

The Far Southwest
1846-1912

A Territorial History

Howard Roberts Lamar

The Norton Library

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For Shirley

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H.R.L.

New Haven, Connecticut
July 1965

Contents

Acknowledgments	v
Preface to the Norton Library edition	xiii
Introduction	1
PART ONE	
1. New Mexico: Feudal Frontier	23
2. Taos: Port of Entry	36
3. A Conquest by Merchants	56
4. In Hostile Array: Civil Government, 1851-1861	83
5. Civil War, 1861-1869	109
6. The Santa Fe Ring, 1865-1885	136
7. New Mexico Comes of Age, 1880-1900	171
PART TWO	
8. Gold and Popular Sovereignty: Jefferson Territory, 1858-1861	205
9. Colorado Territory: Politics and War, 1861-1868	226
10. The Politics of Admission and Development, 1864-1871	252
11. The Centennial State, 1876	272
PART THREE	
12. Deseret and Utah, 1847-1858	305
13. Politics, Religion, and War, 1851-1861	327
14. Years of Impasse, 1858-1878	352
15. Government, Polygamy, and Statehood, 1870-1896	378
PART FOUR	
16. Arizona: No Man's Land, 1846-1863	415
17. Arizona: Beleaguered Territory, 1861-1874	432
18. Arizona: Politics and Progress, 1877-1900	458
19. The Admission of Arizona and New Mexico to the Union, 1900-1912	486
Bibliographical Essay	505
Index	543
Maps	following page 20

Illustrations

following page 272

William Bent. Courtesy, State Historical Society of Colorado.
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Abbreviations

<i>AHR</i>	<i>Arizona Historical Review</i>
APHS	Arizona Pioneers' Historical Society, Tucson
ASA	Arizona State Archives, Phoenix
<i>CM</i>	<i>Colorado Magazine</i>
CSA	Colorado State Archives, Denver
CSHS	Colorado State Historical Society
<i>DAB</i>	<i>Dictionary of American Biography</i>
HEH	Henry E. Huntington Library, San Marino, California
<i>MVHR</i>	<i>Mississippi Valley Historical Review</i>
NA	The National Archives of the United States, Washington
<i>NMHR</i>	<i>New Mexico Historical Review</i>
NMHS	New Mexico Historical Society, Santa Fe
NMSRC	Archives Division of the New Mexico State Records Center, Santa Fe
OIA	United States Office of Indian Affairs
TP	Territorial Papers of the United States located in the National Archives
<i>UHQ</i>	<i>Utah Historical Quarterly</i>
USHS	Utah State Historical Society, Salt Lake City
YWA	The Western Americana Collection in the Beinecke Rare Book and Manuscripts Library, Yale University

Preface to the Norton Library Edition

Since the publication of the first edition of *The Far Southwest* in 1966, many people have contributed to my further education either by helpful criticism or by sharing their own findings about the territorial history of the "Four Corners States." Their comments are reflected in certain factual changes in this paperback edition. Hopefully this time the map will not send the Goodnight-Loving Trail to wander on the wrong side of the Pecos River or any longer permit Laramie to usurp Cheyenne's spot on the Union Pacific line.

I owe special thanks to Harwood P. Hinton, editor of *Arizona and the West*, for his suggestions. Comments by Ray A. Billington, John Porter Bloom, Earl S. Pomeroy, W. Eugene Hollon, John D. W. Guice, Dr. Bert Sacks, Bert Fireman, Kenneth N. Owens, Robert W. Larson, Thomas G. Alexander, William Turrentine Jackson and James Vivian were helpful. And finally the researches, stimulating ideas and irrepressible curiosity of Lewis L. Gould and R. Hal Williams have enriched my own understanding of the history of the American Southwest.

HOWARD R. LAMAR
New Haven, Connecticut
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Introduction

Here two great culture systems have met and clashed and fused and are still in process of clashing and fusing. . . . Here, in a truly cultural sense, is found and may be observed the last frontier. . . . Here we have a blending of the two Americas, a circumstance which makes the region less "American" in the sense of the United States than any other, but from the point of view of the Hemisphere, the most truly American of all regions.

Howard W. Odum
American Social Problems, 1939



In 1956 the late Clarence E. Carter, editor of the *Territorial Papers of the United States*, lamented that the "Dark Age of American historiography" was territorial history.¹ As its title should indicate, this volume is designed to be a modest excursion into the neglected area of the American past of which Dr. Carter spoke. Specifically, this is a study of the diverse, often turbulent political evolution of four Southwestern territories—New Mexico, Colorado, Utah, and Arizona—from their territorial beginnings to their admission into the American Union. Any history of territories must naturally include some account of national policy, for Congress and the executive branch had direct jurisdiction over these frontier political units. Where it has seemed pertinent, then, the major features of the federal administration of territories between the years 1850 and 1912 have also been treated.

The internal political history of each territory, set in the framework of national policy, forms a more or less complete narrative by itself; yet the future "Four Corners States" had then—and still have—lengthy common boundaries. Historically, they have shared many political, economic, military, and social problems as parts of a single region. Within certain limits, therefore, this volume attempts to comprehend and explain how Anglo-American political institutions and habits took root and flourished in the Spanish Southwest—a region which already possessed a European cultural heritage and established institutions of its own.

American pioneers had confronted imperial Spain and segments of Spanish colonial culture in Florida, Louisiana, Texas, and, later,

1. Clarence E. Carter, "The Territorial Papers of the United States: A Review and a Commentary," *MPHR*, 42 (1956), 521-22.

California; but never before had they grappled with such a hardy Spanish-Mexican frontier society as the Rio Grande Valley during the era of the Santa Fe trade. Nor had Americans ever encountered a different culture in as hostile an environment as the Southwest. Between 1821, the year William Becknell inaugurated the Santa Fe trade, and 1879, the year the Atchison, Topeka, and Santa Fe Railroad reached the Southwest, a fundamentally different frontier experience awaited American traders, trappers, and settlers who chose to follow the meandering trails leading into the isolated, rugged Spanish-Mexican borderlands.

Presumably any area called a "region" has common environmental features. If the four territories under consideration are defined in terms of geography, however, it is true that each embraced at least two or more distinct physiographic provinces. On the other hand, they had some features in common; all these provinces had similar soils, surface vegetation, watersheds, and climates. Physical provinces also ignored political boundaries. Both Colorado and New Mexico held within their borders sections of the Upland Trough, the Southern Rockies, and the water courses of the Rio Grande River. The Colorado Plateau spread broken tablelands over areas of all four territories. The magnificent watershed of the Colorado River also reached back into the mountains of every territory. Two, Arizona and Utah, possessed the exclusive but dubious privilege of being part of the arid Great Basin Province. Whatever the larger geographical differences may have been, the entire region had difficult mountains, broken plateaus, deserts, arid or semi-arid climates, and—once whites settled there—similar ranching, mining, and irrigated farming economies. (See Map.)

An historical determinant in the Far Southwest, at times even harsher than physical environment, was a permanent, hostile Indian population. Apache, Navajo, Ute, and Comanche tribesmen occupied lands stretching westward from Texas to the lower Colorado River and southward from Colorado into Sonora and Chihuahua. As excellent fighters and natural raiders the Apaches, in particular, were a constant terror to white colonists. Even the withdrawn, peaceful, Pueblo tribes of the Rio Grande Valley maintained such continuous passive resistance to alien influence that neither their tribal integrity

nor their distinct culture was ever suborned by Spain or Mexico. From the day that Juan de Oñate first brought Spanish colonists to the Upper Rio Grande in 1598 until General George Crook brought the majority of the Arizona Apache tribes to heel in 1872, every generation of settlers knew the fear, or the harassment, of savage Indian warfare. What had been a temporary condition on Anglo-American Indian frontiers seemed a constant factor on this Spanish-Mexican Indian one.

For the Southwestern pioneer, whether Spanish, Mexican, or American, the common Indian problem was not simply the old frontier problem of defeating the red man and achieving peace. It was the problem of living with a permanent Indian population of relatively large numbers, which itself was split into tribes as hostile toward one another as they were toward the whites. Edward H. Spicer has aptly observed that historically the Southwest has always been a region where one society did not really conquer another; instead, each society, tribe, or group remained fragmented into disparate cultural enclaves.² So disparate was the Indian population, in fact, that even a single tribal group was separated by dialect and language differences, which sometimes prevented one village from communicating with the village next to it. When the United States formally acquired the Southwest in 1848 as a part of the Mexican Cession, the heterogeneous population of wild and peaceful Indians and Spanish-Mexicans had built up actual and psychological walls of resistance to one another and to the intrusion of other peoples and their cultures—walls so strong that they were not to crumble for generations.

Nevertheless, even the most bland conqueror brings his habits and his institutions with him, and these eventually have an impact. Two years after the Treaty of Guadalupe-Hidalgo made the Spanish Southwest American soil, the Compromise of 1850 provided an American territorial system of government for New Mexico and Utah. Within this framework the slow but fascinating process of Americanizing the Southwest began.

The original boundaries of the American territories of New Mexico

2. Edward H. Spicer, *Cycles of Conquest; The Impact of Spain, Mexico, and the United States on the Indians of the Southwest, 1533-1960* (Tucson, Arizona, 1962), pp. 1-4.

and Utah put nearly all of the future state of Arizona and part of future Colorado under New Mexican jurisdiction; part of western Colorado and the future state of Nevada were placed under Utah rule.³ The creation of huge jurisdictions over vast areas was far less important, however, than the fact that three out of the four political units eventually organized by Congress were to experience long territorial apprenticeships. New Mexico, conquered by General Stephen Watts Kearny and his Army of the West in 1846, became a territory in 1850 and remained one until 1912. Because gold was discovered on Cherry Creek in 1858, Colorado quickly acquired a population and achieved statehood, after being a territory only fifteen years (1861-76). Though actually settled in 1847 by thousands of Mormon Latter Day Saints, Utah did not become a territory until 1850; but from that date until 1896 it served a troubled, and often bitter, territorial apprenticeship. Arizona, created largely to counteract Confederate claims to the Southwest, remained a territory from 1863 to 1912.

Being subject to the same governmental system and sharing common environmental, economic, and Indian problems was far from the whole story. The fundamental differences between these territory-states were as remarkable as the similarities. Throughout the territorial period New Mexico remained stubbornly and overwhelmingly Spanish-American in culture, tradition-directed in habits, and Roman Catholic in religion. Indeed, Anglo-American citizens remained the minority ethnic group in New Mexico until 1928.⁴ Colorado, on the other hand, was essentially an American frontier mining society, which retained close business and social connections with the American East. The settlers of Utah, though partly native American in origin, felt so persecuted because of their firm belief in the Mormon religion—and the accompanying doctrine of polygamous marriage—that they deliberately developed their own unique social and political systems during the territorial period. Their social system has remained so distinct that anthropologists still identify it as a separate

3. The Gadsden Purchase, now a part of southern Arizona, obviously could not be put under New Mexican jurisdiction until it was acquired in 1854.

4. James I. Culbert, "Distribution of Spanish-American Population in New Mexico," *Economic Geography*, 19 (1943), 171-76.

American subculture, just as they do Spanish-American society in New Mexico.⁵ The diverse pioneer settlers of Arizona Territory, hailing from Mexican Sonora, the Confederate South, the American Northeast, and Mormon Utah, formed a conglomerate American frontier society not quite like any of the other three.

It is not the purpose of this study to dwell on the applicability and completeness of other basic interpretations of the history of the American trans-Mississippi West. Yet such persistent variations in the population origins and in the actual histories of the four territories under consideration would seem to call into question the adequacy of the frontier experience, or of regional factors alone, to explain the growth of American political and social institutions in this area. Clearly, one of the harshest environments within the continental United States did not reduce different cultures to either a composite nationality or a recognizable regional political character. John W. Caughey, in discussing Southwestern regionalism at a conference in 1952, caught the essence of the problem for the frontier and regional historian when he said: "Peculiarly, the inhabitants of this area seem to be relatively innocent of regionalism. Whereas millions proclaim 'I am a Texan' or 'I am a Californian', almost no one boasts, 'I am an Southwesterner.'" ⁶

Artificially drawn boundaries of territories and states obviously have a real historical meaning and significance; but again, whether one is discussing Mormon Utah or Spanish-American New Mexico, history from the local or state perspective alone is also inadequate. While no one can doubt the immense value of the regional approach which the late Walter Prescott Webb used so brilliantly in his *The Great Plains*, he himself was to comment later that the nature of the Great Plains environment, and of arid lands generally, meant that such areas would always be sparsely populated regions. In all likelihood, therefore, they could not be self-sufficient regions. This condi-

5. Anthony F. Wallace, in *Culture and Personality* (New York, 1962), p. 103, cites no less than five "cultures" for the American Southwest: Navajo, Zuni, Mormon, Texan, and Spanish-American.

6. John W. Caughey, "The Spanish Southwest: An Example of Subconscious Regionalism," in Merrill Jensen, ed., *Regionalism in America* (Madison, 1951), p. 184.

tion—for the American period at least—implied regional dependence upon other areas of the country—particularly the industrial Northeast. According to Webb many Western regions of the United States must always suffer economically from an unfavorable balance of trade and remain a permanent colonial area.⁷ The phrase “colonial area” suggests a necessary and formal relationship to a parent area or a central authority.

From the very beginning of the Anglo-American pioneer movement into the trans-Mississippi West, and particularly into the Far Southwest, the settler had to look for outside help to succeed, even to survive. Help itself came in a great number of ways. Throughout the frontier stages the federal government rendered aid by fighting Indians, protecting colonists and building roads, or it helped in more subtle ways by allowing cattlemen and farmers to abuse the land system. Further, dependence on Eastern and European capital has always been important in the settlement and growth of the entire trans-Mississippi West. In still other cases help came through technical innovations—made possible by the world-wide industrial and transportation revolutions—permitting profitable mining, ranching, and farming economies to exist.

The intractable qualities of the Southwestern environment, persistence of imported cultural beliefs, and dependence on outside support suggest, too, that parts of Frederick Jackson Turner's frontier hypothesis are not applicable to the region. Various of Turner's frontier “stages” are certainly in evidence: there was a distinct trader-trapper period, an era of the miner, a day of the cattleman, and, finally, the farmer-settler. But the classical Turnerian frontier was a forested wilderness which, once conquered, became a garden of abundance. Nature, once tamed, proved to be lavishly beneficent.⁸ On the Southwestern frontier, however, nature remained relatively

7. Walter Prescott Webb, “The American West: Perpetual Mirage,” *Harper's Magazine*, 214 (May 1957), 25-31. For a similar interpretation applied to the history of another area see Robert G. Athearn, *High Country Empire: The High Plains and Rockies* (New York, 1960), pp. 278-333.

8. Frederick Jackson Turner, “The Significance of the Frontier in American History,” *American Historical Association, Annual Report for 1893* (Washington, 1894), 199-227.

mean and unproductive, except for periodic mineral discoveries; and another civilized, if colonial, culture already existed there.

Thus the American pioneer deliberately shunned this unattractive region as a place to settle until he was armed with devices to overcome the difficulties. Using military protection, rail transportation, scientific techniques of mining and farming, and machines of all sorts, he conquered frontier conditions with methods far different from those employed in the eighteenth century Appalachian frontier. Something more than the classical frontier hypothesis is needed to explain the history of the American Southwest.

Unfortunately, since Turner has been so closely identified with this most famous of his interpretations of American history, his other provocative ideas and suggestions have been largely ignored by his own defenders. Always openminded and flexible, Turner first urged students of the American frontier to look at history in territorial units. In an early essay written in 1897 he said: “Our colonial system did not begin with the Spanish War; the United States had had a colonial history and policy from the beginning of the Republic; but they have been hidden under the phraseology of ‘interstate migration’ and ‘territorial organization.’”⁹

Here, at least, was a specific geographic and political framework, with a continuous existence, into which one could fit both the chaotic history of American expansion and the story of the maturation of American frontier society and institutions. Using territorial history to relate the local frontier process of evolution to the national scene and policy (therefore explaining the colonial aspects of the Western past) holds as much promise now as it did for Turner in 1897.

It is time to ask: what exactly was this American territorial system, which Dr. Carter insisted was so little understood and which Turner said was nothing less than an internal American colonial system and policy?

The system itself is as old as the present national government, for it was created by the Northwest Ordinance of 1787, became opera-

9. Frederick Jackson Turner, “The Middle West,” in *The Frontier in American History* (New York, 1962), p. 127.

tive in the Northwest Territory a year later, and was re-enacted by the Federal Congress in 1789.¹⁰ The Confederation Congress and the interested Ohio Land Company lobbyists who helped draft the original document felt that it would be a constitution for the West: a government for the undeveloped regions that various states with western land claims were then turning over to the central government. Governor Arthur St. Clair, the first administrator of the Ordinance, saw himself as a frontier Washington as he set the wheels of territorial government into motion at Marietta, Ohio, in the summer of 1788.

