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## CAUSES OF THE CONFEDERATE INVASION OF NEW MEXICO

By CHARLES S. WALKER

THE Confederate invasion of New Mexico was the initial movement of a campaign the object of which was the seizure of the entire American Southwest and the northern Mexican states. The cause of the invasion was the desire to see the Confederacy a sea-to-sea power with all the advantages which a nation reaching from the Atlantic to the Pacific between the parallels twenty-six and thirty-six north latitude might enjoy. Who first comprehended the possibilities of such a campaign is not entirely clear; but it is probable that it was General Sibley. Henry H. Sibley had been stationed in Arizona somewhat before the outbreak of the war, and knew the strength and weakness of the army in that region. On resigning his commission in Santa Fe at the outbreak of hostilities,<sup>1</sup> he had gone south to El Paso and then east to inform President Davis of the situation in New Mexico, and he had outlined a plan of campaign. But it is not certain whether he amplified his tentative suggestion to include the conquest of Chihuahua and Sonora,<sup>2</sup> although he actively prosecuted this action in 1862 when in the field. The orders which sent him to Texas merely stated that he was to drive the Federal troops from the Department of New Mexico and at the same time secure for the South all the materials of war and disaffected soldiery in the region.<sup>3</sup> In June, 1861, a prominent secessionist in Mesilla wrote to President Davis advocating an inva-

1. Lydia Spencer Lane mentions that Sibley was one of the officers who passed through Fort Fillmore in the spring of '61 after resigning their commissions. *I Married a Soldier* (1893) [Typewritten copy in the possession of the New Mexico College of Agriculture and Mechanic Arts], 5.

2. Teel, T. T., "Sibley's New Mexican Campaign—Its Objects and the Causes of Its Failure", *Battles and Leaders of the Civil War*, ii (1884), 700.

3. Cooper, S., to Sibley, July 8, 1861, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (1880-1901), ser. I, vol. iv, p. 98.

## CONFEDERATE INVASION OF NEW MEXICO 77

sion of New Mexico on the grounds that it would result not only in the acquisition of military supplies, which "game," to be sure, was "well worth the ammunition," but "would relieve Texas . . . open communication to the Pacific, and break the line of operations, which . . . is designed to circumvallate the South." This Southerner signed himself as "Chief Justice M. H. McWillie." Neither of these sources is satisfactory evidence concerning the origin of the project of annexation of Mexico, California, and the remainder of the Southwest; but it is certain that, wherever the inception, such were the designs of the operation. Colonel James Reily, Sibley's deputy to Chihuahua and Sonora, wrote to John H. Reagan that the South "must have Chihuahua and Sonora. . . With Sonora and Chihuahua we gain Southern California, and by a railroad to Guaymas render our State of Texas the great highway of nations."<sup>5</sup> And a month later the Acting Inspector-General of the Federal army in New Mexico informed the commander of the Department of the Missouri that "The conquest of it (New Mexico) is a great political feature of the rebellion. It will gain the rebels a name and a prestige over Europe, and operate against the Union cause. . . The Texans "will not rest . . . but they will . . . extend their conquest toward old Mexico and in the direction of Southern California."<sup>6</sup> From these two letters one catches inklings of the importance which the Confederates and their adversaries attached to the New Mexican campaign.

Mexican territory adjoining the southern boundary of the United States had been a tempting morsel to adventurers and expansionists for many years. In his annual message of 1858 President Buchanan had openly advocated the assumption of a "temporary protectorate" over the states of Sonora and Chihuahua, presenting as provocation the

4. McWillie, M. H., to Davis, June 30, 1861, *O. R.*, I, iv, 96. McWillie's use of the title "chief justice" indicates that the Mesilla convention of March 16, 1861, which attached Arizona to the Confederacy, had probably functioned, at least to the extent of appointing officials.

5. Reily, James, to John H. Reagan, Jan. 26, 1862, *O. R.*, I, L, part 1, 826.

6. Chapin, Gurden, to H. W. Halleck, Feb. 28, 1862, *O. R.*, I, ix, 634-635.

turbulent conditions on both sides of the border due to the ceaseless activities of the Apaches and "wandering Mexicans, equally lawless." In 1861 neither the Apache nor the lawless Mexican had given the authorities at Richmond any reason to believe that their frontier was to be any more secure. From many angles Mexico was the most vital problem with which the foreign department of the Confederacy had to deal. It was the single foreign power from which they could not be cut off by blockade; it could furnish large quantities of war materials; it could see to it that European contraband crossed the Rio Grande;<sup>8</sup> and the situation in the north Mexican states could and did furnish food for thought to close observers in the department. The five border states of Mexico, Tamaulipas, Nuevo Leon, Coahuila, Chihuahua, and Sonora, with an area of 286,215 square miles, contained a population of less than 630,000 in 1861.<sup>9</sup> These states were not in the greatest sympathy with the fluctuating political scene in the City of Mexico. In fact, they had been de facto independent of the central government for four years preceding the Civil War in the United States.<sup>10</sup> Under the leadership of Santiago Vidaurri, of Nuevo Leon and Coahuila, the most powerful organization along the Rio Grande was contemplating secession from Mexico and the organization of a North Mexican Republic.<sup>11</sup> Consequently, the moment seemed auspicious to Confederate leaders, all the more so when it became apparent that Juarez was going to favor the United States.<sup>12</sup> Intimation that the Confederates were planning the seizure of a por-

7. Richardson, James D., *A Compilation of the Messages and Papers of the Presidents*, v (1897), 514.

8. Owsley, Frank L., *King Cotton Diplomacy Foreign Relations of the Confederate States of America* (1931), 88.

9. Corwin, Thomas, to W. H. Seward, Aug. 28, 1861, *The Present Condition of Mexico* (37th Cong., 2d Sess., Ex. Doc. 100) (n. d.), 21.

