

Fall 10-9-1953

The Administration of Governor Merritt Cramer Mechem (1921-1923)

John Paul Seman

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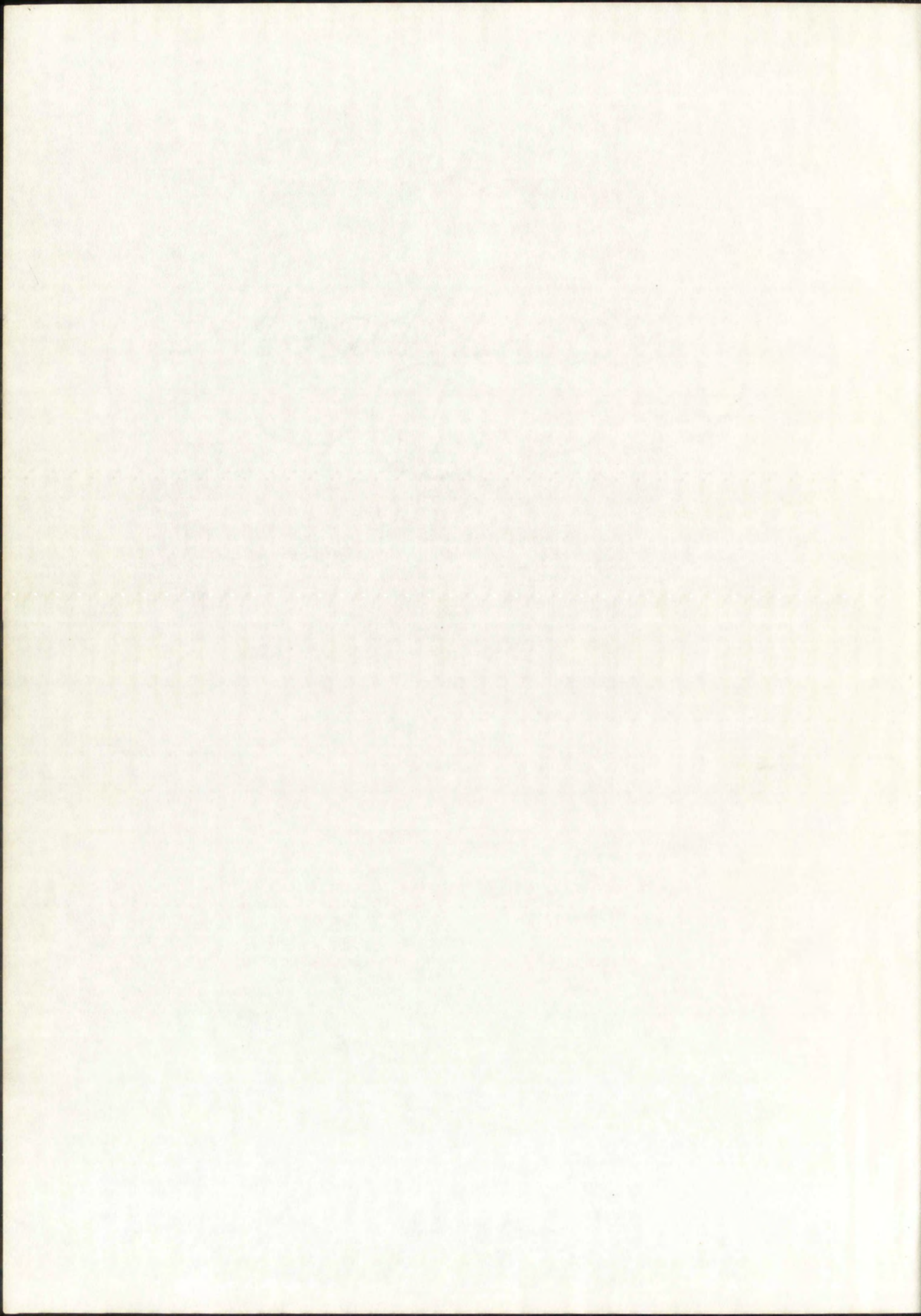
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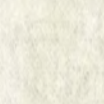
THE ADMINISTRATION OF GOVERNOR
MERRITT CRAMER MECHEM
(1921-1923)

By
John Paul Seman



A Thesis
In partial fulfillment of the
Requirements for the Degree of
Master of Arts in Government

The University of New Mexico
1953



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The author is especially indebted to Mrs. Merritt Mechem who gave much of her time to the study, and to Mr. Edwin L. Mechem, who read the manuscript carefully and offered many useful suggestions.

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Dr. Charles B. Judah, professor of Government, who rendered constructive criticism as well as directing the thesis is to be singled out for especial praise. As is Dr. McMurray, the head of the Department of Government, and Dr. Irion, both of whom read the very rough drafts of the study. Many thanks are also extended to Mrs. Frances Sniezek for typing the thesis, and to my wife, Pamela, and daughter, Cynthia, for their patience and fortitude.

The author wishes to make known that any error or inconsistencies in this study are his sole responsibility.

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CHAPTER I

"There is a charm in the Southwest air which liberates men from oppressive traditions as it liberates them from the fears and inhibitions and sicknesses and jealousies that burden them in narrower places."¹

INTRODUCTION

In the beginning 1920's, New Mexico was not too different from today. It was a little younger, a little less sophisticated, less populated, but politically, in the 20's, as in the 40's and 50's, it was concerned with local, state and national problems; and in 1920, it was concerned with a gubernatorial race within the state, and with the election of a president.

These beginning 20's ushered in the era of prohibition and woman's suffrage, but even more important to the state of New Mexico, the year, 1920, saw the election of Merritt Cramer Nechem to the highest public office within the state. Mr. Nechem was a strong party man and a good Republican.

When he was elected to office, New Mexico was only in its eighth year as a member of the family of the

¹ E. S. Sergeant, "God's Country", The Nation, July 1920, vol. lll.

CHAPTER I

There is a general feeling of
the world, and it is not
surprising that the
people are not
satisfied with the
present state of
affairs.

In the past few years, the
different parts of the
country have been
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There is a general feeling of
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forty-eight states. It was young, ebullient, and ready for a good political fight at the drop of a ballot. The preliminaries of the 1920 fight involved the incumbent governor, Republican O. A. Larrazolo, and that faction of the party led by Holm Bursum. Larrazolo was supported by Bronson Cutting and the more progressive elements within his party, but they did not possess the power of the Bursum "old guard" group. In the end, Larrazolo lost his bid for renomination. Larrazolo's position at the head of his party was taken by Merritt Mechem, the judge from Socorro County.

Nationally, the issues between the Democrats and the Republicans revolved around "Wilsonianism", or internationalism, versus isolationism. In New Mexico, this issue also played its part, though chiefly in behind the scenes maneuvering, rather than on its speaker's platforms. Issues closer to home occupied more of the time devoted to public debate. Some of these hinged on the mining and railroad interests which, at this time, were the alleged powers in and out of politics, and who were determined to maintain the status quo. These interests were represented by the "Old Guard" who helped to put Mechem into office.

Other local and state issues, besides those already

The first of these is the fact that the
 government has been unable to secure
 the necessary funds to carry out its
 policy of expansion. This is due to
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 been unable to raise the necessary
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mentioned, included some that had their origins in the period before statehood, such as race ("Anglo versus Spano"); labor at this time struggling for recognition, versus capital (coal miners versus mine owners); and cattlemen versus farmers. These were but a few of the surface problems which the new governor faced. To say that Mr. Mechem would rather have viewed some of them from his judicial bench is only putting it correctly, for he was better equipped to handle judicial than political affairs. At any rate, his approach to some of the problems, even while governor, was more judicial than political.

Forming on the horizon was the economic deflationary period which New Mexico and other states seemed to be passing through. In addition, there were the Red scares (though not so much in New Mexico) and the I.W.W. which, as yet, were not much of a worry to this particular governor of New Mexico. Enforcement of the Volstead Act was a worry, though, because it drained off good state funds; however, it's quite possible that it may have paid its way since the fines were usually of a greater than average sum for a violation of the law.

Then local, state, and federal problems were but a few that faced the incoming governor on January 1, 1921.

There were others that also were to plague Governor Mechem, but if he suffered from any of his solutions and decisions to the posed problems, it was difficult to discern this suffering.

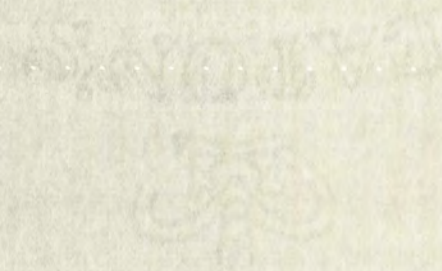
Governor Mechem was New Mexico's fifth governor. He was only the second Republican (since statehood) to become governor despite the fact that throughout the greatest part of the territorial days, New Mexico was more Republican than Democratic.²

2

Charles B. Judah, The Republican Party in New Mexico, Division of Research, Department of Government, University of New Mexico, Albuquerque, 1949, pages 3-7.

There were others that also came to the same conclusion
but it is not clear from the records whether they
to the same problem. It was not clear if they were
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Governor Nelson and his colleagues in the government
he was only the second to have taken office in
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CHAPTER II

BIOGRAPHY

Merritt Cramer Mechem was born in the city of Ottoway, County of Franklin in Kansas, on October 10, in 1870.³ Mr. Mechem was born in a depression year (between 1870 and 1910; there were many depressions; some long and others short in duration⁴) and, ironically enough, an economic depression was to plague him while he was governor of New Mexico. If one believes in being born under certain signs, this one instance may or may not prove something.

The future judge and governor came from a prominent family. His father was a lawyer, and it was said later that Merritt was "a chip off the old block" since he also practiced law. His brother Edwin, who now resides in Las Cruces, New Mexico, is also a lawyer, as is Edwin's son, the present governor of the state. Thus the Mechem family has nurtured some distinguished men in the areas

³ The Historical Encyclopedia of New Mexico, New Mexico Historical Association, Albuquerque, N. M., 1945, p. 173.

⁴ Charles A. Beard and Mary R. Beard, A Basic History of the United States, Philadelphia Pa., The Blakiston Co. Reprinted September 1944. p. 320.

of law and politics.

Merritt Mechem, upon completing his public schooling, entered the Baptist University in Ottawa, Kansas to study liberal arts. From there, he went to the Kansas State University, and although he never received a formal law degree, he read law in the office of Ben T. Duval in Fort Smith, Arkansas. This experience enabled him to take and pass the law examination in Fort Smith.⁵ Subsequently, he was admitted to practice law in that city.

During this period, he began to suffer from an asthmatic condition. This made him leave Arkansas and travel to Key West, Florida, and then to Mobile, Alabama, on the Gulf Coast in search of relief.⁶ Finding little relief in these coastal areas, he headed north again to Amarillo, Texas. He worked as a surveyor for the railroad east of Amarillo for a while, hoping this outdoor work would help him; later, he moved back into Amarillo and practiced law again in the law office of Madden, Truelove and Kimbrough.⁷

In 1903, Quay County in New Mexico was created,

5

Personal interview with former district judge Edwin L. Mechem by author, Las Cruces, New Mexico, June 27, 1953.

6

Ibid.

7

Ibid.

of law and justice.

entered the service of the Government of India in 1912.

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and in that same year, Merritt Mechem left Amarillo to travel to Tucumcari, the biggest city in Quay County.

His public career, appropriately enough, began at Tucumcari, since this was the starting point which led him to the Governorship of the State of New Mexico.

In Tucumcari, he spent a few years getting acquainted and preparing to practice law in the state. He even learned to speak Spanish so that it might facilitate his legal work while serving as district attorney.⁸ In 1905, he was appointed the District Attorney for Quay and Guadalupe counties.⁹ In 1909, he was elected to the last Territorial Council of New Mexico from the Fifth District which was made up of Quay, San Miguel, and Guadalupe counties. In the same year, he was appointed associate justice of the Territorial Supreme Court by President Taft and assigned to the Seventh District with headquarters at Socorro, New Mexico.¹⁰ This appointment was due as much to his personal ability as it was to his political

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Personal interview with Mrs. Mechem by author, Albuquerque, N M., July 25, 1952.

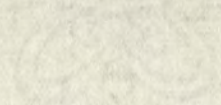
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Personal interview with Mr. Edwin Mechem by author, Las Cruces, N. M., June 27, 1953.

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The Historical Encyclopedia of New Mexico, p. 170.

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affiliations,¹¹ since he, like President Taft, was a Republican.

In 1911, in the election which was to precede the state's entry into the Union, he was elected district judge of this same Seventh District without opposition, and re-elected in 1918 with a term to serve until 1924.¹²

Judge Mechem remained on the bench until his nomination to the governorship in 1920. During his tenure as district judge, he handled many cases for the state, and in many instances, had to travel throughout his district and throughout the other districts to render judicial decisions. He was free to travel, since more often than not his dockets were cleared.¹³ This, of course, meant that he was known over the state,¹⁴ and his quick and just decisions added to his popularity. His presence, therefore, when campaigning through some of these same districts, was more or less welcomed since the residents already knew him.

11

Personal interview with former Democratic governor A. T. Hannett by author, Albuquerque, N. M., November 7, 1951.

12

Albuquerque Morning Journal, November 8, 1918.

13

Interview with Mrs. Mechem by author, November 15, 1951.

14

Ibid.

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CHAPTER III

POLITICS, LAW, LARRAZOLO, AND THE "OLD GUARD"

Indirectly then, Mr. Mechem's first love (law)¹⁵ brought him into politics. He was bent on making a career of law, and while serving in the capacity of a district judge, he was summoned by his party to serve as its nominee to the governorship in the state election of 1920.

The factors that led to his nomination are legion but, perhaps the outstanding one was that the "inner circle" of Republicans did not want Governor Larrazolo, the incumbent, to be re-nominated. This fact was reported as early as March, 1920, when Larrazolo offered to step out if his renomination would result in party discord.¹⁶ This was the first public recognition that opposition had sprung up against his renomination.¹⁷ Prior to this, however, it was suspected since it was fairly well known that Holm Bursum and others of the "Old Guard" were not too favorably disposed toward his renomination. In

¹⁵ Personal interview with Federal Judge Sam Bratton by author, Albuquerque, N M. Oct. 27, 1951.

¹⁶

Santa Fe New Mexican, March 27, 1920.

¹⁷

Ibid.

1918, Larrazolo had won the nomination over Governor W. E. Lindsey because it was felt he made the ticket stronger.¹⁸ But in 1920, his presence on the ticket was not as pressing.

During the early period of jockeying, Larrazolo still had decided to step out of the race for the renomination if his presence meant part discord. However, after the caucus of the Republican Party leaders, which took place at the De Vargas Hotel in Santa Fe in August of 1920,¹⁹ he decided to go all out for the renomination.

This decision complicated matters for the "Old Guard", especially since the faction that opposed him

18

Alfred G. Cordova, O. A. Larrazolo, The Prophet of Transition in New Mexico, Unpublished Master's Thesis, The University of New Mexico, Albuquerque, N. M., 1950, pp. 47-48.

19

Santa Fe New Mexican. On August 4, 1920, a group of Republicans led by Holm Bursum, had a conference to decide on the right man to oppose Larrazolo and to maintain harmony between the factions. On August 5, 1920, at another conference, it was decided to have Governor Larrazolo run for the sole congressional (House of Representatives) office. On August 6, 1920, Larrazolo was asked not to seek his renomination, and on August 12, 1920, Larrazolo, in defiance of the little group that held power in the Republican Party, announced that he would run for governor and nothing else! From a personal interview with Hugh Woodward (July 22, 1952, Albuquerque), a prominent Republican even in those days, the author learned that these conferences were designed to select a man who was well known, available, not vulnerable, and one whom the leaders thought could win the election.....it was on these last two points (among others) that the leaders decided to replace Larrazolo. They felt that he was vulnerable, and that he had no chance to win again.

had no visible opponent. This "Old Guard" was led by Bursum, Senator A. Fall, W. A. Hawkins, Secundino Romero, and J. M. Sully²⁰ (among others) of the political figures.

Larrazolo's strength lay principally in his past administration. He carried out his pledges to the people, even if it meant going against the wishes of the Republican Party leaders, and although his administration record was good, it was obvious that the "Old Guard" would oppose him in his bid for renomination.²¹ He was supported by the fiery Bronson Cutting and his newspaper, The New Mexican and was mainly opposed by the Albuquerque Evening Herald.²²

Larrazolo's detractors, however, felt that he was too independent. Even he admitted that the main opposition to him lay with the mining interests within the state, simply because he vetoed the CLANCEY-BLANCHARD-CARTER Bill, which would have repealed the state income tax law,²³ Larrazolo wanted this state income tax law to remain on the books, but some of the monied and political interests within the state wanted it removed.²⁴ While he was

20

Santa Fe New Mexican, August 21, 1920.

21

Alfred G. Cordova, op. cit., p. 90.

22

Ibid., p. 95.

23

Ibid., p. 93.

24

Ibid., pp. 84-85.

had no stable opponent. This "Old Guard" was led by
Burrus, Senator A. Fall, W. S. Hawkins, Benjamin Howard,
and J. R. Sullivan³⁰ (among others) of the political class.
Laurie's strength lay principally in his past
administration. He carried out his duties as the people,
even if it meant being against the wishes of the
political party leaders, and although his administration
never was good, it was obvious that the "Old Guard"
would oppose him in his bid for re-election.³¹ It was
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The New Nation and was mainly opposed by the Democrats

Franklin D. Roosevelt³²

Laurie's detractors, however, felt that he was
too independent. Even he admitted that the state constitution
to his leg with the state legislature within two years,
simply because he needed the BLACK-RENTAL-CAP
Bill, which would have repealed the state income tax law.
Laurie wanted this state income tax law to remain on
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THE NEW NATION, Vol. 1, No. 1, 1910.
Laurie in New England, Vol. 1, No. 1, 1910.
Laurie in New England, Vol. 1, No. 1, 1910.
Laurie in New England, Vol. 1, No. 1, 1910.
Laurie in New England, Vol. 1, No. 1, 1910.

governor, he called a special session of the legislature in February of 1920 to make the law legal which it (the legislature) had passed earlier in the regular session. Eventually, the courts had to decide upon the constitutionality of the law itself,²⁵ but the break between Larrazolo and the "Old Guard's" interests which resulted from this skirmish never mended.