Constitution for the West seems an apt description of the Northwest Ordinance, since it was an internal colonial system, a device for eventual self-government, a guarantor of property, and a bill of rights rolled into one act.¹¹ An exceptionally shrewd and comprehensive document, it borrowed the most workable parts of the old British colonial system and formulated a government out of them. The law also guaranteed the sanctity of private property and the inviolability of contracts and provided rules to govern the transference and descent of property. So clearly were these property clauses expressed that the Founding Fathers copied them almost verbatim into the Constitution.¹²

Better known than its economic clauses was a bill of rights promising the territorial citizen freedom of religion, trial by jury, writ of habeas corpus, right of bail, the observance of just fines and punishments, and proportionate representation in a legislative assembly. In

10. The Northwest Ordinance of 1787 has been covered in a number of articles—few of them recent. Among the most useful are John M. Merriam, "The Legislative History of the Ordinance of 1787," *Proceedings of the American Antiquarian Society*, new ser. 5 (1889), 303-47; J. A. Barrett, *Evolution of the Ordinance of 1787* (New York, 1891); Max Farrand, *The Legislation of Congress for the Organized Territories of the United States, 1785-1895* (Newark, N.J., 1896); Beverley W. Bond, Jr., "Some Political Ideas of the Colonial Period as They Were Realized in the Old Northwest," in *Essays in Colonial History Presented to Charles McLean Andrews by His Students* (New Haven, 1931); Milo M. Quaife, "The Significance of the Ordinance of 1787," *Journal of the Illinois State Historical Society*, 30 (1937-38), 415-28; Theodore C. Pease, "The Ordinance of 1787," *MVHR*, 25 (1938-39), 167-80; Merrill Jensen, *The New Nation: A History of the United States during the Confederation, 1781-1789* (New York, 1950), pp. 352-59.

11. For a more detailed summary of the early workings of the Ordinance see Howard R. Lamar, *Dakota Territory, 1861-1889: A Study of Frontier Politics* (New Haven, 1956), pp. 1-27.

12. For the text of the Ordinance see Francis N. Thorpe, *The Federal and State Constitutions* (7 vols. Washington, 1909), 2, 957-62.

short, the ideals of British justice as well as the aims of the American Revolution were guaranteed. Finally, in a burst of liberal sentiment stemming both from the New England experience and Revolutionary zeal, the Ordinance fostered public education by providing lands for its support, denied the right of slavery in the Northwest, and demanded just treatment of the Indian population.

Although the Ordinance has never been fully studied, from the time of its enactment historians have praised it as a brilliant solution to the twin problems of governing colonies while they were growing and of keeping them once they had matured.¹³ As many an admiring historian has commented: in the Ordinance the problem of liberty had been reconciled with the problem of empire. Justifiably, much of the praise and attention has centered on the civil rights portions of the act, on the antislavery and public education provisos, and on the happy end result: statehood. Curiously, the actual governmental system which functioned from 1788 until 1954 (when Alaska and Hawaii Territories became the forty-ninth and fiftieth states in the Union) has received much less attention.

Building on the colonial experience of the thirteen colonies, the Ordinance anticipated that government on the frontier would evolve through successive stages. At the beginning of territorial settlement, Congress was to appoint a governor, a secretary, and three federal judges. Each appointee had his separate duties, but during this first stage the officers could act in joint council to write a code for the new political creation by adopting, bit by bit, portions of the laws of older states.

In the second stage, reached when a population of 5,000 male voters could be found within territorial borders, citizens could elect both a legislative assembly and a nonvoting delegate to represent them in Congress. But even then the steps toward local self-government were cautious ones, for the membership of the territorial upper house, or council, had to be approved by Congress. And in the case of the earlier territories the franchise was confined to substantial property holders. Again the similarity to British colonial practice was striking.

The third stage came when the territory could report a population

13. For a laudatory account see Pease, "The Ordinance of 1787."

of 60,000 inhabitants. It was then eligible to hold a constitutional convention, elect a state government, and apply to Congress for admission into the Union on an equal basis with the original thirteen states. Here the Confederation legislators departed from colonial experience and turned to the lessons of the Revolution. They gave the mature territory three things England had denied her colonies: representation, equality with other parts of the Union, and home rule, which meant, in this case, statehood.

Although only Ohio, Louisiana, Michigan, and Florida, of the inland territories of the United States, went through the rather arbitrary first stage of government, all remaining territories passed through stages two and three before they came into the Union. Between 1789 and 1912 no less than twenty-nine American states experienced a territorial period.

Territorial history and policy have been neglected by historians for several very good reasons. If one is to judge by textbook summaries, most historians have assumed that the Old Northwest served as a normal prototype for the history of all subsequent territories. It seemed unnecessary to repeat the story as new territories were formed. Again, American territorial policy obviously did not pass through dramatically different phases such as an era of mercantilism, a period of salutary neglect, or a program of new imperialism, as the British colonies did between 1650 and 1776. Nor was the system run by a colonial office, or a distinct branch of the government. Next, one can argue convincingly that American territorial and state governments have been so similar to one another and territorial periods were often so brief that there has been no need to consider state and territorial history separately. The frontier hypothesis itself stressed environmental factors and private initiative rather than institutional continuity and public action.

All of these assumptions are certainly correct in varying degrees. Nevertheless, the system itself did change over the years. Many territorial periods actually lasted for a quarter century or more, and each territory had an evolutionary history far different from that of the Old Northwest.

Territorial policy appears to have passed through four minor evolutions. In the first phase, lasting from 1789 to 1819, territorial problems

were mixed up with international diplomatic disputes, Indian wars, and border intrigues. The major problem was to keep the trans-Appalachian borderlands loyal. As a result the federal government appointed able men to the governorships, while it appeased frontier regions by pressing for speedy Indian removal, by liberalizing public land policy, and by purchasing Louisiana so that frontier products could be shipped down the Mississippi.

After the War of 1812 had ended the British threat to the Northwest, and the Adams-Onís Treaty of 1819 had put a stop to British and Spanish intrigues in the Old Southwest by securing the Floridas for the United States, territorial problems became less burdensome. Congress could now standardize and perfect the system. Even so, internal variations in policy occurred when, for example, Congress reversed its 1787 antislavery stand and allowed slavery to exist in the territories formed out of lands south of the Ohio.

Yet Congress was also engaged in democratizing portions of the Northwest Ordinance.¹⁴ By 1825 all new territories were allowed to skip the first stage of territorial government, and both upper and lower houses of the assembly had become elective. Gradually, property requirements for voting became so nominal that universal male suffrage within a territory was possible. All of these changes and many minor ones were embodied in the Wisconsin Organic Act of 1836. That law replaced the Northwest Ordinance as the model for all future territorial organic acts.¹⁵

In his excellent history of legislation relating to the territories, Max Farrand has asserted that the Wisconsin Act marked the final democratization and standardization of the American territorial system.¹⁶ While the framework may have become set, attitudes and policies involving the system continued to shift. The states rights ideology, which developed in the thirty years before the Civil War, denied a fundamental assumption of the Ordinance of 1787 by claiming that the states and not the federal government owned the territories.

Stephen A. Douglas' concept of popular sovereignty, which came

14. Farrand, *The Legislation of Congress*, pp. 17-35.

15. *Ibid.*, pp. 34 ff., 45 ff.

16. *Ibid.*

into national prominence after 1850, also questioned the whole theory of the Ordinance when it claimed that a community was ready for self-government from the moment it was first settled. Thus the evolutionary idea that a new region was unready for self-government until it had passed through three stages of maturation was undermined.

Unhappily, these basic premises came to be debated at the very time the rising slavery issue gave territories—as future slave or free states—political notoriety out of all proportion to their actual importance. Congressional passage of the 1854 act establishing Kansas and Nebraska Territories virtually repealed the theory of the 1787 law. Although the slavery issue prompted most of the ensuing “bloody Kansas” troubles between 1854 and 1857, one of the difficulties was that local Kansans had freedom to do pretty much as they pleased. And while Kansas practiced a mockery of popular sovereignty, Buchanan’s government, believing in states rights, denied that the Ordinance gave him the federal power to keep order there. These difficulties illustrate, incidentally, what might have happened in other territories had Thomas Jefferson’s more democratic Ordinance of 1784—which embodied states rights and popular sovereignty ideas—been adopted in place of the more conservative 1787 document.¹⁷

Naturally, territorial policy changed again when the Republican party came into office in 1861.¹⁸ The Lincoln government not only extended the territorial system over the remaining unorganized portions of the Trans-Mississippi West but firmly held that federal rule was paramount in these regions. Anxious to keep the West in the Union, Congress organized Dakota, Colorado, and Nevada Territories in 1861 and Arizona in 1863. By 1870 Congress had organized Wyoming, Montana, and Idaho as well. Only the Indian Territory, part of which was to become Oklahoma Territory in 1890, remained closed to white settlement. Between 1861 and 1888 Congress governed no less than thirteen Western territories, and during that time only four—Kansas, Nevada, Nebraska, and Colorado—were given statehood.

17. Jensen, *The New Nation*, pp. 353-54.

18. Earl S. Pomeroy, *The Territories and the United States, 1861-1890* (Philadelphia, 1947).

Meanwhile, succeeding administrations continued to standardize the rules governing every facet of territorial administration. Every federal appointee had to make reports to his superiors in Washington, secure permission for leaves of absence, and make his public expenditures justifiable to an ever-suspicious treasury comptroller. After 1869 territorial assemblies were told that they could meet only biennially and for only sixty days at a time. Territorial elections had to be reported, and Congress was frequently called on to settle a disputed delegate election.

Besides standardization two other policies, both begun before the Civil War, now became major features of the postwar system. First, the federal government continued to subsidize the territorial economy by paying for its government, maintaining military posts throughout the West, running an elaborate Indian service in the field, building roads, and providing land offices and mail routes in new areas of settlement.¹⁹ In some territories, where the federal government was busily engaged in feeding thousands of Indians, government affairs became so financially important that they became the biggest business there.²⁰ Second, Congress used territorial offices as political spoils to be divided among interested congressmen of the dominant political party.

These two policies together created an unfortunate situation. More often than not, territorial appointees after 1865 were political hacks, defeated congressmen, or jobless relatives of congressmen and cabinet members. These appointees owed their loyalty neither to the territory nor to the branch of government they represented. Thus a territorial judge whose appointment came through a powerful senator could thumb his nose at the Justice Department, which theoretically had jurisdiction over his actions. An unpopular governor with strong congressional backing could stay in office despite a howl of protest from his territorial constituents. There were neither standards of excellence nor any sense of group unity in the federal territorial bureaucracy. Naturally, no civil service or public service traditions de-

19. Pomeroy. William H. Goetzmann, *Army Exploration in the American West, 1803-1863* (New Haven, 1959). William T. Jackson, *Wagon Roads West* (New Haven, 1965).

20. Lamar, *Dakota Territory*, pp. 102-08, 182-88

veloped among such a divisive, individualistic, second-rate set of officials.²¹

Frequently, the office-holding spoilsman wanted the territorial job not for the office alone but because it gave him a chance to take a share of the sizable federal expenditures in each territory. At the same time, he was also interested in milking the territory of whatever funds might become available through land and railroad schemes or business speculations. The presence of cynical, corrupt men holding territorial office was so common after 1865 that Earl S. Pomeroy has called them a breed of Western carpetbaggers, whose sole aim it was to fleece a region and return East with the proceeds.²² Often the more successful of these men could have their cake and eat it too, by persuading the electorate of a territory to return them to Washington as delegate. Unhappily the corrupt official remained a major feature of the territorial system for the remainder of the nineteenth century.

The presence of corruption and "Grantism" in territorial governments did not go unchallenged. Throughout the 1870s and 1880s both the president and the Congress attempted to reform the Wild West at a number of levels. In 1873 territorial affairs, which had been directed by the State Department since 1789, were turned over to the Department of the Interior. Reform secretaries of the Interior, such as Carl Schurz (1877-81), tried to break up territorial Indian rings; but resistance at the territorial level defeated his crusade more often than not.

Reforms were attempted in other sectors when Grover Cleveland assumed office in 1885. As the first Democrat to occupy the presidency in twenty years, he was under tremendous pressure to oust the powerful Republican machines that had come to control most territorial governments.²³ Under the guise of appointing reform governors and honest land office officials, Cleveland made a vigorous

21. Earl S. Pomeroy, "Carpet-Baggers in the Territories, 1861-1890," *The Historian*, 2 (1939), 53-64.

22. *Ibid.*

23. See Harold H. Dunham, *Government Handout: A Study in the Administration of Public Lands* (New York, 1941), pp. 180 ff. Lamar, *Dakota Territory*, pp. 107-08, 185-88.

effort to do just this. Most of the machines were too strongly entrenched, however, to be broken in four short years, and many of them returned to power when Benjamin Harrison became president in 1889.²⁴

Meanwhile, other Western problems involving territorial administration were coming to the fore. An unrealistic and unsatisfactory Indian policy, punctuated by more than twenty years of intermittent warfare with tribes of the trans-Mississippi West, forced Congress to heed humanitarian cries for reform. As early as 1867 that body had instituted a peace policy, but it had been a notable failure. Finally, in 1887, Congress passed the Dawes Severalty Act, which promised a new deal for the red man. Actually the Indian problem still remained unsolved, but by 1890 the fighting was over, and at least the government had a policy that promised to give the Indians their own lands, a basic education, and the rudiments of Christian civilization.

Another Western problem centered around national land policy. Since the Homestead Act of 1862 did not provide enough acreage for a settler in a plains or arid lands region, Westerners were forced to resort to many schemes to secure holdings large enough for a decent living. Thus both cattlemen and farmers violated land laws in such blatant ways that new laws had to be passed. With the passage of the Timber Culture Act in 1873 as well as two others—the Desert Land Law of 1877 and the Minerals Land Act of 1878—Westerners got some relief. The passage of new laws, however, did not stop abuses. During the first Cleveland administration agents of the Interior Department were busy driving cattlemen off the public domain or cutting the barbed wire fences which the cow men had illegally erected there. At the same time, Cleveland himself tried to foster agricultural settlement by appointing pro-nester governors in the territories, though his efforts accomplished little. Economic law and the wiles of nature accomplished what Cleveland could not, when falling beef prices and the blizzard of 1887 wiped out the open-range industry. This failure coincided with the last great push to settle the West with farmers. Events rather than policy had settled the land question.

24. Pomeroy, *Territories*, pp. 71-72.

The last Western territorial problem that troubled Congress after 1861 was the institution of polygamy in Utah. Ever since 1862 various radical Republican Congressmen had been incensed over the Mormon practice of plural marriage. After passing a half-dozen prohibitory acts—all of which were ineffective—Congress gave Utah federal officials such enormous powers in the Edmunds-Tucker Act of 1887 that Utah by 1890 was reconstructed politically and was monogamous maritally.²⁵ However sporadic government policy for the West and for its territories had been, all efforts somehow came to a climax in 1890. That year the Census Bureau reported that there were no more great areas of free, unoccupied land; General Nelson Miles fought the last Indian Battle at Wounded Knee, South Dakota; Congress created the last territory, Oklahoma; and President Woodruff of the Church of the Latter Day Saints announced that henceforth its members would not practice polygamy. The frontier and the territorial system that had governed it were drawing to an end.

As the time for statehood and home rule drew closer for the last inland territories, the inevitable reaction to federal or outside authority became greater. Steps toward statehood were like a bloodless reenactment of the American Revolution. Just as Britain had tried to reform its colonial system in 1763, the reform efforts of Carl Schurz, and later, of Cleveland and Congress led local territorial leaders to resent federal interference. At first, territorial citizens, tired of being fleeced by corrupt nonresident appointees, begged that only territorial residents be appointed to office; and after 1890 this became a fairly common practice. But the local politicians proved as adept at corruption as their carpetbagger counterparts. To escape their grasping fingers and, at the same time, to end federal supervision of local affairs, each territory sought escape in statehood. By 1889 every territory in the West was calling its federal officials colonial tyrants and comparing its plight to that of one of the thirteen colonies. Statehood now came to mean freedom, democracy, and home rule.

25. Howard R. Lamar, "Political Patterns in New Mexico and Utah Territories, 1850-1900," *UHQ*, 38 (1960), 384-86.

Relief was not far away. Just before he left office early in 1889 Cleveland admitted North and South Dakota, Montana, and Washington to the Union. The following year Benjamin Harrison approved the admission of Idaho and Wyoming and signed the Organic Act creating Oklahoma Territory. In 1896 during his second term in office, Cleveland declared Utah a state. Only three Southwestern territories, New Mexico, Arizona, and Oklahoma now remained outside the Union.

