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THE TERRITORIES OF ARIZONA

*By ADLAI FEATHER**

WHEN President Lincoln affixed his signature to the document which separated the Territory of Arizona from New Mexico on February 24, 1863, he brought to a close nine years of intense effort which had been directed toward the organization of a new governmental unit to be called by that name. But the end result had little in common with the ideas of the originators. The most obvious difference was geographical. As first proposed, the Territory would have been divided by an east-west line. Though this would have been troublesome to cartographers, it was a natural division based upon social, economic and historical considerations. As finally approved, the Territories were divided by the same north-south line which exists at present and which was arranged to suit the convenience of the moment. The New Mexico Legislature favored it, hoping that the troublesome Navahos could be pushed westward over the line and entirely out of their sphere. General James H. Carleton, then in command of the military district of New Mexico, favored it because communication between the units which he commanded was not difficult by the roads which followed the Rio Grande. Since he was now obtaining supplies by the Santa Fe Trail, the movement of troops and supplies to the western areas presented a problem which he was quite willing to surrender to the military authorities in California.

The people resident in Arizona Territory, regardless of its shape or location, were poorly represented and had little or no voice in the arrangement of boundaries. As far as is known, there was present only Charles Poston, manager of a mining company at Tubac, and Major Heintzelman, President of the same company, who had been in Arizona for a time as active Superintendent. Neither of these were greatly concerned about boundaries, but were eager to have the

* Mesilla Park, New Mexico.

capitol and its protective garrison established as near as possible to their properties, preferably at Tucson.

The most impressive argument for immediate Territorial status was built around the report of recently discovered gold placers. The claim was made that the rich workings would soon relieve the acute shortage of gold if protection were afforded against the Apaches. Actually, the reports were highly over-enthusiastic.¹ The principal objection to the bill was directed at the small number of inhabitants—6,500 voters were claimed which was a highly inflated estimate.

When it appeared likely that Congress would end without action, recourse was had to political strategy. In the recent elections, many of the members of Congress had lost their seats and were on the lookout for appointments. It was pointed out to these individuals that the passage of the bill would open up numerous offices which could be filled by themselves and their supporters. This argument proved irresistible. The bill was rushed to a favorable vote and signed by the President only a few days before the Congress expired on March 1.² The inducement of gold fields backfired. The provision which would have designated Tucson as the capital was removed from the bill, probably because it was too remote from the center of interest.

Actually, in 1863, there were two Territories of Arizona, alike in name but geographically only overlapping. Which was to survive depended upon the outcome of the Civil War, then in a most indecisive state. True, the Confederate forces had been forced to withdraw completely from the region, accompanied by most of those who had been the leaders in the formation of the Confederate Territory of Arizona. Had the South prevailed in the war, the boundaries would certainly have entered a most fluid state. Perhaps Baylor's Confeder-

1. Placer gold had been discovered both in the bed of the Gila River and at a dry location thirty miles east of Yuma. Neither site ever yielded any great values. However, the public imagination had been so exhilarated by reports from the California gold fields and to even a higher degree by those which described the San Francisco and Cienaguilla fields, on the Mexican side of the border, as areas "where men picked up nuggets as chickens peck up corn" that the very word "placer" suggested infinite amounts of gold.

2. Farish, Thomas Edwin; *History of Arizona*, Vol. 2, pp. 323-324.

ate Territory would have been restored. Perhaps Texas would have re-asserted the old claim to all of New Mexico east of the Rio Grande. This latter arrangement would certainly have met with the approval of the citizens of El Paso and would possibly have been welcomed in the Mesilla Valley. Later, in 1867, a petition was circulated in the two communities praying that the counties of Doña Ana and El Paso be joined to form Franklin County, Texas.³

After Colonel John Baylor had forced the withdrawal of the Union forces from the Mesilla Valley and the country south of the Gila had been evacuated by them, he created, on August 1, 1861, the Confederate Territory of Arizona. He was, in this act, confronted by no organizational problems. A group of citizens had already formed a provisional government, named the necessary officials and considered themselves competent to serve as spokesmen for the entire population. It even possessed a small but efficient militia. Before he had entered the area, these leaders had called a convention in which they had declared themselves in favor of the Confederacy and had encountered no opposition to this course of action. They had already earned the title of Secessionists; not from the Union but from New Mexico.