10. Wright, G., to E. D. Townsend, Oct. 31, 1861, *O. R.*, I, L, part 1, 691.

11. Owsley, *King Cotton Diplomacy*, 92.

12. Owsley, *ibid.*, 120.

## CONFEDERATE INVASION OF NEW MEXICO 79

tion of Mexico was received by the Federal officials as early as May 3, 1861. A Union sympathizer in La Paz addressed a note to Seward with the information

that it is the intention of the secessionists to take possession of the peninsula of Lower California, Mexico, as one of the preparatory steps to the acquiring of a portion or the whole of Mexico. Having possession of the peninsula of Lower California, their intention is to cut off our commerce with Mexico, seize the Panama steamers, and with the aid of the treasure so acquired to be able to extend their conquest to Sonora and Chihuahua at least.<sup>13</sup>

Officials on the Coast also had knowledge of the movement. General Wright, commanding at San Francisco, knew that "The fondly cherished hopes and aim of the rebels are to obtain a port on the Pacific." He realized that "the adjoining state of Sonora, with a feeble government and sparse population, presents inducements of the strongest kind for the rebels to march a force into that country and obtain possession of the fine port of Guaymas."<sup>14</sup> It was through Guaymas that shipments were made for the states of Sonora, Chihuahua, and New Mexico, including Arizona.<sup>15</sup> The United States consul at Mazatlán reported somewhat later that the "grand aim and object of the leading men of Western Texas, Hart, of El Paso, Crosby, and others, is to annex to Texas Chihuahua and Sonora, and I am of the opinion that they will on the receipt of the news of defeat in the South cause a diversion from New Mexico toward Sonora."<sup>16</sup> The correspondence of Minister Corwin and Secretary Seward often refers to Confederate relations with the republic below the Rio Grande, and illumines a few interesting points. April 6, 1861, Seward expressed himself to his representative in Mexico City in these words:

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13. Sprague, Thomas, to Seward, May 3, 1861, *O. R.*, I, L, part 1, 475.

14. Wright to Townsend, Oct. 31, 1861, *O. R.*, I, L, part 1, 691.

15. Corwin to Seward, Aug. 28, 1861, *Present Condition of Mexico*, 20.

16. Robertson, R. L., to Wright, April 13, 1862, *O. R.*, I, L, part 1, 1013.

[A] condition of anarchy in Mexico must necessarily operate as a seduction to those who are conspiring against the integrity of the Union to seek strength and aggrandizement for themselves by conquests in Mexico and other parts of South America. . . [There] is . . . some reason to believe that designs have been conceived in some parts of the United States to effect either a partial dismemberment or a complete overthrow of the Mexican government, with a view to extend over it the authority of the newly projected confederacy . . . [A representative of Mexico] has . . . expressed . . . an apprehension that the removal of the Federal troops from the Texan border may be followed by outbreaks and violence there. There is, perhaps, too much ground for this apprehension.<sup>17</sup>

On June 3 Seward used phrasing which reveals that he had received Sprague's note from La Paz.<sup>18</sup> To these opinions Corwin answered that

Well-informed Mexicans in and out of the government, seem to be well aware that the independence of a southern confederacy would be the signal for a war of conquest with a view to establish slavery in each of the twenty-two States of this republic.<sup>19</sup>

It is no doubt the design of the "Southern Confederation", whenever it can, to seize all of these States, indeed, to possess itself of the entire Terra Caliente of Mexico, that being well adapted to slave labor.<sup>20</sup>

European influences once inaugurated here, would encourage and corroborate the hopes of the Southern rebels, and would aid them in procuring their recognition by European powers. It would so weaken Mexico that a very inconsiderable southern force could conquer in a very short time four or five Mexican states.<sup>21</sup>

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17. Seward to Corwin, April 6, 1861, *Present Condition of Mexico*, 7.

18. Seward to Corwin, June 3, 1861, *ibid.*, 10.

19. Corwin to Seward, July 29, 1861, *ibid.*, 16.

20. Corwin to Seward, Aug. 28, 1861, *Present Condition of Mexico*, 20.

21. Corwin to Seward, Sept. 7, 1861, *ibid.*, 24.

But it remained for a resident of Guaymas to phrase the truth most emphatically. One Thomas Robinson wrote that he had no doubt about the intentions of the Confederates.<sup>22</sup>

What the devil do they care for Arizona without 100 souls in it, and nothing worth having there? They wish to march into Sonora as is intimated from many sources, and take quiet possession, for we are not at present in condition to resist, having just passed through a very sore trial. . . . If they once get possession of this State and its posts the North may just as well give up the complete line through from the Gulf of Mexico to Gulf of California, and it will require a superior effort then to rout them. This is no newspaper talk, but something certain.<sup>23</sup>

A last bit of evidence is selected from a protest against the inaction of the leaders in the Federal army in New Mexico, written by an old soldier at Fort Fauntleroy to Simon Cameron. While this letter (so lengthy that it covers six full pages in the *Official Records*) is of course the expression of a writer who probably had no means of possessing accurate first-hand information of Confederate plans, it is inserted because it plainly shows that belief in Confederate designs on Mexico was prevalent among the soldiers of the line in New Mexico. After revealing considerable knowledge of the New Mexican scene from 1846 to 1860, this trooper stated that

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22. The date of this letter is uncertain, but it was evidently written after the withdrawal of the United States troops from western Arizona in July, 1861, and before January 28, 1862.