Before these were to be admitted, however, three final if subtle changes in territorial policy were to occur between 1901 and 1912. As a result of the Spanish-American War the United States had acquired Puerto Rico and the Philippines. These islands were imperial possessions kept more for strategic and economic reasons than for the purpose of becoming states in the American Union. With words like "empire" and phrases like "the white man's burden" being debated and argued daily in Congress and the press, it is not surprising that Theodore Roosevelt and his close friend Albert Beveridge—chairman of the Senate Committee on Territories—appear to have viewed Arizona and New Mexico somewhat as they did the new "empire". They, too, were backward areas which had been stifled by their Spanish heritage.²⁶ Senator Beveridge's own conviction was so strong, in fact, that he held up the admission of these two states for nearly ten years. His argument was that they were not equal in intellect, resources, or population to the other states in the Union. Nor, said he, were they sufficiently American in their habits and customs. Only the personal intervention of President Taft and a combination of many public pressures forced Beveridge to allow admission bills for these states to pass the Senate in 1910.²⁷

Roosevelt himself represented the source of the other subtle change in territorial policy. As a thoroughgoing conservationist he found that many pieces of territorial legislation and much of the substance of territorial politics were related to schemes to grab the remaining

26. Frank C. Lockwood, *Pioneer Days in Arizona* (New York, 1932), pp. 368-78. Marion Dargan, *New Mexico's Fight for Statehood, 1895-1912*, *NMHR*, 14 (1939), 1-33, 121 ff.; 15, 133 ff.; 16, 70-103, 379-400. See also Claude G. Bowers, *Beveridge and the Progressive Era* (New York, 1932), pp. 182 ff.

27. See below, pp. 496-97.

public land, timber, and mineral resources in the West. Prodded by Gifford Pinchot of the Forestry Service and constantly warned by Beveridge, Roosevelt kept a close federal scrutiny over Arizona, New Mexico, and Oklahoma.²⁸ This very surveillance only increased the desire of each territory to come into the Union as self-governing states. Beveridge and Roosevelt allowed Oklahoma as the most "American" of the three territories to become a state in 1907, but it was to take five more years of lobbying and pressure before New Mexico and Arizona would achieve statehood in 1912.

It is this final period of territorial policy, lasting from 1861 to 1912, which has been most neglected by historians. Since the four Southwestern territories generally fall into this time span, their relations with the national government should throw useful light on the everyday workings of the territorial system. In a way, this study is actually a second attempt to penetrate and comprehend the history of this period. In 1956 I published a pilot study under the title *Dakota Territory, 1861-1889*. The cautiously favorable reception of the work by reviewers and the encouragement of the late Clarence E. Carter, then editor of the *Territorial Papers of the United States*, persuaded me to look at other territories to see if the conclusions reached in the Dakota volume were applicable elsewhere.

Briefly, these conclusions were: (1) that the territorial period—lasting in this case some twenty-eight years—was a time when many basic and distinct political patterns and economic attitudes characteristic of the future states of North and South Dakota were shaped. Though the evolution from a frontier stage was speedy, and Dakota political institutions were often imitative of ones found in older states, nevertheless local patterns did emerge which one could call Dakotan.

(2) In the process of political growth the scarcity of local wealth and resources as well as the existence of a Great Plains topography and climate so hindered normal economic development that settlers,

28. This fact becomes apparent from a perusal of the Official Papers and Letterbooks of Governors M. A. Otero, H. J. Hagerman, and George Curry, now housed in the Archives Division of the New Mexico State Records Center, Santa Fe.

political leaders, and frontier entrepreneurs necessarily came to hold colonial attitudes. They relied heavily, for example, on the federal government to subsidize both their political and their economic endeavors. Thus federal patronage and federal expenditures for civil government, military installations, and Indian affairs played larger roles in shaping political and economic habits and attitudes than would ordinarily have been the case. Nor did the national party in power ever fail to foster the infant branch of the party in Dakota.

(3) These patterns, established in territorial times, continued into the statehood period and help explain the response of the Dakotas to Populism in the 1890s, and their later advocacy of the Non-Partisan League in the twentieth century. (4) Finally, the study did point up the everyday workings—and failures—of the territorial system in the trans-Mississippi West.

Rather than test these conclusions piecemeal on other single territories, it seemed wise to compare the histories of four territories whose geography, population makeup, political patterns, and economic systems were clearly different from those of the Dakotas. The obvious choices were the Four Corners States.

Any exhaustive political history of the Far Southwest could easily run into a score of volumes. To avoid such a formidable task, this study, while telling a narrative history, concentrates on five common American political phenomena. The first concerns the history of the political party system in each area: were there real parties; if so, how did they arise and what was their function? The second concern is for the roles played by the federally appointed territorial officials: the governor, the secretary, the judges, and, occasionally, the surveyor general of public lands. The questions to be answered here are more complex. Were these men hacks or leaders? Did they pursue a recognizable policy, and did they have any impact on the history of a given territory?

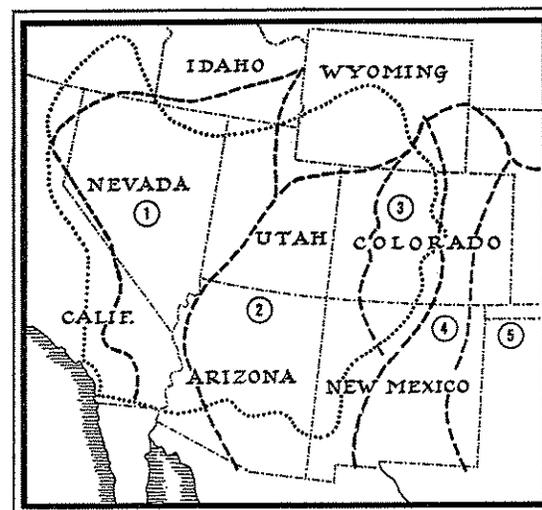
Through the appointive officers one can see the role of the federal government in local affairs. On the other side, the territorial delegate was the only popularly elected representative the territory had in Congress. Through him were channeled most of the local demands, and through him federal largess came back to the territory. Given his

powerful economic role, the delegate often becomes the key figure in the narrative.

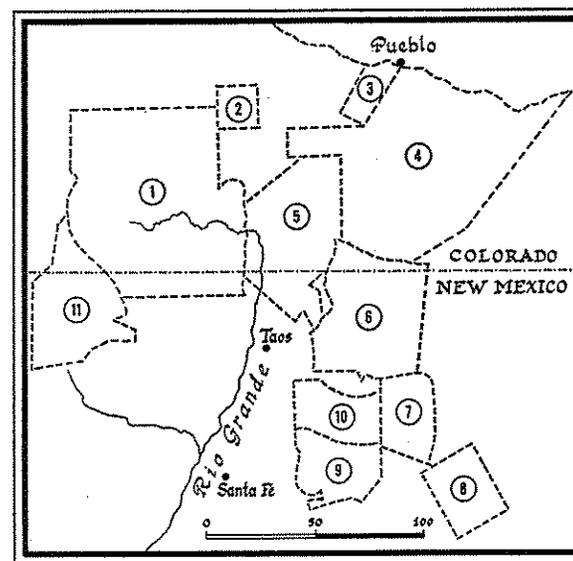
The present study also attempts to understand and analyze the territorial assembly as the locally elected lawmaking body. Its actions reveal local political customs and attitudes, not only toward public issues, but toward the purpose of a legislature as well. Was the legislature a coherent working group or merely a congress of factions? Or was it—as in the case of Dakota—a business-minded set of entrepreneurs, speculators, and promoters? Last of all, where it has been possible, the narrative touches on the role of the office of probate judge, since that role provides a useful yardstick with which to measure the practices and functions of local county government in a territory.

I have also tried to trace local reaction to four basic American political assumptions which became issues in Southwestern politics. They are: separation of Church and State, trial by jury, public maintenance of secular schools, and the custom of monogamous marriage. Where it has seemed politically significant, either as an issue or as the reflection of an unusual set of customs, I have also noted the conflict of the local systems of land tenure with national land policy.

Such guideposts, as imperfect and arbitrary as they may seem, hopefully can lead toward conclusions about the manner in which local, territorial, and regional political patterns and habits evolved. They can also show us what historical impact, if any, the presence of federal authority has had on this evolution. If the territorial narratives which follow succeed in illustrating anew the complicated process by which Americans extended themselves and their democratic political institutions across the continent and into the distant regions of the Spanish Southwest, then the aim of this study will have been fulfilled.



..... Boundaries of State of Deseret --- Physiographic Provinces
 1. Great Basin Province ~ 2. Colorado Plateau Province
 3. Southern Rocky Mt. Province ~ 4. Upland Trough 5. High Plains



Spanish-Mexican Land Grants

1. Conejos Grant: 2. Luis Maria Baca Grant: 3. Nolan Grant:
4. Vigil & St. Vrain Grant: 5. Sangre de Cristo Grant:
6. Maxwell Grant: 7. Nolan Grant: 8. Montoya Grant:
9. Los Vegas Grant: 10. Mora Grant: 11. Tierra Amarilla Grant.

Arizona: No Man's Land

1846-1863

The territory we have selected for our home is unlike any other portion of the United States. . . . Attached as we now are nominally to the Territory of New Mexico, and situated many hundred miles from its seat of government, the western portion of Arizona is a region without the shadow of anything that claims to be law. . . . So far as we know, no judge or justice, either Federal or Territorial, has ever visited this portion of the country.

Edward E. Cross in
The Weekly Arizonian (Tubac)
March 3, 1859

Arizona . . . [is] just like hell, all it lacks is water and good society.

Senator Benjamin Wade, 1863



Major Philip St. George Cooke, who had played a key role in the secret negotiations toward the peaceful conquest of New Mexico, was already on his way to California in the fall of 1846 when his superior, General Kearny, suddenly gave him new orders. Cooke was to return to Santa Fe and assume command of the so-called "Mormon Battalion," which had just reached that city from Fort Leavenworth. He and his Saints were to mark the way for a wagon road from the Rio Grande to the Pacific Coast. Although Cooke could not know it at the time, his task, once accomplished, had a profound effect on the history of the Far Southwest. His report on the region bordering the 32nd parallel, coupled with a lengthy one made by Major William H. Emory of the U. S.

Topographical Engineers, pulled back the blanket of obscurity from western New Mexico. Together they introduced the government and the country to a new, hitherto unknown province, which, by 1856, was to be called Arizona.¹

Once Cooke's wagon road had been marked, as many as 50,000 argonauts used it to reach the California gold fields in 1849 and 1850.² Quite apart from its proven worth as a trail to California, the Polk, Pierce, and Buchanan administrations as well as every Southern, Texas, and California political leader in Congress were convinced that the road would be ideal for a transcontinental rail line. Cooke and Emory had both informed Polk in 1847 that it would be excellent for this purpose. The difficulty was that Cooke's road occasionally veered south of the Mexican-American boundary specified in the Treaty of Guadalupe-Hidalgo of 1848. Despite feverish negotiations between the Mexican and American boundary commissioners from 1850 to 1852, the subsequent boundary agreement—made in the latter year—left part of the Cooke road on Mexican soil. The necessity of securing an all-American route to California was a major factor in prompting the Pierce Administration make the Gadsden Purchase in 1853.³

Even before the Gadsden Purchase was secured, the prospects of running transcontinental rail lines along either the 32nd or the 35th parallels persuaded the national government to use the Topographical Engineers to conduct dozens of exploring expeditions into the Far Southwest. By the time of the Civil War they had searched out nearly every corner of New Mexico, Utah, and Arizona. Their lengthy reports on trails, railroads routes, the fantastic Grand Canyon of the Colorado River, Southwestern Indian life, and the flora and fauna of the entire West acquainted the whole of America with the mysterious and romantic Far Southwest. So vigorous was this grand reconnais-

1. See *Report from the Sec. of War, Communicating . . . a copy of the Official Journal of Lieutenant-Colonel Philip St. George Cooke from Santa Fe to San Diego . . . 30th Cong., Spec. Sess., Sen. Exec. Doc. 2 (1849)*. See also Goetzmann, *Army Exploration*, pp. 127-44.

2. Rufus K. Wyllys, *Arizona; The History of a Frontier State* (Phoenix, 1950), p. 125.

3. For the standard account of the Gadsden Purchase see Paul Neff Garber, *The Gadsden Treaty* (Philadelphia, 1923).

sance that in a short fifteen years the United States had been able to compile as much information about the region as the Spanish padres and explorers had accumulated in over two centuries.⁴ By 1858 the Butterfield Overland Mail, heavily subsidized by Congress, ran over Cooke's route twice a week, and a large part of the American army was stretched out on the 32nd parallel from Texas to California to protect the line.

Given the prospects that two transcontinental railroads could be built through the region, private parties and interests were soon as busy as the Topographical Engineers investigating the Far Southwest. Often the two efforts became indistinguishable; for the Engineers themselves were the most avid promoters of the Gadsden Purchase, and—once the area had been acquired—they were equally interested in exploiting it for personal as well as public benefit. Andrew B. Gray of the Engineers had made a private railroad survey in the area in 1852 and had rushed East to help Robert J. Walker, a master politician in the Democratic Party and a former Secretary of the Treasury, organize a railroad company to build along the route.⁵ On the other hand, many Americans remained skeptical about the value of the Mexican Cession, and they were particularly dubious about the worth of the Gadsden Purchase, which had been described as a desert so barren that even a wolf could not survive there.

Both public and private promoters soon countered this criticism with the rumor that rich mineral deposits existed in the Gadsden area. Attracted by the possibility that the purchase might be the center of a second California gold strike, and led on by the knowledge that neighboring Sonora was full of silver mines, the first American prospectors and settlers marched into this last Southwestern frontier in the middle fifties.⁶

In contrast to the great American tradition of settlement through

4. The best summary treatment of the early history of the Arizona region is to be found in Wyllys, *Arizona*, pp. 43-98.

5. "Robert J. Walker" in *DAB*. James P. Shenton, *Robert J. Walker, A Politician from Jackson to Lincoln* (New York and London, 1961), pp. 129 ff. See also Robert R. Russel, *Improvement of Communication with the Pacific Coast as an Issue in American Politics, 1783-1864* (Cedar Rapids, Iowa, 1948), pp. 96-97.

6. H. H. Bancroft, *History of Arizona and New Mexico, 1530-1888* (San Francisco, 1889), p. 497.

"westering," many Arizona pioneers came from California eastward. Most of the first comers were often motivated by passions more akin to the desire to filibuster and to gain riches by quick exploitation than to satisfy a land hunger. Many of them were restless schemers in and out of pocket in San Francisco, who thought that the Gadsden Purchase was just the prelude to an American seizure of all of Sonora. But quite a few were genuine miners and shrewd, hardheaded merchants. The latter knew that there was always a market where miners and army outposts were located.

One of the most ambitious of the Arizona mining pioneers was the brilliant but often erratic Charles DeBrille Poston.⁷ Born in Kentucky, Poston migrated to Tennessee as a young man, where he served as clerk of the state supreme court until he joined the rush to California in 1850. There he secured a job in the San Francisco Customs House. Poston was a sharp but entertaining and gregarious man with a head full of plans. He soon befriended his superior, Thomas Butler King, a Georgia politician who was both the collector of customs and a vice-president of Walker's "Atlantic and Pacific Railroad."⁸ King and Poston were fascinated by new mining ventures, so that when Poston lost his customs house sinecure to another patronage seeker, it was not surprising to learn that King—who also lost his job in 1852—had sent his ex-clerk on a reconnaissance tour of Sonora while the Gadsden Purchase was still being negotiated.

Since the famous filibusterer William Walker happened to be leading a set of San Francisco toughs on an expedition to take Sonora when Poston arrived, he nearly lost his life in the hostilities between Walker and the Sonorans. Nevertheless, Poston and a Freiburg-trained German miner, Herman Ehrenberg, finally reached the Santa Cruz Valley in 1854. In the hills around the feeble presidio towns of Tucson and Tubac and to the West at Ajo, they ascertained that gold, silver, and copper did exist in the Gadsden Purchase area in paying quantities. The finds at Ajo, in fact, led Poston to found a copper-mining

7. See Poston File, APHS. See also B. Sacks, *Be It Enacted: The Creation of the Territory of Arizona* (Phoenix, 1964), pp. 6-9.

