

10-1-1952

Spruce McCoy Baird

Clarence Wharton

Follow this and additional works at: <https://digitalrepository.unm.edu/nmhr>

Recommended Citation

Wharton, Clarence. "Spruce McCoy Baird." *New Mexico Historical Review* 27, 4 (1952).
<https://digitalrepository.unm.edu/nmhr/vol27/iss4/4>

This Article is brought to you for free and open access by UNM Digital Repository. It has been accepted for inclusion in *New Mexico Historical Review* by an authorized editor of UNM Digital Repository. For more information, please contact amywinter@unm.edu, lsloane@salud.unm.edu, sarahrk@unm.edu.

SPRUCE McCOY BAIRD

By CLARENCE WHARTON *

SPRUCE McCoy Baird was born in Glasgow, Kentucky, October 8, 1814, and died suddenly June 5, 1872, at Cimarron, northeastern New Mexico, while attending court. Within these fifty-eight years he crowded much activity and mixed in many stirring events, great and small.

He was the fifth of ten children and faced the problem so common then and now, of getting out of an overcrowded environment and going somewhere.

He taught school on the plantation of an opulent Kentucky gentleman named Samuel Perrin Bowdry, and, of course, the planter had a beautiful daughter whom he did not want to marry an impecunious pedagogue. So Spruce McCoy vowed with Emmacetta Cassandra Bowdry that he would go West and find a fortune and come back to Kentucky for her. While the plans were maturing he was reading law and to while [away] idle hours when not making violent love to Emmacetta he played his violin with much dexterity. Perhaps he played it when he was making love. No doubt it was one of his modes of expression.

Then came the fateful news from Texas and soldiers were mustering in a dozen rendezvous in Kentucky for migration to the seat of war, and Spruce McCoy packed his chattels, not forgetting his fiddle, and was off to the West.

When he reached Texas he was a lawyer and after scout-

* A photostat of this article was submitted for publication by Judge Daniel H. Sadler, April 19, 1951, who wrote as follows: "At time of his death Mr. Wharton, the author, was member of the law firm printed below [Baker, Botts, Andrews & Parish, Esperson Building, Houston, Texas], to two of whose present members, Mr. Jesse Andrews and Mr. Brady Cole, both of Houston, I am indebted for this photostatic copy."

The article as composed by Mr. Wharton was really two articles written at different times with the later one written after additional information had been secured about Baird. I have condensed the two without changing Mr. Wharton's composition except for an occasional change in punctuation or minor change in sentence structure. The condensation tends to mar what could have been a smoother composition if Mr. Wharton could have undertaken the task. The photostat is now in the library, University of New Mexico. The first of the two articles was published in *The Dallas News*, May, 1939, according to a notation by Wharton. Ed.

ing about Woodville, San Augustine, and other towns he settled down at Nacogdoches, the metropolis of East Texas—"the center of the surrounding country," as Judge Roberts called it a few years later. He was practicing law in Nacogdoches in 1843, for Adolphus Stern observed in his diary of that date that he had employed S. M. Baird in a lawsuit.

The practice of law in Nacogdoches a hundred years ago was not a quick way to accumulate a fortune and Spruce had his hands full earning enough to support himself and no surplus to enable him to go back for Emmacetta Cassandra who was waiting with great fidelity for the event when he, like Lochinvar, would come out of the West for her.

Then came the Mexican War and Spruce thought that perhaps he could improve his situation by joining the invasion, so he enlisted in a Texas company recruited by Captain (afterwards Governor) Wood and was off south of the border down Mexico way.

They say that in those romantic days "absence made the heart grow fonder" and when the absent one was a soldier fighting a treacherous foe on a far flung battle line romance reached high tide with the beautiful Bowdry maiden.

The call of the West lured Samuel Perrin Bowdry from his old Kentucky home and about the close of the Mexican war he moved with his chattels and his slaves to Northern Missouri where he established a plantation and a ranch.

It is evident that Spruce left his bride with her home-folks in Missouri while he went on to Santa Fe to execute his commission and stabilize the sovereignty of Texas over that remote region.

When Texas entered the Union in 1845, its boundaries were not fixed and remained unfixed until after the Mexican war. The State of Texas claimed all the country which the Republic of Texas claimed in the fanciful boundaries fixed by the First Congress in December, 1836. At the close of the Mexican war all the country west to the ocean was ceded to the United States by Mexico and the western boundaries of Texas came up for discussion.