As mentioned before, these same opponents were still willing to let him run for office, but it was an office which would get him out of the state. They were willing to run him for a congressional position, but not for governor, and he replied that he would continue "as a candidate for governor and nothing else."²⁶

There were also other political reasons for enmity between Larrazolo and certain members of the opposing faction. It was alleged that Senator Fall was opposed to him because Fall anticipated a choice cabinet position from the yet-to-be elected president, Warren Harding. In that event, Fall wanted W. A. Hawkins to replace him in the Senate should he accept a cabinet position, but Larrazolo would not subscribe to this idea;²⁷ and when

25

Ibid.

26

Ibid., pp. 92-93.

27

Santa Fe New Mexican, August 22, 1920.

government, he called a special session of the legislature
 in February of 1950 to make the law which is now
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 Eventually, the courts had to decide upon the constitutionality
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There were also other political reasons for unity
 between Larrabee and certain members of the opposing
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 from the yet-to-be elected president, Warren. During
 in that event, Fall wanted W. A. Harring to resign and
 in the Senate should he accept a certain position, and
 Larrabee would not resign to fill that position, and when

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James H. ...

Senator Fall attended the conference at the De Vargas Hotel in Santa Fe, Larrazolo, himself, finally felt that Fall was in opposition to him.²⁸ Yet, two years earlier, they both were part of a strong team.

One author sums up the list of reasons for Larrazolo's defeat in his bid for renomination as:

- (a) he offended the mining interests throughout the state. These interests wanted Larrazolo to repeal the state income tax law. Instead, he asked the Legislature, in a special session, to strengthen the law.
- (b) he was too defiant and independent of these interests.
- (c) he was too liberal for the "Old Guard" political leaders. The leaders wanted someone who veered towards the right and toward "normalcy." Normalcy to these Republican leaders meant a governor who shared their own economic and political philosophy.²⁹ Obviously, the leaders felt that Larrazolo did not share their views.

There were many factors then that led to Mechem's nomination, but as previously stated, the most important one was that the dominant political faction within the party was against giving it to Larrazolo, even though

28

Alfred G. Cordova, *op. cit.*, pp. 92-93.

29

Alfred C. Cordova and Charles B. Judah, Octaviano Larrazolo, A Political Portrait, Division of Research, Dept of Government, University of New Mexico, Albuquerque, N. M., 1952, pp. 45-48.

Senator Fall attended the conference at the Waldorf
Astoria in Santa Fe, New Mexico, in 1907. Fall was
in opposition to the 1907 New Mexico constitution
they both were part of a strong team.

One author sums up the issue of Fall's

contribution to his bid for reelection as

(a) he obtained the mining interests
throughout the state. These interests
wanted Fall to repeal the 1907
income tax law. Instead, he pushed
the legislation, in a special session,
to strengthen the law.

(b) he was too deluged and independent
these interests.

(c) he was too liberal for the 1907
political leaders. The voters wanted
someone who would restore the 1907
and toward "conservatism". However, he
these political leaders and a
governor who elected him gave economic
and political policies. He
the leaders felt that Fall's bid
not share their view.

There were many factors that led to Fall's
nomination, but as previously stated, the most important
one was that the business-political leaders within the
party was against giving it to Fall's bid, even though

this same faction could not as yet agree on any one person. Because the faction had no visible candidate, and because of Larrazolo's determined campaign, on the eve of the convention most people believed that he, Larrazolo, would again be nominated.³⁰

30

Santa Fe New Mexican, September 6, 1920.

This case section could not be reviewed on any one
person. Because the section has no title history,
and because of Larsson's repeated comments on the
eve of the conviction that people believed that he,
Larsson, would again be nominated.

CHAPTER IV

CONVENTION AND NOMINATION

Some of the Republicans mentioned for the nomination were either not acceptable to the party or would not run. Many were offered the position, but many refused for various reasons. George Craig liked what he was doing; Lieutenant Governor Ben Pankey said he did not want it but "would only take it if Larrazolo nominated him;" Louis Armijo, from Las Vegas, walked away from it.³¹ W. D. Murray of Silver City, and Tom Hughes of Albuquerque, were also mentioned as possible nominees; and when Judge Mechem's name came into the picture, he emphatically expressed his disinclination to 'join the melancholy list of ex-governors'³² as he termed it.

The convention, which was in Albuquerque, had as its keynote speaker Holm Bursum, who adroitly kept away from state issues. His address centered about national issues, which meant attacking the League of Nations;³³

31

Alfred G. Cordova, op. cit., p. 97.

32

Santa Fe New Mexican, September 7, 1920.

33

Ibid.

CHAPTER IV

CONVENTION AND NOMINATION

Some of the Republicans mentioned for the nomination were either not acceptable to the party or would not run. Many were offered the position, but they refused for various reasons. George Dixie liked what he was doing; Lieutenant Governor Ben Finkley said he did not want it but "would only take it in desperation"; Lewis Austin, from San Diego, walked away from it. W. G. Murray of Livermore, and the names of Alphonso, were also mentioned as possible nominees and when Judge Meeker's name came into the picture, he emphatically expressed his disinclination to join the melancholy list of ex-governors.³¹ as he pointed out.

The convention, which was in Alphonso, had as its keynote speaker John Brown, who arrived in 1892 from state James. His address centered about political James, which meant attacking the League of Nations.³²

31

Alfred G. Conover, op. cit., p. 110.

32

James in New England, December 7, 1919.

33

ibid.

attacking the Democrats in general, and praising the Republican leadership. He was also the convention's temporary chairman, which was no asset to Larrazolo. Another disadvantage to Larrazolo was that the "Old Guard" members had tried to line up the county delegations against him.³⁴

Larrazolo, however, had strength at the convention, and not a little of it was attributed to his program which found appeal among "progressives." His program included a direct primary law, revision of the tax law for the state so that the burden of taxation should be equal upon all persons and classes of property, a non-partisan board for management of state lands, a complete budget system, improvement of public schools and state institutions of public learning, adjustment of differences between capital and labor, economy and abolition of superfluous public offices, and assistance to service men.³⁵ Ironically, enough, most of his program was adopted by the party after it had rejected him.

Going into the convention, the northern counties

³⁴

Alfred G. Cordova, op. cit., p. 94.

³⁵

Santa Fe New Mexican, July 24, 1920.

attacking the Democratic leadership, and the
Republican leadership. He was also the
temporary chairman, which was no small
Another distinction to be noted is that
members had tried to find no other

111.34

... however, but a number of the
and not a little of it was...
which found equal...
cluded a direct primary law...
the state...
upon all persons and classes...
board for management of...
system, improvement of public...
institutions of public...
between capital and labor...
sufficient public officer...
and...
adopted by the party...
going into the...
111.35

34

Alfred A. Corbett, Jr., 1874-1934

35

John W. Aldrich, 1832-1905

such as Taos, Santa Fe, Rio Arriba, and others, threw their support behind Larrazolo, and on the first ballot he received 559 votes. On the second ballot, Larrazolo picked up five votes, and at that point was only thirty-two votes away from the nomination; however, Merritt Mechem, who had polled 259 on the first and 378 votes on the second ballot suddenly received the support of the San Miguel and Bernalillo delegation plus a few others on the third ballot. This made his tally go up to 602, and only 596 were needed to win. The victory for Mechem, even though he did not want it,³⁶ meant the parting of the ways for Larrazolo, and it resulted in a wider split between the progressive Bronson Cutting-Larrazolo wing of the Republican Party and the "Old Guard" Albert Fall-Holm Bursum faction of the party.

Some of the delegation which were especially bitter over the outcome were the ones from Taos, Rio Arriba, and Dona Anna counties.³⁷ It was a decided victory for the Bursum group, and it was assisted by the very able politicians "Sec" Romero and "Ed" Otero.³⁸ Both men had been

36

Interview with Mrs. Mechem by author, November 15, 1951, substantiated by Mr. Edwin Mechem and others.

37

Santa Fe New Mexican, September 9, 1920.

38

Ibid.

party whips in their respective counties and had tremendous political power.

In the end, Larrazolo, the party man that he was, "accepted his defeat and promised to do everything in his power to help Merritt C. Mechem."³⁹

Judge Mechem's nomination raised a technical question, since the Constitution of New Mexico states that "no judge of the Supreme or District Courts shall be nominated or elected to any office other than a judicial office in this state."⁴⁰ However, in spite of the technicality, the people behind Mechem were inclined to believe that what the Constitution did not say was also important, and they claimed that the Constitution did not state that a judge could not accept the nomination. On this basis, they won their argument because Mechem resigned his position as District Judge⁴¹ and accepted the nomination even though he had not campaigned for it, and even

39

Alfred G. Cordova, op. cit., p. 98.

40

Constitution of New Mexico, Article 6, Section 19.

41

Santa Fe New Mexican, September 9, 1920. Judge Mechem handed in his resignation in the afternoon, and Governor Larrazolo accepted and named Felix Baca of Albuquerque to replace him.

party which in their respective countries and had themselves

political power.

In the end, however, the only way that he said,

"accepted his defeat and resigned to the effect that in

his power he had been in the hands of the people."

Judge Meador's nomination raised the following

question, since the Constitution of our country states

that "no Judge of the Supreme or District Courts shall be

nominated or elected to any office after two years shall

office in this state." However, in view of the fact

that the people had elected Judge Meador to the

office that was the Constitution did not say we should

obey, and they claimed that the Constitution did not

state that a Judge could not accept the nomination.

On this point, they were quite correct because the

Constitution as stated in Article IV, Section 1, says

that even though he had not been elected to it, and even

39

Alfred G. Carter, Jr., 1904.

40

Constitution of New Mexico, Article IV, Section 1.

41

Meador vs. New Mexico, December 1, 1904. Judge

Meador handed in his resignation in the afternoon and
Governor Latham accepted and signed the order of his
appointment to replace him.

tried to get out of it once his name had been presented.⁴² His nomination, however, was not the only phase of the convention that was questioned. Mr. Mechem's running mate, Lieutenant Governor Crib, resigned after it was brought out that he was under the legal age to run for the office; and it was also not certain whether E. A. Cahoon and S. B. Davis were eligible to be elected to the electoral college since both were officers of banks and a federal statute might prohibit them -- "no person holding an office of trust or profit under the United States shall be appointed an elector."⁴³ Of course, all these things soon righted themselves in time -- obviously, in plenty of time, because the Republican team won the election.

42

Personal interview with Mr. Mechem by author, July 25, 1952. -- During the convention proceedings, Judge and Mrs. Mechem were in Albuquerque. The judge was holding court in Los Lunas and was commuting between the two places. He had previously been told by some of his friends that his name would be placed up for the Republican nomination but he laughed it off. Neither he nor Mrs. Mechem aspired to enter public office, and when he was informed by Mr. Tittman on the telephone that he had been selected as the nominee, he consoled Mrs. Mechem by stating they could not nominate a judge. The following morning he went to the actual convention site saying that there still must be a way out of it.

43

The Constitution of the United States,
Article 11, Section 1.

...to get out of the office...
His nomination, however, was not...
convention that was...
...
brought out that he was...
the office; and it was...
Cannon and S. B. Davis were...
electoral college...
a federal statute...
holding an office...
States shall be...
these things...
in plenty of time...
election.

Personal interview with...
July 22, 1952. -- During the...
Judge and Mrs. ...
holding court in Los Angeles...
two classes. He had previously...
friends that his name would be...
nomination but he refused to...
Nelson applied to enter...
formed by Mr. ...
selected as the...
stating they could not...
morning he went to the...
that there still was no...

The Constitution of the United States
Article II, Section 1

CHAPTER V

CAMPAIGN AND CUTTING

With the convention behind them, the Republicans made haste to begin their campaigning because the Democrats had nominated a strong ticket headed by Richard Hanna for governor. In addition, one of the strongest and most vociferous newspapers in the state, The Santa Fe New Mexican (normally Republican by admission), threw its weight behind the Democratic nominee. This important newspaper was owned by the blazing fireball of New Mexico politics, Bronson Cutting.

He had come to New Mexico a very learned and wealthy young man, but also very ill.⁴⁴ When well enough, he bought the Santa Fe New Mexican, which was to serve as his personal political organ.⁴⁵ He first opposed the members of the "Old Guard" in the 1912 election when he gave out with a "tirade against Secundino Romero from

44

Jonathan Ray Cunningham, Bronson Cutting, A Political Biography, Unpublished Master's Thesis, The University of New Mexico, Albuquerque, N. M., 1940. pp. 33½.

45

J. R. Cunningham, op. cit., pp. 44-45.

CHAPTER V

DEMOCRACY AND OUTLIER

With the exception behind them, the Republicans
 made haste to begin their campaigning because the Demo-
 crats had nominated a strong ticket headed by William
 Hanna for governor. In addition, one of the strongest
 and most vociferous newspapers in the state, the *Day*
of New Mexico (formerly published by John W. Alderson), since
 its weight behind the Democratic candidate. This newspaper
 newspaper was owned by the playing financial interests
 politics, Branch Cutting.
 He had done so New Mexico a very long time
 wealthy young man, but also very ill. He was well known
 he bought the *Day of New Mexico*, which was to serve
 as his personal political organ.⁴⁵ He then secured the
 members of the "Old Guard" in the 1912 election when he
 gave out with a "circle" against Governor Hanna and

44
 Jonathan Ray Greenman, *Political History*,
 University of New Mexico, Albuquerque, N. M., 1912,
 pp. 334.

45
 J. R. Greenman, op. cit., pp. 177-178.

San Miguel County...."⁴⁶ In that same election, he attacked all of that faction within the Republican Party which were spearheaded by Holm Bursum and company.⁴⁷ Cutting belonged to the group which was labeled as "progressive." Actually, his progressive ideas were similar to Theodore Roosevelt's, whom he supported in the 1912 election.⁴⁸ These differences with the "Old Guard" then had early beginnings; and while he may have seemed inconsistent in supporting first the Republicans and then the Democrats, he remained consistent in opposing these "Old Guardsmen" -- he fought them hard and long.

In the 1916 election, the combination of Cutting and his newspaper was against Woodrow Wilson because "the national honor, peace, and national prosperity are unsafe in his hands....." The combination was also "opposed to the election of H. O. Bursum, Frank A. Hubbell, and other Republican candidates in New Mexico to state offices because it believes the return to power of such men.....is a menace to the cause of good government..."⁴⁹

46

Ibid., p. 47.

47

Ibid., pp. 48-49.

48

Ibid., p. 42.

49

Ibid., pp. 53-56.

San Miguel County... in that sense...
 attached all of that section which was...
 which were expressed by John...
 Cutting belonged to the group which...
 aggressive. Actually, his progressive...
 to Theodore Roosevelt's, whom he...
 election. These differences with the...
 had early beginnings; and while he...
 consistent in supporting first...
 the Democrats, he...
 "Old Garretts" -- he fought...
 in the 1912 election, the...
 and his newspaper was against...
 "the national honor, peace, and...
 are waste in his hands..."
 opposed to the election of...
 and other Republican candidates...
 offices because he believed...
 men... is a menace to the cause of...

46
 Ibid., p. 47.
 47
 Ibid., pp. 48-49.
 48
 Ibid., p. 48.
 49
 Ibid., pp. 50-51.

Cutting also supported Larrazolo during the latter's unsuccessful bid for renomination. At one time, it was known that he cared little for Larrazolo, but after a long talk with him, Cutting realized that they both had similar interests in regards to the welfare of the Spanish-American people.⁵⁰ This was more than enough to swing Cutting behind Larrazolo because, throughout his entire stay in New Mexico, Cutting had a deep affection for these people and always tried to help them.⁵¹

Politically, however, as one author states, Cutting "was also capable of being politically vindictive, jealous, petty, and ruthlessly ambitious. At times, he almost seemed to be the twentieth century version of Machiavelli's prince, tempered with a charitability for the poor, who entertained a hatred for well organized political machines other than his own. When Cutting entered public life, he tried to manipulate New Mexico politics to suit his own philosophy."⁵²

50

Ibid., pp. 75-76.

51

Ibid., p. 116.

52

Robert G. Thompson, The Administration of Governor Arthur T. Hannett, A Study in New Mexico Politics 1925-1927., Unpublished Master's thesis, The University of New Mexico, 1949, Albuquerque, N M., p. 70.

Cutting also supported ... during the
 latter's unsuccessful bid for re-election. At the
 time, it was known that he was little for ...
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 they both had similar interests in regard to the welfare
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 them.

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 Cutting was also capable of being politically astute,
 jealous, petty, and intensely ambitious. At times, he
 almost seemed to be the twentieth century version of
 Machiavelli's prince, compared with a characteristic for
 the poor, who entertained a hatred for well organized
 political machines other than his own. When Cutting
 entered public life, he related to ... New Mexico
 politics to suit his own philosophy.

70
 Ibid., p. 75-76.
 71
 Ibid., p. 110.
 72

Robert G. Thompson, *The Administration of*
 Governor Arthur E. Hannan, A Study in the History of
 1925-1927, Unpublished Master's Thesis, The University of
 New Mexico, 1969, Albuquerque, N. M., p. 20.

And as mentioned earlier, all of his likes and dislikes were funneled through his organ, the Santa Fe New Mexican. It was this same newspaper which, in the 1920 campaign, highlighted the "boss rule" issue. The "boss rule" theme was played up throughout the entire campaign. The "bosses", as the New Mexican saw them, were Fall, Hawkins, Sully, Romero, Otero, and Bursum, who dictated an un-Republican ticket to the people.⁵³ The newspaper also lashed out at the protege of Bursum by stating that Mechem was unacceptable to the Republican rank and file.⁵⁴ Often the newspaper, with Cutting's presumed sanction, would send its leaches into Mechem via the Bursum "crowd."

More often than not, the newspaper featured the speeches of the Democratic nominee and gave much less publicity to those of the Republican candidate. From the beginning of the actual campaign until election day, the New Mexican was filled with political news, much of which was favorable to Hanna, and naturally unfavorable to Mechem. However, in spite of this very important news-

53

The Santa Fe New Mexican, September 15, 1920.

54

Ibid.

And as mentioned earlier, the following
distances were furnished through the
Max Hastings. It was this same newspaper which in the
1930 campaign, published the "Hastings" column. The
"Hastings" column was placed in the newspaper
campaign. The "Hastings" column was placed in the
Fall, Hastings, Kelly, Bennett, and
dictated an anti-Hastings article. The
newspaper also looked out at the time in
stating that Hastings was unimpaired by the
rank and file. Hastings was unimpaired by the
presumed another, which was the Hastings
the Bureau "crowd".
More often than not, the Hastings column
speakers of the Hastings column. Hastings
publicly to those of the Hastings column. Hastings
beginning of the Hastings column. Hastings
Max Hastings was killed. Hastings was killed
was favorable to Hastings. Hastings was favorable
Kocher. However, in spite of the Hastings column.

paper being against him, Mr. Mechem became Governor Mechem.