Though their formal declaration of independence from that Territory had been made only a little more than a year before, the movement toward that end had been begun no less than six years previously. It had been first undertaken almost single-handedly by James Lucas, a citizen of Las Cruces and later of Mesilla, who not only conceived the idea but assumed the leadership thereafter in pressing for Territorial status for Doña Ana county which then included all of the lands contained in the Gadsden Treaty. Some of his early efforts (and one of the later proposals launched in the same

3. Similar proposals had been advanced by El Paso citizens since 1860. This effort was a mere continuation of the policy formerly adopted by Paso del Norte, Mexico. At the time, it seemed that the future of the town depended upon agriculture and mining both of which were more promising in Doña Ana County than in that part of Texas in which El Paso was situated. All of these projects were vague concerning the ultimate political status of the united counties as none reached a point where formal presentation to Congress could be considered warranted.

general direction) are outlined in a letter written to the editor of the Mesilla Valley Democrat of Las Cruces and published in that newspaper on September 7, 1889.⁴

Silver City, New Mexico
Editor Mesilla Valley Democrat.

Thinking that some reminiscences of occurrences which transpired thirty years ago would be of interest to your numerous readers, and particularly so to some of them as have come to the country since that time, I will give them some idea of what was going on here then. In the year 1854, the writer represented Dona Ana County in the legislature of New Mexico, which county comprised all of the country lying between the western line of Texas and the eastern boundary of the state of California, from the Pecos River to the Colorado of the West, about eight hundred miles from east to west and from a hundred and fifty to two hundred miles from south to north. This immense scope of territory which for about three hundred years previous to that time had belonged to Old Mexico and was under the jurisdiction of the states of Chihuahua and Sonora had, after its aggregation to the

4. James A. Lucas was a member of a politically-minded family in Missouri; bitter enemies of Thomas Benton, self-constituted spokesman for the Territorial Government of New Mexico. Senator Benton had, in fact, killed Charles Lucas in a duel. James Lucas first came to New Mexico as a member of General Stephen Watts Kearny's Missouri Volunteers, being then nineteen years of age. At Santa Fe, he served as clerk in the drafting of the code of laws which Kearny put into effect. As a member of Major Gilpin's battalion, he took part in a campaign against the Navahos, fought in the battle of Brazito and was present at the capture of Chihuahua.

At the close of hostilities, he remained in the Southwest as clerk to his brother, John Lucas, who was vice consul at Paso del Norte and later held that office in his own right for a short time. Sometime in 1853, he established himself in Las Cruces as a merchant and dramshop owner. In the village election held on October 18, 1853, the first held in newly-established Doña Ana County, he was chosen Justice of the Peace. In May of 1854, he was permitted to practice before the District Court "en gratia" when the only attorney present was recalled to El Paso by personal matters. In March, he had been appointed clerk of the probate court and in September was elected first representative of Doña Ana County to the state Legislative Assembly.

Returning to Las Cruces after the legislative session, he again assumed the office of probate clerk. When the county seat was removed from Las Cruces to Mesilla in order to avoid the epidemic of malaria which decimated the population of the former town, Lucas also transferred his business and residence. Though still licenced as owner of a store and dramshop, he performed the duties of probate clerk only at intervals, often acting as a legal adviser, representing clients in the Probate and Justice courts, drawing up wills, deeds, contracts and other documents. He was not formally admitted to the bar.

In 1862, he withdrew to Texas with the retreating Confederate army, serving for a time as collector of customs at Del Rio and afterward in other civil offices. At the close of the war, he fixed his residence in Missouri in order to give his children the benefit of an education in an English-speaking school. He did not return to New Mexico until 1875

United States by the treaty of Guadalupe-Hidalgo, been attached to New Mexico. The session of the legislature was, I believe, the third after the organization of the territory. We introduced a memorial to Congress asking for a separate territorial government proposing the name of "Pimeria" (pronounced Pameria)⁵ which name we found on an old Spanish map in the archives of Santa Fe, of the country immediately north and south of the Gila. Don Manuel Alvarez, the former U.S. consul representing our government in Santa Fe for several years previous to the aggregation of this part of the

when he settled at a point on the Mimbres nearest the mining town of Georgetown, in Grant County, where he constructed a grist and flouring mill. He immediately began to take an active part in Democratic Party politics and wrote bitter denunciations of New Mexico legislative matters in general and Republican leadership in particular. In 1894, the silver controversy caused a complete turnover in Grant County public offices and Lucas was elected Superintendent of Schools. With the expiration of his term of office, he joined his sons in the cattle ranching business. He died on Thanksgiving Day.