The Texans knew that the United States would be slow to recognize our claim to all the outlying territory embraced

in these fanciful boundaries and with a thought that some kind of possession should be taken, some show of authority made over these far meridians, the Second Legislature of Texas passed an act creating Santa Fe County. It reached from the mouth of the Pecos at 30 to the forty-second parallel in Wyoming, 12 degrees latitude, more than 1,200 miles, and its area was more than 100,000 square miles.

But the new county must be organized and Governor Wood appointed Spruce M. Baird of Nacogdoches judge of Santa Fe county and instructed him to "repair forthwith" to the county seat at Santa Fe and set up sovereignty. A rare copy of the *Nacogdoches Times* of May 27, 1848, tells that he had just left for Santa Fe to take up his duties as judge of that newly created county.

So he was on his way out in May, 1848. The short route from Nacogdoches to Santa Fe was over 1,500 miles, was infested with Indians, and lay across vast deserts. So the county judge went around by New Orleans and St. Louis to reach the county seat.

On a May day, he took the stage to Nachitoches, La., then a steamboat down Red river and the Mississippi to New Orleans. There he took a river steamer to St. Louis and after a few weeks found a caravan of traders going out over the perilous Santa Fe trail and he got passage on a freighter's wagon more than 1,000 miles, and in November was in Santa Fe.

When he landed at the county seat his personal appearance was not the best. Traveling as supercargo on a Santa Fe Trail ox-wagon was not de luxe. He needed a bath, a shave, clean clothes, and other aids to appearance when he rolled off the wagon at the end of the trail in the crisp November air.

If he had been faultlessly dressed with top hat and cane, his task to impress these incredulous gentry of New Mexico with the dignity of his mission would have been hard enough, but when this unkempt, shabby-looking tramp told the bystanders he was Judge Baird, county judge of Santa Fe county, they did not understand him. He spoke in English

with an East Texas drawl and only Spanish was spoken or understood in Santa Fe.

After a bath and a shave he repaired to the lonely little United States army post which had been maintained since the war the year before, and which was the "government" of New Mexico.

The commander of the lonely little post was a very long, large looking colonel with the enormous name of Washington, and he made little effort to conceal his contempt for Judge Baird and his quixotic mission. When he was shown Baird's commission from Governor Wood of Texas, his conduct implied: "Who in the hell is Governor Wood, and where in the hell is Texas?"

The rebuffed Judge had recourse to that palladium of liberty, the press, and "repaired forthwith" to the adobe hut which was called the office of the *Santa Fe Republican*, the press of New Mexico. The press heard his story and issued forthwith a broadside advising Texas and the Texans to stay at home and attend to their own business, and advocating tar and feathers as a proper remedy for such pests as Judge Baird.

It did not add to his popularity when it was told that the Texas politicians were planning to vacate all Spanish land titles in New Mexico, and regrant the public domain to themselves.

The crisp air of November was followed by the snows of December, and the Judge's wardrobe, which was scant when he left Nacogdoches, was threadbare and, last but not least, he was broke. But he hung on, for he had nowhere else to go, and six months later was about to issue an election proclamation.

He wrote letters to Governor Wood which, strange to say, reached him in time.

Meanwhile, the Congress of the United States was debating the great boundary question, and Texas had far more friends in Washington than in Santa Fe.

What happened is a matter of well known history which I need not repeat. Texas sold its outlying meridians to the United States for \$10,000,000, drew in its lines and Judge

Baird was left high and dry and dead broke in Santa Fe. The State retreated, so to speak, without calling in its pickets, and the judge was left on picket duty.

After the collapse of his judicial career, which in fact never began, he had nothing left out of the wreck but the title of "Judge" which clung to him during all his troubled years. Among his papers Mrs. Hill¹ found a letter from Governor Bell of Texas, who had succeeded Governor Wood, suggesting that since he was unable to establish his authority in Santa Fe that he go down to El Paso and open his court, but he did not do so.

His wife joined him now and he had a house in Albuquerque and an office in Santa Fe and was a busy man.