23. Robinson, Thomas, to — Flint, (n. d.), *O. R.*, I, L, part 1, 831. Latham Anderson, in his excellent article in *Battles and Leaders*, ii, 697, "Canby's Services in the New Mexican Campaign," makes practically the same statement. He says that "The remote and unimportant territory of New Mexico was not the real object of this invasion. The Confederate leaders were striking at much higher game—no less than the conquest of California, Sonora, Chihuahua, New Mexico, Arizona, and Utah." This discussion by Canby's adjutant-general is the most scholarly as well as the most complete account of the influences motivating the Confederates which has come to the attention of the writer.

Our country, stretching more than 1,000 miles along the Mexican frontier, requires a vigilant eye to be kept upon the machinations of the secession forces who are now straining every nerve, pulling every cord with might and main to circumvent the supporters of our glorious Union, and incorporating the States of Nuevo Leon, Coahuila, Chihuahua, Durango, and Sonora, Mexico, into the Government of the Confederate States of the South.<sup>24</sup>

—This at the time Baylor's Arizona Territory was getting under way at Mesilla. After a perusal of the above quotations, or the many other sources in which the same facts are stated, the significance of the instructions given to J. A. Quinterro on his departure to act as representative of the Richmond government near the residence of Santiago Vidaurri becomes clear. Quinterro was informed that it was to be one of the principle duties of his mission

to collect and transmit accurate and minute information with regard to those provinces [North Mexican States], the amount of the population of each, divided into races and classes, the superficial area of the several provinces, their products, mineral resources, etc., the amount and value of their exports and imports, the state and extent of their manufactures, and the general condition of the people in a social, political, and commercial point of view.<sup>25</sup>

Because it was likely to attract international attention and possibly complications, the contemplated seizure of northern Mexico was discussed more often than California in the correspondence of the sixties, and hence provides more choice documents from which evidence may be pre-

24. Need, William, to Simon Cameron, Sept. 27, 1861, *O. R.*, I, L, part 1, 636. Theophilus Noel, a private soldier in Sibley's brigade, has left an account filled with disgust at the mismanagement of the New Mexican campaign: *Autobiography and Reminiscences of Theophilus Noel* (1904). He leaves the impression that he understood the significance of the long march from San Antonio to the Rio Grande: "an army of Texans [which were to] switch off down in and take Sonora, Chihuahua, Durango, and Tamaulipas in Mexico and add them to the Confederacy." p. 56.

25. Browne, William M., to J. A. Quinterro, Sept. 3, 1861, in James D. Richardson, *A Compilation of the Messages and Papers of the Confederacy*, ii (1905), 78.

sented than does the annexation of the Pacific coast and the Southwest, which were regarded as legitimate fields of operations. But Mexico was fraught with no more potential value to the Confederates than was California. The advantages of such a possession, a topic of discussion at a later point in this study, may easily be surmised by one familiar with the peculiar economic necessities of the Confederate States in 1862 and later. Therefore, the fact that less space is devoted in this paper to developing the theme of the seizure of California as a cause of the Confederate invasion than is devoted to Mexico as a cause must not be interpreted by the reader as implying that California was not as important as was Mexico in the councils of Sibley and his advisers. Major Teel, commander of Sibley's artillery, held the opinion that the conquest of California would have preceded any invasion of Mexico, once New Mexico had been cleared of Federals,<sup>26</sup> while the importance of California is equally emphasized by General Anderson, who devoted most of his discussion of the Confederate project to pointing out what would have resulted had California been captured.<sup>27</sup> Shortly after the opening of the Rio Grande campaign, General Sibley informed Major Teel that the "objective, aim, and design of the campaign was the conquest of California, and as soon as the Confederate army should occupy the Territory of New Mexico, an army of advance would be organized, and 'On to San Francisco' would be the watchword".<sup>28</sup> This concise but conclusive evidence is corroborated by a report of Secretary of War J. P. Benjamin to President Davis. He discusses the proceedings of Baylor in the Mesilla valley, and then goes on to say: "The result of his action has been the securing to the Confederacy of a portion of the territory formerly common to all the States but now forming a natural appendage to our Confederate States, opening a pathway to the Pacific."<sup>29</sup>

26. Teel, "Sibley's New Mexican Campaign," *Battles and Leaders*, ii, 700.

27. Anderson, "Canby's Services," *ibid.*, ii, 697.

28. Teel, "Sibley's New Mexican Campaign," *ibid.*, ii, 700.

29. Benjamin to Davis, Dec. [14?], 1861, *O. R.*, IV, i, 791.

It was this "pathway to the Pacific that made California so important. From Fort Bliss, Baylor reported to headquarters that "The vast mineral resources of Arizona, in addition to its affording an outlet to the Pacific, make its acquisition a matter of some importance to our government."<sup>30</sup> Bancroft considers California the chief cause of the invasion. He writes:

Confederate plans respecting the Southwest belong in their general scope to the history of California, which country was the chief prize in view, and in details of operations to that of New Mexico. . . . Here it suffices to say that those plans . . . included the occupation of all the southern frontier regions to the Pacific.<sup>31</sup>