The Albuquerque Journal was another "big" newspaper which was opposed to Mechem. This newspaper was headed by the highly partisan Democrat, Carl Magee. Mechem, however, received support from newspapers like the Las Vegas Optic, Socorro Chieftain, and the Albuquerque Evening Herald, to mention a few.

The theme of "boss rule" was also carried across the state by the Democratic candidate, Hanna. It gained in popularity because the New Mexican kept hammering away at it, and because there were actually only a few party issues in the campaign since both platforms were generally very similar.

Hanna's platform, like Mechem's, (and Larrazolo's), included a direct primary law, fair legislative representation (districting of some sort), revision of the mine tax law, economy in state and county administration, better-paid teachers, more and better roads, lower tax rates for common taxpayers, and reduction of the high cost of living.⁵⁵

Of course, Hanna and Mechem disagreed on an inter-

55

Ibid., Oct. 17, 1920.

paper being against him, Mr. ...
Mohen.
The ...
paper which was ...
headed by the ...
Kocher, however, ...
the ...
Kocher ...
The ...
the state by the ...
in popularity ...
at it, and because ...
issues in the ...
very similar.
Hanna's ...
included a ...
sentation (...
tax law, ...
better-paid ...
rates for ...
of living.
Of course, ...

national question like the League of Nations. And as mentioned, the Republican had the same platform as Larrazolo had.⁵⁶ Mechem's platform, then, also included the enactment of a primary election law, revision of the existing tax laws, a non-partisan board of management of state lands and the funds arising therefrom, cession of public lands by the federal government to the state, a complete budget system, improvements of public schools and state institutions of learning and better salaries for teachers, economy and abolition of superfluous offices, and assistance to ex-servicemen.

Actually, the campaign was a clean one on the part of the principals. Both Hanna and Mechem conducted themselves like the gentlemen that they were. Neither would attack the other personally because they were friends and because they were above that sort of thing. Hanna stressed the "boss rule" idea and the mine tax law which appeared to favor the coal and copper mining interests. He also championed the cause of the League of Nations as all good Democrats were supposed to do. Incidentally, the League, as an issue, was more important than either candidate had realized; and the results of the election seemed to indicate that the people of New Mexico, as well as others

⁵⁶

Ibid., September 9, 1920.

national question like the League of Nations. And as
 maintained, the Republic had the same position as France
 who had the Republic's position, that, also limited the
 enactment of a private election law, violation of the
 existing tax laws, a non-published bond of management
 of state lands and the funds outside the state, besides
 of public lands by the federal government to the state,
 a complete budget system, improvements of public schools
 and state institutions of learning and better salaries
 for teachers, economy and abolition of superfluous of-
 fices, and assistance to ex-servicemen.

Actually, the campaign was a clear one on the part
 of the progressives. Both Hanna and Hedges regarded them-
 selves like the gentlemen that they were. Neither would
 attack the other personally because they were friends and
 because they were above that sort of thing. Hanna attacked
 the "boss rule" idea and the state tax law which appeared
 to favor the coal and copper mining interests. He also
 championed the cause of the League of Nations to all good
 Democrats were supposed to be. Incidentally, the League,
 as an issue, was more important than either candidate had
 realized; and the result of the election proved in fact
 that the people of New Mexico, at least in certain

throughout the United States, were not yet ready for any international alliances.

On the whole, throughout the campaign, Hanna was the more vigorous candidate -- slamming away at the coterie of men who held real power without accompanying responsibility in New Mexico.

Mechem, on the other hand, was satisfied to take the defensive, upholding the mine tax law (which he would revise, however), and his alignment with the Bursum faction; but, perhaps his greatest assets (besides being well known throughout the state), which undoubtedly won him votes, were his arguments against the League of Nations. The League was the unknown quantity in this election, as it was in others, and outstandingly so in the presidential election. However, neither Hanna nor Mechem realized the importance of the issue because both men concentrated on other ones.

Mechem maintained that he would carry the Republican platform through if the people should elect him, and if they gave him a Republican legislature to work with. Although his sponsors labeled him a "progressive," he was closer to being a sincere conservative.

Aside from the above-mentioned basic issues, the campaign had some additional minor ones which were brought

throughout the United States, the more vigorous campaign
international alliance.
On the whole, the campaign was a success, and the
the more vigorous campaign for the more vigorous campaign
coverts of men who held their own in the campaign
responsibility in the campaign.
Kocher, on the other hand, was a very successful
the defendant, including the defendant, and the defendant
review, however, and the defendant, and the defendant
facilities; but, however, and the defendant, and the defendant
well known throughout the world, and the defendant, and the defendant
his voice, and the defendant, and the defendant
National. The lesson was the lesson, and the lesson
election, as it was in other, and the defendant, and the defendant
the presidential election, and the defendant, and the defendant
Hester realized the importance of the campaign, and the defendant
was concentrated on other, and the defendant, and the defendant
Hester realized the importance of the campaign, and the defendant
publican election, and the defendant, and the defendant
him, and it was a very successful campaign, and the defendant
work with. Although it was a very successful campaign, and the defendant
executive, he was observed, and the defendant, and the defendant
Aside from the campaign, and the defendant, and the defendant
campaign had been a very successful campaign, and the defendant

before the public by the New Mexican. As noted previously, it spotlighted the fact that Mechem was a "tool" and a puppet of Bursum; that he had been nominated illegally and that he would flaunt the laws of the state, if elected; and that he would favor the mining interests in the state. The newspapers also called attention to a twelve-year old letter that was supposedly written by Mechem to a United States official. The letter, in effect, was to have stated that Mechem would have the official removed if he (the official) could not deliver his district in the Republican win ledger.⁵⁷ Nothing ever came of this. These and other charges were brought out against Mechem, but the one which he probably felt most was the one which cast doubt on his judicial ability.

It all started when Bronson Cutting and E. Dana Johnson were brought into court on a criminal libel suit by Holm Bursum in 1916. The Santa Fe New Mexican of which Cutting was publisher and Johnson, editor, had made alleged libelous references to Bursum's political mastery in Socorro County. It also wrote that, "This is the same county where a Bursum henchman named Dreyfus, in the days of Governor Hagerman, tore down an American flag, stamped on it, and got away with it."⁵⁸ This was the spark which

⁵⁷ Ibid, October 17, 1920.

⁵⁸

All the information on thesis, pages 27 to 29 gotten from Jonathan Ray Cunningham, op. cit., pp. 56-64.

before the public by the Day Magazine. He wrote previously
 it spotlighted the fact that Meahan was a "scab" and a
 puppet of Huxman; that he had been nominated illegally and
 that he would flout the laws of the state. It stated
 and that he would favor the mining interests in the state.
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 letter that was supposedly written by Meahan to a United
 States official. The letter, in effect, was to have
 stated that Meahan would have the official removed if he
 (the official) could not deliver his district in the
 position with respect to Meahan's case at that time.
 and other charges were brought out against Meahan, but
 the one which he probably felt was the one which
 cast doubt on his judicial ability.
 It all started when Bronson Cutting and W. C. Cane
 Johnson were brought into court on a criminal libel suit
 by John Brown in 1914. The Day Magazine of which
 Cutting was publisher and Johnson, editor, had made
 alleged libelous references to Brown's political activity
 in Boone County. It also stated that "this is the same
 county where a former newspaper man, [?], in the days
 of Governor Bageman, was convicted of libel, and
 on it, and got away with it." This was the year which

37
 1914, October 17, 1920.
 28

All the information on pages 27 to 29
 gotten from Jonathan B. Cunningham, 22 E. 1st St., Iowa

led to the court action, and a criminal and civil suit for \$50,000 damages was filed later by, or on behalf of Henry Dreyfus.

The case was tried in Socorro County and the Grand Jury returned an indictment for criminal libel against Bronson Cutting, E. Dana Johnson, and the New Mexican Printing Company in January, 1917. The libel suit, however, failed to materialize.

The civil suit was tried in Valencia County on a change of venue from Socorro County in March, 1917. The jury returned a verdict against the New Mexican Printing Company and awarded Dreyfus \$35,000 in damages. This amount was cut down to \$10,000 by Judge Merritt C. Mechem, the presiding judge.

During the court proceedings, it was alleged that Mr. M. C. Spicer, the attorney for Dreyfus, was secretly signaling to Dreyfus with his hands, indicating what to say when he was being cross-examined by the defense attorney. This supposed action was brought to Judge Mechem's attention, but nothing was done since the action was difficult to prove. Later, the New Mexico Board of Bar Examiners investigated the conduct of M. C. Spicer during the trial and exonerated him.

Judge Mechem also filed an affidavit to the effect

led to the court action, for a judgment was entered
for \$50,000 damages and the balance of the judgment
Henry Wehrman.

The case was tried in the Circuit Court of the
City returned an advisory for judgment for the
Boston Company, \$25,000 damages, and the balance
Printing Company in January, 1911, for the balance.

However, failed to pay the balance. The
The trial was held in the Circuit Court of the
amount of venue from Boston Circuit Court for the
jury returned a verdict against the defendant for
Company and awarded damages of \$25,000 and costs.
amount was set down to \$10,000, and the balance
Boston, the prevailing party.

During the court proceedings, the defendant
Mr. M. C. Spitzer, the attorney for Boston, the
signaling to Boston with the intent to defraud
say when he was being cross-examined by the
attorney. This exposed him to the attention of
Boston's attention, but Boston was not
was allowed to prove that the defendant was
for Boston's investigation of the case.
during the trial the defendant was
Judge Foster also ruled that the

that Spicer could not have been signaling; that he saw Spicer reading a newspaper during the trial.

Cutting was taken aback by Judge Mechem's affidavit since he was quite certain that he saw Spicer signaling and in his newspaper he declared the Mechem affidavit to be worthless. The New Mexican wrote: "M. C. Mechem, for the purpose of defending Attorney M. C. Spicer against properly sworn charges, filed a purported affidavit before the State Board of Bar Examiners. This document is held worthless in law. Its signer cannot be held to legal accountability for it. M. C. Mechem was one of two men who codified the New Mexico laws. Was he ignorant of the law in this regard, or did he knowingly file a pretended affidavit for which he could not be held legally responsible?"

All this and more led to Judge Mechem's charging Bronson Cutting and the New Mexican Printing Company with contempt of court, and he filed his case with the District Court for Socorro County in August, 1917. The case was decided against the New Mexican Printing Company and Bronson Cutting. Later, the case went to the New Mexico Supreme Court and that body reversed the original decision in December, 1917.

The case had gone to the State Supreme Court

BOND

INVESTMENT

that Blythe could not...
 Blythe reading a newspaper...
 Blythe was taken...
 since he was quite certain...
 and in his newspaper...
 to be worthless. The...
 for the purpose of...
 against properly...
 all before the...
 ment is held...
 so fatal...
 two men who...
 of the law in...
 protected...
 ly responsible?"

All this and more...
 Bronson Cutting and...
 with contempt...
 District Court...
 case was decided...
 pery and Bronson...
 New Mexico...
 original...
 The case had...

after it had been filed with District Court Judge Holloman in August of 1917.⁵⁹ It was labeled as, "the State versus New Mexican Printing Company." The plaintiffs being the State of New Mexico and the defendants, Bronson Cutting, E. Dana Johnson and others.

The New Mexican published other articles supposedly detrimental to Judge Mechem and others. In one issue, it wrote, in part, "The filing of an affidavit of Judge Merritt C. Mechem, of the Seventh Judicial District, not in his judicial capacity, but as a private individual, seeking to exonerate Attorney M. C. Spicer of the charge of secretly signaling to witness and plaintiff Henry Dreyfus during the alleged libel suit against the New Mexican at Los Lunas, makes proper and necessary the publication by the newspaper of many details of the conduct of the Dreyfus case hitherto unpublished, and especially relating to the presiding judge.

59

This and subsequent information gotten from The Pacific Reporter, St. Paul, Minnesota, West Publishing Co., 1919, vol. 177, pp. 751-756. Ira Grimshaw, reporter. New Mexico Reports, Albuquerque, N. M., Central Printing Company, 1920, vol. 25, pages 102-117 in the College of Law Library, University of New Mexico, Albuquerque, New Mexico.

after it had been filed with the United States District Court for the District of Columbia in August of 1917. It was published in the New Mexico Printing Company, 1114 Broadway, New Mexico, and the date was, August 1917. E. J. Johnson and others.

The New Mexican published certain articles... detrimental to Judge Keenan and others. In one issue, it wrote, in part, "The filing of an affidavit of Judge... Merritt G. Keenan, of the Seventh Judicial District, and in his judicial capacity, before a grand jury... seeking to exonerate Attorney A. G. Keenan of the... of secretly obtaining to witness and... Dreyfus during the alleged trial... Keenan at Los Angeles, which... location by the newspaper of many... of the Dreyfus case... relating to the preceding judge.

This and subsequent...
The Pacific Reporter, Vol. 177, No. 1, 1917, page 100.
New Mexico Printing Company, 1114 Broadway, New Mexico.
College of Law Library, University of New Mexico, Albuquerque, New Mexico.

"The New Mexican, since the returning of indictments by the Socorro County grand jury against the newspaper, has never been under any delusions as to what it was up against in the campaign of H. O. Bursum, absolute political dictator of Socorro County, to 'put the New Mexican out of business'."

"The New Mexican has never been under any misapprehensions as to what would happen, either in Socorro or Valencia County, the former, under the sway of Mr. Bursum's political organization, the latter, as completely under the sway of the allied Otero political organization, and a county, which for decades has been famous for the fact that a Democratic vote on election day was always about as scarce as the dodo. Socorro and Valencia Counties, for many years, have been the two strongest strongholds of the old territorial Republican machine. It was in a Valencia County precinct that the celebrated alphabetical voting took place; and it was from Valencia County, in answer to the Republican query, 'How many votes have you?' that the answer came back while the returns were still pending, 'How many do you need?'

Mechem Strong Bursum Man. - "Judge M. C. Mechem of the Seventh District is, and has been, a strong supporter of H. O. Bursum. He contributed heavily to the Bursum

"The New Mexican, since the printing of articles
 made by the George County Press, has never
 paper, has never been under any delusion as to what it
 was up against in the campaign of H. O. Burton, editor
 political district of George County, to put the New
 Mexican out of business."

"The New Mexican has never been unduly alarmed
 propositions as to what would happen, either in George or
 Valeria County, the latter, under the pen of Mr. Burton's
 political organization, the latter, as completely under the
 sway of the allied State political organization, and a
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 the Republican query, 'How many votes have you?' that the
 answer came back with the returns were still waiting,
 'How many do you need?'

Machine district Burton has - "Under H. O. Burton
 of the Seventh District is, and has been, a strong supporter
 of H. O. Burton. He contributed heavily to the Burton

campaign fund at the last election; he is a business associate of H. O. Bursum; a strong personal friend of Bursum, closely identified with the Bursum political faction; and became judge largely through the Bursum influence. All of which, of course, is the privilege of Judge M. C. Mechem and his personal rights. The New Mexican specifically sets forth Judge Mechem's political affiliation merely for the purpose of informing the people of the state who may be misinformed. This is not an attack upon the politics of Judge Mechem, but the statement of pertinent facts, which for many reasons the public should know.

The Mechem Affidavit. "The New Mexican has realized from the beginning of the Bursum libel suit that it must try its case before the people.

Despite that knowledge, as a review of the case shows, out of a scrupulous respect for the court, it has consistently suppressed various details of the proceedings, several times at the particular request of the presiding judge, and to prevent any notoriety for the court which might be undesirable or unpleasant."

The Supreme Court discussed and dissented the above published information and ruled against Judge Mechem. It said, "We have considered the paragraphs separately, but were we to consider them as one article, still we are

... at the last ...
... of H. G. ...
... chiefly ...
... and ...
... of course, ...
... and his personal ...
... only ...
... for the purpose ...
... who may be ...
... of these ...
... cases, which ...
... The ...
... from the ...
... say the ...
... ...
... show, ...
... consistently ...
... several times ...
... judge, and ...
... after he ...
... The ...
... published ...
... said, "We ...
... were we to ...

forced to conclude that the article is an attack upon alleged political conditions rather than an attack upon the court. The only reference to the judge is in his individual capacity, and, if in his individual capacity, a judge is criticized or libeled, his recourse is the same as that afforded any private citizen, unless it is shown and proved that the libel tended to obstruct the ordinary course of justice in some pending case or that it tended to embarrass the judge in the discharge of judicial functions in future matters."⁶⁰

These cases, in part, also explain the hostility of Bronson Cutting and the New Mexican towards Mechem's election in the 1920 campaign and during his term of office.

The foregoing then were some of the major and minor issues in the campaign as both candidates and one powerful newspaper saw them. Not one of them placed too great an emphasis on the national issues (specifically, whether the United States should or should not join the League of Nations) which, as it turned out, was of more than a little important in electing Mr. Mechem.

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The Pacific Reporter, op. cit., p. 755.

CHAPTER VI

ELECTION TO OFFICE

The election victory, of course, was predicted by both sides. Democratic State Chairman Seligman claimed that Hanna would be elected. The New Mexican also predicted his victory by at least ten thousand votes. George Craig predicted Mechem would be the winner by about twenty-five hundred votes. This turned out to be the most accurate of all the predictions.

At the outset, the returns showed Hanna in the lead, but after a day or two when the votes started to come in from the outlying areas, the trend shifted to Mechem. On the third day after the balloting had begun, Judge Hanna conceded victory to Judge Mechem and congratulated him.

The final tally showed that Mechem had had a plurality of some thirty-six hundred votes, and that he had won seventeen of the twenty-nine counties within the state.⁶¹ With few exceptions, he won the normally Republican counties throughout the state and added on a few

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Dwight M. Ramsey, Jr. A Statistical Survey of Voting Behavior in New Mexico, Unpublished Master's Thesis, Albuquerque, N. M., The University of New Mexico, 1951, pages 106-111.

CHAPTER VI

RESULTS IN 1911

The election victory, of course, was predicted by both sides. Democratic State Chairman William H. ... that Mann would be elected. The ... also ... stated his victory by at least ten thousand votes. ... Craig predicted ... would be the winner by about ... five hundred votes. This ... to be the ... of all the ...

