	2	3	4	6	8		2	1		34
Water, Light, and Gas	2	2	5	3	8	8	7	8	3	10	4		60
Total Incorporations/Year	107	175	179	177	147	194	238	240	155	159	124	2	1917

Table 5-B: Foreign Incorporations, Chartered by the Territory of New Mexico, 1900-1912

Category of Incorporation	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	Category Total
Abstracting Companies												
Banks and Trust Companies	1		2	1		1	1					6
Building, Loan Assoc.												
Churches, Religious Assoc.						1						1
Educational Institutions												
Construction Companies	2	2			1	2		2	1			10
Fidelity, Guaranty Co.			4		2							6
Fair Associations												
Fraternal, Benevolent Soc.	1	2	2	2	1		4	1				13
General Mercantile Co.	2	2		1	2	2	3				3	15
Hotels												
Irrigation		1					1		1	1		4
Livestock and Ranch	1	4	5	5	2	4	3	2	1	2		24
Manufacturing	1		2	2	5	4	3	2	1		1	19
Mining, Milling, Smelting	17	16	7	14	20	15	19	15	13	4		140
Miscellaneous												
Oil Companies		1						1	1			3
Publishing												
Railroads and Express		1							1			2
Real Estate and Townsite	1		1	2		2		1				7
Sanitariums											1	1
Street Railways										1		1
Telegraph and Telephone		1	2				1				1	5
Water, Light, and Gas	2					1				2		5
Total Incorporations/Year	28	30	25	25	31	32	33	24	18	10	6	262

**Table 6: Period Comparison of Incorporations of the Territory of New Mexico**

Tables 2-6 organized by author from "Record of Incorporation Classified," 1867-1910, Reel 34, TANM, Records of the Secretary of the Territory, Territorial Archives of New Mexico, 1846-1912, SRCA.

Category of Incorporation	1867-1878	1879-1889	1890-1899	1900-1910	Total 1867-1899	Total 1867-1912	Percent Increase 1900-1912
<b>Abstracting Companies</b>							
Banks and Trust Companies	2	11	13	69	28	97	248%
Building, Loan Assoc.		15	23	15	38	53	39%
Churches, Religious Assoc.		35	41	83	76	159	108%
Educational Institutions	1	19	10	19	30	49	63%
Contractors Companies		4	2	26	6	32	432%
Fidelity, Guaranty Co.		1	1	7	2	9	318%
Fair Associations		7	4	11	11	22	100%
Fireproof, Benevolent Soc.		14	31	72	45	117	160%
General Mercantile Co.		27	38	323	85	406	377%
Boards					0	0	
Brigades	5	96	96	108	197	305	53%
Livestock and Ranch	2	861	56	130	239	538	63%
Machineworking	1	51	85	182	137	299	117%
Mining, Milling, Smelting	32	527	422	630	861	861	64%
Miscellaneous	24	55	48	25	128	153	20%
Oil Companies		3	1	72	4	76	1800%
Publishing		18	12	46	30	76	151%
Railroads and Express	23	62	41	60	126	189	49%
Real Estate and Tomah	5	61	105	133	171	302	77%
Sanitoriums		2	8	16	10	26	168%
Street Railways		11	2	9	13	23	69%
Telegraph and Telephone	3	13	20	39	36	75	108%
Water, Light, and Gas		00	22	65	85	150	70%
Total Incorporations/Period	98	1262	1692	2179	2452	4493	89%
Combined Totals							

**Table 7: Population of Rocky Mountain States, 1850-1950**

Generated by author. Data from U.S. census records, as found in Leonard J. Arrington, "The Changing Economic Structure of the Mountain West, 1850-1950" Utah State University Press Monograph Series X, No. 3 Logan: Utah State University Press, June 1963.

State	1850	1860	1870	1880	1890	1900	1910	1920	1930	1940	1950
Arizona			9,658	40,440	88,243	122,931	204,354	334,162	435,573	499,261	749,587
Colorado	34,277	39,864	194,327	413,249	539,700	799,024	939,629	1,034,791	1,123,296	1,324,089	
Idaho		14,999	32,610	88,448	161,772	324,594	481,866	444,032	524,873	588,637	
Montana		20,595	39,159	142,924	243,329	376,053	548,889	537,606	559,456	591,024	
Nevada		6,847	42,491	62,266	47,395	42,334	81,875	77,407	91,048	110,247	160,083
New Mexico	61,547	93,516	91,874	119,565	160,282	195,310	377,301	360,350	423,317	531,818	681,187
Utah	11,380	40,273	86,796	143,963	210,779	276,749	373,343	449,369	507,847	540,310	688,862
Wyoming		9,188	20,789	62,555	92,531	145,965	194,402	225,565	250,742	280,529	
Mountain States	72,927	174,923	314,384	653,119	1,213,935	1,674,657	2,633,417	3,336,101	3,701,789	4,150,003	5,074,998
U.S.A.	23,191,876	31,443,321	38,558,371	50,155,783	62,947,714	75,994,575	91,972,266	105,710,620	122,775,046	131,669,275	150,897,361