The Confederates assumed that if California, New Mexico, and the northern Mexican states, joined the Confederacy, the strong secession element in Nevada, Utah, and Colorado, would aid the movement, making the conquest of the Southwest complete.<sup>32</sup>

The cause of the Confederate invasion of New Mexico may be stated in a sentence as the desire to seize the Southwest and northern Mexico. But this region was valued by Southerners for certain advantages which its possession would bring. These advantages spurred on the Confederates, and consequently may be considered as subsidiary causes. It was felt in the South that the addition of the immense region under consideration would so expand the limits of the Confederacy that European recognition would follow. The relative areas of a Confederacy with a southern boundary near the twenty-sixth parallel and a northern near the forty-second and a United States which included the remainder of the nation as it had existed prior to 1861 was thought to be certain to impress European potentates.

30. Baylor to Van Dorn, Aug. 14, 1861, *O. R.*, I, iv, 23.

31. Bancroft, Hubert H., *Arizona and New Mexico* (1889), 510-511.

32. Bancroft, *ibid.*, 685-686.

Hayes, A. A., Jr., *New Colorado and the Santa Fe Trail* (1880), 162.

Anderson, "Canby's Services," *Battles and Leaders*, ii, 697.

And if the North failed to expand its blockade to include the Pacific coast,<sup>33</sup> thus reducing its effective blockade to a partial blockade, and releasing on the oceans Confederate war and merchant craft which might be constructed in California and Mexico, there was ample reason to hope that the opposition to Southern recognition would disappear in London and Paris, the capitals most involved. The newer union of states would include more territory than its rival, its unblockaded coast-line would exceed that of the North, and the mines of the West would pour into Confederate coffers the wealth which had formerly gone to Washington, enabling Richmond credit abroad to be as acceptable as any other. One discerns a certain degree of logic in this argument.<sup>34</sup> But if Europe failed to respond in the expected manner the South saw no reason to consider that the acquisition of the Southwest and northern Mexico would be wasted effort. A port or two on the Pacific through which supplies might be imported would greatly relieve the situation east of the Mississippi and furnish materials of war for the soldier and food for the civilian.<sup>35</sup> The gold of Arizona was valued by the North as a source from which to pay for the prosecution of the war,<sup>36</sup> and it might have relieved the treasury department of Richmond just as effectively. President Lincoln denominated the gold of the West as "the life-blood of our financial credit,"<sup>37</sup> which indicates that the Confederates were not over-estimating its importance. Re-

33. Anderson considered the establishment of an effective blockade on the Pacific coast impossible. "Owing to the remoteness of this coast it would have been impossible for us to have effectually blockaded it." "Canby's Services," *Battles and Leaders*, ii, 697.

34. Anderson, "Canby's Services," *ibid*, ii, 697. Chapin to Halleck, Feb. 28, 1862, *O. R.*, I, ix, 634-635.

Bancroft, *Arizona*, 511.

35. Baylor hoped to obtain horses from California. He requested that "some arrangement for the purchase of horses in California be made. I could now buy the best of horses there for less than \$50 per head, and there are many Southern men who would sell them for Confederate bonds." Baylor to S. B. Davis, Nov. 2, 1861, *O. R.*, I, iv, 149.

36. Carleton to Thomas, Sept. 13, 1863, *Indian Tribes, Condition of the. Report of the Joint Special Committee, Appointed Under Joint Resolution of March 3, 1865 (1867)*, 186.

37. Anderson, "Canby's Services," *Battles and Leaders*, ii, 697.

cent mining discoveries in Chihuahua and Sonora had drawn around them large bodies of miners from California, most of whom were Southerners who could be depended upon to direct mining operations in that area.<sup>38</sup> In addition to European recognition and acquisition of gold and supplies, the Southwest would furnish recruits for the Confederate army. There were many Southern sympathizers in this region who were waiting for an opportunity to enlist. A California assemblyman asserted that thirty thousand men were ready to take up arms for the Confederacy in that state alone.<sup>39</sup> A more reliable source places the figure at twenty thousand, and goes on to say that if the South "should ever get an organized force into this State, as a rallying point for all the secession element, it would inevitably inaugurate a civil war here immediately."<sup>40</sup> Less than a month after the above was penned John R. Baylor was aware that "California is on the eve of a revolution. There are many Southern men there who would cheerfully join us if they could get to us, and they could come well armed and mounted."<sup>41</sup> It was the estimate of a member of the New Mexico legislature from Doña Ana county in 1863 that nine out of every ten men in that county favored the South.<sup>42</sup> However, the additions to the Confederate army which the West could have made were so meagre in consequence of the scanty population that this feature of annexation could hardly have been of as much moment as the more far-reaching influences of an unblockaded port on the Pacific or numerous gold and silver mines.

From many angles there seemed to be factors which could be depended upon to make for the success of a Confederate invasion of New Mexico, and which probably acted as contributing causes in that attempt. It was said that the Federal army in New Mexico was weak. The com-

38. Corwin to Seward, Aug. 28, 1861, *Present Condition of Mexico*, 21.

39. Kennedy, Elijah R., *The Contest for California in 1861* (1912), 74.

40. Sumner, E. V., to Townsend, Sept. 7, 1861, *O. R.*, I, L, part 1, 610.

41. Baylor to Davis, Nov. 2, 1861, *O. R.*, I, iv, 149.

42. *The New Mexico Press* [Albuquerque], July 19, 1864.