Never an eloquent public speaker he depended upon his pen as a means of persuasion and often became vitriolic, especially when referring to "Black Republicans." In 1894, he acquired considerable fame as the author of a poem which was reprinted in many of the leading newspapers of the state—its popularity due more to its timeliness than to its literary merit.

A short time since, the cow was sad.
 She scarce could raise her head, begad.
 Her hoofs were sore, her tail was limp,
 Her mane and bangs had lost their crimp
 And miles she trudged for grass and drink
 With scarcely strength enough to wink.
 Her owner, too, seemed blue and glum
 And cursed the cattle business some.

But, since the grass is green and tall,
 The cow can raise her head and bawl.
 Her hide is slick, no bones protrude.
 She prances like a Tucson dude.
 Her tail's erect, her eyes are bright.
 She snorts and dares the herd to fight.
 Her owner, too, digs up the chink
 And asks the boys to have a drink.

God bless the rain, the gentle rain.
 It makes a man feel young again.
 He feels like tossing up his hat
 And howling like a Democrat.

The political implication in the final line arises from the fact that Lucas, together with almost all of the county ticket, had been swept into office in a Democratic landslide after a bitter campaign fought over the question of the demonitization of silver.

5. This peculiar mis-pronunciation of the vowel (i) before the consonants (m and n) was apparently common at the time. The name of the well-known gunman and cattle thief, John Kinney, appeared as "Kenny" in newspapers for several years.

country to the United States, proposed the name of "Cibolo" for our proposed new Territory but we preferred the name of "Pimeria" which was adopted at the time. I will here state that I was indebted to Wm Claude Jones, an attorney at law from Missouri and a man of very considerable talent who was residing in Santa Fe, as well as Don Manuel Alvarez for valuable services rendered by them in getting up the memorial. But it was no use; the members from the upper portion of the state would not hear of it and tabled my pet memorial rather unceremoniously.

The next step taken by the people of southern New Mexico to obtain a separate organization was in May, 1858.⁶ The people of southern New Mexico held meetings in the various towns and settlements and elected delegates to a convention to be held in Tucson for the purpose of organizing a provisional government for this part of the country and the name then proposed for the new Territory was "Arizona", being the name of a mountain situated in the southwest corner of the Territory. The said convention met at Tucson on the _____ day of May of that year and proceeded to organize by electing Mr. J. A. Lucas, then of La Mesilla, president and Granville M. Oury of Tucson (I think) as secretary. The convention sat for three or four days and proceeded to organize thoroughly a provisional government for the Territory of Arizona by the election of L. C. Owens (sic) as governor, J. A. Lucas as secretary of the Territory, three district judges, district attorneys etc. Sylvester Mowery, formerly a lieutenant in the U.S. Army, was elected as delegate to represent us at Washington and to urge recognition of our Territorial organization at once by Congress. So you will see, we were in for it then. We had cut loose from New Mexico who then, as now, entertained no feelings or opinions in common with us and we had set up for ourselves. We were, in short, paddling our own canoe. We were not much afraid of coercion or being whipped back into the Territory as they had no standing army or money to raise one and besides we were so remote from their old seat of government that it would have required the will and energy of a Cromwell to have accompanied anything in this line. For the next two years succeeding, we

6. Lucas is in error concerning the date. A meeting held in Tucson in 1858 chose Sylvester Mowery as delegate to Congress but little is known of any further activities. The provisional government was set up in April, 1860. Dr. Lewis S. Owings could not have been elected governor in 1858 as he did not enter the Territory until the following year.

worked hard for our delegate. Mowery did everything in his power to persuade Congress to give us the much desired territorial organization but down to the year 1861, when the whole country had merged into Civil War, we had failed in obtaining same but in the meantime we had held out with our provisional organization manfully against New Mexico, ignoring that Territory entirely.

In 1861, Colonel John R Baylor, who commanded a battalion of Texas troops, came up and captured Fort Fillmore and he was made or rather made himself military governor of Arizona and the writer was continued as secretary of the Territory of Arizona and a year or so afterward the present Territory was organized by Congress, dividing the Territory of New Mexico by a line running north and south.