Judge Baird stayed on, becoming a member of the first Santa Fe bar. Old dockets show his name and that he was connected with important and celebrated cases. Down in Valencia county he filed cause No. 1 in which he represented the Indian Pueblo in a suit to quiet title to its ancient water rights. He alleged that his Indian clients had used the water for irrigation for centuries and after years of court procedure a decree was rendered for the Pueblo.

In 1852 he was Indian agent for New Mexico and in that year Assistant Secretary of Interior Calhoun appointed "Major General S. M. Baird" special agent to the Navahos and sent him to Jemez (wherever that was).² As special agent to the Navahos he was allowed an interpreter and forage for two horses and his work was highly praised by Calhoun in his reports.

In 1854 he was attorney for Major Weightman in a most celebrated murder case which is written up in New Mexico history.

I saw a statement in an old archive that Baird was attorney general of New Mexico in 1860 and thought that it would be simple enough to trace him from there on.

Down at the state house [Santa Fe] no record could be found to confirm this and no one knew of or could find any

1. "His granddaughter, Mrs. Barbara B. Hill, of San Marino, California, busied herself and gathered much information for me [Wharton]."

2. A place well-known to New Mexicans. It is a pueblo in the Jemez mountains where the Navaho visited frequently for social and trade purposes, and occasionally for war. Ed.

list of those who had served as attorney general for the territory of New Mexico. The present attorney general had a gallery of his predecessors, but Judge Baird's picture was not in it.

Unable to confirm the rumor that he had been attorney general from the records at Santa Fe, I journeyed down to Albuquerque, where, with the aid of Dean Hammon[d], we found in the university archives two letters written and signed by S. M. Baird in which he tenders the governor his resignation as attorney general.

On July 12, 1860, he is at his ranch down below Albuquerque, and he writes: "Such is the hostility of the Mojaves³ that I cannot leave my ranch and comply with the law which requires the attorney general to live in Santa Fe." He asks that he be sent all his salary warrants up to date and passes from turmoil to the "peace of private life" among the hostile Mojave.

This meager information, his letter of resignation, is all that can be found of record in New Mexico bearing on his administration. All we can say is that there is not of record any stains or reflections upon his career as attorney general of the territory of New Mexico. We only know that he was appointed and held office from the fact that he resigned and drew his salary. It would be great if all official records were so blameless.

We leave him among the Mojaves, but not for long. His quiet retreat was soon to be invaded by war and rumors of war. Peace was not for him.

When the war began in 1861, a column of Texas soldiers, led by such patriots as Sibley, Baylor, Scurry and other immortals, found its way to New Mexico, which was strongly pro-Union, overran New Mexico and Arizona and for a time those far regions were under the rule of the Confederacy.

Those immortals found a suffering minority of Southern sympathizers who welcomed them and were quick to join them when the local repression was removed. Among these were Spruce M. Baird, who left his ranch in the Mojave[?]

3. This is an error. There were no Mohave Indians in the Albuquerque area. He probably means the Navaho. Ed.

desert and got a commission to raise a regiment of cavalry for the glorious cause of the long suffering South.

The Texas column had scarcely gotten settled down to the business of running the country when a column of California soldiers who were strong for the Union came across and the immortals were driven out and the flag of the fathers was again unfurled at Santa Fe.

Texans were never able to stay long in New Mexico.

A grand jury was forthwith convened and an indictment for high treason was found against some 40 persons who had given aid and comfort to the enemy during the Confederate invasion. The terrible document read: "That on March 4, 1862, and divers other days Spruce M. Baird, Rafael Arm[i]jo (and others) did with one Henry H. Sibley and divers other false traitors, conspire, imagine, and intend to stir up rebellion."

The "traitors" took to their heels but receivers were appointed for their properties who took charge of all the liquid assets of the offenders and reported to court that they had taken over \$57,000 in money and goods belonging to Armijo and \$260.04 from S. M. Baird.

As for Armijo, we can have little sympathy when we remember the wickedness of Governor Armijo to the Santa Fe expeditioners 20 years before, but this \$260.04 was probably a great loss to Judge Baird, who must have left Santa Fe in 1862 as naked as he came in 1848.

After having traced him up through high places I could not desert him now when he was under the shadow of indictment for very high treason, and his liquid estate sequestered, so I worked feverishly on to trace him through the troubled years to follow.

A faded undated newspaper clipping from a San Antonio paper told that Judge Baird of New Mexico had arrived from the West with his family and would cast his lot with the South.