## CONFEDERATE INVASION OF NEW MEXICO 87

manding officer of the Department was handicapped by a vacillating policy at Washington, which left New Mexico "in a destitute condition." There was "not artillery enough in the department to arm a single post properly, and the supply of ammunition, except for small-arms, [was] exceedingly limited. Remounts for cavalry horses and draught animals for the quartermaster's department [could not] be procured."<sup>43</sup> There had been extremely dry weather during 1859 and 1860, so that in 1861 it was difficult to secure mounts of any description in the Territory. The Federal soldiers were restless under continued deferment of their pay, which was six months in arrears in June, 1861.<sup>44</sup> It is probable that sympathizers with the South among the officers in New Mexico knew that the majority of the regular army in the Department had been ordered, May 17, 1861, to march to Fort Leavenworth, Kansas; the defense of the Territory to be left in the hands of one regiment of riflemen and four companies of dragoons together with such militia as could be raised among the citizens.<sup>45</sup> Colonel Baylor evidently expressed the pith of Southern opinion in 1861 when he closed a report with the terse sentence "New Mexico can now be easily taken."<sup>46</sup>

Probably the chief foundation for Baylor's confidence was the reported pro-Southern attitude of a majority of the inhabitants of Arizona and the prevalence of the secession viewpoint in Santa Fé. Certainly he had reason for his belief. It had been only two years since the New Mexican legislature had enacted a slavery code "which would bring blushes to the cheeks of Caligula,"<sup>47</sup> in order to find

43. Canby to Assistant Adjutant-General at Saint Louis, Aug. 16, 1861, *O. R.*, I, iv, 64-65.

44. Canby to Assistant Adjutant-General at New York, June 11, 1861. *O. R.*, I, i, 606. This condition had become so serious by November, 1861, that "The military operations in this department [were] greatly embarrassed . . . almost entirely paralyzed by the want of funds in the pay department." Canby to Paymaster-General at Washington, Nov. 18, 1861, *O. R.*, I, iv, 75.

45. Headquarters of the Army, Washington. "Special Orders, No. 86½," May 17, 1861, *O. R.*, I, i, 604.

46. Baylor to \_\_\_\_\_, Sept. 24, 1861, *O. R.*, I, iv, 109.

47. Bingham, of Ohio, Jan. 22, 1861, *Congressional Globe*, 36th Cong., 2d Sess., Appendix, 83.

favor with Buchanan's administration.<sup>48</sup> The law had been passed at the suggestion of Jefferson Davis, after being sponsored by the New Mexican delegate at Washington, Miguel Otero.<sup>49</sup>

Otero was undoubtedly pro-Southern. He was accused on the floor of Congress by a representative from Wisconsin of being "sound on the slavery question",<sup>50</sup> and he allowed to appear in a Santa Fé newspaper a letter advocating secession from the United States and union with the proposed "Bear Flag Republic." This sheet was the *Santa Fé Gazette* of December 8, 1860, which was one of three newspapers in the Territory which advocated Southern principles. On Feb. 2, 1861, the *Gazette* referred to the attempt to subjugate the Southern States as "an absurd project" which would be opposed until defeat had been the lot of the "invader", "the mercenary hordes from the North", and on March 16 quietly suggested union with the South.<sup>51</sup> Both of the newspapers in the region called Arizona were secessionist. Sylvester Mowry's Tucson *Arizonian* leaves no doubt concerning its tenets; and an attack on President Lincoln in the issue of March 9, 1861, makes its position definite.<sup>52</sup> Nor was the publication in the Mesilla valley less outspoken. W. W. Mills, one of the few Unionists in the area, wrote on June 23 that "The Mesilla Times is bitterly disunion, and threatens with death anyone who refuses to acknowledge this usurpation".<sup>53</sup> The *Times*, on May 11, welcomed the news of the firing on Fort Sumter with "enthusiastic cheers", and contained a sketch of the Confeder-

48. Richardson, Albert D., *Beyond the Mississippi, 1857-1867* (1867), 264.

49. Otero, Miguel, to A. M. Jackson, Dec. 16, 1858, *Bill and Report of John A. Bingham and Vote on Its Passage, Repealing the Territorial New Mexican Laws Establishing Slavery* (n. d.), 1. A summary of this act is in Bancroft, *Arizona*, 683. A complete text is found on pages 4-7 of the document which contains Otero's letter. This was issued as a campaign pamphlet in 1860 by the Republican Executive Committee.

50. *Cong. Globe, 36th Cong., 2d Sess.*, 515.

51. *Santa Fé New Mexican*, Oct. 19, 1867.

52. Hinton, Richard J., *The Handbook to Arizona* (1878), 265-266.

53. Mills, W. W., to John S. Watts, June 23, 1861, *O. R.*, I, iv, 56.

ate flag beneath which was printed a contributed poem, "Our Flag", and the rousing "Dixie Land".<sup>54</sup>

Other factors in addition to the slave code, Delegate Miguel Otero, and the newspapers, indicated that New Mexico was pro-Southern, and might be expected to aid a Confederate invasion. One of these was the commercial dependence of New Mexico upon states of Southern sympathies, especially Missouri and Texas. E. R. S. Canby was but giving expression to a truth which had become more and more important each year subsequent to 1824 when he said that in the future New Mexico's position "will be contingent upon the action of Missouri, with which the people of this Territory are more intimately connected in their commercial relations than with Texas or the neighboring States of Mexico".<sup>55</sup> The Santa Fé Trail made New Mexico dependent upon the slave state of Missouri; and while time proved them wrong, the Confederates probably considered this an asset in 1861. At least the *Mesilla Times* saw no reason to refrain from announcing:

From a correspondent well posted in New Mexican affairs at Santa Fé, we learn that the universal opinion and decision among the leading and influential citizens of New Mexico is to abide the choice of Missouri in the present national difficulties between North and South. . . The closest commercial relations exist between New Mexico and Missouri and probably induces the above line of action.<sup>56</sup>

Numerous petitions for aid sent to Montgomery and Richmond spoke the Confederate inclination of the people.