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Twight M. ...
 Voting Behavior in New Mexico, ...
 Albuquerque, N. M., The ...
 pages 100-111.

Democratic ones, notably, Union County. He lost the heavily populated Bernalillo County, but he won in Rio Arriba, Taos, and Dona Ana⁶² whose delegations at the convention were once extremely bitter about his nomination.

The entire Republican state ticket was voted in. They were: Lieutenant Governor, William Duckworth, Clovis; Secretary of State, Manuel Martinez, Logan; Attorney General, Harry Bowman, Santa Fe; State Treasurer, Charles Strong, Mora; State Auditor, Edward Safford, Santa Fe; State Land Commissioner, Nelson Field, Socorro; Corporation Commissioners, Hugh Williams, Deming, Bonifacio Montoya, Bernalillo, and J. M. Luna, Los Lunas; Superintendent of Public Instruction, John V. Conway, Santa Fe; Congressman, Nestor Montoya, Albuquerque; and the presidential electors, S. B. Davis, Jr., E. A. Cahoon, and Antonio Gomez.⁶³ Governor Mechem's legislature was also Republican. It was an exciting and dramatic finish, and all the victories were especially sweet to the Republicans because of the concerted attacks on them by the New Mexican, and because of the split

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Dwight M. Ramsey, op. cit., pp. 106-110.

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The Albuquerque Evening Herald, January 1, 1921 and Laws of the State of New Mexico, Fifth Legislation Session, 1921 (Albuquerque: Central Printing Co., 1921) Official Roster.

Democratic ones, notably, Union County. He lost the
 heavily populated Bertie County, but he won in the
 Arriba, Tosa, and Down Am^{ts} whose delegations at the
 convention were once extremely bitter about his reelection.
 The entire Republican state ticket was voted in.
 They were: Lieutenant Governor, William Dismore, Chief;
 Secretary of State, Samuel Hartner, Agent Assessor General,
 Harry Bowman, State Treasurer, Charles Johnson,
 State Auditor, Edward Callard, State Land
 Commissioner, Nelson Field, Director, Corporation Commis-
 sioner, Hugh Williams, Health, Board of Health, Justice
 J. H. Linn, Joe Linn, Superintendent of Public
 Instruction, John V. Gowan, State Ins. Commissioner, Hester
 Hester, Alford, and the presidential electors, A. H.
 Davis, Jr., E. A. Cannon, and Antonio Gomez. Governor
 Hester's legislature was also Republican. It was an ex-
 citing and dramatic trial, and all the victories were
 especially sweet to the Republicans because of the concerted
 attacks on them by the New York, and because of the split

Dwight M. Ramsey, Co. 211, 100-211.

The Alphabetic Writing Method, January 1, 1921
 and Law of the State of New York, with Legislation
 Session, 1921 (Alphabetic: Central Printing Co., 1921)
 Official Roster.

that had developed within their ranks. Other disadvantages which had been overcome were that Hanna, a forceful speaker, had campaigned brilliantly, visiting each county at least once; whereas, Mechem was not a dynamic speaker⁶⁴ plus the fact that Mechem was handicapped by the lack of a candidate for the Lieutenant Governorship up until only a few weeks before the election. The Republicans were noisy and riotous about their victory, whilst the Santa Fe New Mexican remained strangely silent about Mechem's election win. It was not until a day or two later that it explained all that had happened.

Its explanation was that "Judge Mechem and his legislature swept into office because of national issuesthe Republican landslide that swept Harding and others into office was a rebuke to Wilsonianism and his administration....the feeling of the whole nation was reflected in New Mexico and was the only factor in the result of the state election....."⁶⁵

Whether it was the only factor in the result is a

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Personal interview with Mr. Edwin Mechem, Las Cruces, June 27, 1953. Governor Mechem would prefer speaking to small groups on an informal basis rather than talk to them from a platform.

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Santa Fe New Mexican, November 7, 1920

that had developed in the past... which had been... had campaigned... once; whereas,...

for the... before the... our... remained... was not until... had happened.

Its explanation... legislature... the Republican... into office... tion... New Mexico... state election...

Personal... Gross, June 27, 1953... ing to... to these...

matter for conjecture; however, it is admitted that it was an important factor, and it cannot be denied that the 1920 election was an all-Republican one. Harding's plurality was greater than Mechem's in the state, but Mechem's plurality, although one of the smallest on his ticket, was greater than the preceding Republican Governor's, Larrazolo, who got less than a fourteen hundred vote majority⁶⁶ in the 1918 election.

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Dwight Ramsey, op. cit., p. 105.

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 greater than the preceding Republican Governor's, La Follette,
 who got less than a fourteen hundred vote majority in the

1918 election.

CHAPTER VII

THE LEGISLATURE AND TENURE

The campaign had been a live one, and now the team, headed by Governor Mechem and Lieutenant Governor Duckworth of Clovis, was faced with the problem of making good on its promises. Two of their pledges were tax reform and economy in government.

In his inaugural address, which was the shortest on record, the new governor again pledged himself to these two reforms. In his own words, he stated, "Some economies have been suggested, such as the abolishment of some useless offices, but this alone will not suffice. Levies and appropriations have got to be cut to the last cent possible.

Taxes must be reduced so that every taxpayer in this state, when he goes to pay his taxes next time, will know and will appreciate the fact that they have been materially and effectually reduced."⁶⁷

He also made brief references to the program of legislative and administrative reforms which were discussed during the campaign; and, in his words, he said, "they

THE REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE
ON THE PROGRESS OF THE SURVEY OF THE LANDS BELONGING TO THE
CROWN IN THE YEAR 1881

The Commission has had the honor to receive from the
Honorable Secretary of State a copy of the Report of the
Commissioner of the General Land Office on the progress of the
survey of the lands belonging to the Crown in the year 1881.
The report is a valuable and interesting one, and it is
to be regretted that it is not more generally known.
In his report, the Commissioner has given a full and
complete account of the progress of the survey, and has
also given a full and complete account of the lands which
have been surveyed, and of the lands which are now being
surveyed. The report is a valuable and interesting one,
and it is to be regretted that it is not more generally
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year 1881. The report is a valuable and interesting one,
and it is to be regretted that it is not more generally
known.

are each and every one of them to be kept to the letter and in the spirit of complete fulfillment."⁶⁸

After the inaugural ball festivities, which from all reports, was a brilliant and quite successful affair, the new governor turned his attention toward the reforms which had been bantered about during the campaign. His list of recommendations was as follows: (incidentally, some of the proposals necessitated constitutional amendments) -- The constitutional amendments were: (1) permit women to hold public office in the state; (2) provide for an adequate budget system; (3) to remove the limitation as to the term of office of the Superintendent of Public Instruction and of County School Superintendents; (4) create a non-partisan commission for the purpose of managing public lands and the funds derived therefrom; (5) to reduce the Corporation Commission to one member; (6) a horizontal reduction of all tax levies; (7) consolidate state institutions to reduce cost and produce efficiency.⁶⁹

The other more important recommendations which needed no constitutional amending, merely legislative

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Ibid.

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Santa Fe New Mexican, January 12, 1921.

are each and every one of them to be kept to the letter and in the spirit of complete fulfillment.

After the inaugural ball festivities, which from all reports, was a brilliant and quite successful affair, the new governor turned his attention toward the reforms which had been hinted about during the campaign. His list of recommendations was as follows: (1) to permit some of the proposals necessitated constitutional amendments -- The constitutional amendments were: (1) permit women to hold public office in the state; (2) provide for an adequate budget system; (3) to remove the limitation as to the term of office of the Superintendent of Public Instruction and of County School Superintendents; (4) create a non-partisan commission for the purpose of managing public lands and the funds derived therefrom; (5) to re-duce the Corporation Commission to one member; (6) a general reduction of all tax levies; (7) consolidate state institutions to reduce cost and promote efficiency.

The other more important recommendations which needed no constitutional amending, were legislative

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1912
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action, were: (1) establish a statewide primary for the nomination of all candidates to public office; (2) legislation regulating the hours and conditions of labor for women and the enactment of an adequate child labor law; (3) create a state game commission; (4) ad valorem system of taxing the mines and mineral lands; (5) consolidate state institutions to reduce cost and produce efficiency; (6) for a short ballot; and (7) repeal of laws which provide for a legal adviser to the governor, mounted police, and county road superintendent.⁷⁰

The above were most of the more important suggestions which Governor Mechem proposed to his predominantly Republican legislature.

The majority of his proposals were advocated and sponsored by the Revenue Commission, which had as its chief spokesman, former Territorial Governor Hagerman. This commission had made a survey of all the important state offices, and as a non-partisan body, it made many useful recommendations. It initiated many of the proposals that were linked to Governor Mechem and completed some much needed research in the area of state government.

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Ibid.

action, were: (1) establish a national highway program for the
 maintenance of all highways in public ownership; (2) legisla-
 tion regulating the hours and conditions of labor of
 women and the enactment of an adequate child labor law;
 (3) create a state game commission; (4) an agricultural
 of taxing the wine and mineral lands; (5) provide for
 state institutions to reduce cost and produce efficiency;
 (6) for a state highway and (7) repeal of laws which pro-
 vide for a legal action to the Governor, Council, Senate
 and county road superintendant.

The above were most of the proposals which were
 which Governor Jackson proposed to his constituents in his
 publican platform.
 The majority of the proposals were adopted and
 sponsored by the Revenue Commission, which had as its
 spokesman, former Territorial Governor, Benjamin W. Swanwick.
 commission had made a survey of all the important state
 offices, and as a non-partisan body, it was very well
 recommendations. It indicated ways by the present laws
 were linked to Governor Jackson and outlined some of the
 needed research in the case of state government.

Legislative Action and Inaction. - The Fifth Legislature, which had been overwhelmingly Republican (Senate: 15 Republicans, 9 Democrats; House: 36 Republicans, 16 Democrats), began its work in harmony. Even some of the Democrats hinted that they might lend a hand to the progressive elements of the Republican Party in the passage of some of the "revolutionary" measures that were advocated.⁷¹ This same combination of Republicans and Democrats would line up against some of the Senate Republicans who were opposed to the state-wide primary law.⁷²

Thus, it can be noted that the Governor's message to the Legislature was received favorably by both the Democrats and the Republicans. This did not mean, however, that all his proposals would have an easy road to becoming law -- far from it!

Both the Senate and the House began passing bills at a furious rate, and some of them were actually in accord with the wishes of the governor. However, after about three or four weeks, it was becoming evident that his major proposals would not pass, or would be amended into some ineffectual form.

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Santa Fe New Mexican, January 13, 1921.

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Ibid.

Legislative Action and Reaction - The first bill
passed, which had been overwhelmingly Republican (100
Republicans, 9 Democrats; House of Representatives, 10
votes), began its work in January. Even some of the Demo-
crats stated that they might lend a hand to the executive
element of the Republican Party in the passage of some of
the "revolutionary" measures that were advocated. This
was a combination of Republicans and Democrats would line up
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with the wishes of the Governor. However, after about three
or four weeks, it was becoming evident that his major pro-
posals would not pass, or would be amended into some in-
effective form.

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Basis in New Mexico, January 15, 1911.
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Ibid.

As mentioned earlier, some of the Republican Senators were against the direct primary, and when the first primary bill came out of a senate committee, it showed the influence of these men. Ushered out of committee, the bill was a weak one at best, and provided only for the nomination of county officials.⁷³ Certainly, this was not the bill which the governor had desired, since his idea provided for the nomination of all officials to public office on a county, district, state, and federal level.

Some of Governor Mechem's other proposals received similar treatment, but as far as could be determined, the legislators were not out to sabotage his program, as such. Nor was there any personal antagonism between the legislators and the executive.

In some instances, of course, there was direct opposition to his proposals, but on the whole, the lawmakers were not deliberately trying to prevent any good legislation, nor to deliberately derail the governor's program -- after all, most of them belonged to his party.

One asks, why then did not the legislature make all, or most of the governor's wishes into law? The only

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Santa Fe New Mexican, January 19, 1921.

As mentioned earlier, some of the...
...were against the...
...primary bill...
...influence of...
...was a weak one at best...
...of county officials...
...which the governor had...
...the nomination of all officials...
...county, district, state, and federal level...
...Some of Governor...
...similar treatment...
...legislators were not...
...Not was there any...
...tors and the executive...
...In some instances...
...position to his...
...were not deliberately...
...tion, nor to deliberately...
...after all, most of them...
...One asks, why...
...or most of the government's...

answer the author can give is that generally most of the Republicans in the legislature were even more conservative than the governor, and they were content to let well enough alone.⁷⁴ Some of the governor's proposals were ahead of them, and they were merely satisfied to maintain the status quo like all good conservatives.

Economy in Government and Revision of Mine Tax Law.

The two main pledges (economy and tax revision) that Mechem had made to the people were only partially fulfilled, since only a few offices were abolished and the legislature did not pass a strict amendment to the mine tax law as he, and the Revenue Commission, had recommended. In its original form, the mine tax law allegedly favored the mining interests,⁷⁵ so Mechem wanted the legislature to revise it somewhat.

The mine tax law was based upon the average net value (in dollars) from the output over a three-year period. This was the sole basis for assessing the mines because the law ignored the mineral content and the lands (value of)

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This theory substantiated by Mr. Edwin Mechem, brother of Governor Merritt Mechem.

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So said the Democratic campaign literature which appeared in the Santa Fe New Mexican, October 3, 1920.

answer the author can give is that generally most of the
Republicans in the legislature were even more conservative
than the governor, and they were content to let Wall stand
alone. Some of the governor's proposals were aimed at
them, and they were merely satisfied to maintain the status
quo like all good conservatives.

Revenue in Government and Revision of the Tax Law
The two main objects (economy and tax revision)
that Nathan had made to the people were only partially ful-
filled, since only a few offices were abolished and one
legislature did not pass a strict amendment to the income tax
law as he, and the Revenue Commission, had recommended. In
the original form, the nine tax law committee favored the
stating interests, so Nathan wanted the legislature to
revise it somewhat.
The nine tax law was based upon the average net
value (in dollars) from the output over a three-year period.
This was the sole basis for assessing the nine business tax
law ignored the mineral content and the land (value of)

This theory substantiated by Mr. Nathan Nathan,
brother of Governor Merrill Nathan.
So said the Democratic campaign literature which
appeared in the Times in the morning, October 3, 1900.

contiguous to the mines.⁷⁶ Actually, then, the mines were taxed only on the net output and the net profits. This meant that if the mines showed a net profit of zero, then the state's revenue (in taxes) was of a comparable magnitude, or thereabout.

The Revenue Commission, after its governmental survey, suggested in its Revenue Code that the mine tax law be amended so that the mines might be taxed on an ad valorem basis. First, the estimated value of the mines would be determined; then the application of the ad valorem system would produce greater tax revenues to the state, so it was argued.

Needless to say, the Revenue Code met with little favor among the mining interest which, through their representatives, began to attack the code.⁷⁷ It was further alleged that these same mining interests even went to the extreme of having one of their attorneys publicly ask the legislature to break this pledge (mine tax law revision) made by Governor Mechem.⁷⁸ A denial was forthcoming from

⁷⁶ Santa Fe New Mexican, November 24, 1920.

⁷⁷ Ibid., February 15, 1921.

⁷⁸ A news item in the Santa Fe New Mexican, February 16, 1921. It is alleged that W. A. Hawkins, an attorney for the Phelps Dodge Co., stated that, "the legislature should leave the mine tax law as is, even if you have to break the pledge of Mechem."

continguous to the mine, 76. According to the testimony
taxed only on the net output and the depreciation. It was
held that if the mine showed a net output of zero, the
state's revenue (in cases) was of a company's operations
or throughout.

The Revenue Commission, after its preliminary con-
vey, suggested in its Revenue Code that the mine
be amended so that the mine might be considered as a
mine. First, the amended version of the mine
determined; then the application of the amended
would produce greater tax revenue than the mine
argued.

Needless to say, the Revenue Commission's
favor more. The mine's output, which is
reconstituted, began to attract the mine. It was
alleged that there was a possibility of a
extreme of having the mine's output
legislature to break this. A bill was
made by Governor Nelson. A bill was

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A case was in the mine. It was
18, 1921. It is alleged that the
the Phelps Dodge Co., stated that
leave the mine tax law, and it was
plate of record."

the attorney, but one fact did emerge; the Revenue Code, which contained the idea of an ad valorem system of assessing the mines, would be re-written.⁷⁹ Obviously, the re-written code would not be unfavorable to the mining interests. Subsequently, this re-written code was the basis for a bill which was eventually passed by both the Senate and the House. The "soul of the original bill is killed" declared Hagerman, the Revenue Commission's head. However, the Democrats in the Senate were fairly-well pleased with the re-written bill, and they believed it was the best thing they could get at this time, inasmuch as they were the minority party.

The much publicized mine tax law had been revised then, but not along the paths of revision that the governor wanted. But with all the opposition to the bill, it is a wonder that he got it revised at all.

Following the governor's economy pledges, the legislature did abolish the Mounted Police and the legal adviser to the governor among other offices; however, some of the really vital legislation which pertained to economy was either made innocuous (like the revised mine tax law),

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Santa Fe New Mexican, March 4, 1921.

the attorney, but one fact did emerge; the Revenue Code, which contained the text of an old version of the statute, would be re-written. Obviously, the re-written code would not be unfavorable to the State interests. Subsequently, this re-written code was the basis for a bill which was eventually passed by both the Senate and the House. The "soul" of the original bill is killed, declared Haysman, the Revenue Commission's head. However, the Democrats in the Senate were fairly well pleased with the re-written bill, and they believed it was the best thing they could get at this time, inasmuch as they were the minority party.

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or killed. The latter category included the controversial direct primary. This bill seemed to have a good chance of becoming a law, since no fewer than forty-three states had adopted similar legislation by 1915;⁸⁰ but although it received consideration in both the Senate and the House, it failed to become a law.

One of the better direct primary bills were presented in the House of Representatives by Representative Hurtell;⁸¹ but he was a Democrat, so the bill had only a slight chance of success, though later, with a few minor changes, it was introduced by a Republican and passed.⁸² However, it was beaten in the Senate.

Governor Mechem's legislature then, even though it was primarily Republican, refused to pass some of his major recommendations. It also denied him and the people of New Mexico some other much-needed new laws, and equally needed revision of existing laws. Of course, the legislature did approve some of his proposals, as well as initiate many

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Paul Beckett and Walter McNutt, The Direct Primary in New Mexico, Division of Research, Department of Government, University of New Mexico, Albuquerque, N. M., 1947. p. 2.