8. "Thomas Butler King" in Hayden File on Charles D. Poston, APHS.

company once he had returned to San Francisco.⁹ On his way back to civilization, he and Ehrenberg also engaged in that classical frontier pastime of townsite grabbing. They laid out a paper village, which they named Colorado City, at the crossing on the Colorado River where Fort Yuma was located. While they may never have profited from the venture, their choice was a shrewd one, for it was to be the site of the present city of Yuma.¹⁰

An ex-customs clerk was not likely to be a financier, so Poston had to go to New York in search of needed capital for his mining activities. There he talked with Robert J. Walker, who now headed the famous "Hundred Million" railroad company, which proposed to build a transcontinental line if Congress would supply land grants, funds, and other means of support. Undoubtedly, Poston carried a letter of introduction from King, his former employer at the Customs House who had returned East and was now vice president of the "Hundred Million" company. Walker himself was not only acquainted with the Southwest but, with Senators Thomas J. Rusk of Texas and William M. Gwin of California, had been an ardent lobbyist for the Gadsden Purchase. Indeed, Walker's own brother-in-law, Major William H. Emory of the Topographical Engineers, was at that very moment running the boundary between the Purchase and Mexico.

Poston's talks with Walker and a group of Ohio capitalists interested in mining were obviously successful, for he returned to the Southwest as an official in the "Sonora Exploring and Mining Company." Throughout the fifties he made other trips east to secure the technical assistance of German mining engineers, to lobby for a port of supply on the Gulf of California, and to raise more capital. In May 1856 Poston also joined Dr. Michael Steck, the Superintendent of Indian Affairs in New Mexico, to make a treaty with the Apaches living near the Santa Rita copper mines east of Tubac, so that a Cincinnati firm affiliated with his Sonora Company could exploit that property in peace.¹¹

9. Wyllys, *Arizona*, p. 112. Ehrenberg's career was summarized by Poston in the *Arizona Weekly Star*, February 26, 1880.

10. Sacks, *Be It Enacted*, p. 9.

11. Wyllys, *Arizona*, p. 133. "Joseph Fish Manuscript History of Arizona," pp. 251-57, typescript in APHS. See also Poston File, APHS.

By 1857 Poston had sent a mule load of ore to San Francisco to "show the world" what the Gadsden area could do. At the same time, he persuaded Santiago Hubbell of New Mexico to haul in supplies and, on his return trip, to take 24,000 pounds of ore all the way to St. Louis to be refined.¹² Bright indeed seemed the future of the Gadsden tract pioneer entrepreneurs, backed as they were by a benevolent national administration, Texas railroad men, and assorted speculators and financiers from both coasts and Europe.

Poston's activities in the Santa Cruz Valley were paralleled, and even outshone for a time, by more profitable mining ventures along the Colorado and Gila rivers. In 1858 Colonel Jacob Snively, who had tried to make his fortune in 1843 by intercepting and robbing Santa Fe caravans, now appeared with some of his men to mine gold and silver on the Gila River. Quite in harmony with his own violent nature, a wild gold rush town, Gila City, grew up twenty miles above Fort Yuma with everything "but a church and a jail." There hard-drinking miners eventually extracted nearly \$2,000,000 from the soil before the ore played out.¹³

Much in the tradition of Snively's earlier career, one Henry A. Crabb organized a filibustering expedition in 1857, under the guise of the "Gadsden Colonization Company," to take Sonora. Many of Poston's own miners joined the party, only to be ambushed by Mexican soldiers and routed. Snively's and Crabb's brief careers in the Far Southwest illustrated both a common exploit-and-get-out attitude towards the region and a lawlessness all too characteristic of the freebooters who preyed on the border provinces of Mexico in the name of Manifest Destiny.¹⁴

Besides the legal mining companies and the illegal filibusterers, the inevitable frontier merchants and army sutlers were soon in evidence in Arizona. When the presidio town of Tucson was occupied by American troops in 1856, enough American miners and settlers followed in their wake to elect an American merchant, Mark Aldrich, as

12. *Ibid.*, pp. 278-79.

13. Billington, *Far Western Frontier*, p. 249.

14. Wyllys, *Arizona*, p. 112.

mayor or alcalde of that still Spanish-American town.¹⁵ From that point on, the pattern of political evolution was both familiar and inevitable. To run a successful business, to mine profitably, or even to build a railroad, one needed law and order. In turn, that meant local political organization. In Cincinnati, New York, Philadelphia, and Washington the backers of Arizona projects also knew that their ventures could not succeed unless favorable conditions existed in the region. Almost unconsciously, a sentiment for territorial organization for Arizona had developed by 1856. Undoubtedly, the American pioneers of Tucson had all these considerations in mind when they held a convention in August 1856 and memorialized Congress for a territorial organization. They also elected Nathan P. Cook, a mining company official, as delegate.¹⁶

The pleas of the men who petitioned Congress in 1856 were not nearly so interesting as the convention members themselves. Besides Mayor Aldrich, who chaired the convention, James Douglas of Sopori, an experienced miner from Mexico and a former member of the Mexican army, was in attendance.¹⁷ Herman Ehrenberg, Poston's German friend, was there. Ignacio Ortiz and Jose M. Martinez signed the memorial for their Mexican countrymen who made up a majority of the white population in the Gadsden Purchase. Granville H. Oury, a Virginia-born frontiersman—and the very epitome of a Southern colonel, was at the convention.¹⁸ One of the most typical signers was Hiram S. Stevens who had been stationed in New Mexico after the Mexican War. Upon his discharge he had become an army contractor and, in that capacity, had followed the first detachment of soldiers to Tucson in 1856. Stevens' future partner, Samuel Hughes, was also at the convention.¹⁹ He, too, had come to Tucson as a merchant and mining speculator. Perhaps the most rugged of the memorialists was Peter Kitchen, a tough frontier rancher from Nogales.²⁰ At least one

15. Frank C. Lockwood, *Life in Old Tucson, 1854-1864, as Remembered by the Little Maid Atanacia Santa Cruz* (Los Angeles, 1943), pp. 16-23.

16. Sacks, *Be It Enacted*, p. 12.

17. Annie M. Cox, "History of Bisbee, 1877 to 1937" (Master's thesis, University of Arizona, 1938), pp. 35-36.

18. See C. C. Smith, "Manuscript History of the Oury Family," typescript, A.P.H.S.

19. Lockwood, *Old Tucson*, pp. 169-74, 200-20.

20. *Ibid.*, pp. 24-39; Sacks, *Be it Enacted*, on the other hand, finds no evidence that Kitchen was there.

of the signers, Peter R. Brady, had come to Arizona as a member of the boundary commission and had stayed on to serve in Andrew B. Gray's private railroad surveying party.²¹

Great expectations did not dwell solely in the hearts of American pioneers in Tucson that summer. Further east the American citizens of Mesilla, New Mexico, had already protested to Congress earlier that year that the territorial officials in Santa Fe ignored their local needs. To remedy this defect they requested a territory of their own, which they proposed to name "Arizona."²² As in Tucson, the Mesillaños did not act in a vacuum: their requests were also supported by Texan expansionists and by railroad and mining promoters in Washington and the East.

When Congress met in December 1856, the House refused to seat "Delegate" Cook or to organize a new territory. Congress also turned down a bill that Senator Rusk of Texas had introduced earlier that year, calling for the settlement of land questions in the Gadsden Purchase area.²³ Cook did not return to Arizona completely empty-handed, however. Rusk, who had an obsession about establishing adequate communications between the Pacific Coast and Texas and who had been proposing legislation to facilitate construction of a transcontinental railroad since 1852, succeeded in pushing a wagon road bill through both houses which provided \$200,000 for the construction of a road from El Paso to Fort Yuma. Once the contract was awarded, Cook became the assistant engineer for the project.

Until 1857 the agitation for a territory had centered in Tucson and Mesilla. Now, two army officers from Fort Yuma entered the lists. The first was Major Samuel Peter Heintzelman, a West Point graduate who had been in the Mexican War and had followed the flag to California.²⁴ When the gold rush began, Heintzelman had been detailed to establish a military post, Fort Yuma, on the Colorado River where the argonauts crossed into California. As a man of ability with an eye for detail and order, Heintzelman was soon part and parcel

21. *Ibid.*, pp. 79-84.

22. Sacks, *Be It Enacted*, p. 10.

23. *Ibid.*, pp. 12-15.

24. Goetzmann, *Army Exploration*, pp. 259-60. Poston summarized Heintzelman's career in the *Arizona Weekly Star*, May 13, 1880.

of the public and private plans to develop Arizona, for his post lay athwart the proposed 32nd parallel railroad route and the Colorado River, which every person interested in the Southwest hoped would prove navigable. Heintzelman also personally participated in the first American exploration of the lower Colorado in 1850-51. When he learned of the mineral wealth of the Gadsden Purchase from Poston and Ehrenberg in 1854, he became a member of their Sonora Exploring and Mining Company, and by 1857 Heintzelman himself had become president of the firm. The major—who was one day to be a Civil War general—was a valuable man to know, for he had influential friends in Ohio and in Congress, and he used them time and again to promote Arizona interests.²⁵

After the Gadsden Purchase had been ratified in July 1854, mining schemes became the rage among Heintzelman's fellow officers, and no one of them was more excited by the mineral promise of Arizona than Lieutenant Sylvester Mowry. Of the many daring young pioneers who came to frontier Arizona, the temperamental, red-headed Mowry was perhaps the most comical, colorful, and tragic. Although Mowry came from a wealthy cultivated Rhode Island family, he chose West Point and the Army for a career. Immediately after his graduation he was assigned to the northernmost Pacific road surveys, but by 1854 he was in Utah as the head of a unit of dragoons under Colonel Steptoe's command. There Mowry's overly ardent nature soon involved him in an affair with a young Mormon wife, and he was quickly transferred to an Army supply depot in California. Two years later he was sent to Fort Yuma to command the Third Cavalry unit there.²⁶

The dashing lieutenant did as much as any man at Fort Yuma to enliven the dull routine at that ugly, steaming post. He kept one or more Yuma Indian girls as mistresses and wrote of his conquests in a

25. Sacks, *Be It Enacted*, pp. 89-91. The *Weekly Arizonian* reported in its first issue, March 3, 1859, that the Heintzelman mines were producing fabulous ores. It is significant that the Sonora Company survived the crash of 1857 and that no less a personage than Colonel Samuel Colt, inventor of the revolver, consented to be the company president in 1859. See *Sonora Exploring and Mining Company*, Report of Frederick Brunkow (Cincinnati, 1859), YWA.

26. George W. Cullum, *Biographical Register of the Officers and Graduates of the U. S. Military Academy* (6 vols. Boston, 1891-1900), 2, 483. "Sylvester Mowry" in Hayden File, APHS.

series of extraordinarily frank letters. He drank so heavily that he endangered his health, and he swore and boasted his way through every scorching day.²⁷ Yet Mowry was both ambitious and something of a businessman, and he, too, was soon involved in schemes to develop Arizona mining. He discussed the commercial future of the Colorado River with his superior, Major Heintzelman, and after he had been given the convenient task of reporting on the Indian tribes contained within the Gadsden Purchase area, he and his fellow officers returned to Yuma greatly impressed by the mineral deposits there. By 1858 Mowry, in partnership with Captain R. S. Ewell and Elias Brevoort, had gone into mining.²⁸

Later Mowry himself purchased the Patagonia Mine from Ewell and set out to become the biggest operator in the Purchase. Mowry's mines were located in the beautiful Sonoita Valley. There Sonoran workers brought ore to German mining experts who reduced it to crude ingots. These were then shipped overland to the port of Guaymas, Mexico, and from the Mexican port the ingots went to Swansea, Wales, for refining. Since the mine was in Apache country, Mowry hired American guards to protect his operation from Indian raiders.²⁹

From the very first, the problems involved in establishing a mining company on an isolated frontier led Mowry and a dozen other mine owners into politics. The lack of enough soldiers to control the wild Indians of Arizona greatly hampered their mining operations. The large expense of freighting in supplies under heavy guard also made mining costs prohibitive. Mowry therefore became a lobbyist for improved transportation facilities—whether this meant a railroad for Tucson or an adequate port on the Colorado. Thus it was that a year after "Delegate" Cook had been sent to Congress, a motley set of miners, settlers, merchants, and soldiers came together in the small village of Tubac, in September 1857, to elect Sylvester Mowry as "delegate" from "Arizona." The Tucsonians, who obviously saw no

27. Letters in the Mowry Papers, YWA, describe his amorous exploits.

28. *Arizona Enterprise*, March 3, 1892.

29. *Weekly Arizona Star*, June 26, 1879. See also Sylvester Mowry, *Arizona and Sonora* (New York, 1864).

harm in having two lobbyists in Washington, also endorsed Mowry as their amateur delegate. Mowry himself was not even in Arizona at the time, for he had already gone to Washington to work for a territorial organization.³⁰

Mowry arrived in Washington with as much support as any extralegal delegate elect probably ever had. Major Heintzelman, now stationed in Kentucky, came to Washington to persuade doubting senators that the Arizona mines were extremely valuable. Mowry himself had the support of Rhode Island financiers, Senator Rusk of Texas, a number of Southern congressmen, Delegate Otero of New Mexico, and Senator William M. Gwin of California. To Northern congressmen, however, Mowry's supporters spoke with a Southern accent: when Senator Gwin introduced a bill in December 1857 to organize Arizona, the vote was sectional and the bill failed to pass. Both Mowry and Heintzelman now returned to Arizona to look after their respective mining interests.³¹

Neither Mowry nor the territorialists in the Gadsden Purchase were ready to give up. The young lieutenant was now so committed to Arizona that he resigned his commission, and in September 1858 was reelected delegate. A year later, in July 1859, Mowry was endorsed still again by the local voters. By this time Mowry almost had semi-official status, for the Department of the Interior had appointed him special agent to supervise a survey of Pima and Maricopa tribal lands and to distribute \$10,000 in gifts to them.³² Such a sum was a powerful vote-getter in a frontier community of merchants and contractors.

By 1859 the support for Mowry had broadened beyond the Santa Cruz Valley to Arizona City in the west and to Mesilla in the east. The latter community had become so alienated from the authorities in

30. Sacks, *Be It Enacted*, p. 17.

31. *Ibid.*, pp. 31-32.

32. *San Francisco Herald*, November 13, 1858, in the Ida Reid Leonard Collection, APHS. Mowry was also on the board of directors of the Sopori Land and Mining Company, whose president in 1859 was yet another Topographical Engineer, John Russell Bartlett, who had been on the United States-Mexican Boundary Commission of 1852. Bartlett, Samuel Colt, James Douglas, and Mowry apparently had in mind exploiting the lands of the huge 160,000 acre Sopori Grant as well as its minerals. See *Charter and By-Laws of the Sopori Land and Mining Company* (Providence, 1859), YWA.

Santa Fe that they resolved not to participate in New Mexican elections. With the vision of a lengthy east-west territory running along the 32nd parallel in mind, they again demanded their own territory and agreed to support Mowry as delegate.³³

It was inevitable that Mowry would make spread-eagle speeches and claim great things for Arizona and that sooner or later they would be challenged. In the spring of 1859 Edward E. Cross, editor of the *Weekly Arizonian* at Tubac, became convinced that Mowry's remarks were terribly misleading and actually harmful to Arizona. Cross himself had been hired by a Cincinnati firm to promote its own interests in the area. All that was needed for Arizona, said Cross, was a government surveyor's office and an adequate law-enforcement and court system. A duel of words ensued between Cross and Mowry, which reached a climax when it was learned that a territorial organization bill introduced by Senator Gwin had been defeated in February 1859. Cross did not regret the defeat. "Better a limited amount of legal rights and privileges than none at all," he said. "We can get a U. S. Judicial District, a Branch of the Surveyor General's Office, Justices of the Peace, constables, and deputy sheriffs, which would answer all our need for the present."³⁴ Mowry took such exception to these and other remarks that he challenged the editor to a duel in July 1859. After shooting at each other with rifles—and missing—the two firebrands settled their quarrel amicably, while the whole of Tubac flooded into cantinas and bars for drinks. Two weeks later the pro-Mowry interests purchased Cross' paper and the fight for territorial government went on.³⁵

It was now nearly four years since the Americans in Tucson and Mesilla had first demanded a territorial government. Impatient with Congress and increasingly harassed by Indians, the Mesilla citizens deposed local New Mexican appointees by March 1860, naming their own officials. The pioneers of Tucson met in April 1860, to hold their fifth convention. This time the thirty-one delegates proposed to "or-

33. *Weekly Arizonian* (Tubac), June 19, July 14, 1859. See also San Francisco *Herald*, May 18, September 14, 1859.

34. *Weekly Arizonian*, June 30, 1859.