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54. *Mesilla Times*, May 11, 1861. Frank Higgins, the editor of this paper, was later rewarded for his efforts by appointment to the office of probate judge of the Confederate court at Mesilla. Walker, Charles S., "Confederate Government in Doña Ana County," *NEW MEXICO HISTORICAL REVIEW*, vi, 261 (July, 1931). While Higgins was editor on May 11, he had evidently turned over his duties to Mr. Kelly by June 16. Paul, G. R., to Acting Assistant Adjutant-General at Santa Fé, June 16, 1861, *O. R.*, I, iv, 39.

55. Canby to Assistant Adjutant-General at New York, June 11, 1861, *O. R.*, I, i, 606.

56. *Mesilla Times*, May 11, 1861.

A communication from Henry Winslow relative to possession of New Mexico was presented before the Provisional Congress, February 25, 1861, and referred to the Committee on Territories.<sup>57</sup> Four prominent names were attached to a request from Mesilla for "a Territorial organization by the Confederate States of America, the subjugation of all the Indian tribes, and the administration of law and justice."<sup>58</sup> Of course there was the above mentioned suggestion of Chief Justice M. H. McWillie to President Davis that it might be profitable to expend ammunition on the "game" in New Mexico.<sup>59</sup> Officers Baylor, Sibley, and Reily must have felt that they were not "invading" southern New Mexico at all, but merely occupying it by request; for had not a convention in Mesilla declared Arizona seceded from the United States and a part of the Confederacy? If these men had needed any encouragement, they must have found it in abundance in the sixth resolution of the secession convention which convened on March 16, 1861.<sup>60</sup>

*Resolved, That we will not recognize the present Black Republican administration, and that we will resist any officers appointed to this Territory by said administration with whatever means in our power.*<sup>61</sup>

A study of the census of 1860 does not reveal any preponderance of inhabitants of Southern nativity in New Mexico. In fact, the figures themselves give no reason at all for suspecting that there was a marked Southern sentiment in the Territory, although at the same time they give no reason for believing that there was not. While they do not prove that the leaders of the invasion were mistaken, the data force the historian to handle petitions and such

57. *Journal of the Congress of the Confederate States of America* (58th Cong., 2d Sess., Doc. 234), i (1904), 80.

58. Jones, Samuel J., R. P. Kelley, James A. Lucas, and L. S. Owings, to E. N. Covey, June 6, 1861, *O. R.*, I, L, part 1, 501-502.

59. McWillie to Davis, June 30, 1861, *O. R.*, I, iv, 96.

60. Paul to Acting Assistant Adjutant-General at Santa Fé, June 16, 1861, *O. R.*, I, iv, 39.

61. Lucas to Lorenzo Labadi, June 14, 1861, *O. R.*, I, iv, 39.

material rather gingerly. According to the census the border states of Delaware, Maryland, Kentucky, and Missouri, had been the birth-place of 379 of New Mexico's population of 1860. The states to the south of these had contributed 652, while the states to the north of these had furnished 1,124. This shows a majority in favor of the Northern states. New York sent 400 of its sons to New Mexico, Pennsylvania, 215, Missouri, 171, and Texas, 166; these being the first four in number represented in the Territory. Thus, the first truly Southern state ranks fourth. But the census is not entirely satisfactory. It lists in one lot all persons born in the territories of the United States, a fact which considerably reduces the value of nativity study as a means of discovering the probable sentiments of the New Mexicans, for this group included 84,487 out of the total population of 86,793. Hence, the census is interesting because it shows that a majority of the persons who happened to be born in states were born in Northern states, but since the percentage born in states was negligible, no valid conclusions may be drawn from it.<sup>62</sup>

Military inefficiency in New Mexico and the pro-Southern sentiments of the inhabitants pointed toward Confederate success; likewise the political situation in Arizona must have encouraged the secessionists. The Territorial government at Santa Fé had consistently neglected that part of its jurisdiction south and west of the Jornada del Muerto. At least three causes contributed to this neglect. The first was the isolation of the region from the capital, which made communication difficult.<sup>63</sup> The second was the Southern opinions of most of the Anglo-Americans south of the Jornada. And the third, and most important, was the

62. *Eighth Census, Population*, 573. The eight states which contributed most to the population were: New York, 400; Pennsylvania, 215; Missouri, 171; Texas, 166; Virginia, 149; Kentucky, 108; Tennessee, 101; Ohio, 97.

The various sections of the United States were represented as follows: New England, 190; East Central, 739; Old Northwest, 201; northern states west of Mississippi, 251; south of the Ohio and east of Mississippi, 320; southern states west of Mississippi, 257.