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Santa Fe New Mexican, January 29, 1921.

82

Ibid., March 8, 1921.

as listed. The latter category includes the...
direct primary. This bill seems to have a good chance...
becoming a law, since no lower than...
stopped similar legislation by...
ceived consideration in both the Senate and the House...
failed to become a law.

One of the best direct primary bills...
in the House of Representatives...
but he was a Democrat, so the bill...
of success, though later, with a few...
introduced by a Republican and...
passed in the Senate.

Governor Nathan's legislative...
was originally Republican...
recommendations. It also...
Mexico some other...
revision of existing...
approve some of the proposals...

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Paul Becker and...
in New Mexico, Division of...
University of New Mexico...
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State is...
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This... 1911.

laws of its own.⁸³

The failure of the direct primary bill was probably Governor Mechem's biggest political disappointment; but since New Mexico (or, perhaps it is more correct to say, the lawmakers of New Mexico) usually cogitates a long while over certain legislation, it is surprising that the bill was even introduced, and more surprising that it received some favorable treatment, since it was a time before it finally did become a law.⁸⁴

There was the usual flurry of excitement on the last day of the legislative session, and the usual 'stopping of the clock' prevailed. The session was to have closed on the noon hour of March 12, 1921, but did not end until early Sunday morning. When the session officially ended, the legislators could look at the long list of laws which they had passed. Some of the more important ones included economy laws, forward-looking laws (including water and taxes), protection of "weaker" inhabitants laws, and busi-

83

Laws of the State of New Mexico, Fifth Legislative Session, 1921, (Albuquerque: Central Printing Co., 1921). 206 laws were passed, which does not include the additional constitutional amendments and the many memorials and resolutions. A great many laws for that time.

84

Beckett and McNutt, op. cit., page 8. The law was passed at a Special Session of the Legislature in 1938, but not used until 1940.

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Laws of the State of New Mexico. With Legislative
Session, 1921. (Albuquerque: General Printing Co., 1921.)
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constitutional amendments and the many resolutions and resolu-
tions. A great many laws for that time.

Beckett and Womert, op. cit., page 5. The law
was passed at a special session of the Legislature in 1920,
but not used until 1940.

ness techniques in government laws. They were in order: (1) an act to repeal the laws relating to the New Mexico Mounted Police; (2) an act which, in effect, abolished the office of County Road Superintendent; (3) an act creating the County of Catron; (4) an act creating the County of Harding; (5) an act creating a State Department of Public Welfare, which provided for a State Board of Public Welfare, a Bureau of Public Health and Bureau of Child Welfare; (6) an act providing for the appointment of a commission on behalf of the State of New Mexico to negotiate a compact and agreement between the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, and between said State and the United States respecting the use and distribution of the waters of the Colorado River; (7) an act to appropriate money for the survey, investigation, and report on storage reservoirs on the upper Rio Grande in the State of New Mexico; (8) an act codifying and revising the taxation and revenue laws, prescribing what property shall be subject to taxation, a method for assessment of property, the levy of taxes, and also, creating a State Tax Commission, and prescribing its duties and powers, and repealing certain sections and chapters of existing laws and all other laws in conflict with such act; (9) an act fixing a limitation upon tax levies (this, in effect, states, if no tax re-

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behalf of the State of New Mexico to...
and agreement between the State of...
Colorado, Nevada, New Mexico, Utah, and...
said State and the United States...
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to appropriate money for the...
port on storage pertaining on the...
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be subject to taxation, a...
the levy of taxes, and...
and prescribing the duties...
sections and chapters of...
in conflict with...
such tax levies (this...)

duction, at least no tax increase); (10) an act to regulate the employment and hours of labor of children (no child under fourteen years of age allowed to work in hazardous occupations such as mines, factories, bowling establishments, etc.); (11) an act to regulate and limit the hours of employment of females in any mechanical or mercantile establishment, a factory or laundry, hotel, restaurant, cafe, or eating house, or telephone establishment, etc. in order to safeguard the health of such employees; (12) an act, which amended certain sections of a previous law, and which, in effect, provided for the regulation of insolvent banks; (13) an act to create the office of traveling auditor and to establish a uniform system of public accounting, auditing, and reporting under the administration of the governor; (14) an act to require state educational and other institutions to prepare annual budgets, and to provide for the control of expenditures; (15) in accordance therewith, there were also more than a few acts declaring certain roads public state highways, thus a need for financing them, and also the need of a constitutional amendment which was subsequently passed.⁸⁵

85

Laws of the State of New Mexico, op. cit., pp. 16-408.

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public state highways, and a need for financing them, and
also the need of a constitutional amendment which was sub-
sequently passed.

The above indicated that the legislative and the executive recognized the need for new counties, the need for a tighter tax system, the need for the protection of children and women, the need for better highways and subsequent revenues from same, and the need for agreements with other states about all important water and water rights.

As mentioned above, the legislature passed some strong, as well as weak, laws (as legislatures sometimes do), and, in addition, it passed on eleven constitutional amendments, which were submitted to the people for approval or disapproval in a special election. The people approved four out of the eleven. They were: No. 1. It amended a section of Article VII of the New Mexico Constitution. It provides for equality between the sexes in terms of holding public office in the state; No. 2. This amended Section 22 of Article II of the New Mexico Constitution, and, in effect, it discriminated against aliens holding property within the state. "No alien, ineligible to citizenship under the laws of the United States, shall acquire title, leasehold, or other interest in, or to, real estate in New Mexico."⁸⁶ There was an anti-foreign

86

Ibid., pp. 468-469.

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feeling at this time throughout some areas of the United States due mainly to the Red scares and the Japanese problem in certain parts of California. The feeling crept into a number of state legislatures which passed legislation similar to New Mexico's anti-alien law. Some state legislatures, of course, were above passing legislation of this sort, one of them was the Utah legislature.⁸⁷

No. 4 - In the main, the amendment paid homage to New Mexico's honorably discharged service people. Each ex-service person received a tax exemption of \$2,000 on his or her property. No. 11 - This was an important one since it "authorized the issue and sale of State Highway Bonds for the purpose of providing funds for the construction and improvement of State highways and to enable the State to meet and secure allotments of federal funds to aid in construction and improvement of roads."⁸⁸ This amendment was vital since the legislature had passed many acts declaring roads to be public state highways. All these roads furthered the growth and wealth of the state, since many of them were farm-to-market roads. Their improvement necessarily increased the wealth of the users and, in turn,

87 Santa Fe New Mexican, February 2, 1921.

88 Laws of the State of New Mexico, pp. 470-479.

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87 Santa Fe Sun Bulletin, February 2, 1941.

88 Laws of the State of New Mexico, pp. 170-171.

the state, since the state is the recipient of some of this increased wealth through the form of taxation of one kind or another.

The seven constitutional amendments which the voters rejected were: No. 3 - This amendment was intended to permit the state superintendent of public instruction to hold office an indefinite number of consecutive terms; No. 5 - It would have paved the way for the enactment of laws putting real power to control public utilities into the hands of the corporation commission; No. 6 - would provide an adequate budget system, which would bring the financial affairs of the state to a business basis and supposedly affect greater economies; No. 7 - would provide for a board of three commissioners in the land office, and was designed to correct some evils in the management of lands; No. 8 - would provide for a school tax limit, a constitutional limitation on tax levies; No. 9 - would permit special elections in cities to vote on bonds. Presently, the bonds cannot be voted upon except in regular elections; and No. 10 - would allow county superintendents of schools to succeed themselves in office for an indefinite number of terms.⁸⁹

89

Ibid.

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CHAPTER VIII

TERM OF OFFICE AND PATRONAGE:

PLACIDO JARAMILLO AND BURSUM

At the end of the legislative session the governor, like all chief executives of their respective states, set about to 'faithfully execute the laws of the state.' Necessarily, one of his first acts was to make certain key appointments. At the outset, however, there were not too many appointments to be made because the preceding administration had been Republican and there were only a few Democrats to be sliced from the payroll (if that choice was to be made).

One of Governor Mechem's first appointments was a Superintendent for the Penitentiary. He selected P. J. Duggan, who had been an assistant to the previous superintendent. This had been a fine choice in view of the fact that Duggan had been an assistant warden; knew how to handle men, and knew of the special problems that can emerge in an institution such as a penitentiary. In short, his was a good appointment, and it was applauded by many.

Another factor in this arrangement, however, revolved around Eduardo Otero. Otero was an influential boss in his Valencia County, and he wanted some recognition for his

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Another factor in this arrangement, however, was
Edward Edwards Owen, Owen was an influential man in his
Valencia County, and he wanted some recognition for his

support of Mechem during the Republican convention and subsequent election. This recognition must be in the form of an appointment of one of "his boys" as the Superintendent of the Penitentiary. He got his recognition.

Since Warden Duggan's appointment was only of a recess nature, he was easily replaced by Warden Placido Jaramillo, Otero's "recognition." The hue and cry came (as was expected by some Republicans) primarily from the Santa Fe New Mexican, which had previously praised the choice of Duggan.⁹⁰

In fairness to Governor Mechem, it can be stated that since patronage is the only legal way that a politician can repay his political debts, this switch from Duggan to Jaramillo was not to be wholly condemned, although the consequences that were to come of it, perhaps, could be.

Actually, the most important political position that the new governor had to fulfill was the replacement of Senator Fall who had accepted a cabinet position in the new Harding administration. It was repeatedly rumored that Mechem would appoint Holm Bursum since Bursum had supposedly "created" Mechem politically. This favorite theme was publicized often by the New Mexican, and when

90

Santa Fe New Mexican, March 20, 1921, editorial page.

support of Madison during his term of office. This was the
an appointment of one of Madison's friends to the
of the Penitentiary. The appointment was made
Since Madison's appointment was made
case before, he was really treated as a
Mills, Otero's "assistant". The name was
expected by some (Madison) to be in
Ray Hamilton, which has since
Dugan, 20

In Madison's case, it is
that this passage is the only
also see page his political
to Madison was not to be
consequences that were
Actually, the case
that the new governor had
of Senator Fall who had
now Harding administration. It
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apparently "wanted" to
there was admitted often by the

Mechem did finally appoint Bursum, the newspaper had big headlines in its March 11, 1921 issue, proclaiming that, "Mechem Comes Across -- Political Debt Paid -- Bursum Gets Office." The New Mexican, to the contrary, it can be stated that Governor Mechem sounded out the opinions of many persons, and especially the many county and state Republican committees,⁹¹ and the majority were in favor of the selection of Bursum to the vacant Senate seat. Opposition to Bursum included more than the New Mexican. Among others was J. Benson Newell from Alamogordo (and presently of Las Cruces), who wrote to Governor Mechem saying, in effect, that he felt that Bursum was not the man for the post even though Bursum was a good party worker -- he felt that the electorate which had defeated Bursum twice at the polls should be considered.⁹² This last remark was significant because Bursum had tried for the governorship twice and twice been beaten.⁹³

91

Unpublished papers of Holm O. Bursum, Coronado Library, University of New Mexico Library, Albuquerque, N.M.

92

Holm Bursum papers, op. cit., Newell's letter dated March 9, 1921.

93

This and subsequent information about Bursum from Michael D. Abousleman, Who's Who in New Mexico, Albuquerque, N. M., The Abousleman Company, 1937, p. 38.

...the newspaper had ...
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 "Nathan Comes Across -- Political Deal Paid -- Bureau ...
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⁹¹ Unpublished report of Lois G. ...
 Library, University of New Mexico Library, Albuquerque, N.M.

⁹² Lois Bureau report, pp. 412-4; Newell's letter ...
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⁹³ This and subsequent information about Bureau ...
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 queries, N.M., The Abovian Company, 1977, p. 38.

He tried for the governor's chair in 1911 and again in 1916. Before 1911, the only time he had ever been in a state public office was when he sat in the Territorial Senate. Prior to 1899, he was the Sheriff of Socorro County for almost ten years. He was a delegate to the Republican convention of 1904 and 1908, and in the past, he had been a Republican National Committeeman. At the Republican presidential convention of 1920, Bursum, with his New Mexico delegation, voted for the nomination of General Wood. Warren Harding, who had been favored by New Mexico's sole Republican senator, Fall, got the nomination. Bursum's action in voting for General Wood, plus his independence, did not endear him to Senator Fall.⁹⁴ Bursum

⁹⁴ William A. Keleher, The Fabulous Frontier, Santa Fe, New Mexico, The Rydal Press, 1945, pp. 196-197. Senator Fall had been assisted in his bid for re-election in 1918 by Holm Bursum, who stumped most of the state for him. When the Senator became Secretary of Interior in 1921, it was thought that he would suggest that Bursum fill his vacant senate office, but he was opposed to Bursum simply because he felt that Bursum was, and would be, too independent in the Senate. "Albert Bacon Fall was anxious to have some one succeed him in the U. S. Senate who would consult him about matters pertaining to the office. He made a trip from Washington to Santa Fe to protest to Governor M. C. Mechem against the appointment of H. O. Bursum, of Socorro, as his successor. Fall believed Bursum would be too independent in Washington, and would not rely on his suggestions as to what should be done in the Senate. Mechem informed Fall that the matter of the appointment had been referred to the state executive committee of the Republican Party, that the committee had been unanimous for Bursum, and that he expected to appoint him. Fall countered

obviously had been active in the party, and his power and influence within the party and with present and past legislators was pretty generally known, although denied by Bursum himself.

Knowing all these facts, and especially the ones about Bursum's unpopularity among the voters, Governor Mechem, nevertheless, appointed him to the vacancy in the United States Senate. The appointment, however, was only until September 20, 1921. After this date, the position would still have two years to run, so the governor decided to call a special election and to set the date thereof. He chose September 20, 1921 because, at that time the people would also be voting on the constitutional amendments.

94 (cont'd)

with the suggestion that Mechem resign as Governor and assured him that he, (Fall), would have Lieutenant-Governor W. H. Duckworth, of Clovis, who would succeed him as governor, appoint him to the Senate. Mechem told Fall he was not interested in going to the Senate; that, in fact, he was not interested greatly in being governor, and had made up his mind not to run for a second term."

obviously had been active in the party, but his power and influence within the party and with the press and public opinion factors was pretty generally known, although denied by him-
self.

Knowing all these facts, and especially the ones about Barrow's popularity among the voters, Governor Nechem, nevertheless, appointed him to the vacancy in the United States Senate. The appointment, however, was only until September 30, 1931. After that date, the position would still have two years to run, so the governor decided to call a special election and to let the state decide to choose September 30, 1931 however, at that time the people would also be voting on the constitutional amend-
ments.

9 (cont'd)

With the suggestion that Nechem make Barrow as Governor and assume him that he (Bill) would have a chance to Governor W. H. Buchanan of Iowa, who would succeed him as Governor, appoint him to the Senate. Nechem told Bill he was not interested in going to the Senate, but he was not interested, pretty in being Governor, and he made up his mind not to run for a second term.

CHAPTER IX

SENATOR BURSUM'S CONTEST

At the G. O. P. convention in Santa Fe in August of 1920, Senator Bursum was nominated to run for the Senate office which he had occupied since March of 1920. Two curious facts emerged from the convention: (1) Eduardo Otero did not attend the convention, and it was rumored that he and Bursum were quarrelling; (if this were true, then Bursum could not depend on some "solid" votes); (2) the Albuquerque Morning Journal, published by Carl Magee, an ardent and sometimes violent Democrat, would support Bursum. During Mechem's gubernatorial campaign, this same newspaper lambasted Mechem near the end of the race because Mechem would not denounce "boss" Bursum. Politics: a strange avocation and vocation!

The Democrats came up with Richard Hanna again, but he did not campaign as vigorously as he had in the previous governor's race, and in less than eleven months, he lost out in two important elections. Perhaps he could find consolation in an editorial which appeared in a New York newspaper. It stated that "again a Republican candidate won because of national issues -- same as one year ago,

even tho the Democratic candidate was more popular."⁹⁵

The campaign issues in this election were brought out by Hanna who pointed out the defects (with the help of the New Mexican) in Senator Bursum's brief Senate voting record, such as his voting against the farm and cattle interests in his own state, not voting for the ex-soldiers, and lining up with the reactionary Republicans in Washington.⁹⁶ However, Bursum, by beginning his campaign early, and by tightening up his organization before the election (Ed Otero and Valencia County cast their lot with him at the last minute), withstood the campaign attacks and won by a substantial majority. Bursum's victory probably meant more to Governor Mechem because, even though he could not campaign for Bursum, due to serious illness, he no doubt felt that the people vindicated his original appointment.

In this same election, (as was reported earlier), only four out of a possible eleven constitutional amendments passed, a mild setback to Governor Mechem's pledge, since he supported most of the amendments.

95

A New York Tribune editorial which appeared in the Santa Fe New Mexican, September 28, 1921.

96

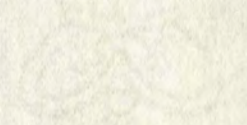
Santa Fe New Mexican, news item which appeared in the following issues September 7, 9, and 17th, 1921.

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95
A New York Tribune editorial which appeared in
the issue of the New York Times, September 28, 1921.
96
Issues in New York, news item which appeared
in the following issues September 7, 9, and 10, 1921.

Bursum to the Senate vacancy and Jaramillo to the warden's position at the penitentiary, then, were two of Governor Mechem's most important appointments. Both acts required courage in the face of some strong opposition, and, in the main, both were fairly good appointments, with the possibility that the warden's appointment not being quite as palatable as the other. The two appointments caused a short flurry of excitement in an otherwise fairly quiet administration.

'Faithfully Carry Out The Laws' - In 1920, the National Republican slogan during the presidential campaign was "back to normalcy." It appealed to millions of voters throughout the country. However, back to normal activity was a misnomer to Governor Mechem's state administration, as it must have been to many other state executives. Certainly there were no normal patterns in the political affairs while he was at the helm; nor were there any normal patterns veering towards economic prosperity while he was in office. It seems quite inappropriate that both the political Goddesses and the economic Gods should frown upon the kindly, well-intentioned governor. His political misfortunes were more than a few, and during his term of office, New Mexico experienced a mild economic crisis engendered by a deflationary period which was, in turn,

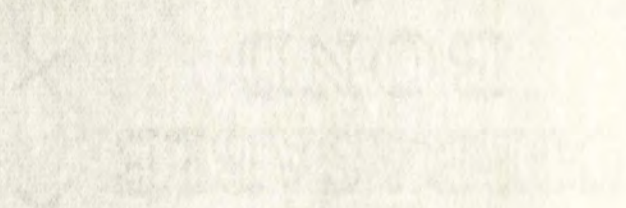


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'Festively Carry Out...'