The proceedings of the convention held in Tucson as above mentioned were published in a small pamphlet at the time and I have no doubt that a copy of same may be found in the possession of some of the old residents in Tucson or vicinity.

The facts above set forth prove clearly that this portion of the country which was acquired by the treaty above mentioned has always been separate and distinct from New Mexico and belonged to other jurisdictions, civil as well as military, and it was simply attached to New Mexico for the sake of convenience at the time. The people here have always adhered to this, in fact they have at all times since their aggregation to that Territory done everything in their power to bring about a severance of their relations therewith. We have never from the first entertained any good feelings or opinions in common with each other. That Territory has at all times failed to grant us the rights to which we were entitled. They have allowed us one representative when we were entitled to two. This part of the country has always been ignored and neglected by the people of the northern portion of New Mexico and we cannot be blamed for fighting for separation from them. And now we are still trying to cut loose and more than ever now that the forty-year-old Territory wants to become a state. We would like more than ever to get out of her clutches, away from the old ring rule and the ringsters that have domineered and trampled under foot the dearest rights of our people. Yes, we want to cut loose and organize a separate territorial government, this time to be called not Pimeria nor Arizona but Sierra. We don't want to go into statehood, as desirable as it may be, under other circumstances and

conditions. Under this old fossil the moss has grown too long and too thick. We have been stuck on to it too long and we have determined to make a third attempt to sever our political connections with her.⁷ Of course, she will fight hard to prevent us from effecting our purpose but in that event we will not be true to our own interests if we do not do all we can to defeat their state movement; if they will give us Sierra, they may take their state if the majority of the people want it. We acknowledge that we do not want a state with the present boundaries of the Territory. So I hope that our people will not let up until we have gained our desire—the organization of the state of Sierra.

James A. Lucas

Lucas is substantially correct in his statement that neither the lands which he proposed to incorporate into his new Territory nor its inhabitants had ever been under the jurisdiction of New Mexico. That Territory did have a legal but unenforced claim to a strip of land lying between the Jornada del Muerto and a point nine miles north of El Paso through which an east-west line had been drawn in 1824. The people of El Paso ignored this boundary, claimed the land in dispute for themselves and freely exploited its natural resources.⁸ Only a few settlers had migrated south into the Mesilla Valley after 1848 and they were overwhelmed in the crowds which surged across the border from Mexico; among these were many who were neither Mexican nor Spanish born.⁹ Few of the Americans who mingled with them had ever seen Santa Fe. In declaring themselves in

7. The first attempt was undoubtedly that which culminated in the establishment of a provisional government. The second may have been either the short-lived Confederate Territory of Arizona or the attempt made in 1876 to move Grant County from the jurisdiction of New Mexico to that of Arizona.

8. The government of the Department of New Mexico protested the cutting of wood in the Soledad (Organ) Mountains and the granting of land to settlers at Doña Ana. In both cases, they were upheld by the national government, a decision ignored by the people of El Paso. Salt was also obtained from the fields near Cerro Redondo east of the San Andres Mountains but this remote operation seems to have been unnoticed.

9. A majority of the merchants in the Mesilla Valley before the Civil War were citizens of France, Spain, Peru and Germany though some had previously become Mexican citizens in order to comply with the laws of that country concerning merchandising. Their status as aliens proved of advantage during hostilities as they were not molested by either army since both warring governments courted international favor.

favor of separation from New Mexico, few were violating any former allegiance.

Since no bonds of history, tradition or kinship united the two sections of New Mexico, it may be easily understood why separatist sentiment was practically unanimous in the lower Rio Grande Valley and throughout Doña Ana County. Santa Fe was far too remote to encourage understanding between the two communities. Except for California, the new acquisitions from Mexico were not held in high esteem and the statement was often made publicly that the region was arid and worthless. Consequently, Congress acted most niggardly in providing for its defense and administration. Both the military aid and maintenance funds were inadequate; it was natural, then, that those available should be used in the vicinity of the capital. Territorial status would give Mesilla direct communication with Congress and the administrative offices in Washington and perhaps the consideration and benefits enjoyed by Santa Fe.