35. *Ibid.*, July 14, 1859.

dain and establish" a provisional government of their own. Working in conjunction with Mesilla citizens, they chose Dr. Lewis S. Owings as governor, J. A. Lucas as secretary of state, and Granville H. Oury, S. H. Cozzens, and Edward McGowan as justices. Ignacio Orantia of Mesilla, who represented the Spanish-American population, was made lieutenant governor. In recognition of the overwhelming hostile Indian problem Arizona faced, the convention named two frontier fighters, W. C. Wordsworth and Palatine Robinson, to head a territorial militia. After providing for a legislature and for county organization, the delegates adopted the laws and codes of New Mexico territory.³⁶ Since Mowry resigned the delegateship in the summer of 1860 to assist in running the eastern boundary of California, the voters of Arizona met again in November to elect Judge Edward McGowan in his place.³⁷ The roster for an Arizona territorial government was at last complete.

Arizona was not alone in resorting to extralegal government that year, for squatter governments were already operating in Colorado, Nevada, and Dakota. Representatives of all four were badgering congressmen to give them official recognition at the very moment the Union was dissolving. The major stumbling block in Arizona's case was that the 1860 convention in Tucson, like all the previous ones, was ardently Democratic and Southern in its outlook. Delegate McGowan was instructed to take his appeal for admission to a Southern congress should the Union split.³⁸ Lincoln's election in November 1860 virtually guaranteed that all Democratic legislation for the region would be shelved. Senator Rusk was now dead, and Senator Gwin, a Southern sympathizer, was soon to flee to Europe to escape imprisonment. Ten years of Democratic benevolence in the Far Southwest had come to an end. With the outbreak of the Civil War, federal army units at Forts Buchanan and Breckinridge quickly withdrew, the Overland Mail stopped running, and once again Eusebio Kino's "Pimeria Alta" seemed destined to become a no man's land.

At the beginning of the war, wrote H. H. Bancroft, "Public senti-

36. San Francisco *Herald*, March 9, April 16, May 21, August 16, September 6, 1860.

37. *Ibid.*, November 20, 1860.

38. *Ibid.*, December 4, 1860.

ment in Arizona . . . was almost unanimously southern and disunion."³⁹ Yet, as had been mentioned elsewhere, the Southerners there were so independent of one another that they produced a two-headed political infant. In February 1861 the citizens of Mesilla, prodded by Texan secessionists, called for a convention in March, where the delegates declared their loyalty to the Confederacy. A similar convention at Tucson echoed the sentiments of the Mesillaños.⁴⁰

After that point, however, the interests of Mesilla and Tucson began to diverge. When Colonel John Baylor occupied Mesilla with Texas troops in early August 1861, he made himself military governor and appointed territorial officers. The Tucson citizens joined in the creation of the new government by electing Granville H. Oury as delegate to the Confederate Congress. But Baylor and his fellow officers had their own plans for the position, so that when Oury reached the Confederate capital he discovered that Baylor's attorney general, Basil H. MacWillie, also claimed to be the duly elected Arizona delegate, and in the end Oury was not seated.⁴¹

Although the Davis government finally organized the Confederate Territory of Arizona in January 1862, the Tucsonians were not very happy with its officers. Mowry himself complained in a letter that Colonel Baylor had fallen in with the wrong set "who may do the Territory . . . infinite harm." Oury called Baylor's appointees "a dirty clique of greedy comorants" who were gorging themselves on the Confederate treasury.⁴² Nevertheless, his protests fell on deaf ears, and Oury himself soon resigned his unrecognized seat to raise troops and fight in the war.

The fate of the Arizona enterprises of the fifties and of the Confederate attempt to hold Arizona were epitomized in the later career of Oury's close friend and supporter, Sylvester Mowry. The young lieutenant's interest in politics had begun when he realized that his mining ventures could not succeed without government help and

39. Bancroft, *Arizona*, p. 511.

40. *San Francisco Herald*, February 6, March 11, April 1, 15, 24, May 4, 1861.

41. *Ibid.*, July 27, December 4, 1861. Sacks, *Be It Enacted*, pp. 62-63.

42. Handbill, May 21, 1862, in Oury File, APHS.; also Mowry to Davis, December 11, 1861, in Mowry File APHS.

protection. When federal troops withdrew from Arizona in 1861, Mowry was desperate. He had always been pro-Southern, and when Sherod Hunter, a bold Confederate officer, occupied Tucson, Mowry decided to cast his lot with the South. He furnished the ambitious captain with ammunition and supplies, began to speak warmly of the Confederacy, and even boasted that he would soon be appointed governor.⁴³

Once again Mowry's hopes were to be dashed, for when Colonel James H. Carleton appeared at Fort Yuma in early 1862 in command of nearly 2,500 Unionist California Volunteers, the days of Confederate Arizona were numbered. Despite brilliant delaying tactics by Hunter and other Confederate officers, the Union army occupied Arizona after only one skirmish at Pichacho Pass. By June, Carleton was in Tucson. Now a Brigadier General, he proclaimed that Arizona was now a federal territory. He named himself military governor, declared martial law, arrested political prisoners, and made all remaining citizens take an oath of allegiance.

Carleton's official acts leave the real story untold. Many a California Volunteer had joined Carleton's command to get a free trip to the Arizona mineral fields. Two of Carleton's officers, Lieutenant Colonel Joseph R. West and his Adjutant General, Benjamin Cutler, appear to have had such an idea in mind, and Carleton himself was seriously interested in mining. Once they reached Tucson, an interesting set of events took place, for Carleton immediately ordered the arrest of Mowry as a Southern sympathizer. Two of Mowry's disgruntled employees, it appears, had reported his friendship with Sherod Hunter to the Colonel. The outraged ex-lieutenant was then paraded through Tucson in chains, but ever the showman, Mowry was accompanied by his mistress and a private secretary. Later he was tried before a military board of inquiry, which decided that he must remain a prisoner at Fort Yuma.⁴⁴ Mowry's misfortunes were not to stop with arrest. General Cutler, using the authority of the Confiscation Act of

43. *Alta California*, July 23, December 2, 1862.

44. Bancroft, *Arizona*, pp. 515, 516 n. Journal of Alexander Bowman, 1861-65, MS in University of Arizona Library, Tucson; see entry for June 15, 1862. Mowry File (Hayden) APHS.

1862, took over Mowry's mines as legitimate war spoil, and they were sold at public auction in 1864. Mowry himself was soon released from custody, and while he managed to retrieve some of his property, never again was he to be the Grand Señor of Arizona.

Mowry's mines showed such a profit after 1865 that he was able to sell the Patagonia for \$40,000, but in all other respects bad luck dogged him. In subsequent years he was jilted by a San Francisco beauty and denied his consuming ambition to be the United States minister to Mexico. Meanwhile, Mowry, who was still in his thirties, fell victim to Bright's disease. Desperately seeking to restore his health, he went to London to consult Dr. Bright himself, only to learn upon arrival that the famous physician had just died. Disillusioned and lonely, the young Arizona pioneer died in a London hotel, attended only by his friend Charles Poston.⁴⁵

From 1848 to 1860 the history of Arizona—or more properly that of southern New Mexico—might best be described as the evolution of a great public project run by the Democratic Party for the purpose of assuaging the growing insecurity of the South. The project itself cost an extraordinary amount of money. Besides the \$10,000,000 expended for the Gadsden Purchase, several hundred thousand were spent on the various boundary commissions and several hundred thousand more on the 32nd and 35th parallel Railroad Surveys. Senator Rusk of Texas also secured \$100,000 to dig artesian wells in the Staked Plains and \$200,000 to build a wagon road from El Paso to Fort Yuma. There were the further expenses of the official exploration of the Colorado River during the 1850s and the many Army detachments stationed along Cooke's wagon road route. Beginning in 1858, the federal government awarded a subsidy of some \$600,000 a year to the Overland Mail Company. Later Poston was to estimate that at least one private mining company had spent \$50,000 to develop local mines.

It is only fair to say that little of the vast treasure found its way into Arizona. Given this policy of hothouse development it is also not surprising that Arizona's few pioneers were Topographical Engi-

neers, Army officers, mining and railroad promoters, filibusterers, merchants, and sectional politicians. Except for the Mexicans already there, the bona fide settler was conspicuously absent. Yet while it was a frontier artificially created by public policy and sectional interest, the Arizona story cannot be understood without also remembering that Americans were so overwhelmed by the California gold rush experience that they constantly dreamed of repeating that saga in other mineral rich areas. The devotees of Manifest Destiny firmly believed that this investment of the public treasure would be repaid tenfold. From 1848 to 1860, then, Arizona was a no man's land, into which the golden hopes, the expansionist dreams, and the sectional fears of the United States were projected with extraordinary vigor.

45. Lockwood, *Old Tucson*, pp. 123-27. Mowry File (Hayden), APHS.

Arizona: Beleaguered Territory 1861-1874

It is hard to see a people wasting away by Indian ravages who are ready and willing to take the field if they had only something to subsist upon while so engaged.

Weekly Arizonian
October 16, 1869

Hostilities in Arizona are kept up with a view of protecting the inhabitants, most of whom are supported by the hostilities.

General E. O. C. Ord
January 22, 1870



One of the many disheartening pieces of intelligence to reach Washington in the early fall of 1861 was the news that Rebel forces under Colonel John Baylor had occupied southern and western New Mexico and had organized the region as the Confederate Territory of Arizona. As a countermeasure, Delegate

John S. Watts of New Mexico introduced a bill in Congress that December to organize the federal territory of Arizona. The Watts bill was subsequently incorporated into another bill proposed by Congressman James M. Ashley of Ohio, who was chairman of the House Committee on Territories.¹ The Ashley measure was destined to become the Organic Act of Arizona Territory.

1. The details of Congressional organization are carefully covered in Sacks, *Be It Enacted*, pp. 69-86. A contemporary account may be found in the *Journal of the First Legislative Assembly of the Territory of Arizona*, 1864 (Prescott, 1865), pp. 10-12.

Apart from the obvious military and strategic necessity of curbing Confederate claims to the Far Southwest, what were the arguments for the creation of a new territory at this time? The Congressional debates strongly suggest that the new body politic was a product of wartime Republican politics. Congressman William A. Wheeler of New York observed in the early debates on the Ashley Bill that the House had received no petition for organization from the inhabitants of Arizona. Wheeler himself doubted that there were any inhabitants there, in fact.²

In answer to Wheeler's allegations, Delegate Watts was able to cite census returns which showed that nearly 5,000 persons lived in the proposed territory. But later Watts shied away from the population theme to discuss the mineral resources of Arizona instead. To press home his argument, he held up a large specimen of rich silver ore taken from the Heintzelman mines for the members to see. When he had finished, Watts had left the strong impression that Arizona might be another California.³

Ashley himself seconded Watts' remarks, and he was followed by John A. Gurley, another House member from Ohio, who also spoke in behalf of territorial organization. As Dr. Sacks has pointed out in his recent study of the origins of Arizona Territory, the fact that the chief Congressional sponsors of Arizona happened to be from Ohio was no accident. Two of the four largest firms engaged in Arizona mining had been chartered in Ohio. The directors of these firms, among them John and William Wrightson, were influential men. Both General Heintzelman and Charles Poston, who were affiliated with the firms, were also in Washington in 1861-62, busily lobbying for a federal Arizona.⁴ When the House finally passed the Arizona organic act on May 8, 1862, it did so as much to protect property and to

2. Sacks, *Be It Enacted*, p. 71.

3. *Ibid.*, p. 72.

4. *Ibid.*, pp. 73-76. James M. Ashley, *Protection and Freedom in Arizona* (Washington, 1862), pp. 1-8, pamphlet, YWA. Poston later described Ashley as his "political guardian" during the debates over the Arizona bill: *Arizona Enterprise* (Florence), September 26, 1891, Poston File, APHS. Granville Oury recalled that as early as 1858 the Santa Rita Mining Company—a Wrightson firm—and its local paper, the *Weekly Arizonian*, were "black republican." See *Arizona Daily Star*, November 29, 1879.

promote mining interests, as it did so to bring its few citizens the blessings of government.

Once the Ashley Bill reached the Senate, it ran into the same arguments about the lack of population. Senator Lyman Trumbull of Illinois, who had recently secured the governorship of Dakota Territory for his own brother-in-law, somewhat inconsistently criticized the Arizona bill as a device to create new public offices for patronage purposes. Despite pleas by Benjamin F. Wade, the chairman of the Senate Committee on Territories, for immediate passage of the bill, it was tabled until the next session of Congress.⁵

Before Congress reconvened in December 1862, a midterm election occurred. Many new men were elected to Congress, and a number of Republicans lost their seats. And during the summer of 1862, Generals Canby and Carleton had driven the last of the Confederate forces from New Mexico and Arizona. At least Congress now *had* a territory to organize. A combination of patronage pressures, the influence of assiduous lobbyists like Heintzelman and Poston—who came to Washington again in the winter of 1862-63—and the exigencies of wartime strategy, persuaded the Senate to pass the Arizona Organic Act on February 20, 1863.⁶ Lincoln approved the bill four days later.

The creators of federal Arizona shrewdly arranged the boundaries of the new territory. Secessionist Mesilla was left in New Mexico, but the mining regions along the Colorado River (gold had just been discovered at La Paz) were placed within Arizona bounds. Two proposed railroad routes along the 32nd and 35th parallels were also included within the territory. In an earlier version of the bill Tucson had been designated as the territorial capital, but on second thought the solons gave the governor and the legislature the right to locate the seat of government. The geographic foundations were laid for an Arizona that would be quite different from the one proposed throughout the 1850s.

When the Organic Act had passed, the lobbyists in its behalf held a celebration to honor the birth of the new territory and to divide the spoils. Charles Poston and General Heintzelman appear to have

5. Sacks, *Be It Enacted*, pp. 76-80.

6. *Ibid.*, pp. 80 ff.

been the hosts at this convivial oyster and champagne supper, to which all interested congressmen and Republican strategists had been invited.⁷ In an aura of cigar smoke and drinks, the founding fathers agreed that John A. Gurley, now a defeated Ohio congressman, should be the new governor. Richard C. McCormick of New York, a defeated candidate for Congress, was to be the territorial secretary, and William F. Turner of Iowa, William T. Howell of Michigan, and Joseph P. Allyn of Connecticut were to be federal judges.

In the midst of their pleasant deliberations Poston suddenly exclaimed: "But, gentlemen, what is to become of me?"⁸ The genial congressmen, after scanning the remaining vacancies, named him superintendent of Indian affairs. The roster was completed when Almon Gage of New York was made attorney general, Milton Duffield of California was appointed United States marshal, and Levi Bashford of Wisconsin became Arizona's first surveyor general. Historians have made much of the fact that it was a government of lame ducks, but other considerations governed the choices as well, for four of the nine men were from mining states and had business reasons for going to Arizona. Congress then confirmed the appointments of the new officials. When Governor Gurley died unexpectedly in 1863, he was replaced by another former congressman, John N. Goodwin of Maine.⁹

In the late fall of 1863 the new officials gathered at Fort Leavenworth, where they picked up a military escort to guide them as far as Fort Union, New Mexico. As they rode across the plains, it became obvious that Lincoln had appointed a set of political opportunists, for they argued the whole way about which one of them was best fitted to return to Washington as the first territorial delegate.¹⁰

When these ambitious officials reached Fort Union, General Carleton took them under his wing and soon convinced them that Tucson

7. Poston in *Arizona Enterprise*, September 26, 1891.

8. Lockwood, *Old Tucson*, pp. 73-74.

9. Sacks, *Be It Enacted*, pp. 87-89. Robert L. Swor, "The Development of Prescott" (Master's thesis, Arizona State College, Tempe, 1952), copy in Arizona State Archives, Phoenix.

10. This is Poston's allegation, although he did not travel with the officials. See *Arizona Enterprise*, September 26, 1891. It is true that Goodwin, McCormick, and Judge Allyn wanted to be delegate and that Judge Turner hoped to be governor. See William F. Turner file in Department of State Appointments Division, TP, Arizona.

was full of secessionists and was not worthy of becoming the territorial capital. Carleton then pointed out that the veteran mountain man and explorer Joseph Reddeford Walker had found gold in Lynx Creek spring in 1863, and that Henry Wickenburg had just located more excellent veins of gold and silver near the Walker diggings.¹¹ Since these new camps were in dangerous Indian country, Carleton had already sent a detachment of soldiers to ascertain a route to the new mines and to estimate the extent of the mineral discoveries. The reports had been so favorable that in the fall of 1863 he had stationed Major E. B. Willis in the region with orders to construct a fort there. Carleton then urged Governor Goodwin to locate the new capital at Fort Whipple—the name of the new outpost.¹²

Carleton's suggestion had a dramatic effect. Jonathan Richmond, a traveler in Governor Goodwin's party, wrote that "every one in the party are gold struck—the fever is raging furiously. Mules and Mexican ponys in Santa Fe bring \$200. Gov. had letter here from responsible men stating that fortunes are daily made etc., etc."¹³ Goodwin accepted Carleton's proposal with alacrity. Now guarded by a detachment under Colonel J. Francisco Chavez, the officials turned west at Albuquerque; and on December 27, 1863, they reached Navajo Springs, just inside the Arizona border. There, two days later, Goodwin proclaimed the organization of Arizona territory. Drinks were passed around, and Secretary McCormick made a speech.