63. "Labors for a Territorial Government" [Fish's manuscript], *Arizona Historical Review*, i, 63 (April, 1928).

determination of the politicians of the Rio Arriba, or the counties of upper New Mexico, to keep governmental affairs in their own hands. Commenting on a rumor that Doña Ana county was seeking to effect a separate organization in 1863, the *Rio Abajo Weekly Press*, of Albuquerque, summed up the entire matter in a few phrases:

[The] people south of the Jornada del Muerto . . . [are] still suffering under the same political grievances inflicted upon them by the party hacks who controlled our Legislature since the organization of this Territory. . . . Doña Ana county, with as great a population as Bernalillo—if not greater—has apportioned her but one Councilman and one representative, while Santa Ana, with little more than three hundred voters, has an equal representation. The people of Dona Ana were disgusted by such unjust treatments, and would not send anyone to represent them at Santa Fe, but sought at Washington redress of their grievances. In the apportionment by Governor Rencher, in 1861, that county was assigned no greater representation than it had had ten years before, notwithstanding the subsequent acquisition of Mesilla, and other populous settlements west of the Rio del Norte. It has always been the aim of certain demagogues that the counties of Santa Fe, Rio Arriba and Taos should rule the Territory and Government; appointees from the states have favored the scheme on account of favors received or expected. Is it any wonder that the people of Doña Ana wish to be annexed to Arizona?<sup>64</sup>

A comparison of the census figures<sup>65</sup> and the apportionment of the legislators as listed by Bancroft<sup>66</sup> substantiates certain sentences in the above, and reveals a most indiscriminate arrangement of representation. Doña Ana and Ari-

64. *Rio Abajo Weekly Press*, April 14, 1863. A most interesting note appeared in the next week's issue. A movement was on foot to have the counties of Doña Ana (New Mexico) and Franklin (Texas) united and admitted to the Union as the Territory of Montezuma. *Ibid.* April 21, 1863.

65. *Eighth Census, Population*, 568-572.

66. Bancroft, *Arizona*, 634-636.

zona counties with a population of 8,660 were allowed one member in the House, while Bernalillo with a population of 8,574, elected three. Santa Ana county included only 1,505 residents, but sent to Santa Fé the same voting power as Doña Ana. Valencia county contained 8,482 persons, but had only half the voting power of Socorro county, which contained 5,706. Of course, universal suffrage did not exist, but this will hardly explain such a state of affairs. It would seem that Hezekiah S. Johnson, editor of the *Rio Abajo*, was correct. He stated the truth with reference to the failure of Doña Ana county to send the lone delegate allowed it. Six of the ten sessions of the House, 1851-1861, sat without a voice from the people below the Jornada."

The first indication that all was not well between the southern and northern portions of New Mexico appeared in December, 1854, when a petition was presented to the Territorial legislature asking that a resolution be sent to Congress praying the organization of the southern area into a separate Territory. "Primeria", "Gadsonia", and "Arizona", were suggested as possible names, the latter being favored. But this first attempt to secure independent government failed.

Tucson was the scene of a convention held on August 29, 1856. A more definite step was taken in this meeting, which organized with Major<sup>68</sup> M. Aldrich presiding, James Douglass and José M. Martinez, vice-presidents, and N. P. Cook, G. H. Oury, H. Ehrenberg, Ign. Ortiz, and I. D. I.

67. Members from Doña Ana county attended in '52, '55, '56, and '58. The population of the counties and representation in the House in 1860 were as follows:

Taos,	13,479,	5.
Río Arriba,	9,329,	5.
Santa Fé	7,995,	3.
San Miguel,	13,670,	3.
Bernalillo,	8,574,	3.
Santa Ana,	1,505,	1.
Valencia,	8,482,	1. (1859)
Socorro,	5,706,	2.
Doña Ana and Arizona,	8,660,	1. (1858)

68. Bancroft, *Arizona*, 504, reads "Mayor".

Pack, committee on resolutions.<sup>69</sup> A memorial signed by two hundred and sixty persons was sent to Congress urging the organization of a Territory. Oury was elected to the legislature at Santa Fé; and during the following month Nathan P. Cook, delegate to Washington. Although Cook was not admitted to a seat, his efforts in Washington resulted in the introduction of a bill in the House, January, 1857, to organize the Territory. This failed to gain the approval of the committee to which it was referred, who recommended instead a long and complicated bill creating a judicial system independent of Santa Fé, but otherwise doing little to relieve the trouble. This passed the Senate in February, but did not appear in the House.<sup>70</sup>

Another petition and another delegate were dispatched from Tucson in September, 1857, but in spite of the zeal of the new representative of the people of Arizona, Sylvester Mowry, no success followed.<sup>71</sup>

Mowry was re-elected in September, 1858, receiving 2,164 votes. A bill proposed by Senator Gwin, of California, attempted to alleviate the discrimination against Arizona in the New Mexican legislature by providing that there should be two members in the Council and four in the House from that region,<sup>72</sup> but it went the way of the previous efforts.

The opposition to these bills considered that Arizona did not have a population sufficient to warrant the expenditure involved in a Territorial government. There was also fear that Arizona would become a slave state.<sup>73</sup>

Tucson had not been alone in its efforts; on September 3, 1858, and again on June 19, 1859, Mesilla had taken similar action. James A. Lucas presided over the latter ses-

69. Bancroft, *ibid.*, 504, lists in addition G. K. Terry and W. N. Bonner as secretaries.

70. "Labors for a Territorial Government" Fish's manuscript, *Ariz. Hist. Rev.*, i, 63 (April, 1928).