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1900



somewhat of an aftermath of the Great War.

New Mexico's governors, in many instances, are only senior partners⁹⁷ among the other duly elected officials such as: the secretary of state, attorney general, land commissioner, treasurer, and others. However, should any of these officials, who are bestowed with constitutional powers, stray from the paths of rectitude, or should an economic crisis develop during his term, then the governor is sometimes held responsible. So it was in 1920 and 1921.

The relatively unfavorable economic conditions which the country and New Mexico had been experiencing from 1920 to 1922 were cause for the Democratic politicians to rejoice since it would probably serve them well in the next election. By the same measurement, these same two years were lean ones for Governor Mechem, a man who never aspired to the office of governor in the first place; and in the second, a man who announced almost a year before the next election that he would not run for office again.⁹⁸

While he was in office, some of the banks throughout

97

Robert Thompson and Charles Judah, Arthur T. Hannett, Governor of New Mexico, Albuquerque, N. M. Division of Research, Department of Government, University of New Mexico, 1950. p. 16.

98

Santa Fe New Mexican, December 3, 1921.

the state began to close for business because they were short of and out of funds. Not much note was made of this until the Santa Fe Bank of Santa Fe closed its doors,⁹⁹ and it was revealed that the State of New Mexico stood to lose almost \$350,000 in deposits.¹⁰⁰

The state treasurer revealed later that he had known the bank was in a precarious position, but that he had wanted to help it because it was "hard up" due to depreciation of stock values.¹⁰¹ Governor Mechem, instead of convening a special session of the legislature (which conceivably might have investigated only along strict party lines) appointed a non-partisan agency, the Taxpayers Association, headed by former Governor Hagerman (also of the Revenue Commission) to conduct an investigation.¹⁰²

99

Ibid., December 12, 1921.

100

Ibid., December 17, 1921.

101

Ibid., December 19, 1921.

102

Albuquerque Morning Journal, December 13, 1921.

Carl Magee, the fiery Democrat, in his front page editorial style, placed the blame on politics and political favoritism, and blasted the Republican administration for lack of action. Later, after a first-hand survey of the situation in Santa Fe, he concluded that politics was not to blame, but State Treasurer Strong should be removed.

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99
 100
 101
 102

Ibid., December 12, 1931.
 Ibid., December 17, 1931.
 Ibid., December 19, 1931.

Alphonsus Norman Journal, December 17, 1931.
 Carl Hayes, the Ioway Democrat, in his front page
 article, placed the blame on politics and politics
 and blamed the Republican administration for the
 later, after a first-hand survey of the situation
 he concluded that politics was not the cause.
 Treasurer King should be reelected.

111

In the interim, the State Treasurer, Charles Strong, had resigned, and after completing its investigation, the board recommended that a man with financial experience be appointed to fill the vacant treasurer's post.¹⁰³ The bank, itself, only stayed closed for about three or four weeks, and the state was assured that it would receive all or most of the monies that it had deposited there.¹⁰⁴ The investigating board reported that a breach of New Mexico's laws by State Treasurer Strong was the only serious aspect of this particular bank failure. The law, in effect, states that the treasurer can only deposit a certain amount of the state's monies in any one bank.¹⁰⁵

103

Ibid., March 2, 1922.

104

Albuquerque Morning Journal, December 14, 1921. Although the bank only had a capital of \$50,000 and a surplus of \$15,000, it gave State Treasurer Strong \$280,000 in notes and mortgages as security.

105

Albuquerque Morning Journal, December 13, 1921. There is a statutory provision in New Mexico restricting the state's deposits in any single institution to 75 per cent of its capital and surplus. This would allow more than \$48,000 to remain in the Santa Fe Bank (its capital was \$50,000, and surplus, \$15,000), but more than \$350,000 was deposited there.

That is, the state cannot deposit with any one bank more than a certain percentage of that bank's capital and surplus. The theory being to spread the state's deposits throughout a number of banks within the state. One of the reasons for the laws, of course, is bank failures, such as had happened.

There were other bank failures throughout the state of New Mexico; almost fifty per cent of its banks folded during the years 1920-1925.¹⁰⁶

At this particular time, it appeared that the state was over-banked. Couple that with an economic recession situation, specifically depressed cattle and livestock markets, and you have banks closing, no easy capital to be had for investments, small inventories, and the state's economy in a rather tight position. All or most of these things happened during Governor Mechem's term in office.

Obviously, from a political viewpoint, the bank situation did not help the Republicans, and, of course, its consequences reflected on Governor Mechem, the head of

106

The University of New Mexico Bulletin, Abstract of Thesis, (Tom L. Popejoy, "Analysis of the Cause of Bank Failures in New Mexico, 1920 to 1925") Albuquerque. University of New Mexico Press, 1942. vol. 55, number 8, p. 47; and personal interview with Mr. Mechem, Las Cruces, June 27, 1953. While sitting as the District Judge of the Third Judicial District, Judge Edwin Mechem sat in on cases of eight banks going into receivership.

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The University of New Mexico Bulletin, Bulletin of Texas, (Tom A. Poynter, "Analysis of the State of Bank Failures in New Mexico, 1930 to 1932") Albuquerque, University of New Mexico Press, 1942, vol. 15, number 2, p. 42; and personal interview with Mr. Hedges, New Orleans, June 27, 1953. While sitting as the District Judge of the First Judicial District, Judge Hedges had in his possession eight banks going into receivership.

the Republican party in the State of New Mexico. Such is the way in politics.

There were some other economic conditions which did not lend themselves favorably to the governor.

The cattle and livestock industry is a very important economic unit in New Mexico.¹⁰⁷ In 1921, and actually up through Governor Hinkle's administration (1923-1925) the industry was having a rugged go of it.¹⁰⁸ Falling prices and drouth caused the greatest distress among the livestock owners.¹⁰⁹ Similar conditions existed throughout other parts of the country, but in New Mexico, the depressed cattle markets seemed to have a greater effect on its economy. Most people and particularly the governor and the legislators realized this, because during the legislative session, relief bills were proposed which would help the livestock owners.¹¹⁰

107

New Mexico Blue Book 1945-1946. Issued by Cecilia Tafoya Cleveland, Secretary of State, Santa Fe, N. M. Quality Press, p. 71. Ninety per cent of state's land area suitable only for grazing purposes.

108

New Mexico Blue Book 1949-1950. (Article by Paul Walter, "Outline of New Mexico History") pp. 24-25.

109

Paul Walter, op. cit., pp. 24-25 and personal interview with Mr. Mechem, Las Cruces, June 27, 1953. "Drouth hit cattle men awfully hard; some of biggest cattle raising men went broke."

110

The Evening Herald, January 20, 1921. Governor

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the way in politics.
There were some other economic conditions which did
not lend themselves favorably to the industry.
The cattle and livestock industry is a very im-
portant economic unit in New Mexico. In 1921, and several
years through Governor Binford's administration (1923-1927)
the industry was having a record of 25,000,000 dollars.
Prices and growth caused the greatest distress among the
livestock owners. In 1921, the livestock conditions during the
other parts of the country, but in New Mexico, the livestock
cattle markets seemed to have a greater effect on the economy.
Most people and particularly the government and the legislature
realized this, because during the legislative session, several
bills were proposed which would help the livestock owners.

107
New Mexico Live Stock 1921-1925. Issued by George
Floyd Cleveland, Secretary of State, and W. M. Bailey,
Press, p. 71. Lists per cent of state's land used for
only for grazing purposes.

108
New Mexico Live Stock 1921-1925. Issued by George
Floyd Cleveland, Secretary of State, and W. M. Bailey,
Press, p. 71. Lists per cent of state's land used for
only for grazing purposes.

109
Paul Walter, ed. Live Stock, pp. 1-27 and personal
interview with Mr. Walter, Las Alamos, June 25, 1933.
"Growth in cattle was actually faster than of almost any
raising new ways to."

110
The Evening Herald, January 30, 1921. Governor

The stockmen and cattlemen particularly objected to high assessed valuation of their properties in the slow times. Higher assessed valuations meant that they would be compelled to pay higher taxes. They felt that with the uncertain cattle markets and their uncertain income, they could not afford an increase in their taxes. Relief came to them in the form of "amending the land laws relating to purchase, lease, and payment of rental on state lands."¹¹¹

Another incident revolved around public school textbooks. The state, as yet, did not provide for free textbooks.¹¹² The State Board of Education had decided to change the textbooks, and in so doing, it meant that the people would have to pay out more money for the newer models.¹¹³

110 (cont'd)

Mechem wants relief for the cattlemen. He asked the legislature to readjust the rental rates on the lands and to allow for more time to pay the lease rentals.

111

Ibid., March 14, 1921.

112

Thomas C. Donnally, The Government of New Mexico, Albuquerque, The University of New Mexico Press, 1947, p. 209. It was 1931 before the lawmakers passed a free textbook law.

113

Santa Fe New Mexican, September 16, 1921.

The accused and certain parties...
to high assessed valuation of their property...
times. Higher assessed valuations...
compelled to pay higher taxes...
uncertain costs...
could not afford an increase in...
to them in the form of...
to purchase, lease, and...
Another incident...
textbooks. The state, as yet, did not...
costs. The State Board of...
change the textbooks, and...
people would have to pay out more money...
notable.

110 (cont'd)
The legislature to...
and to allow for...
111

112
1931, March 14, 1931.

113
Thomas C. Connally, the...
Albuquerque, the...
it was 1931 before the...
114

115
March 14, 1931.

Politically and economically, the Democrats were blaming the Republicans for increasing the cost of education to the people.¹¹⁴ They maintained that the Republicans were forcing the people to buy new textbooks at a time when money was hard to come by.¹¹⁵ Actually, the representation in the House considered a bill to provide for free textbooks to the public schools,¹¹⁶ but it never got beyond the consideration stage. And so it went.

114

Ibid.

115

Ibid.

116

The Evening Herald, February 28, 1921.

Politically and academically, the Democrats were always the
Republicans for instating the sort of education for the
people.¹¹⁴ They maintained that the Republicans were
forcing the people to buy new textbooks at a time when
money was hard to come by.¹¹⁵ Actually, the transportation
in the House considered a bill to provide for free textbooks
to the public schools,¹¹⁶ but it never got beyond the com-
mittee stage. And so it went.

114
115
116
The Evening Herald, February 23, 1904.

CHAPTER X

GALLUP COAL STRIKE AND MARTIAL LAW

Throughout the nation, and throughout the vast state of New Mexico, there were other more serious economic disturbances which evolved into strikes and riots -- particularly in the coal mining and transportation (railroads) fields.

In New Mexico, the first serious strike centered around the "coal and liquor"¹¹⁷ community of Gallup. Upon receiving reports of it, Governor Mechem almost immediately declared martial law to be in existence throughout McKinley County. The governor maintained that he had received a request from a deputy sheriff to send the state troops to the area inasmuch as the striking miners were threatening violence. However, the day following the initiation of the strike, the governor also released a telegram which was a request from Gallup's Democratic Mayor A. T. Hannett not to send the state troops into the corporate limits of Gallup.¹¹⁸ Hannett obviously could see no justification

¹¹⁷ Thompson and Judah, op. cit., page 3.

¹¹⁸ Santa Fe New Mexican, April 8, 1922.

GALLUP COAL STRIKE AND MARITAL LAW

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114

Thompson and Latta, op. cit., page 5.

115

State of New Mexico, April 3, 1922.

for the sending of the troops, but he was a Democrat and on the way up in politics. It was only two years later that Hannett was to capture the Democratic gubernatorial nomination and to win the election of 1924.¹¹⁹

Declaration of martial law in the area provoked much comment and criticism from the various newspapers throughout the state, but by and large, the comments necessarily followed political lines; or, whether one happened to favor or disfavor Governor Mechem. The Albuquerque Morning Journal and the Santa Fe New Mexican could see no justification for the declaration of martial law, while a weekly newspaper, The Gallup Herald, which happened to be smack in the middle of the martial law area, supported the action.¹²⁰

Five months later, when the strike was officially settled, and martial law finally lifted, the exact same feeling existed between the newspapers cited. The Morning Journal and the New Mexican still condemned the governor's action, whilst The Gallup Herald declared "the soldiers have done a good job, and the Governor of New Mexico is

119

For complete details see, Robert Thompson, The Administration of Governor Arthur T. Hannett, A Study in New Mexico Politics, 1925-1927. Albuquerque, The University of New Mexico, 1949.

120

The Gallup Herald, April 15, 1922.

for the benefit of the people, but in order to do so
on the way up to politics. It is not only the
that Bennett was to organize the movement, but also
nomination and so on. The movement is not only
the Federation of the United States, but also
much comment and criticism from the press and
throughout the state, but it is not only the
which followed which is the result of the
favor or disfavor of the people. The
Journal and the New Mexico Journal, which
section for the Federation of the United States
newspaper, The Salt Lake Tribune, which
in the middle of the movement, and the
Five-point plan, which is the result of
section, and which is the result of the
feeling existed between the people and
Journal and the New Mexico Journal, which
section, which is the result of the
have done a good deal of work, and the
of the people.

For complete details see the
Administration of Justice in New Mexico, 1900-1901
New Mexico Journal, 1900-1901, and the
of New Mexico, 1900.

The Salt Lake Tribune, 1900.

commended by all law abiding citizens -- martial law was proclaimed to maintain law and order."¹²¹

A grand jury which had been summoned also commended the governor in his action. Its report said, "The grand jury made an investigation as to the conditions in the coal mining camps and vicinity in connection with the pending strike. Various officers of the miners' union, employees of the coal mining companies, officers of the law, and citizens of Gallup were called before the jury, and testimony of these witnesses was almost unanimous to the effect that the conditions existing in the coal mining camps at the time the strike was called, and shortly thereafter, were such that the declaring of martial law and the sending of the National Guard to Gallup and the coal mines in its vicinity by the governor of our state, was necessary and advisable.

From the testimony heard by your grand jury, it is apparent that by such action, the governor prevented possible loss of life and destruction of property. With few exceptions, both the citizens of Gallup and the miners' union officials, who testified before the jury, expressed

121

Ibid., September 9, 1922.

commented by all the other members of the committee
proceeded to discuss the case of the
A group of men were present at the
the governor in his office. The group
they made an investigation of the
state cases and visited the
Various of these men were
of the coal mining companies
citizens of various parts of the
many of these citizens were
that the conditions were
the time the strike
was shown that the
of the National Board
ability by the
advisable.

From the foregoing facts it was
apparent that by such means
this loss of life and
exceptions, both the
upon officials, and

the opinion that "it has been for the best interests of all concerned, including the citizens of Gallup, that martial law has been declared and that the maintenance of law and order has been entrusted to the National Guard." From the testimony taken, it appears that by the disarming of the mine guards and the citizens generally, in the vicinity of the mining camps, probable bloodshed has been averted."¹²²

The state militia has only been called out a few times by the Governor of New Mexico,¹²³ but, perhaps, no other Government action was shrouded with so much confusion as was Governor Mechem's in the Gallup Coal Strike, and once again, it seemed to be Dam Misfortune gazing down upon him, since it did cause so much controversy -- especially among the newspapers! To the Governor's favor, it can be stated that there must have been a strong, sound reason on his part (for his action in sending the troops into the field) because he was pledged to saving money for the state; he knew that should he send the troops into the field, it would mount the costs of his administration. To his dis-

122

The Evening Herald. April 20, 1922.

123

For a detailed report see, Richard B. Stevens, The Use of Troops in Labor Disputes in New Mexico, Unpublished Master's thesis, Albuquerque, The University of New Mexico, 1952.

The opinion that it has been for the best interests of the
concerned, including the citizens of various countries,
has been decided and that the maintenance of law and order
has been entrusted to the judicial branch of the government.
any taken, it appears to be in the interests of the
guards and the citizens generally, in the various
mining camps, proceeds of operations from various
The state officials, who have been called out to
class by the Governor of New Mexico, for the purpose of
other Government action was arranged with some confidence
as was Governor Johnston's action in the past, and since
again, it seemed to be in the interests of the
since it did cause no such controversy - especially among
the newspapers. In the Governor's favor, it has been stated
that there must have been a reason, some reason for his
part (for his action in wanting the person for the
because he was obliged to receive money and was forced to
know that should he send the money that the
would mount the cost of his administration.

122

The Evening Herald, Santa Fe, N.M., 1932

123

For a detailed report see, Richard L. ...
The Use of Liquor in ...
Richard L. ...
New Mexico, 1932.

credit, it can be said that he probably acted slightly prematurely in declaring martial law in the aforementioned area;¹²⁴ he probably could have, and should have, set up an investigating board (as in other disturbances) which would have had the power to gather all the facts and to submit needed recommendations.

Another probable reason for his immediate action lies in the fact that at this time the people, including the Governor, were aware of the many labor uprisings throughout the country. Due to some of these violences, the people were jittery. They were also more than slightly afraid of "foreigners" assuming control of properties as witness the passage of many anti-alien property laws which was discussed. All of these things could have made an impression on the Governor, and might possibly have led to his quick action in the strike.

This fast action on the Governor's part is the only criticism that this writer can make in regards to the whole affair; to say that his action was actually meant to "break the strike" and "to intimidate the strikers" as one author

124

Personal interview with Mr. Edwin Mechem, Las Cruces, June 27, 1953. "Merritt knew that he would be criticized for his action, but he declared martial law to prevent the violence and destruction of property which was bound to follow. After the strike was settled, no fair-minded person thought he acted wrongly."

credit, it can be said that the present situation is
naturally in declining order in the present
area; it is probably better than the present
an investigating body (as a result of the present
would have had the power to conduct all the
which needed investigation.

Another possible reason for the present
lies in the fact that at this time the present
the Governor, who was one of the best
throughout the country, but he was not
people were better. They were also
aid of the present, examining control of
which the passage of new legislation
which was discussed. All of these things
an impression on the Governor, and
to his quick action in the strike.

This last action on the Governor
criticized that this writer can
state; to say that the action was
the strike" and "to indicate the

Personal interview with Mr. ...
Greece, June 27, 1951. ...
criticized for his action, but he was
prevent the violence and destruction
bound to follow. After the strike
minded person should be asked

claims,¹²⁵ is a value judgment no more justifiable than the conclusion that the Governor merely wanted to maintain order.