After a winter's sojourn at Fort Whipple, both the civilians and the military personnel there decided to move the infant settlement to a better location nearby. The new settlement was given the name Prescott, to honor William Hickling Prescott, the historian, whose works Secretary McCormick had read and admired.¹⁴

In a sense the government had arrived before the people in Arizona, for after Marshal Duffield had taken a census in the spring

11. Jonathan Richmond to ——— Richmond, Fort Union, New Mexico, November 9, 1863, in *Letters from Arizona*, October 13, 1863, to May 31, 1865, ASA.

12. *Ibid.* Bancroft, *Arizona*, p. 522.

13. Richmond to Richmond, November 9, 1863, *Letters from Arizona*.

14. E. E. Williams, "The Territorial Governors of Arizona," *AHR*, 7 (1935), 50-51.

of 1864, he reported that only 4,187 white persons lived in the huge territory. Of these a clear majority were Spanish-Americans who had pushed into the region from Sonora. The new government also faced the awkward fact that the Anglo-Americans in Arizona were largely from the Southern states and were Democratic in their politics, if not secessionist in their loyalties. Furthermore, most of the settlers were concentrated in three widely separated areas: the pleasant Santa Cruz Valley, where Tucson and Tubac were located; along the hot, lower reaches of the Gila and Colorado rivers, where Gila City, La Paz, and Fort Yuma could be found; and at Prescott, Wickenburg, and Fort Whipple, which were situated in an attractive, cool, tree-covered mountain area in north central Arizona.¹⁵

The isolation of the white settlers from one another was particularly dangerous, for an estimated 30,000 Indians lived in Arizona, who had never been subdued by either Spain or Mexico. In 1863 they still outnumbered the whites by at least six to one. Although Carleton and Kit Carson were successfully reducing the Navajo on the eastern border, and the Moqui villages in northern Arizona represented no real threat, southeastern and southern Arizona were awash with Apache raiders. The various bands in the Apache corridor had been understandably upset by the invasion of American soldiers and miners during the 1850s. But despite a continuing number of small ambushes and raids, it looked for a time as if the United States would be able to achieve a *modus vivendi* with some of the Apache groups. The government had actually signed a treaty with the Coyoteros in 1852 and had established a reservation for the Mimbrenos tribe in 1853, near Fort Webster, New Mexico, where Agent Michael Steck succeeded in keeping peace for three years (1854-57). Steck also secured agreements with the Chiricahua chief, Cochise, which permitted the Overland Mail to go through and allowed miners to come into parts of Apache country.¹⁶ White privileges were given military

15. "Report of Arizona Census, 1864" in Dept. of State, TP, Arizona.

16. American relations with the Apache tribes have been recently summarized in Spicer, *Cycles of Conquest*, pp. 241-60. For special studies see Frank C. Lockwood, *The Apache Indians*, (New York, 1948); Ralph H. Ogle, *Federal Control of the Western Apaches, 1848-1886* (Albuquerque, 1940); and Sonia Bleeker, *The Apache Indians, Raiders of the Southwest* (New York, 1951).

backing in 1857, when Colonel Benjamin L. E. Bonneville decisively chastised a number of Apaches in southern Arizona.

With the coming of the Civil War, Apache-white relations deteriorated almost overnight. An army attempt to arrest Cochise in 1861, followed by the treacherous murder of several Apache chiefs by soldiers and the killing of Mangas Coloradas in 1863, sent the tribes on the warpath permanently. They increased their raids against Sonorans, the Pima and Papago Indians, and against the Americans. By the time the federal officials reached Fort Whipple, in fact, Apache warfare had been extended into central Arizona with such force that the whites there were in grave danger of being driven out.¹⁷

As the constant victims of Apache raiders, the agricultural Pima, Papago, and Maricopa Indians living in the Gadsden Purchase area welcomed the Americans as allies. While the Yumas were initially hostile to the Americans, by 1861 they were being brought under control. The more primitive tribes stretching along the Colorado from the Gila to the Moqui country—the Mohave, Yavapai, Walapai, and others—had been partially subdued during the 1850s, but it was still necessary to maintain troops at Fort Mohave near Hardyville to ensure peace in northwestern Arizona. Even then, a white-Yavapai war broke out in 1863.¹⁸

Such grim conditions did not prevent the machinery of government and politics from operating in this beleaguered territory. After a month's tour of Arizona, Governor Goodwin created voting districts and called for the election of a delegate and legislative assembly in July 1864. Charles Poston willingly gave up his post as Indian superintendent to run for the nearly expended term of delegate (upon election he would take office immediately and serve until December 1865). Poston was probably a Democrat, but he diplomatically identified himself as a representative of the Union party. He found that he was opposed by W. D. Bradshaw and one Charles Leib, who, with equal diplomacy, called themselves Independents. In a fast, spread-eagle campaign worthy of Davy Crockett, the contenders slammed, banged, and orated their way to election day. Backed by Indian Bureau

17. Spicer, p. 248.

18. *Ibid.*, p. 270.

patronage and the local Republican officials, Poston easily won the election.¹⁹

When the first territorial legislature convened in Prescott early that fall, the disparate origins of the Arizona settlers became more apparent than ever. Ex-Governor Coles Bashford of Wisconsin, who was the brother of Surveyor Levi Bashford, had been in Arizona less than a year, but now he appeared as the president of the Council.²⁰ One of Bashford's fellow members in the upper house was Mark Aldrich, the pioneer mayor of Tucson who had been a Confederate sympathizer. King S. Woolsey, an Alabama-born rancher, sat beside Henry A. Bigelow, a former citizen of Massachusetts. The remaining members were a combination of veteran and newly arrived miners. Two members of the Council, Francisco S. Leon and Jose M. Redondo, were leaders of the Spanish-American population. Three of the councilmen were born in New York and two in New England, and the remainder hailed from Alabama, Kentucky, Arizona, and Mexico.²¹

In the House of Representatives the diverse origins of the members were equally striking. Of the eighteen men there, twelve were from the American Northeast, two were from Missouri, and the remainder listed South Carolina, California, Germany, and Arizona as their birthplaces. Yet the predominately northern House elected W. Claude Jones, formerly of Mesilla, to be its speaker. Like nearly all frontier political bodies, the pioneer solons of Arizona were a relatively youthful lot. Five in the first House of Representatives were in their twenties, nine were in their thirties, and only four were over forty. While the average age of the Council was forty-two, Mark Aldrich was the only man there over forty-seven.²²

Despite their diverse origins, all were convinced that Arizona was to be a mineral empire and that the major task of government was to aid in its development by passing favorable mining laws, by solving

19. Poston File, APHS. *Arizona Miner*, June 22, 1864 et seq. "Proclamation, August 20, 1864," Department of State, TP, Arizona.

20. Bashford's political career in Wisconsin had been ruined by railroad scandals. He apparently came to Arizona to make a fresh start. See Coles Bashford File, APHS.

21. See *Journal of the First . . . Assembly of . . . Arizona, 1864*, pp. 1-9.

22. *Ibid.*

the Indian question, and by bringing a cheap mode of transportation to the territory. Until these goals could be realized, they could not really afford the luxury of partisan politics.

The legislators listened with sympathy to Governor Goodwin's first annual message, for he urged them to pass laws to protect the placer miners and prevent monopoly. They also must have liked Goodwin's attack on the seigniorage bill of Delegate Bennet of Colorado, which Congress was then considering. It would result in monopolistic ownership of mineral lands, he charged, and would "drive from the frontier, the prospector and the pioneer." After recommending that the mining law of Mexico be the basis for the Arizona code, he asked that the laws be "speedy in litigation" and that water monopolies be avoided where possible. What Goodwin wanted, in essence, was the adoption of California mining law for Arizona.²³

The other major topic of Goodwin's message, and that of all subsequent annual messages by the Arizona chief executives, concerned Indian affairs. After praising the Pimas, Papagoes, and Maricopas as "our well tried and faithful allies," he leveled a blast at the Apache as a "murderer by hereditary descent—a thief by prescription." Goodwin set the policy for the legislature and for all succeeding governors when he called for a war to compel absolute submission. He praised General Carleton's single reservation policy for the Navajo and hoped it could be applied to tribes in Arizona. He also approved of a recent expedition, organized by local volunteers, to punish hostile Indians. As in New Mexico and Colorado, the Arizona pioneer believed that local militia could best handle the Indian problem. In a good Manifest Destiny peroration Goodwin declared that the Indian and the antelope must disappear together before the Anglo-Saxon race, for "the tide of our civilization has no reflux wave, but rolls steadily over ocean and continent."²⁴

The legislature itself turned immediately to the question of transportation. They incorporated six toll roads, five of which would connect the capital at Prescott to the other regions of Arizona, while the

23. *Ibid.*, pp. 35-51.

24. *Ibid.*, pp. 42-45.

sixth proposed to run between Tucson and Libertad, Sonora.²⁵ Two railroad companies were also chartered. One of these, the Arizona Railroad Company, revived memories of the large railroad schemes of the 1850s, for it was to run from New Mexico to the Colorado River and to operate a second branch, running from La Paz to Tucson and then to Guaymas, Mexico. Since it was by far the most attractive and ambitious of the new paper companies, it is not surprising to find that Governor Goodwin and Secretary McCormick were on its board of directors.²⁶ Many of the legislators themselves were either the founders or directly interested in the remaining road and railroad companies.

The Assembly then turned to the classic task of requesting aid from Congress. From its territorial beginnings, the settlers had been oriented toward California rather than New Mexico. Thus they asked that the region be placed under the military jurisdiction of the California department rather than that of New Mexico. They also directed Delegate Poston to secure guns, rifles, and adequate mail service from Congress, and they themselves petitioned that body for a grant of \$50,000 to place all Indians on a Colorado River reservation. In the next breath they calmly requested \$250,000 to mount a war against the Apaches and \$50,000 to improve the navigation of the Colorado River.²⁷

In its second session the Assembly turned to the question of local government. It created four counties and named a three-man board of supervisors for each. The supervisors were to handle elections, act as a board of canvassers, and act as a tax board of equalization. Making full use of the few people available for public office, the probate judge was to be the board's auditor and the county recorder its clerk. Unlike Utah or New Mexico, however, Arizona's probate judges never had extraordinary powers. In 1865 even their jurisdiction over mining cases was transferred to the district territorial courts.²⁸

25. *Acts, Resolutions, and Memorials Adopted in the First Legislative Assembly of the Territory of Arizona* (Prescott, 1865), pp. 21, 24, 27, 30, 53-57.

26. *Ibid.*, pp. 25, 51.

27. *Journal of the First . . . Assembly of . . . Arizona, 1864*, pp. 166, 244. *Acts, Resolutions, Memorials . . .* (1865), pp. 76 ff.

28. *Laws of Arizona Territory . . . for . . . 1865* (Prescott, 1866), pp. 24-26, 44-45.

Generally speaking, the Arizona legislators used California county government as a precedent and eventually created a local system noticeably different from those of Utah and New Mexico.

While the basic pattern of local government was American from the start, Governor Goodwin was so impressed with the essentially Spanish cultural heritage of Arizona that by 1865 he had assumed the right to appoint many local officials. He named alcaldes and constables for Mohave City and Hardyville, selected William S. Oury as mayor of Tucson, and appointed probate judges, county recorders, treasurers, sheriffs, and coroners. He and his successors dealt so frequently with Spanish-American leaders or with Spanish-speaking Indians in Arizona that they either had to learn Spanish or keep an interpreter on hand.²⁹ The question of securing funds to print the laws in Spanish also worried both governor and legislator during most of the territorial period.

Although in 1864 Arizona could hardly be called a community of settlers and farmers, the legislature voted to aid four public schools in Prescott, La Paz, Fort Mojave, and Tucson and agreed to support the Catholic mission school at San Xavier del Bac.³⁰ The support was merely an expression of attitude and intent, for a real public school system was not established for more than a decade.

As in Colorado, the pioneer lawgivers of Arizona were flexible rather than original. This approach was reflected in the first code of laws, which were prepared by Judge Howell of the territorial supreme court. Howell himself was from the mining state of Michigan, but the mining laws he compiled were a combination of Mexican and California legislation mixed with parts of the New York code. Egalitarian in spirit and democratic in approach, the Howell Code was an intelligent attempt to reconcile local conditions with the national heritage.³¹

By 1865 the vague political lines in Arizona were becoming more clearly focused. The end of the Civil War had permitted local South-

29. Richard C. McCormick to Andrew Johnson, December 31, 1865, Dept. of State, TP, Arizona.

30. *Acts, Resolutions, Memorials . . . 1864*, p. 41.

31. Bancroft, *Arizona*, p. 522.

erners to return to politics. Once again the Oury brothers, Granville and William, appeared in Tucson to reclaim their confiscated property and take up new public careers. King S. Woolsey, who had left the Rebel side early in the fighting to become an Arizona rancher, proved to be such a natural leader that he was elected to the first two assemblies and was appointed by Governor Goodwin to head the territorial militia.³²

Here was a curious situation: the Southern Democrats and the Spanish-Americans had the vote, but the federal appointees had the power. Unlike the appointees in most territories, however, the Arizona federal officials soon learned to work together. Rather early this constantly changing, odd assortment of Unionists formed what Delegate Poston called the "federal ring." While most of them were from the Northeast, they could hardly be called abolitionists or Radical Republicans.

The first organizer of the ring appears to have been Governor Goodwin himself, who used his own good nature and his patronage and appointive powers to build up enough of a following to elect himself as delegate. He achieved his goal in the fall of 1865, when he defeated Poston in a hotly contested election. Goodwin could not have won, however, without the help of Secretary McCormick, whose newspaper, the *Arizona Miner*, molded public opinion in the territory. McCormick's reason for aiding Goodwin was an obvious one: he wished to succeed the Governor in office. As he had hoped, Johnson tendered him the governorship in 1866; and from that moment until his retirement from public office in 1875, McCormick was the dominant federal figure in Arizona affairs.

Governor Goodwin had been essentially a mining speculator who had used his office as a stepping stone to wealth. But McCormick, like Gilpin of Colorado, was a complicated combination of the educated, romantic dreamer and the speculator-businessman. Strongly possessed of a sense of history, he had helped to found the Arizona Pioneer Society, which was to preserve local history, for "posterity

32. See Judge William F. Turner to Hon. James Harlan (Secretary of the Interior), January 26, 1866, Dept. of State, TP, Arizona.

delights in details," explained McCormick, quoting John Quincy Adams.³³

Throughout his public career McCormick pounded home the theme that the American pioneer—the trapper and the individual explorer—was the true agent of empire. He praised Jedediah Smith, Kit Carson, Lucien Maxwell, and Bill Williams and made fun of John C. Fremont. McCormick also frequently sounded a second theme, which anticipated the writings of Frederick Jackson Turner, when he argued that "the life of the American mining pioneer is of a kind peculiar to itself. The circumstances which have produced it have existed nowhere else." Let the government take heed, he exclaimed, and give the prospector free reign and forget taxes or confining pro-capitalist laws. True America was "out of doors," said McCormick. It was a place of plain good food, and its true inhabitants were broad-minded, impulsive, and often hard-drinking men. But, he added, they never imbibed for "sordid reasons."³⁴ McCormick's egalitarian manner and his almost mystical faith in the benefits of public education meant that Arizona's political institutions would be cast in a standard American mold as long as he was in power.

McCormick's noble dreams for Arizona were somewhat belied by his career as a politician. His adeptness at political intrigue led enemy and friend alike to call him "Slippery Dick." Judge Turner complained in 1866 that McCormick had compromised with the Southerners by appointing Copperheads to office and had won over "the lowest class" by constantly putting "the bottle to his neighbor's mouth." McCormick had laid aside his Eastern habits and notions, said Turner in horror, to become an Arizonian.³⁵

Flexible and tolerant, McCormick willingly let the legislature move the capital to Democratic Tucson in 1867. But when it was realized that this was an unpopular choice, he ran for delegate on a ticket in 1868 which called for its return to Prescott. The ability of the Mc-

33. Williams, "Territorial Governors," *AHR*, pp. 50-60. "Oration . . . before the Arizona Pioneer Society, July 4, 1866" (Prescott, 1866), pamphlet in Dept. of State, TP, Arizona.