With no local opposition to his plan, the major problem which confronted Lucas was that of obtaining the necessary action in Congress. Men with political influence were essential for the accomplishment of this purpose and none except Lucas himself were resident in Doña Ana County in 1855. The first newcomer who possessed the qualification was the same Wm. Claude Jones who had given material aid in the preparation of the memorial in Santa Fe. Appointed United States attorney, he took up his residence in Mesilla and was soon followed by his brother, Samuel Jones, also an attorney, who had been appointed Collector of Customs.¹⁰ In the summer of 1856, a party of men interested in mining, headed by Samuel Poston, passed through Mesilla en route for Tucson. It is possible that Granville Oury was a member of this party; if so, it was a most fortuitous meeting for Oury, a roving character, who became an outstanding champ-

10. W. Claude Jones, a fluent and ever-ready speaker, was extremely voluble in behalf of both the independent Territory of Arizona and the Confederate States of America. As long as any of his former acquaintances remained alive, he was usually mentioned as "That unregenerate Southerner."

ion of the cause. At about the same time, the name of "Arizona" was first heard.

Though the movement continued to gain able adherents, none were in a position to represent the proposed Territory in Washington, and it was not until 1857 that a man was found who could accept that responsibility. Lieutenant Sylvester Mowery, resigned from the United States Army and anxious to seek his fortune in the Southwest, selected and purchased several promising mining locations and undertook to raise money for their development in the East.¹¹ Since the promotion required his presence near Washington, he was able to spend considerable time there during sessions of Congress. Through his efforts, a bill was introduced in 1857 and in the two succeeding years, none of which were approved by both the House of Representatives and the Senate. Though it was conceded that the bills possessed merit, they became submerged in issues considered more weighty. The main opposition came from those members who feared that, once Territorial status were obtained, the next step would be a petition for admission as a slave state.

In 1859, after the first stages of the Overland Mail Line had been put into operation, Mesilla received an influx of promoters, some of whom were capitalists. Within a few months, the town began to enjoy enormous prosperity. Steam sawmills replaced the old whipsaw frames: steam flouring mills doubled the capacity of those driven by water power. A newspaper was established and well-financed mercantile establishments sought and obtained contracts which the entire community could not have financed a year previously. Money was available for any promising enterprise.

11. Lieutenant Mowery is most often remembered in New Mexico history in connection with the material used in the promotion of Mowery City (now called Old Mimbres) which depicts multi-storied buildings and steamboats tied to docks beside the Mimbres River. The ridicule directed against these fanciful illustrations is unfair to Lieutenant Mowery. At the time of issuance these extravaganzas were recognized as mere engraver's license in embellishment. They were, in fact, comparatively modest in comparison with the imaginative ornamentation which accompanied the advertisements used in the promotion of the San Pedro and Shakespeare mines in Santa Fe and Hidalgo Counties.

More than two hundred men found employment in the copper mines of Santa Rita and Hanover.

Many of these new-comers were men of action and, impatient of the delay in Washington, took matters into their own hands, and a convention was called for the purpose of forming a provisional government which would act until such time as recognition should be obtained. The purpose of the move was "to force recognition of the Territory by Congress"; the procedures by which this was to be realized are nowhere stated. The convention was held in Tucson April 2-5, 1860, with 31 delegates present representing every community in Doña Ana County from the Organ Mountains to the Colorado River.¹² Lucas was named chairman and Granville Oury served as secretary. A provisional constitution was adopted and Dr. Lewis S. Owings of Mesilla was elected Provisional Governor with the privilege of appointing the remainder of the officials who would serve with him.¹³

12. Towns represented were Mesilla, Santa Rita, Las Cruces, Doña Ana, Santo Tomás, Picacho and Amoles; all presently in New Mexico except Amoles which was washed away by the Rio Grande in flood. In addition, representatives were sent from Arivaca, Tubac, Sonoita, Tucson, Gila City and Calabazas.

13. Provisional territorial officers were:

Lewis S. Owings	Governor
Ygnacio Orrantia	Lieutenant Governor
James A. Lucas	Secretary of State
Mark Aldrich	Treasurer
Samuel Bean	Marshall
Granville S. Oury	District Judge (Chief)
S. H. Cozzens	" "
Edward McGowan	" "
R. H. Glenn	District Attorney
Rees Smith	" "
Thomas Mastin	" "
W. E. Wordsworth	Major General
Valentine Robinson	Adjutant General
Burdette Murray	Private Secretary to Governor

All except Aldrich, McGowan, Smith, Wordsworth and Robinson were from Mesilla Valley and included the leading political and business men of that region with the exception of Thomas Bull, Esteban Ocha and Pinckney Tully; all of whom had profitable contracts with the United States Government.