125

Richard Stevens, op. cit., p. 67.

COMBINATION
BOND

RECEIVED

CHAPTER XI

WARDEN PLACIDO JARAMILLO

The Governor chose to follow the line of martial law in the Gallup coal strike, and though he was criticized by some, the criticism was not as loud, nor as long, as it was in the Warden Jaramillo case. This particular office was probably the low point in his entire administration. At least, the facts that appeared on the surface seem to indicate that it could have been his biggest error while in office.

On July 19, 1922, it was reported that a disturbance had occurred at the State Penitentiary. After all the facts pertaining to it had been assembled, it seemed that the warden was guilty of bad judgment and of mis-management.

On that day (July 19, 1922), it was reported that the prisoners had refused to go to work after they had finished their breakfast. They claimed they were not getting enough variety in their food. 'No more frijoles', they chimed. It was a typical -- and not very original -- reason to strike. Warden Jaramillo, it was further reported, went into the prison yard to talk to the strikers and asked them to return to work, promising that he would have the cook make more food for their noon meal. The convicts were not satisfied with

13

CHARGE

WALTER JAMES

The Governor chose to...
 law in the Gallego...
 by some, the evidence...
 was in the Warden...
 was probably the law...
 At least, the facts...
 indicate that it...
 Office.

On July 19, 1932, it was...
 had occurred at the...
 pertaining to it...
 warden was guilty...
 On that day (July 19, 1932), it was reported that the

prisoners had refused to go to work...
 their breakfast. They claimed they...
 variety in their food. The...
 was a typical -- and not very...
 warden Jernigan, it was...
 prison yard to talk to the...
 to work, protesting that he...
 for their noon meal. The...

this promise, and did not return to work; they merely stood around in the prison yard.

At noon, when some of the prisoners were supposed to return to their cells for a count, they balked again. Warden Jaramillo again went into the yard, and when the men refused to be counted in their cells, it is said that he left the yard and gave the guards on the walls orders to fire into the prisoners.¹²⁶ One prisoner was killed and five others were discovered wounded when the firing stopped.

The entire incident was quickly referred to Governor Mechem, who, in turn, immediately asked the State Penitentiary Board to conduct an investigation. After the Board completed its probe, it condemned and censured Warden Jaramillo for his action at the prison.¹²⁷ The Board's report stated that he should have warned the prisoners before he shot into them because some of them were yardmen, and did not have to return to their cells for the noon count.¹²⁸ In addition, the Board recommended that more

126

Santa Fe New Mexican, July 19, 1922.

127

Ibid., August 5, 1922.

128

Ibid.

CONFIDENTIAL

At noon, when the... stood around in the...
 to return to their cells...
 Warden Jaramillo again...
 was refused to be...
 he left the yard and...
 to fire into the...
 and five others were...
 stopped.

The entire incident was...
 Neehan, who, in turn, immediately...
 staff heard to conduct an...
 completed its probe, it...
 Jaramillo for his...
 report stated that the...
 fore he shot into them...
 and did not have to...
 count. In addition, the Board...

126
 127
 128
 129

money be appropriated for different kinds of foods and for better guards; and added the never-ending refrain, 'take the prison out of politics.'

Warden Jaramillo sent along his prison report of what happened to the Governor. In his report, he wrote that his action was justified because the prisoners were in an ugly mood, and that he meant to nip any violence in the bud. This was his primary contention.

After the Prison Board had found him to be solely at fault for the prison incident, he then sent a letter with over one hundred names attached to a petition to the Governor, stating that he thought the Penitentiary Board had treated him unfairly. The letter and petition follows:

"Dear Governor:

The Penitentiary Board has made a report to you relative to the trouble at the penitentiary when one inmate was killed. This report is very adverse to me, and reflects strongly against my conduct as warden.

I am not presenting this to you for the purpose of attempting to influence your action, nor am I asking for any clemency at your hands upon the facts. However, I do not feel that a full and fair investigation has been made, nor have the facts been fully and fairly presented in the report. I assume that the Penitentiary Board has acted upon the judgment of the individual members, yet I cannot believe that any member of the Board will object to a further investigation so that I may be permitted to place before them in a proper manner my view of the trouble and the evidence which I believe justifies my action. Surely no one would want me to rest

money be appropriated for...
better guard; and when the...
the prison out of...
warden...
what happened to the...
that his...
in an...
the...
After the...
at fault for the...
with over...
Governor, stating...
had treated his...

"Dear Governor:

The...
you relative to...
when one...
adverse to...
conduct as...

I am not...
poss of...
as I...
the...
and...
the...
report...
has...
members...
of the...
tion...
that...
and the...
action...

100

under an adverse report if the facts do not support it, and no one should object to my having an opportunity of presenting those facts in a full and fair way.

I have never made, nor, under the circumstances, was I permitted to make, a full report of the facts. I was led to believe, by statements made by certain members of the Board in statements made to me and in published interviews, that my action would be sustained. No witnesses were called before the Board, no guard questioned, neither was I called before the Board and questioned. I had no representation to assist me in any way, and was misled by members of the Board to such an extent that I did not deem it necessary to be represented.

I respectfully request that you order a further investigation by the Board to the end that I may appear in person and by representation, and properly present my case. I respectfully suggest that the state be represented by counsel, that the testimony be taken and preserved, and that the investigation be public. If, then, the facts show that I was derelict in my duty, I will not embarrass anyone by remaining as warden. I wish to add that I am more interested in the facts being determined upon a full and fair investigation than I am in holding the position as warden.

Respectfully submitted,

/s/ Placido Jaramillo"

The petition and some of the names:

"Honorable M. C. Mechem,
Governor of New Mexico:

"Our attention has been called to the request of the warden of the state penitentiary for a further investigation into the unfortunate affair which recently occurred at the penitentiary.

We do not assume to know the facts concerning this matter, nor those contained in the warden's letter. We do feel, however, that in matters of this kind, the fullest and most complete investiga-

Under an agreement... support it... an opportunity of... full and fair...

I have never... was I permitted... I was led to believe... members of the board... in published interviews... sustained... board, no hard questions... before the board... attention to... by members of the board... did not seem it necessary...

I respectfully... that investigation... any appear in... properly presented... that the state... testimony be... investigation be... that I was... anyone by... I am more... upon a full... holding the...

The petition... Governor of the District

"Our... of the... investigation... greatly...

We do... this matter... letter, we... this which...

tion should be made, and the public is entitled to know all the facts in connection therewith. The affairs of the penitentiary should be handled with the highest degree of care and efficiency, and no officer should be protected if derelict in his duty. But an investigation should be had where all interested can be heard and the testimony preserved so all interested may know the facts on which action is necessary. When such an investigation is had and the facts ascertained, appropriate action should be taken without any consideration of friendship, personal or political feeling, fears, or favor.

"Secundino Romero, Ed. M. Otero, Reed Holloman, M. B. Otero, J. M. Luna, J. E. Saint, J. D. Sena, C. M. Botts, E. R. Wright"¹²⁹ and many more.

It is interesting to note that most of the ones that signed the petition were opposed by Bronson Cutting and his newspaper. And, of course, Cutting, as discussed, was bitterly opposed to Jaramillo's appointment.

Unfortunately, there must have been some political card-dealing going on behind the fence because Jaramillo, who had been appointed by Mechem presumably at Ed Otero's "request",¹³⁰ got another investigation. At the second investigation, the Board was to determine primarily whether the warden was justified in having given the guards the

129

The Albuquerque Herald, August 9, 1922.

130

Santa Fe New Mexican, August 30, 1922.
editorial page.

order to fire into the prisoners. At the same investigation, some of the prisoners were also called in to testify, and after it was completed, the Prison Board, in its preliminary report, asked for the removal of the warden.¹³¹

Governor Mechem, for reasons of his own, (stated if he fired Jaramillo, it would indicate a "lack of confidence" in him)¹³² refused to fire Jaramillo; refused to suspend him during the two investigations; and, refused to discuss the case with newspaper reporters. Naturally, all these refusals did not endear him to some people, and, as mentioned earlier, his lack of action in the case helped to make it a dark spot on his public record. (An investigation was made by the succeeding Hinkle administration, and the findings of the majority report revealed that Jaramillo did not manage the prison in a businesslike manner; and, that there was evidence of faulty judgment on his part, not only in the handling of the prison shooting, but also in the handling of foodstuffs and finances.)¹³³

131

Ibid., September 27, 1922.

132

Ibid., August 12, 1922.

133

Edward M. Praisner, A Political Study of James F. Hinkle and His Governorship, 1923-1925. Unpublished Master's Thesis, Albuquerque, The University of New Mexico, 1950, pp. 87-88.

order to live into the evidence. At the same time, some of the witnesses were also called in to testify, and after it was completed, the witness board, in the preliminary report, asked for the removal of the witness.

Governor Nathan, for reasons of his own, failed to be fair to the witness, it would indicate a "lack of confidence" in his witness. The witness refused to appear during the two investigations and, in fact, discussed the case with newspaper reporters. Actually, all these witnesses did not understand the case, and as mentioned earlier, his lack of action in the case helped to make it a dark spot on his white record. (An investigation was made by the preceding Alaska administration, and the findings of the majority report revealed that Lavelle did not manage the prison in a businesslike manner, and that there was evidence of Lavelle's neglect on the part, not only in the handling of the prison, but also in the handling of foodstuffs and supplies.)

131
Lavelle, September 27, 1932.
132
Lavelle, August 22, 1932.
133
Richard M. Lavelle, Prisoners of Alaska
L. Lavelle and his Government, 1932-1933, University
Master's Thesis, Albuquerque, The University of New Mexico
1930, pp. 87-88.

Eventually, of course, Jaramillo resigned his position, but it was too late to save the Governor's face.

In defense of Governor Mechem, it can be said that political appointments are recognized as part payment to the politically loyal, and accordingly, sometimes the executive wins and sometimes he loses.

...of ...
...but ...
...in ...
...political ...
...the ...
...executive ...



EATON
CORPORATION
BOND
U.S.A.
BERKSHIRE

CHAPTER XII

END OF THE LINE

Governor Mechem then had had some anxious moments during his administration, and it was probably with a sigh of relief that he was leaving politics. His refusal to be a candidate for a second term, even though certain men urged him to run.¹³⁴ After his public announcement that he would not accept a re-nomination, the Republicans nominated Dr. Charles Hill, a former dentist from Las Cruces, to carry their banner in 1922.

Governor Mechem campaigned for Hill, but the latter was not well known by the voters, and somewhat of a dark horse in Republican state politics. Other factors helped to defeat him, but the primary one was that just as 1920 was a Republican election year, so, 1922 was a big Democratic one. The political pendulum had made a significant shift.

The Democrats of New Mexico swept the popular Senator Jones back into office by more than 11,000 votes, Governor James Hinkle in by more than 10,000, took all of the elective public offices within the state (which included the first

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Personal interview with Mr. Mechem by author, November 15, 1951.

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END OF THE LINE

Governor [Name] has not been [Name] during his administration, and [Name] of relief that he was leaving [Name] as a candidate for a second term, even though [Name] urged him to run. [Name] he would not accept a [Name] stated Dr. Charles [Name] to carry their burden [Name] Governor [Name] has not well known by the [Name] votes in Republican [Name] to defeat him, but the [Name] was a Republican [Name] crisis one. The political [Name] shift.

The [Name] of [Name] James [Name] in [Name] public offices within the [Name]

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November 12, 1951

woman in as Secretary of State); and, got a majority in the lower State House of Representatives.¹³⁵

This followed the national trend, for though the Republicans still maintained a majority in both the Senate and the House in the latter the Democrats reduced the Republican majority from 165 to 15.¹³⁶

The balloting naturally reflected the feelings of the people, who almost always seem to blame or praise the political party in power for the bad or the good conditions prevailing throughout the country at any given time. As mentioned earlier, these two years were not prosperous ones, either for New Mexico or for the country as a whole. A brief glimpse at the national scene showed that the coal mining and transportation laboring people were dissatisfied and disgruntled as witnessed by the almost continuous strikes during this period. Other laborers had their own peculiar problems. Most of these labor conditions had their origin earlier; in the workers' demands for recognition of their war-time work -- recognition in the form of higher wages, shorter hours, and of their union. By November 1919, it

135

Santa Fe New Mexican, November 10, 1922.

136

Ibid.

was estimated that upwards of a million persons were on strike in the industrial states alone.¹³⁷

These conditions, linked with the fact that it was an off-year election, helped greatly to sweep in the Democrats at the expense of the Republicans. Traditionally, off-year elections seem to knock out the ins, and to blow in the outs.

Politically in New Mexico, the Soldiers Bonus Bill was a big factor in helping Senator Jones to his victory. His opponent, Stephen B. Davis, Jr., of Las Vegas, was reported, at one time, against the bill,¹³⁸ and at another time, afraid to take a stand on it.¹³⁹ Neither position helping him. Of course, the fact that the important newspaper, the Santa Fe New Mexican, was against him did not help either. It supported Jones for the Senate and Dr.

137

Frederick Lewis Allen, Only Yesterday, (Bantam edition by arrangement of Harper and Brothers) New York, N. Y.: March 1946 (copyright 1931) pp. 62-63.

138

Santa Fe New Mexican, October 18, 1922.

139

Ibid., October 27, 1922.

was selected from among the candidates in the primary election in the month of August, 1912. These candidates were: [illegible] as off-year election, and [illegible] as off-year election. The [illegible] off-year election was held on [illegible] day in the month of [illegible].

Political [illegible] was a [illegible] his opponent, [illegible] reported, of [illegible] time, [illegible] being [illegible] report, the [illegible] help either, [illegible]

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[illegible text]

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[illegible text]

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[illegible text]

Hill for Governor. Often, in the past, it had divided its support between the Republican and Democrats, as noticed.

The campaign was not as sharp as the one two years previous. It was reported that the speakers were only fair in quality and in arousing their audiences.¹⁴⁰ Senator Jones, of course, was the exception, but maybe he had a product that the public wanted to buy.

It is a matter of mild conjecture whether Governor Mechem, had he run on his past record, could have won over James Hinkle of Roswell for the governorship. Trying to be objective, the author hesitates to make any direct comment; however, it can be noted that the Democrats steam-rolled their way into many offices, and it is conceivable that they would have placed a Democrat in as Governor, regardless of whether Mechem had run.

Throughout the state, old and usually reliable Republican counties landed in the Democratic win columns.¹⁴¹ The big blow was Socorro County, home of Holm Bursum, who for "lo these many years" could supposedly deliver Socorro to the Republican cause at his will. When asked about all the Republican defeats, Bursum replied, 'the country had gone to hell.' A more mundane answer came from Hugh Woodward

140

Ibid., October 13, 1922.

141

Dwight Ramsey, op. cit., pp. 106-111.

who had been the Republican State Chairman at that time. He said, "New Mexico apparently was affected by the Democratic ground swell, along with other states in the Union. No one was looking for this; it came as a surprise to the Democrats.

The fundamental causes, in my opinion, are the industrial unrest all over the country, and as to New Mexico, particularly bad conditions, due to extended drought, and depreciation of the livestock for the last year and a half."¹⁴²

A review of subsequent events, however, would also indicate that this was the first serious crack in the Bursum Republican bailiwick. The defeat of Hill's, coupled with Senator Bursum's, by Samuel Bratton in 1924, sealed Bursum's political fate, and to more than a little extent, the Republican party in New Mexico for a long while. His rule, or influence, no matter how viewed, ended. The Republican party too, was only able to capture the governorship twice more between the election of Governor Merritt Mechem and Governor Edwin Mechem, both Republican. This crumbling of the Bursum Republican empire was predicted long before by Octaviano Larrazolo.¹⁴³

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Santa Fe New Mexican, November 8, 1922.

¹⁴³

Alfred Cordova, op. cit., p. 98.

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James Hinkle, in winning over Dr. Hill, captured twenty-two of the now thirty-one counties in the state. On January 1, 1923, he was sworn in as the new governor of New Mexico. He promised to operate the government on a business-like basis since he was a banker, a business man, and also a conservative.¹⁴⁴ His stressing of economy and efficiency in government¹⁴⁵ was strongly reminiscent of Republican Governor Mechem's inaugural address two years earlier.

Of course, on this very same January 1, 1923, Governor Mechem became former Governor Mechem. He welcomed Governor Hinkle at the inaugural ceremonies with a brief retiring speech. Few people knew the physical exertion he must have gone through, because for two weeks preceding the inaugural ceremonies, he was deathly ill with pneumonia.¹⁴⁶ The doctor ordered him to appear at the ceremonies for only a few minutes, but he insisted on giving his speech, and at least putting in an appearance at the evening ball.¹⁴⁷

144

Edward Praisner, op. cit., p. 36.

145

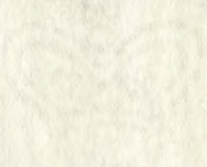
Ibid., p. 48.

146

Personal interview with Mr. Mechem by author, July 25, 1952.

147

Ibid.



Twenty-five of the boys...
 On January 1, 1917...
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After Governor Hinkle's inauguration ceremonies, the former Governor and Mrs. Mechem traveled down to Socorro mainly, so that the governor could rest.¹⁴⁸ They stayed at the Valverde Hotel for about a week, then traveled back up to Albuquerque, where the Governor was bent on re-establishing himself in some phase of economic life.¹⁴⁹ Naturally, he was mainly interested in re-entering the one profession he most cared about, and for which he had been trained, -- law. He found some space on the second floor of what is now the Washburn Men's Store, and set up his law office. Later, he and Frank Vellacott of Silver City became and remained law partners until the latter died.

In 1934, ex-Governor Merritt Mechem, Republican, formed a partnership with ex-Governor Arthur Hannett, Democrat. This team worked together for many years without a formal written agreement between them -- an expression of faith and confidence each had for the other. The partnership lasted until Mr. Mechem died in 1946.

148
Ibid.

149
Ibid.

CHAPTER XIII

FINALE

During Governor Mechem's administration, there were some political pitfalls (as the Jaramillo case), but there were also some little-noticed events which were important to the state and to the people of New Mexico.