Another told of the death of the daughter Agnes Aurora in March, 1863, in her seventh year, and they buried the little one in the hills above Bexar.

The February, 1864, *San Antonio Herald* told that Judge Baird made a speech of acceptance of a flag presented to his regiment.

Recruiting headquarters were moved to Austin and Colonel Baird and his family were there awhile in 1864.

Here is a faded circular issued from Austin, July 28, 1864:

RECRUITING HEADQUARTERS,
Frontier Expedition
Austin, July 28th, 1864.

ANOTHER BLAST OF THE BUGLE FOR MOUNTED
VOLUNTEERS!

Frontier-Men, Missourians, Arkansans, Refugees, and all Exempts are invited to give attention to this organization.

I am authorized by Gen. E. Kirby Smith, to raise Six New Companies in addition to my present Regiment, from the Frontier Counties, for operations on the frontier and the plains; and to form a part of the Light-Horse of the Plains, and the Frontier Expedition under my Command.

The field of operations will be the most desirable of the war, affording a wide scope for individual distinction. For explanations and particulars (not proper to be published) inquire of recruiting officers or at these Recruiting Headquarters.

Persons not enrolled, residing in the frontier counties, and all exempts will be received.

Recruits can report singly or in squads.

Austin, where a recruiting camp is established; at Camp Slaughter, near Dallas, or at Fort Belknap as soon as supplies can be placed at that place.

Persons wishing to join this Company, will do so at once, as the Battalion is being rapidly filled up, and they may miss the opportunity of getting into a permanent mounted command for frontier service.

S. M. BAIRD,
Col. 4th Reg't Arizona Brigade,
Comd'g Frontier Expedition

aug3—

He never succeeded in getting a full regiment and most of the time had only a company of mounted men which did service on the Northwest Texas frontier, at San Antonio, and sometimes on the Rio Grande.

The last glimpse of him is the "Special Order No. 8" of Jan. 9, 1865. I do not know that he ever got it or that he ever got to Nacogdoches.

Special Order No. 8

"Shreveport, La., Jan. 9, 1865.

"Col. S. M. Baird with the command will repair forthwith to Nacogdoches, Texas, and there report to Maj. Gen. John A. Wharton for duty.

"By Command of Gen. E. Kirby Smith.

"S. S. ANDERSON, Adj. Gen."

On November 1st, Special Order No. 17 told that the Frontier Expedition was at Camp McCulloch six miles above Waco.

Odd scraps of paper tell that during these hectic years the family was sometimes at Columbus, Texas, and for a time on a farm at Lancaster in Dallas county, that at the close of the War they were in desperate straits, penniless and fugitives.

Mrs. Hill has found his parole, signed 13 miles S. W. of Austin, Texas, in July, 1865.

The Judge said he saw no future for Texas with its white people disfranchised and negroes and Mexicans voting and decided to go back to the West. After awful experiences, hardships almost unendurable and pitiful privations, they found their way to Trinidad, Colorado, where the Judge opened a law office in 1867 and began to ride the circuit and practice law all over southern Colorado and northern New Mexico.

Many of the old Spanish land grants along the Rio Grande, old then, were owned by thriftless Mexican heirs. Their titles had been confirmed by the Treaty of Guadalupe Hidalgo at the close of the Mexican War. They were selling out at bargains to Americans who were coming in. There was a rumor that if Texas held the country all these ancient

titles would be ignored and [the] land [would be] granted to these "Tejanos," and this encouraged the Mexican heirs to these vast arid acres to sell for what they could get.

Judge Baird came into this market [before the War] and, having somewhat improved his finances, bought a ranch and decided to combine it with his law practice.

There was a tract just below Albuquerque in Bernalillo county, fronting five or more miles on the Rio Grande; and one driving along the highway will be impressed that Judge Baird selected well when he bought these thirty odd thousand acres and built his ranch houses and began his career as a rancho ninety years ago.

It was bounded on the north by the lands of Antonio Sandoval, who had recently died, and on the south by the vast holdings of Juan Chaves and reached from the river back to the mountains. Anyone at any time would covet this fair landscape.

Although the land records had not been well kept, yet the heirs to these ancient acres had often preserved their title papers for more than a century and Judge Baird was able to locate and buy out the several Mexican heirs to these acres and did so, carefully preserving the papers.