Owings was a financier and promoter, usually in partnership with Murray, publisher of the *Mesilla Times*. Both accompanied the retreating Confederates; later founding the town of Dennison, Texas, where Murray again set up a printing plant.

Ygnacio Orrantia was a trader and politician. Though often openly accused of numerous crimes, including murder, sufficient evidence to justify indictment could never

Owings was a man of action and an outstanding leader. He lost no time in performing the duties of his office. Before leaving Tucson, he selected the Territorial officials and declared the constitution in effect. Since the greatest immediate need was protection against the Apaches, he called for two companies of militia to be organized; one in the Mesilla Valley and the other in the vicinity of Tucson. These were to be known as the Arizona militia. Immediately upon returning to Mesilla he issued a call for volunteers, and within two weeks a company of sixty men was organized which immediately undertook a foray against a tribe of the Mimbres Apaches and captured Elias, their leader, but were unsuccessful in arranging a treaty with him or in inducing him to make war with them upon the neighboring tribes. They then made their headquarters at the newly-discovered placer gold fields at Pinos Altos where they occupied themselves by entering into mining operations. When the Mimbres Apaches, encouraged by the pusillanimity of the soldiers at Fort McLain, began to depredate in the vicinity of Pinos Altos, they again took the field, killing Elias and scattering his band. This militia, with only four defections, later became integrated into Colonel Baylor's Confederate Command.¹⁴

be obtained. He fled to Mexico but later returned and was elected to the New Mexico Territorial Council.

Samuel Bean, who had served three terms as Doña Ana County Sheriff, was owner of a mercantile establishment and saloons in Mesilla and Pinos Altos in partnership with his brother, Roy. After having fled to Texas, he returned to open a store in the town of Doña Ana.

Granville Oury was Probate Clerk at Mesilla at intervals during 1859-60, often absenting himself to investigate newly-discovered mining districts. After the end of the Civil War, he returned to Arizona where he practiced law at Coolidge, serving also as Territorial delegate to the United States House of Representatives.

S. H. Cozzens was attorney for the Overland Mail Line. At the beginning of the Civil War, he withdrew from Mesilla along with R. H. Glenn, also an attorney-at-law.

Thomas Mastin, a merchant and gold buyer at Pinos Altos, became captain of the Arizona Guards under Colonel Baylor and was killed in a battle with the Apaches at Whiskey Creek, midway between Pinos Altos and Santa Rita in 1861.

14. The chief source of information concerning the activities of the Arizona Guards is the book "Arizona in the 50's," memoirs of James Tevis, a member both before and after the beginning of the Civil War. Apart from the upgrading of the importance of his participation, so often encountered in reminiscences, his account of events seems to be reliable.

From the records available, it is difficult to determine what measures were taken which might excite the government of the Territory of New Mexico to rage and arms, as Lucas suggests. The records of the probate court for that period are sadly incomplete; many of the pages blank. The constitution of the provisional government had called for county elections to be held in May instead of the usual date in September, but there is no record that they were held on either date. Since Marcial Padilla succeeded Samuel Bean as sheriff in August, May seems the more probable month. No one was elected as delegate to the New Mexico Legislature and the county was not represented in 1861. The separatists seem to have had a setback in the county elections; neither Marcial Padilla or Thomas Bull,¹⁵ elected to the offices of sheriff and probate judge respectively, were supporters. There are no records to show whether their candidacies were contested or the date of issuance of election certificates. The incomplete condition of the records, however, offers some clue to what might have taken place during the period.