34. *Ibid.*

35. Turner to Harlan, January 26, 1866, Dept. of State, TP, Arizona. *Arizona Democrat* (Prescott), October 15, 1880.

Cormick federal clique to perpetuate itself was further demonstrated when one of its charter members, Coles Bashford—now a prominent merchant—won the delegate race in 1866 by running as an Independent. This innocuous title was chosen so he could get the Copperhead votes in southern Arizona. When his two-year term as delegate ended, Bashford then became the territorial secretary, and in his stead McCormick was elected to the delegateship. The Arizona voters appear to have accepted this interlocking political directorate with equanimity, for the ring was very good at securing federal grants, and the officials themselves were as devoted to the development of mining as were their constituents.³⁶

McCormick's election as delegate in 1868 led to the appointment of one of Arizona's most able governors, Anson Peacely-Killen Safford (1869-77). A Vermonter who had spent some years in Illinois, Safford had joined the gold rush to California. After running a business in San Francisco, he had then migrated to Nevada in 1862. He was already familiar with the game of politics, for he had been a representative in the California and Nevada legislatures, recorder of Humboldt County, Nevada, and was surveyor general of Nevada when Grant made him governor of Arizona in 1869.³⁷

The new Governor was a small, nervous man whom the Arizonians soon dubbed "The Little Governor." It was an affectionate title, however, for Safford shared with McCormick an extraordinary capacity to make friends and effect policies. Safford found at least one outlet for his restless nature by roaming the territory, either on horseback or by buggy, and talking with everyone he met. Not only did he find Delegate McCormick to be a kindred soul, but it is probable that the two were already involved in Arizona mining and other business ventures. So strong was their alliance that McCormick ran for reelection without difficulty in 1870 and was again reelected with virtually no opposition whatever in 1872.³⁸

36. Bashford and McCormick in *Biog. Dir. of Am. Cong.* Bashford and McCormick files, APHS. *Weekly Arizonian*, September 17, 1870.

37. A. P. K. Safford File, APHS. Williams, "Territorial Governors," *AHR*, 7 (1936), 69-84.

38. *AHR*, 7 (1936), 80. *Weekly Arizonian*, September 17, 24, October 4, November 12, 1870.

To succeed in Arizona, the McCormick-Safford regime had to grapple effectively with the hostile Indian problem, bring an adequate transportation system to the territory, and expand mining and ranching, which were the obvious native industries of Arizona. Of these, the Indian question was by far the most exasperating one.

When McCormick became governor in 1866, General Carleton had already begun an assault on the Apache nation by building a series of forts which ran in an arc from Fort Webster in southwestern New Mexico to Fort Whipple at Prescott. Between these two more distant posts were Camp Bowie, placed in the heart of the Chiricahua lands; Camp Goodwin, near the headwaters of the Gila; and Fort McDowell, near the Salt River.³⁹ (See Map.) While these posts made travel safer, they seemed to have had little effect on the Apaches themselves, and the killing of whites and peaceful Indians went on unabated. In 1865 the Papagoes had been so hard hit by these raiders that they agreed to maintain a standing army of 150 mounted rangers to help the whites. That same year General John S. Mason, commander of the district of Arizona, reported: "The town of Tubac was entirely deserted, and the town of Tucson had but about two hundred souls. North of the Gila the roads were completely blockaded; the ranches, with one or two exceptions, abandoned, and most of the settlements were threatened with either abandonment or annihilation."⁴⁰

While the Indian question seemed overwhelming, there was no lack of talk about the best way to solve it. Generally, it was the Army's policy throughout the 1860s to fight the warring Indians and to leave the others alone. It had no ultimate solution in mind. The *Weekly Arizonian*, in reminiscing about the Army's policy between 1866 and 1869, said it was not a war, but a "species of transactions quite indefinite—half remonstrative and half authoritative." General McDowell, the paper concluded, had alternately fed and fought a couple of thousand Indians for three years.⁴¹

The Indian Bureau naturally advocated reservations, feeding, formal

39. Ray Brandes, "A Guide to the History of U. S. Army Installations in Arizona, 1849-1886," *Arizona and the West*, 1 (1959), pp. 42-65.

40. Wyllys, *Arizona*, p. 189.

41. *Weekly Arizonian*, March 21, 1879.

treaty relations, and, increasingly, a peace policy. The local Arizona view was simply that they must be controlled or exterminated and that volunteer militia could best do the job. Given the fact of constant warfare, much of the political history of Arizona during the McCormick-Safford period came to center around these incompatible plans of action.

In his first annual message to the Assembly on October 8, 1866, McCormick stated his own views—which were those of the territory—in fighting words:

I am confirmed in the opinion that it is idle to talk to the Apache of reservations while he feels any security for life or property outside of them. He must be persistently followed and fought until he sued for peace, and then placed upon a reservation remote from his old haunts, and from which escape is impossible. To welcome him at one fort and drive him from another; to feed him today and refuse him tomorrow; to make spasmodic rather than systematic campaigns against him; to fight him with troops ignorant of his country, and who will have no heart in the work, however good the intent, is but to put the government to great expense for no adequate return.⁴²

After declaring a pox on both the Army and the Indian Bureau, McCormick asked for a native volunteer force. The Governor then urged the abolition of the treaty system and the transfer of the Indian Bureau to the War Department. Although more troops were sent to Arizona, the Governor reiterated his main theme a year later in his second message. Faced with the fact that the federal government would probably never turn Indian affairs over to local authorities, McCormick recommended that Arizona be made a separate military department, so that the commanders could make quick, on-the-spot decisions.⁴³

42. *Message of Governor R. C. McCormick to the Third . . . Assembly of . . . Arizona, 1866* (Prescott, 1866), pp. 6-7.

43. *Message of Governor R. C. McCormick to the Fourth . . . Assembly of . . . Arizona, 1867* (Prescott, 1867), pp. 1-3.

The Army itself hardly felt that territorial criticisms were justified and agreed with outside observers when they referred to Arizona as "a vortex into which the greater portion of the available military material on the Pacific Coast disappears."⁴⁴ By 1869 the Army had no less than thirteen forts in the territory and had established many temporary ones. Meanwhile, General Edward O. C. Ord had assumed command in Arizona in 1868 and taken his troops into the field to chastise the Indians. The raids continued, nevertheless, and between the end of his campaign and 1870 at least one hundred more white men had been shot by the Indians.

When new campaigns under General George W. Thomas failed to produce satisfactory results, Governor Safford and the *Weekly Arizonian* became extremely bitter about the government's Indian policy. "It is hard to see a people wasting away by Indian ravages who are ready and willing to take the field if they had only something to subsist upon while so engaged," wrote the *Arizonian*, in a plea for local militia action. "We have an energetic Governor, willing to risk his life at any time in making war against the Indians; we have a people ready and willing to respond and follow him if they are enabled."⁴⁵

In 1869 these bitter complaints became outrage when Arizonans learned that the Grant peace policy would be tried in the territory. General Ord's successor, General George Stoneman, actually had orders to reduce the number of military posts in the region and to prepare to place the Indians on large reservations. Although Stoneman was merely following instructions, his actions led to the accusation that he was an incompetent officer and an Indian lover.⁴⁶ Nevertheless, Stoneman continued to shift from a subjugation policy to an adequate defense policy. He also began to gather and feed as many hostile Indians as he could, before they were placed on reservations.

Faced with what he considered to be an unrealistic military policy toward the Apaches, and the advent of an even more unrealistic peace policy which the Grant administration had inaugurated in 1869,

44. *Ibid.*, p. 2.

45. *Weekly Arizonian*, October 16, 1869.

46. *Ibid.*, January 28, 1871.

Governor Safford went to Washington to secure Stoneman's removal and to counter the Indian lovers. He also got permission to form three volunteer militia companies. Despite the fact that most Apaches were at least attached to a reservation by 1871, the raids went on.⁴⁷ The citizens of Tucson became so convinced that a group of Arivaipa Apaches now located at Camp Grant were guilty of recent atrocities that on April 30 a band of Americans, Mexicans, and Papagoes crept out of the city, marched to the camp, and killed 115 men, women, and children in a dawn attack. Two of the most prominent citizens of Tucson, William S. Oury and Jesus M. Elias, had led the attack. Eastern outrage forced a trial of the aggressors, but a Tucson jury, fully reflecting the sentiments of the region, quickly acquitted the 104 participants.⁴⁸

Fortunately for all parties concerned, in June 1871 the government appointed General George Crook to head the Department of Arizona. He was a superb Indian fighter, and the territory was relieved to hear that he planned an energetic campaign in the field.⁴⁹ Before Crook could carry out his program, however, Vincent Colyer, member of the Board of Indian Commissioners and an ardent peace-policy advocate, arrived in Arizona to create a new Apache reservation system and institute measures to promote peace and civilization among them. In a whirlwind of activity Colyer established four Apache reserves, of which three were in Arizona. While the whole territory watched in indignation, 4,000 Apaches were located, put under the charge of army officers, fed and clothed, and given instruction in farming.⁵⁰

The enmity to Colyer's policy was so great that the government program was bound to fail. When Indian depredations continued, the peace policy was abandoned; and in December 1871 the entire territory was delighted to learn that General Crook was once more in command. A new get-tough policy was instituted on the reservations, where there was to be a roll call a day for the adult male Indians.

47. Spicer, *Cycles of Conquest*, pp. 251 ff.

48. James R. Hastings, "The Tragedy at Camp Grant in 1871," *Arizona and the West*, 2 (1959), 146-60.

49. Spicer, *Cycles of Conquest*, p. 250.

50. *Ibid.*

Once again, though, Crook's field campaign was delayed by the appearance of Major General O. O. Howard, a one-armed veteran who had been President Grant's secretary during the Civil War. Unlike Colyer, Howard carefully cultivated the white leaders of Arizona and moved so cautiously that he managed to concentrate the peaceful Apaches into the San Carlos and White Mountain reservations. In 1872 Howard, with the aid of Thomas J. Jeffords, also secured a treaty with Cochise, the formidable and by now ancient chieftain of the Chiricahua tribe. Although Cochise did not consent to move to one of the three Apache reserves—San Carlos, Fort Apache, and Camp Verde—he at least had been taken off the warpath. Crook and Safford heartily disliked Howard's policy, but Eastern indignation over the Camp Grant massacre was so great that they dared not oppose the "Christian General" directly. "At present they have the advantage of us," wrote Crook, "and if we do anything to stir the matter, it may injure General Grant's interests in which case it will react on us." Crook even suggested that Safford get California newspapers to attack Howard, since local newspapers would be suspect if they did so.⁵¹

Howard's accomplishments, as impressive as they were, coincided with a general breakdown of the peace policy all over the West. The result in Arizona was a renewal of fighting against the remaining hostile Apache bands. The new campaigns in Arizona, however, were directed by General Crook, and the outcome there was successful. After warning all Indians that if they were not on their reservations by 1872 they would be pursued and killed, Crook resorted to the classic divide and conquer technique used by American frontiersmen against Indians since the founding of Jamestown: he employed Indian scouts to find the hostiles; he enlisted Indian allies—even friendly Apaches; and he put his own soldiers on horseback and took the war into the remote mountain strongholds of the remaining Apache hostiles. By 1873 Crook had broken the strength of the more dangerous bands and was being hailed as the savior of Arizona.⁵² In summing

51. General George C. Crook to Safford, June 4 and July 12, 1872, MS in Territorial Papers (uncatalogued), Arizona State Archives.

52. John G. Bourke, *On the Border with Crook* (New York, 1891), pp. 220-21.

up the events of that year, the *Arizona Citizen* noted that the territory could now offer "Safety to person and property, with comparatively insignificant exceptions. Never before since its legal creation, has such a degree of security prevailed in Arizona."⁵³

The successes of Howard and Crook also began to end a vicious aspect of the Arizona economy. General Ord explained it best when he concluded at the end of his tour of duty that "hostilities in Arizona are kept up with a view of protecting the inhabitants, most of whom are supported by the hostilities." General Thomas also pointed out in a devastating report that six years of warfare against the Apache had cost the nation \$15,000,000, a sum which had virtually sustained the economy of the territory. Even the *Weekly Arizonian* admitted in 1870 that many saw "the presence of the military in Arizona" as the "only inducement held out to immigration."⁵⁴

Arizona merchants and politicians would continue to make money on the supplies sent to Indian reservations, and another ten years would pass before the Apache business—as the Arizonians sometimes called the hostilities—was settled, but in 1874 a turning point had been reached. Symbolic of the new order of things, a small dapper New Yorker named John P. Clum became the Apache agent at San Carlos. For three years he controlled the Indians without the aid of military force, and he gave them a sense of participation in reservation life.⁵⁵ After three centuries, white and Apache had stopped fighting long enough to begin to discover one another as people and as individuals.

A key factor affecting both Indian policy and Arizona development—and therefore Arizona politics—was the problem of transportation. Goods freighted overland via the Santa Fe trail or sent from a Texas port via El Paso and Mesilla were extremely costly. Supplies from California were similarly expensive, whether they were taken overland or brought from the coast up to the mouth of the Colorado. As in New Mexico and Utah, prohibitive prices and long-term invest-

53. *Arizona Citizen*, December 27, 1873.

54. *Weekly Arizonian*, December 25, 1869, January 23, 29, 1870.

55. John Philip Clum File, APHS.

ments prevented small freighting firms from developing. Since the small specialized merchant could not exist in a sparsely settled, relatively dangerous region, the result was, as in New Mexico, the rise of an influential set of merchants and freighting concerns, who often dominated Arizona's political and economic affairs.

In the first years after the Mexican War, Arizona goods came from Mesilla over an extension of the Santa Fe trail. Even then the first regular train of goods did not begin to flow until Pinkney Randolph Tully brought ten wagons to Tucson to stock Solomon Warner's store there. By the time Arizona had become a territory, Tully had combined forces with Estevan Ochoa of Mesilla to operate a stage and freight line from Yuma to Santa Fe. Although the Tully and Ochoa wagons were under constant attack from Apache raiders and operated under the harshest conditions, the firm was the most extensive in Arizona and southern New Mexico for nearly twenty years. "Prior to the advent of the railroad," wrote the *Arizona Citizen*, "the wagon trains of this firm wound like great serpents over every road and to every town, post, and camp where humanity had found habitation."⁵⁶

Naturally Tully and Ochoa were soon noted public figures. Because of his business acumen, Tully was made territorial treasurer of Arizona in 1875 and 1876. Later he served as treasurer of Tucson and then as its mayor. Like so many other frontier freighting merchants, he converted his holdings into cash and founded a local bank, which, in turn, became the First National Bank of Tucson. Tully was also a heavy investor in local mines and ranches. Once the railroad reached Arizona, he became a stockholder in several companies. He also helped to found the *Arizona Weekly Star*.⁵⁷

Tully's partner, Estevan Ochoa, had come from a Mexican family who sent him to Kansas City as a youth to be trained in the mercantile forwarding houses there. His own firm had been located in Mesilla; but once identified with the fortunes of Arizona, he became the spokesman of the Spanish Mexicans there and performed the valuable task of bridging the gap between two cultures and two peoples. Both McCormick and Safford quickly recognized Ochoa's tal-

56. *Arizona Daily Citizen* (Tucson), October 29, 1888.

57. Pinckney Randolph Tully File, APHS.

ents and continually sought his advice and support in political matters.⁵⁸

While Tully and Ochoa had looked eastward for their supplies, Sylvester Mowry, his brother Charles, and other merchants and freighters were attracted to a route leading from the head of the Santa Cruz Valley directly southward to Arizpe, Mexico, and from there to the Port of Guaymas. Mowry had used this route in the 1850s, and after the Civil War the United States government used it on occasion to furnish its Arizona army posts.⁵⁹

The most romantic of the trade routes, if the hottest, was via the Colorado River. Seagoing vessels would edge as far as they dared to the mouth of the muddy stream, where river steamers pulling freight barges met them. After a burning, tedious, and tortuous trip on the river, goods were unloaded at Yuma or carried even further up the river to La Paz or Ehrenberg and Hardyville. During the 1860s Prescott was furnished by the La Paz route. As in the overland freighting business, however, river transportation soon became a long-term monopoly, owned and run by a single firm, until purchased by the Southern Pacific in 1877.⁶⁰

The relation of the trails and these firms to politics was all too obvious. In 1870, when the government decided to abandon the Guaymas route for its army supplies, it struck at certain interests in Tucson. To counter the blow, the town fathers attempted to elect vigorous Peter R. Brady to Congress to secure reversal of the Army's decision. In response, the recipients of the new Army contract—Hooper, Whiting, and Company—declared that they would spend large sums on McCormick's reelection to keep their business. McCormick won, and army goods began to flow over the Yuma route, in Hooper and Whiting wagons.⁶¹

The most dramatic example of the freighting firm's power in a frontier community is illustrated by the history of Lord and Williams. As a bright and engaging young man, Dr. Charles H. Lord had come

58. Esteban Ochoa File, APHS. See also obituary in *Arizona Daily Citizen*, October 29, 1888.

59. *Weekly Arizonian*, June 25 and July 16, 1870.