He lived more than ten years on the ranch, which became well known as "El Rancho del Chino Tejano," and sometimes called the ranch of the Curly Texan; spent \$20,000 in improvements, including irrigation ditches.

Four children, two sons and two daughters, were born there. The daughters died young but the sons, Andrew Bowdry and James S., lived long lives and left children and grandchildren.

But why did he not go back to his beautiful ranch in Bernalillo? The fragmentary records which grand-daughter Hill has found answer this and tell a sad story of miscarried justice, a veritable chapter of accidents. They tell how the Federal government forfeited his land for his lifetime and sold it under a decree which provided that on his death the land would revert to his heirs, and when they came to claim it years later they were told it was his at the time the government took it from him.

In 1862 Congress passed a law providing for the forfeiture of title of the property of Rebels and in those states or territories where the Federal power remained supreme, as it did in New Mexico, the District Attorneys were diligent in finding property of those who were of the Rebel faith, and since the owner had usually fled to save his life, forfeiture proceedings were begun where the fugitive left property behind him. All that had been gotten from the Judge in the proceedings of which I found a record at Santa Fe was a small cash item of \$260.04, which was probably realized from the sale of personal property on the ranch. Let it not be supposed for an instant that these forfeitures of "rebel" property were an invention peculiar to the North. All through the South and specially in Texas there were forfeiture laws and Union sympathizers were often hanged by cowardly stay-at-home mobsters who took their property with covetous hands.

The Federal Forfeiture Act of 1862 provided for the escheat of lands of Rebels, but Mr. Lincoln had seen the act so modified that the forfeiture was for the lifetime and took only the life estate of the "traitor" and left the property to his heirs at law when he should die.

On October 6, 1862, the diligent District Attorney Wheaton instituted libel proceedings against the property of S. M. Baird, which is described in the bill filed in the District Court of the Third District of New Mexico as \$262.04 and a tract of land in Bernalil [l]o County known as Baird's Ranch.

Since the Federal act only provided for the forfeiture of the life estate in lands and judgment when rendered decreed a sale of all the ranch lands, the purchaser to take title during the life time of Baird, after which the lands would belong to his heirs.

The record shows that the Honorable Wheaton, District Attorney, proved that the ranch was the property of Judge S. M. Baird, that he had lived on it for years and had recently fled with the Rebels and was now in a disloyal state.

Whereupon a writ issued which was placed in the hands

of Abraham Cutler, Marshal of the United States for New Mexico, and he caused a levy to be made on Judge Baird's ranch and the life estate therein sold at the courthouse door in Albuquerque in October, 1863, and one Samuel Archer purchased same for \$1,350, and the Marshal then and there conveyed the ranch lands to Archer "during the life of him, the said Spruce M. Baird."

Thus the title stood when he died at Cimarron in 1872.

When he died the Archer title automatically ended and Mrs. Baird and her sons, then nearing manhood, were entitled to go into possession. They needed no papers, no writs, to put them in possession of the title which was theirs under the very terms of the decree against him.

After Baird's death his wife and sons continued to live at Golden [Colorado] and seem to have made but a feeble and futile effort to recover possession of the ranch. In his hurried escape from New Mexico when he went South with Sibley in 1862, he lost his title papers. Mrs. Baird employed a Congressman from Kentucky to advise her and he was unable to find the Baird title papers or any record of them in New Mexico. The old simpleton must not have read the court proceedings, for they declared the land was Baird's, and only sold the life estate. There was nothing to prevent the widow and children from going back onto the ranch when he died and their possessory title would have been sufficient against the United States and all persons claiming under the libel decree and deed. Only Spanish heirs back of Baird's purchase could have made any claim, which would have required the production of title papers, and proof of these could have been made by circumstances or would have been presumed to support long possession.

The land might have been claimed by the United States government as public domain on the ground that neither the Spanish or the Mexican or the Texas government had ever conveyed it to anyone, but as just suggested, proof of a grant could have been made by the documents or by evidence showing they had been lost. At least the United States could not have claimed the land against Baird's heirs under the

forfeiture decree in the procurement of which the Honorable Wheaton, District Attorney, had proven that the land belonged to Baird.

Nor should the United States have at any time, anywhere, in any court, have been permitted to prove it did not belong to Baird after having proven it did.