71. Bancroft, *Arizona*, 505.

72. *Cong. Globe*, 34th Cong., 3rd Sess., 819.

73. "Labors for a Territorial Government" Fish's manuscript, *Ariz. Hist. Rev.*, i, 63 (April, 1928).

sion, and Samuel W. Cozzens acted as secretary.<sup>74</sup> Sylvester Mowry addressed the convention and received its nomination for re-election as delegate. The customary resolution included phrases which indicated that the spirit of separatism had been growing stronger and stronger as Congresses refused petition after petition: it complained that there had not been a session of court held south of the Jornada since 1855, declared that Arizona would take no part in New Mexican elections from that time forward, and called for an election of delegate on September 1. Representatives of each town in the convention were elected to a similar meeting to be held in Tucson on June 27. The delegates did not open the Tucson session until July 3, but at that time adopted resolutions similar to those of the Mesilla convention. John Walker acted as president, and J. H. Wells as secretary.

The final step was taken a year later when a complete Territorial government was organized.<sup>75</sup> This provisional government set in motion in April, 1860, was a direct precursor of the Confederate Territory of Arizona, which built upon the edifice already constructed, even to the extent of retaining many of the officials. Baylor was but giving expression to the avowed desire of eight years of agitation when he proclaimed the land south of the Jornada an inde-

74. It is to be regretted that the author of *The Marvelous Country* did not think more highly of his political ventures. While Cozzens discusses numerous incidents of early Arizona history, there is not a word concerning this most important convention of which he must have had considerable knowledge as a result of his secretarial duties.

75. Bancroft, *Arizona*, 506-507. This convention met from April 2 to April 5 with 31 delegates present. It adopted a provisional constitution, declared its northern limits the line of 33°40', and provided for four counties, Doña Ana, Mesilla, Ewell, and Castle Dome. Officials elected or appointed were: governor, Dr. L. S. Owings, of Mesilla; judges of the supreme court, G. H. Oury (chief justice), Samuel Cozzens, and Edward McGowan; lieutenant-governor, Ignacio Orantia; secretary of state, James A. Lucas; controller, J. H. Wells; treasurer, M. Aldrich; marshal, Samuel G. Bean; district attorneys, R. H. Glenn, Rees Smith, and Thomas J. Mastin; commander of militia, W. C. Wordsworth; and adjutant-general, Palatine Robinson. The legislature was to consist of nine senators and eighteen representatives. The minutes of the convention, the Territorial constitution, and the governor's inaugural address, were printed at Tucson in what Bancroft calls the first book ever published in Arizona. The edition contained twenty-three pages, and was issued under the imprint of J. Howard Wells.

pendent Territorial jurisdiction. What the United States refused to supply, Baylor sought to provide; and it was no deterrent to the Confederate cause that the United States government had taken no notice of Arizona's numerous petitions. The continued efforts of Arizonans to secure government free from the control of Santa Fé, and the evident dissatisfaction which became more and more apparent with repeated failure must have been a situation which brought joy to the Confederate authorities as they considered the ways and means and probable success or failure of a western campaign.

There seems to have been a belief among Southerners that the Mexican would come to their aid. Friends of the cause reported that Mexicans could be depended upon for commissariat supplies, mules, and teams,<sup>76</sup> because they were completely controlled by Anglo-Americans, most of whom in Arizona were Southerners.<sup>77</sup> In El Paso county, Texas, the vote on secession was considerably augmented by friends from across the Rio Grande, and it was later suggested that the total would have been even larger if the river had not risen at the critical moment.<sup>78</sup> Seward wrote to Corwin that the native population of California "would to a man join the invaders",<sup>79</sup> and it is probable that the Confederates thought that the Mexican in New Mexico would do the same. One writer states that the Apache was also looked upon as an aid.<sup>80</sup> Some acquaintance with the history of the "foreign affairs" of this powerful tribe causes one to accept such a statement with many reservations if at all. It is true, as the writer referred to states, that "the Apaches were killing the Yankee miners as fast as the rebels could have done," but there is little evidence that the Confederates would have fared better at their hands.

76. Hayes, *New Colorado*, 162.

77. Mills, W. W., *Forty Years at El Paso, 1858-1898* (1901), 38-39.

78. Smithwick, *Evolution of a State*, 343.

79. Seward to Corwin, June 3, 1861, *Present Condition of Mexico*, 10.

80. Hayes, *New Colorado*, 162.

Certainly Baylor's relations with the Indians were not those of an ally.<sup>81</sup>

The cause of the Confederate invasion of New Mexico was the desire to annex the American Southwest and the northern states of Mexico. The advantages to be gained by this acted as subsidiary causes: an immense territory would be added to the Confederacy, including a long coastline with at least three desirable ports through which world commerce could supply the necessities of war and life; control of rich gold and silver mines would insure foreign credit and enable a navy to be launched which could meet the Federal forces on equal terms; as a result European recognition would follow; and a few soldiers and many supplies would be found in the captured country. The factors making for the success of the plan acted as contributing causes: the military forces in New Mexico were looked upon as insufficient and inefficient; a majority of the inhabitants of Arizona were pro-Southern; long efforts at obtaining independent Territorial organization had resulted in failure and dissatisfaction; and possibly the Mexican favored the South.

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81. Baylor to Magruder, Dec. 29, 1862, *O. R.*, I, xv, 914-918.