Both Oury and Lucas acted as probate clerk and transcribed, over their own signatures, all wills, claims and other legal papers presented to the court in proper sequence in the book reserved for that purpose. In the other book in which the acts of the court should have been entered, there are found many pages in blank followed by numerous entries, not in sequence, in the scrawling hand of Thomas Bull, the Probate Judge. The explanation might be that the clerks were reluctant to put on record acts which might be con-

15. Thomas Bull was the wealthiest property holder in the Rio Grande Valley, having made a fortune from contracts to furnish lumber, beef and provisions for Fort Fillmore. Dofia Ana County possessed no court house previous to 1868, court being held in large rooms which were rented for the occasion and the records placed in the custody of the Probate Clerk. It would appear probable that Bull, a merchant on a large scale, paid little attention to the state of court records until he realized that war was inevitable and made an attempt to bring the records of his court up-to-date. His name was never mentioned in connection with the provisional government and he remained strictly neutral during the Civil War. Not willing to turn over territorial funds to the Confederates, he ordered in April, 1861, that the share of licenses and fees pertaining to the territory, which had been collected for the half-year ending July 1, should be returned to the payers.

sidered illegal at some later investigation. Bull, a neutral both regarding separation from New Mexico and Confederate or Union partizanship in the Civil War may have been unaware of the delinquency or, having permitted it to occur, attempted to remedy the condition by entering, in his own hand, such documents as were at hand, leaving space for earlier procedures if and when they became available. It is significant that on April 9, 1861, some three weeks after Arizona Territory had declared in favor of the Confederacy, he demanded of L. S. Owings and Ygnacio Orrantia the return of forty muskets, property of the county.¹⁶ A study of contemporary newspapers reveals that, with few exceptions, the independent attitude in Mesilla aroused no great storm in Santa Fe.

As Secretary of State in the provisional government Lucas undoubtedly kept a record of the official acts of that body; the same or another book would have served a like purpose while he held the same office in the Confederate Territory of Arizona. Since these were in his custody, he probably carried them with him when he fled from Mesilla. Later, when they could serve no further legal purpose, it is natural that they would be cast aside as useless without consideration of the historical importance which they would later possess.

If the main purpose of the political maneuver was to obtain quick recognition by Congress, the promoters accomplished nothing. Lieutenant Sylvester Mowery was elected as delegate in the April convention but he no longer felt free to undertake the long trip to Washington. Having obtained sufficient financial aid to undertake the development of his mining properties, he now found himself fully occupied in serving the interests of his stockholders. Ores of promising silver content were discovered in mid-summer and Mowery resigned in order to give full attention to his properties. In order to fill the vacancy at a territorial elec-

16. These weapons were probably used in arming the Arizona Guards. Records show no source from which the cost of equipment and provisions may have come.

tion held in November, Edward McGowan, an attorney-at-law, was chosen in his stead but, for some reason, he did not go to Washington to appear before Congress.

Lucas, W. Claude Jones and Granville Oury were leaders in welcoming the Confederate forces into Arizona. Owings was merely lukewarm, realized the consequences which might follow and disposed of all of his interests in Doña Ana County. On August 1, 1861, Baylor formally set up a military government, with himself as Governor, naming it the Confederate Territory of Arizona. Oury was appointed delegate to the Confederate Congress and Lucas received his coveted office of secretary of State. The Arizona members were replaced. Ernest Angerstein, a Mesilla merchant, was appointed treasurer. Other officers were not considered necessary. The Arizona militia was mustered into the Baylor's forces except for four members who stated a preference for the Union cause and were allowed to go their way. Their numbers were increased by enlistments in El Paso and the Mesilla Valley. The county officials were replaced by citizens of unquestioned loyalty. All of the provincial officers resident in Mesilla, with the exception of two attorneys, Samuel H. Cozzens and R. H. Glenn, became active Confederate supporters. Colonel Baylor established his headquarters first at the town of Doña Ana, later transferring to Mesilla, which then became unquestionably the capital of Arizona.

Within less than a year, the dream had vanished forever. The Texans abandoned the country and with them went their most active sympathizers except for a few of the more aged and infirm. Numerous schemes were discussed in Texas for the reconquest of the region but none ever reached the operational stage. After the close of hostilities, many returned to New Mexico to find a fait accompli and abandoned all hope of a realignment of boundaries. Not so James A. Lucas. Although he did not return until 1875, he immediately undertook a campaign to have Grant County separated from New Mexico and annexed to Arizona; a proposal which was

greeted with some enthusiasm in the latter territory. Thereafter, whenever the slightest regional disaffection entered New Mexico political affairs, he invariably came forward with a new proposal which would lead to the dismemberment of the Territory of New Mexico.

Lucas died on Thanksgiving Day, 1900, but the cause which he espoused did not die with him. Several times in each decade, a "letter to the editor" appears in some newspaper, usually in Grant County, urging a change in boundaries so drawn that the new line lies between the home of the writer and Santa Fe.