After the Kentucky Congressman had messed about for ten years, as Congressmen often do, the widow and her sons filed suit in a Federal Court of Claims to establish their title. Again their attorney acted the muttonhead. They should have gone down on the ranch and resumed possession as the forfeiture decree provided they might do and put on the government, or anyone disputing their title, the burden of proof.

But the boys were young and the good widow was poor and it was a long way from Golden [Colorado] down to Bernalil[il]o, and furthermore it was a wild country along the Rio Grande in those days, not good for widows and children.

In September, 1892, the widow and her sons filed suit in a Federal court to establish their title. She no doubt could have testified as to the missing title papers but six weeks later she died.

Andrew, the son, undertook to prosecute the suit and testimony was taken in 1895 and he told what he knew about the lost deeds. The Court rendered a decree which one reading after the lapse of years will conclude that the court was an ass.

The substance of the silly decree, copy of which is before me is—They did not have the records for some reason. The land was confiscated during the Civil War in a proceeding against traitors and a decree rendered at Albuquerque confiscating the land, "and it has been fussed over a great deal."

"Our court has no jurisdiction and there are a great many things which have come up which cause us to enter a decree rejecting the case."

An appeal should have been taken from this disgraceful decree, but the lawyer for the Bairds seems to have neglected to get up the record. His excuse was that the stenog-

rapher who took the evidence had gone and "took up his residence east without extending the stenographic notes." No appeal was taken and the matter seems to have remained dormant for another twenty years.

In 1910 Rucker, Congressman from Colorado, introduced a bill in the House of Representatives to have the Baird title to the property confirmed by Congress, which never passed, and here the record before me ends.

In 1917 Wilbur F. Stone, who signed his name as Attorney General of Colorado, made a long rambling statement, evidently intended to aid in some way in a belated effort to recover the ranch. He tells much of his long acquaintance with Judge Baird; that he first saw him after he located in Trinidad, when Baird would be attending court at Pueblo; that he was a very stout man with curly hair and they called him the "Curly Texan"; that he had great ability and when he argued cases to the jury if there were Mexican jurors, as often was the case, he addressed the jurors in both languages.

Stone says: "We treveled [sic] together over the Southern Judicial District of Colorado attending courts wherever they were held. Sometimes we woul[d] go hundreds of miles, camping at night, judge, jurors, lawyers, witnesses and litigants."

Among his souvenirs, Mrs. Hill has a pair of elk horns to which is appended in Judge Baird's handwriting a card which reads: "These were picked up by S. M. Baird of the late 4th Arizona Regiment on August 18, 1867, on one of the highest peaks on the eastern slope of Rotan [Raton?] Mountains in Colorado and are entrusted to Colonel Riggs, S.A., to be forwarded with this card and Baird's compliments to Houston, Texas, to Colonel Ashbel Smith of 2nd Texas, with which he so gallantly defended his trench at the siege of Vicksburg, as a token of respect and regard for Colonel Smith . . . and as an evidence that Baird does not forget Texas in her darkest hour of adversity."

While living at Trinidad, Baird took an interest in the celebrated Maxwell land grant in northeastern New Mexico, which was then in litigation, and was at Cimarron attending court in connection with this litigation when he died.

His family had moved to Golden just north of Denver, where the boys were in school, and was living there when he passed away, and here Emmacetta Cassandra Baird died twenty years later.

Among the faded papers in an attic box was found a death certificate signed by Dr. Longwill, which recited, "the Honorable Judge Spruce M. Baird died at Cimarron, Cevelfox County, Colorado, this day, June 5, Wednesday, 1872, from fatty degeneration of the heart and congestion of the lungs."⁴

Another old document shows that on the next day eleven lawyers assembled in the office of Lawyer Thatcher, where Moses Hallet, Chief Justice of Colorado, presided, and Jack Houghton of Santa Fe was present, and they went through the verbose proceedings held on such occasions and passed resolutions aloud with eulogy for the departed.

4. I judge this quotation to be inaccurate, probably due to the difficulty of reading the original manuscript, described by the author as a "faded" paper. Dr. R. H. Longwill was a resident of Cimarron, New Mexico, in the 1870's. Furthermore, there is no county named Cevelfox in Colorado or New Mexico. The document should read, . . . Cimarron, Colfax County, New Mexico. . . . Ed.