Briefly, on the debit side of his ledger then, were minor troubles in the Education Department, which were due mainly to the brashness of the Superintendent of Public Instruction, John Conway; the textbook issue, as discussed, and alleged claim of money used for "educational frills";¹⁵⁰ the State Treasurer's office came under mild censure for the banking situation, and especially the Santa Fe Bank, and for some inadequate auditing procedures;¹⁵¹ the removal of the Superintendent of the Insane Asylum at Las Vegas for alleged wrong doings, not necessarily the misdemeanors by the superintendent, but by other officials,¹⁵² and, of course, the much publicized Jaramillo case and Callup coal

150 Santa Fe New Mexican, December 21, 1921.

151 Ibid., May 24, 1922.

152 Ibid., January 18, 1921.

CONFIDENTIAL

SECRET

During Governor Nelson's administration, there were some political attacks (as the "Journal" says), but there were also some little-known events which were important to the state and to the people of New Jersey.

Firstly, on the night of the 17th of May, 1892, there was a riot in the Educational Department, which was due mainly to the presence of the Superintendent of Public

Instruction, John Conway; the textbook issue, as discussed, and alleged claim of money used for "educational purposes,"

the State Treasurer's office came under which money for the banking situation, and especially the case of the

and for some thousands of dollars' worth of property, the removal of the Superintendent of the State System of the State for

alleged wrong doing, not necessarily the Superintendent, the Superintendent, but by other officials, and, of

course, the most published Laramie case and other coal

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State of New Jersey, December 22, 1901.

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Idid., May 24, 1902.

152

Idid., January 18, 1902.

strike. As previously noted too, in most of these incidents, the Governor had little or no direct participation; but, naturally, he is responsible for them.

On the credit side can be listed such items as his legislative program, much of which was adopted, his many investigating agencies which did valuable work; his choice of appointments, particularly C. M. Botts of Albuquerque to a vacancy in the State Supreme Court; being instrumental in gaining a foothold for the creation of national parks in the state; being instrumental in the signing of the historic Colorado River compact among the states of Colorado, New Mexico, Utah, Arizona, California, Nevada, and Wyoming, which would provide for equitable distribution of river waters, among other things; and the LaPlata river compact between New Mexico and Colorado. These last two water treaties being of utmost importance to the near-dry state of New Mexico.

On the face of it then, Governor Mechem had a few liabilities and many qualitative assets. He was a good governor and a good administrator. Intellectually, he was one of New Mexico's best governors; as a politician, at least he was not its worst.

Considering all the aspects of his administration, it can be stated that he tried to do the very best with

...the Government and ... naturally, he is responsible for them.

On the credit side ... legislative program, such as ... investigating agencies which ... of agencies, especially ... to a vacancy in the ... in gaining a foothold for the ... in the state; ... series Colorado River ... New Mexico, Utah, Arizona, California, Nevada, and ... which would provide for ... waters, such as ... between New Mexico and Colorado. ... treaties being of ... of New Mexico.

On the fact of it ... legislation and ... government and a good administrator. ... was one of New Mexico's best ... at least he was not the worst. ... it can be stated ...

what he had. Had he been a politician instead of a lawyer, at least some of his political miscues would have been minimized, or even averted; however, being equipped the way he was, he tried to do what he considered was right judiciously, rather than what was right politically.¹⁵³

He was not a flashy or colorful governor. To say that he was a conservative is only a half truth, for he really was an "ultra-conservative,"¹⁵⁴ and a person who tried to "find the line of least resistance," in all matters pertaining to his administration.¹⁵⁵

He was well liked by Democrats and Republicans, and he tried to be fair to all, not only as a judge, but also later as governor. His friends may have slightly influenced him, but was it his fault that some of his friends were representatives of various interests within the state? Even at that, he defied some of these same friends and interests when he insisted that the amended mine tax law (his legislature amended the law and designated the year) be applicable in the year 1921; and that the 1921 year

153

Personal interview with A. T. Hannett by author, Albuquerque, November 7, 1951. Judge Mechem "put law and justice before politics."

154

Personal interview with Federal Judge Sam Bratton by author. Albuquerque, October 27, 1951.

155

Ibid.

what he had. Had he been a politician instead of a lawyer, at least some of the political blunders would have been anticipated, or even avoided; however, history suggests the way he was, he tried to do what he considered was right judicially, rather than what was more politically expedient. He was not a flunky or cabinet member. It is true that he was a conservative in only a half sense, for he really was an ultra-conservative, and a person who tried to "find the line of least resistance" in all matters pertaining to his administration.

He was well liked by voters in and out of the state and he tried to be fair to all, not only as a judge, but also later as governor. His friends may have slightly influenced him, but what is his fault that some of his friends were representatives of various interests within the state? Even at that, he defied some of these same friends and interests when he insisted that the amended law be law (his legislature amended the law and designated the year) be applicable in the year 1921; and that the 1921 year

123
 Personal interview with A. T. Kennedy by author, Birmingham, November 7, 1951. Judge Kennedy "put in and Justice before politics."
 124
 Personal interview with General Judge Sam Houston by author, Birmingham, January 24, 1951.
 125
 Ibid.

would be the starting year to determine a five-year average valuation of the wealth of the mines and property.¹⁵⁶ By insisting on this, the people and the state of New Mexico stood to gain more revenue through taxes. Had the interests gotten their way, the 1921 base year would have operated under the old net output law of 1915.¹⁵⁷ The arrangement would have been most advantageous to the mine owners, because some of the big corporations like the Chino and Dodge Phelps stopped mining early in 1921, which presumably reduced their net output.¹⁵⁸

Governor Mechem's administration was beset by some difficult problems, but the Governor met each serious situation with his sharp wit and intellect and tried to solve the problem as best he could. He appointed many commissions to study and to investigate certain areas within the state's governmental structure, which had supposedly been tinged with "politics" or misunderstandings. He appointed commissions to investigate the State Penitentiary at Santa Fe; the bank closure in Santa Fe; the State In-

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Santa Fe New Mexican, March 2, 1922.

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Ibid.

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Ibid.

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 trusts stopped mining early in 1921, which practically re-
 duced their net output. 158

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 the state's governmental structure, which had apparently
 been tinged with "political" or mismanagement. He
 appointed commissions to investigate the Santa Fe Railway
 at Santa Fe; the bank closure in Santa Fe; the State In-

156
 STATE OF NEW MEXICO, March 2, 1922.
 157
 Ibid.
 158
 Ibid.

sane Asylum at Las Vegas; and various other agencies within the government.

In each instance, the commission which investigated produced tangible results. Each investigation made it easier for the next office holder because the evils were exposed, and the new incumbents could start from that point. Actually, the prison episode did not reap as many results, but in the bank situation, certain corrective measures were derived from the investigation which insured against a recurrence of the same or similar happenings. The investigating commissions did then prove to be beneficial (even if only mildly in certain areas) in the majority of instances.

As discussed, there was a state-wide economic depression during his tenure at the state capitol. An extension of, and an eruption of, one particular phase of the crisis was a coal strike at Gallup, one hundred and forty miles due west of Albuquerque. He met this particular problem head on, and whether one agrees with his actions or not, it must be acknowledged that at least, he endeavored to reduce the seriousness of the situation.

On the political canvass, there were many critical points. One was the selection of Holm Bursum to the Senate vacancy. This appointment caused much consternation to the

the government.
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editor and to the publisher of the Santa Fe New Mexican, but as previously shown, the Governor put his political "ear to the ground" and sounded out the "grass roots" opinion. This same opinion voted Bursum back into the same office to fill out an unexpired term of two years.

Perhaps his most serious political error was when he appointed Placido Jaramillo to the warden's position at the State Penitentiary, and when he steadfastly refused to remove him. But as long as state institutions remain in politics, and patronage being what it is, it shall always be a gamble to a governor to practice the spoils system; sometimes he'll win and sometimes he'll lose.

The Governor's legislature, strongly Republican, probably should have passed more of the measures recommended by him; however, it did produce some good legislation, and it paved the way for better and future laws.

It created two new counties which were needed, and it brought women into public office (a revolutionary idea to some people at that time -- even today some men cannot reconcile themselves to it) by amending the constitution. Laws relating to the protection of women and children were passed, and important laws dealing with the state highway system were enacted.

These were but a few of the important laws that

editor and in the opinion of the State Leg. Council, but as previously shown, the Governor and the political "eat to the ground" and sounded out the "best route" to be taken. This same opinion voted before the State Leg. Council to fill out an amended term of two years. Perhaps the most serious political error was when he appointed Elbridge Tamm to the State's position at the State Legislature, and when he subsequently refused to remove him. But as long as Elbridge Tamm remains in politics, and perhaps being what it is, it will always be a gamble to a Governor to practice the system; sometimes he'll win and sometimes he'll lose.

The Governor's legislative, especially Republican, probably should have passed more of the business transactions by him; however, he did propose some good legislation, and it paved the way for better and better laws.

It created the law provided which was needed, and it brought women into public office (a revolutionary idea to some people at that time -- even today some are opposed to female franchise so far) by amending the constitution. Law relating to the protection of women and children was passed, and important laws dealing with the State highway system were enacted.

There were but a few of the important laws that

were passed. Another very important law was the amending of the existing mine tax law which brought the state more tax monies.

Of course, the politically important direct primary law was lost in the array of bills, but at least, it did get some consideration, and primarily because of Governor Mechem's insistence.

All of the foregoing briefly sums up the late Governor Mechem's political career within the vast boundaries of the state of New Mexico.

For all the successes of his administration, he gave credit to the citizens who helped and to his Republican legislation; for all the shortcomings of the administration, he alone assumed the responsibility.¹⁵⁹ That was the kind of man Governor Merritt Cramer Mechem was: "A man of sterling character and fair to all."¹⁶⁰

The Governor was almost penniless when he and Mrs. Mechem left the executive mansion to return to the practice of law.¹⁶¹ His conservative leadership produced no radical

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Santa Fe New Mexican, June 17, 1922.

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Personal interview with Federal Judge Sam Bratton, October 27, 1951.

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Personal interview with Mrs. Mechem, November 15, 1951.

were made. Another important law was passed
of the existing laws which would be
tax matters.

Of course, the judicially important
law was lost in the hurry of bills, but we have
got some consideration, and finally passed
Hochman's measure.

All of the foregoing bills were
Governor Hochman's original intent with the
exit of the state of New Jersey.

For all the success of the
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tion, in those states the
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The Governor was
Hochman left the executive
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October 27, 1951
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innovations or movements. Many of the problems that faced him when he went into office were pretty generally the same as when he left office. Some were slightly altered, others were not even bared. Economically, the state and the county was about the same in 1923 as it was in 1921; socially and politically, the "race issue" unquestionably remained unaltered, but politically the strong rule of the special interests began to loosen somewhat. Actually then, all he probably gained from his two years of governorship was a sad and wise inside view of how men and politics operate.

investments of movements. Many of the problems that
 faced him when he went into office were pretty generally
 the same as when he left office. There were slightly dif-
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 state and the country was about the same in 1931 as it was
 in 1921; socially and politically, the "same thing" was
 questionably revealed unchanged, but politically the heavy
 rule of the special interests passed its burden on others.
 Actually then, all he probably gained from his two years
 of governorship was a sad and wise inside view of how our
 and political operation.

CHAPTER XIV

AUTHOR'S EVALUATION

From the evidence, the writer concludes that Merritt Mechem would never have made a good politician because he was too intellectual; and too good-natured and good-hearted with his fellow man. He had many friends and, politically, even members of the opposite party admired him.¹⁶² Had he decided to make a career of politics, however, he most assuredly would have become a successful office holder (even in spite of his good qualities; or perhaps, because of them) because the Mechem name seems to be an attractive vote-getting name. Possibly, because the name seems to be synonymous with honest politics, and the average person desires such politics.

Truthfully, he was a neophyte in politics and he would be the first to admit it. He answered the call to serve his party only because the party needed someone to rally behind.

162

Personal interview with Mrs. Mechem, July 25, 1952. Former Governor James Hinkle once told Governor Hannett (both Democrats) that he wanted a picture of Merritt Mechem because 'Mechem was the only Republican he ever gave a damn about!

KECHER'S EVALUATION

From the evidence, the writer concludes that Kecher would never have made a good politician because he was too intellectual; and too good-natured and good-hearted with his fellow man. He had many friends and, politically, even members of the opposite party admired him. He had decided to make a career of politics, however, he would assuredly would have become a successful office holder (even in spite of his good qualities; or perhaps, because of them) because the Kecher name seems to be an attractive vote-getting name. Possibly, because the name seems to be synonymous with honest politics, and the average person desires such politics.

Truthfully, he was a neophyte in politics and he would be the first to admit it. He answered the call to serve the party only because the party needed someone to rally behind.

163

Personal interview with Mrs. Kecher, July 25, 1952. Former Governor James E. Hinkle once told Governor Hanes (both Democrats) that he wanted a picture of Kecher because Kecher was the only Republican he ever gave a damn about!

He had few, if any, enemies, politically speaking, or otherwise. While in office, Bronson Cutting and his newspaper, the Santa Fe New Mexican, attacked him principally because of his alignment with Holm Bursum and his group. Cutting's favorite target (for many years) was Holm Bursum, Albert Fall, Charles Springer, Charles Spicer, to name a few, because these people and their friends represented the important political and economic interests throughout the state.¹⁶³ And since many of these people were friendly to Governor Mechem, Cutting blasted him too. Of course, the Socorro decision also influenced Cutting in his opposition to Mechem.

However, be that as it may, among the other reasons (not extensively discussed) he won the election in 1920, because he was known throughout the state for being fair and honest in his judicial decisions.¹⁶⁴ He carried that reputation into the Governor's office, and it continued with him until that fateful day in 1946. He was a humble person and a distinct credit to his fellowman and to his wonderful adopted state. He served both very well.

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Jonathan Cunningham, op. cit., pp. 18-19.

164

Personal interview with Mr. Mechem, July 25, 1952. As a District judge, he traveled often throughout the state to render decisions; and people became acquainted with him and with his decisions.

He had for, in any, modestly, especially, especially,
of otherwise, with, in, with, Brown, Cutting and his
newspaper, the name in any, especially, especially, his
specially because of his alignment with John Brown and his
group. Cutting's favorite target (for many years) was
John Brown, Albert Fall, Charles Dwyer, and his
to name a few, because these people are the main
represented the important political and economic interests
throughout the state. He had a large number of these people
were friendly to Governor Hession, especially those who
Of course, the Senate, especially those who were
in his opposition to Hession.
However, he had as it was, among the other reasons
(not exhaustively discussed) he was the exception in 1932
because he was known throughout the state for being
and honest in his judicial decisions. He was the
reputation into the Governor's office, and it continued
with his until that special day in 1932. He was a
person and a distinct credit to his fellowmen and to his
wonderful edged state. He wrote both very well.

163
164
Personal interview with Mr. Hession, July 27,
1932. As a District Judge, he traveled often throughout
the state to render decisions and people became acquainted
with him and his decisions.

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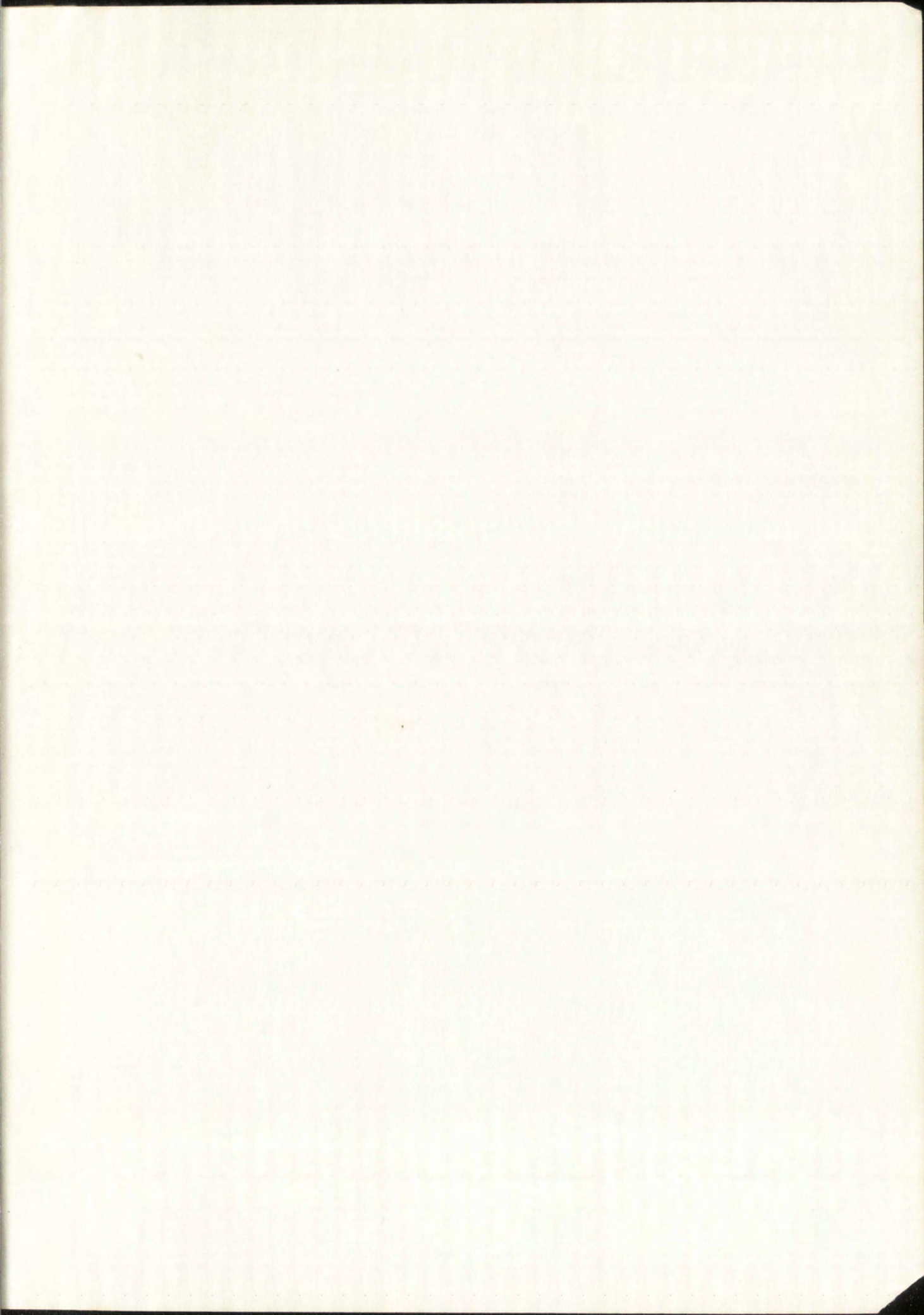
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The following is a list of the names of the persons who have been admitted to the membership of the Society since the last meeting.





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