**Table 8: Comparative Data between New Mexico, the Rocky Mountain States, and the United States**

Organized by author. Data from U.S. census records, as found in Leonard J. Arrington, "The Changing Economic Structure of the Mountain West, 1850-1950" Utah State University Press Monograph Series X, No. 3. Logan: Utah State University Press, June 1963.

	1850	1860	1870	1880	1890	1900	1910	1920	1930	1940	1950
Rocky Mountain State % population of USA	0.3	0.6	0.8	1.3	1.9	2.2	2.9	3.1	3.0	3.1	3.4
New Mexico % population of Rocky Mountain States:	84.0	53.0	29.0	18.0	13.0	11.6	14.0	10.8	11.4	13.0	13.4
NM Population Rank in Rocky Mountain States	1	1	1	3	3	4	2	5	5	4	4
NM Rank within RMS in Percentage Employment in Agriculture	2	2	1	2	1	2	1	1	1	2	3
NM Rank within RMS in Percentage Employment in Manufacturing	2	3	7	8	8	8	8	8	8	6	7
NM Rank within RMS in Percentage Employment in Finance	2	4	8	8	8	8	8	8	8	8	7

The Rocky Mountain States include (followed by year of first inclusion): Arizona (1870), Colorado (1860), Idaho (1870), Montana (1870), Nevada (1860), New Mexico (1850), Utah (1850), and Wyoming (1870).

**Table 9: Employment by Category in New Mexico, 1850-1950 (Percentage of Population)**

Organized by author. Data from U.S. census records, as found in Leonard J. Arrington, "The Changing Economic Structure of the Mountain West, 1850-1950" Utah State University Press Monograph Series X, No. 3. Logan: Utah State University Press, June 1963.

	1850	1860	1870	1880	1890	1900	1910	1920	1930	1940	1950	Category Average
NM Population	61,547	93,516	91,874	119,565	160,282	195,310	377,301	360,350	423,317	531,818	681,187	
Total Employed	17,478	28,933	29,361	40,822	54,151	66,020	121,497	122,031	142,607	140,269	206,464	
Total	45.6	41.3	63.6	34.6	42.9	40.7	54.4	44.3	41.3	32.0	18.4	41.7
Agriculture												
General & Crop Agr.	45.2	39.5	63.0	27	30.3	28.4	43.2	34.4	-	-	-	38.9
Stock Raising	0.4	1.8	0.6	7.6	12.6	12.3	11.3	9.9	-	-	-	7.1
Forestry/Fishery	-	0.2	-	0.5	0.7	0.5	0.6	0.8	0.8	0.2	0.2	0.5
Extraction of Minerals	0.1	3.2	1.7	3.7	5.6	6.3	5.0	6.0	4.9	6.3	5.1	4.4
Building/Construction	1.3	1.4	1.2	2.2	2.4	2.4	5.8	5.5	8.3	6.0	11.3	4.3
Manufacturing	3.3	3.7	4.9	4	4.9	6.4	7.1	7.9	8.6	6.4	5.9	5.7
Trans/Comm.	0.4	2.2	1.3	4.4	4.2	5.7	7.4	8.5	8.0	6.6	8.4	5.2
Wholesale/Retail	1.2	2	1.7	3.4	3.8	3.5	5.5	6.2	7.8	15.4	18.9	6.3
Finance/Clerical	0.1	0.1	-	0.1	1.1	1.8	2.0	3.3	3.6	1.4	2.2	1.6
Domestic Services	7.5	10.3	9.2	7.1	7.4	6.6	7.1	7.0	8.8	11.0	10.3	8.4
Professional	0.6	1.0	0.8	1.8	2.7	2.9	3.9	5.1	6.4	8.5	10.3	4
Public Service	4.9	0.2	4.2	1.4	2.6	0.9	1.2	5.4	1.4	4.5	6.6	3.0
Laborer/Unspecified	35.1	34.4	11.4	36.7	21.5	22.3	-	-	-	-	-	26.9

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