60. Samuel Hughes File, APHS.

61. *Weekly Arizonian*, June 25, October 1, 22, 1870.

to Arizona in 1866 to be a surgeon for the Cerro Colorado Mining Company. He joined forces with W. W. Williams, a local storekeeper, to found a wholesale and retail general merchandising company. By the time Lord was thirty-seven, these enterprises had made him a wealthy man. He operated a bank in Tucson and held the appointment of United States depositor for Arizona. After a brief stint as territorial auditor, he cooperated with McCormick and Safford to corner fat Army and Indian contracts, of which all of them took a share. The original Lord and Williams firm then branched out to invest in sheep ranches, insurance, and a lumber mill. Meanwhile, Williams himself took on the job of postmaster of Tucson. Backed by California and, no doubt, New York investors, the firm was so powerful during the early 1870s that one newspaper declared it "dictated to civil and military authorities as to the management of territorial affairs."⁶²

Following in the wake of these larger firms were a dozen or so entrepreneur-politicians who also wielded much local influence. Coles Bashford, the methodical, scientific, former territorial secretary and delegate, set up a wholesale and retail store with his brother Levi, which netted each a \$100,000 estate at their deaths. So complete was their stock of goods, one observer commented, that their warehouses contained "everything from carbine needles to pulpits." They, too, put their surplus cash into mines, ranches, flour mills, and eventually railroads.⁶³ Two Tucson pioneers, Hiram S. Stevens and Sam Hughes, had a similarly successful career in merchandising, ranching, and mining. At the same time, a half-dozen Spanish-American merchant traders, among them M. G. Samaniego, were equally successful.⁶⁴

Perhaps the most impressive success story belonged to the pioneer German and Polish merchant traders, who came from New York, San Francisco, and St. Louis firms to supply miners and Indians all over the Southwest. In part, these in Arizona were an extension of the German mercantile houses already operating in Santa Fe and Taos.

62. Charles H. Lord File, APHS. See esp. the *Arizona Champion* (Flagstaff), August 8, 1885.

63. Coles and Levi Bashford files, APHS.

64. Mariano G. Samaniego File, APHS.

Others, however, represented San Francisco firms. Michael Goldwater, a Polish-born merchant, came by way of San Francisco to Fort Yuma and La Paz. The gold strike at La Paz in 1862 increased his business, and he was able to found branch firms in other Arizona towns. Similar careers awaited William, Louis, and Aaron Zeckendorf, who earned such great amounts of capital in Arizona that they had the funds to finance local railroad schemes and large industrial mining ventures.⁶⁵ As in New Mexico, Utah, and Colorado, the frontier merchant princes existed side by side with the miner, the settler, and the speculator; and there as elsewhere the former were a major factor in the economic and political development of the Far Southwest.

Arizona's early political parties can best be described as aggregations of many factions owing loyalty to some local leader. Apart from debates over Indian policy, communications, and economic development, they divided annually over issues of geography, cultural background, and personality. Yet as sharply divided as politics often were from 1863 to 1874, the territory was so dependent on the national government for defense and for a livelihood that its citizens usually went along with the Republican federal ring. When it looked as if parties would spring up in 1870 over the issue of freighting routes, the *Weekly Arizonian* said the movement was "premature," for Arizona "must stand united in these crucial years."⁶⁶

In 1874, however, McCormick declined to run again for delegate, and in 1877 Safford resigned the governorship because of ill health. In the delegate election of 1874, four "Independents" appeared to run, although two were actually well-known Republicans and one was a staunch Democrat. The tremendous pressure of a hostile environment and a primitive economy had now lessened enough to allow a Democrat, Hiram S. Stevens of Tucson, to become delegate. This new independence was symbolized in the next three delegate campaigns, when two more Democrats, John G. Campbell and Granville H. Oury, were elected to that office.

Up to this time the Arizona economy continued to be so incom-

65. Zeckendorf File, APHS.

66. *Weekly Arizonian*, September 17, 1870.

plete that the only true agriculturalists in the territory were the Pimas, Papagoes, and Maricopas, the isolated Hopi tribes, and the Spanish-Mexican farmers. But as early as 1865 Governor McCormick had reported that farming people "chiefly from Utah" were beginning to settle near the Virgin River. Towns like Callville, St. Thomas, and Littlefield brought Mormon village life and culture to Arizona. Because of boundary changes, most of these early pioneer Saints eventually found themselves under Nevada jurisdiction. Yet even before Jacob Hamblin had founded a mission at Moenkopi in 1871, other Mormons had moved south from Kanab to build Fredonia. Within a dozen years, still more were using Lee's Crossing to start the villages of St. Johns, Sunset, and Snowflake.⁶⁷ By 1880 even more Saints had begun to move southward into the Salt River area near Casa Grande and Mesa. Eventually they penetrated southern Arizona and established other towns. Before the migration from Utah had ceased, one-fifth of the Arizona population would be Mormon. In Apache County, once a Navajo and Pueblo stronghold with a scattering of Spanish-Americans, the new population was soon great enough to send Saints to the territorial legislature.

In these same years Jack W. Swilling and other Arizonians, noting the ruins of ancient canals and acequias on the Salt River, collected enough capital to initiate ambitious commercial irrigation projects there. It was generally known that the land in the Salt River vicinity was excellent, for frontier farmers had raised grain and hay there for Army outposts and for the town of Wickenburg. The prospect of successful farming set the stage for the colonization of the central part of the territory and for the founding of the small town of Phoenix. Organized in 1868, it was a county seat by 1871 and soon thereafter it became a center for ranching and farming. The presence of agricultural settlers, whether subsistence Mormons or commercial Gentiles, meant that the basis had been laid in Arizona for a balanced and permanent economy which could sustain a population. It remained

67. *Journal of the Second . . . Assembly of . . . Arizona*, 1865, p. 44. David King Udall and Pearl Udall Nelson, *David King Udall: Arizona Pioneer Mormon* (Tucson, 1959), pp. 68-74. "The Coming of the Mormons to the Salt River Valley . . .," unsigned typescript, Arizona State Archives.

for the long-awaited railroad and a burgeoning mining industry to make the economy prosperous and commercial. With the coming of the Saints and the farmers, all the distinctive Indian and white cultures, economies, and religions that were characteristic of the Far Southwest, had come together in Arizona by 1874. Yet the very fact that the Mormons and Spanish Americans were destined to be minority rather than majority groups in Arizona meant that the territory's political development would differ from that of the others. Once again the accident of arbitrary political boundaries had worked to shape the history and institutions of the frontier area.

Arizona: Politics and Progress 1877-1900

Unless we educate the rising generation we shall raise up a population no more capable of self government than the Apaches themselves.

Governor A. P. K. Safford

I was never in a place or business before where there was so much chenanniging carried on.

George Whitwell Parsons
in Tombstone
March, 1880



When A. P. K. Safford resigned from the governorship of Arizona in 1877, he could look back on an unusual set of political achievements. He had sustained and fortified the Republican Party begun by Goodwin and McCormick, and together they had created a federal ring, which controlled much of the territory politically and economically. His machine ran two of the three major newspapers in Arizona and exacted the cooperation of such usually independent figures as the territorial secretary, the surveyor general, and the delegate.¹ Safford himself was a silent

1. Williams, "Territorial Governors," *AHR*, 7 (1936), 69-84. Roscoe G. Wilson, "The Little Governor Does Well by Arizona," *Arizona Days and Ways Magazine* (March 30, 1958), pp. 40-41. John Wasson, who was surveyor general of Arizona for twelve years (1870-82), was a member of the Safford-McCormick ring and ran

partner in a dozen enterprises, which included mining, ranching, railroads, banking, and freighting.² He was a public supporter of General Crook and the military in Arizona, a friend of key Democrats, and popular among the Spanish-American citizens. But it would be a mistake to think that Safford's success was a party achievement, for the "Republicans" in Arizona never called themselves by that name until the delegate election of 1880. Instead, Safford's machine consisted of a coalition of frontier leaders from Prescott and Tucson, who formed a flexible and openended frontier oligarchy. However great their respective differences and attitudes may have been, the fact remains that the Santa Fe Ring in New Mexico, the Evans-Chaffee machine in Colorado, the Mormon hierarchy in Utah, and the Safford-McCormick federal ring of Arizona all played economic and political roles which were strikingly similar.

The modus vivendi that the politician, the miner, the entrepreneur, and the military arrived at in Arizona might lead one to despair of finding real democracy in the Southwest. But, as in the other territories, Safford's bossism was thought to be beneficial to the territory, since good relations with Washington were necessary for defense and survival, and any method of attracting capital to Arizona seemed desirable. This permissiveness also allowed Safford to do things that fully developed communities would not permit.

An example of the latter can be seen in the early history of the Arizona school system. Beginning in 1865, the legislature voted funds to sustain schools in the principal towns and at the mission school of San Xavier del Bac. While McCormick had strongly advocated public education during his term as governor, the federal census of 1870 indicated that 1,900 children of school age lived in the territory but that not a single public school was in operation.³ Safford was determined to change this order of things, for the "Little Governor" not

the *Arizona Citizen* (Tucson) in behalf of the group; see Joseph Fish, "Manuscript History of Arizona," p. 456, typescript, A.P.H.S. Delegate McCormick's *The Arizona Miner* was, naturally, an administration paper. By 1872 it was being run by John H. Marion, who was deep in the councils of the ring. See Marion to Safford, September 1, 1872, uncatalogued MS, Arizona Territorial Papers, ASA.

2. Williams, "Territorial Governors," pp. 81-82.

3. Wyllys, *Arizona*, p. 177.

only was certain that schools were the glory and mainstay of democracy, but also was convinced that education would change the whole nature of the Spanish-Americans in Arizona and turn them into forward-looking citizens.⁴ Thus in New Mexico, Colorado, Utah, and Arizona proponents of public education saw schools as a technique by which the local population, whether Mormon or Spanish-American, could be Americanized.

To realize his educational goals, Safford maneuvered bills through the Assembly in 1871 and 1873 which would make the governor ex-officio superintendent of public instruction, while probate judges were to be county superintendents. Since policy was directed by the governor, it was to be a highly centralized system. The new law also forbade aid to parochial schools, and here Safford ran into the opposition of the local Catholic priests and of Bishop Salpointe, Lamy's successor. But by playing up church influence as an evil and by enlisting the help of Estevan Ochoa, who was the spokesman for the Spanish-Americans living in southern Arizona, the Governor had gotten his way by 1875.⁵ These rules were later modified so that parochial schools continued to carry a large part of Arizona's educational burden, but interest in public schools did not lag. In 1879 Moses H. Sherman succeeded the Governor as the regular superintendent of public instruction, and a year later the territory could boast that 101 schools were in operation within its borders. By 1885 Arizona had also opened a Normal School at Tempe for training teachers. Even the highly critical Senator Albert Beveridge, who visited Arizona in 1902 to see if the territory was ready for admission to the Union, concluded that it had a good school system.⁶

Governor Safford's efforts to bring railroads to Arizona also demonstrated an unusual use of the governor's powers. It is very probable that Safford was actually appointed to the Arizona governor's chair at the request of certain powerful railroad promoters in California, Nevada, and the East to see that Arizona railroad projects did not hurt their own. Senators William Stewart and James Warren Nye and Congressman Thomas Fitch—all of Nevada—had urged his

4. Williams, p. 78.

5. *Ibid.*, pp. 78-80.

6. Wyllys, pp. 177-79.

appointment in 1869.⁷ A year before he came to Arizona, in fact, Safford himself was made an incorporator of the Atlantic and Pacific Railroad, which had received a forty-mile-wide land grant across Arizona and New Mexico from Congress in 1866. The grant ran along the famous 35th parallel line, which Captain A. W. Whipple had recommended as a transcontinental rail route in the 1850s and over which Lieutenant Edward F. Beale had established a wagon road. Since Safford was the surveyor general of Nevada at the time the tracks of the Central Pacific were being laid across that state, he had dealt with the officials of the latter company and had come to know them.⁸ Safford, therefore, was hardly naïve about the immense opportunities for railroad speculation and economic development which Arizona now offered.

Among the men who had urged Safford's appointment on President Grant was Coles Bashford, who was also an incorporator of the Atlantic and Pacific. Bashford and his brother Levi, the surveyor general of Arizona from 1863 to 1865, had been deep in railroad promotion in Wisconsin and Illinois prior to their coming west. Obviously they did not forget this previous interest in railroads, once they reached Arizona.⁹ The prospects of a line along the 35th parallel also attracted other political and economic figures associated with the Southwest. John C. Fremont of California, William Gilpin, Edward F. Beale, Henry Connelly, Francisco Perea, and King S. Woolsey were also incorporators of the Atlantic and Pacific. While all of these men were public figures, each of them stood to gain personally from the construction of the railroad.¹⁰

7. Safford's appointment papers indicate that in addition to the Nevada contingent, the Governor had the support of Senator A. A. Sargent of California and of the California congressmen. Delegate McCormick and Coles Bashford also backed him. See Safford File in Dept. of State, Appointments Division, TP, Arizona. A revealing letter from McCormick to Safford suggests that prior to the appointment many arrangements had been made. After expressing the hope that the Southern Pacific would go through Tucson, he added: "Stewart, Nye and Fitch had a clear understanding with me regarding your appointment and we are sincerely anxious that we should pull together." McCormick to Safford, August 4, 1869, MS in Arizona Territorial Papers, ASA.

8. Safford was at the famous gold spike ceremony at Promontory Point, Utah in 1869: *ibid.*

9. Bashford files, APHS.

10. See "Atlantic and Pacific Railroad, Act of Congress Granting Lands" (Washington, 1866), YWA.

Since nearly all public figures were given at least honorary positions in new railroad companies, it is not surprising to find that Safford became a commissioner for the Texas and Pacific railroad in 1871 and appears to have been an agent for Collis P. Huntington's Southern Pacific line. Quite naturally, he was interested in local firms which proposed to build short lines within the territory itself. The tactics used by Safford to promote railroads—and the personal motives which often accompanied these tactics—should not obscure the fact that Arizona businessmen, like their counterparts in New Mexico and Colorado, were desperate for a cheap mode of transportation; for without it the territories of the Southwest could not break out of the merchantile-small mining economy and the unfavorable balance of trade system—which characterized the region—to become prosperous, industrial states.

Despite all of Safford's efforts, nevertheless, railroads did not rush into Arizona until Indian difficulties were under control and new mining discoveries made the territory a more attractive place. It looked as if a turning point in Arizona fortunes had come when silver and copper were found in the eastern part of the territory at the Silver King mine in 1872, at Planet near Clifton in 1873, and at the Stonewall Jackson mine in 1874. The discoveries also coincided with Crook's defeat of the Apaches.

The real change came in 1877, however, when a doggedly persistent prospector, Edward Schieffelin, discovered fantastic silver lodes in Pima County near the future town of Tombstone.¹¹ Miners from California and elsewhere began to trickle into southeastern Arizona, and speculators, now recovering from the Panic of 1873, arrived there by the hundreds. The importance of the strike was suggested by the fact that Safford himself acted as Schieffelin's agent to sell the claims. While the grizzled prospector received over \$600,000 for his finds, the Governor is said to have emerged from the transaction some \$140,000 the richer.¹²

In 1863 Henry Wickenburg located the famous Vulture Mine, and subsequent discoveries of minerals in the central part of

11. Paul, *Mining Frontiers*, p. 159.

12. Willson, "Little Governor," pp. 40-41.

Arizona led to the founding of the mining towns of Globe, Jerome, Florence, and many others.¹³ The Arizona discoveries occurred at the very time that a gold rush to the Black Hills was in progress and the rich silver carbonates at Leadville, Colorado were being located. New mines were also being developed in Montana and Idaho. The mineral promise of the Rocky Mountain West had suddenly become extremely attractive.

The new interest in Arizona was vividly illustrated by the activities surrounding the coming of two transcontinental railroads to the territory. The Southern Pacific had reached Yuma in 1877, just as the Tombstone rush was beginning. Naturally the line planned to build eastward along the famous 32nd parallel route in time, but the silver strike and the fear that the Texas Pacific would rush westward to occupy the right of way, instead, forced Huntington's hand. In classic robber baron fashion the Southern Pacific tried to monopolize the only feasible right of way across the lower Colorado by buying up George A. Johnson's ferry monopoly at Yuma and by seizing the other available crossing further up the river near Needles, California.¹⁴

To secure a liberal charter and a clear right of way in Arizona itself, the Southern Pacific then began to lobby in the territorial Assembly during its 1878 session. Apparently the company bribed both the legislators and Safford himself—who was out of office by this time—for in 1889 it was revealed that Huntington had sent Safford a large sum to use among the Assemblymen. The efficient Safford was able to turn the tide with only part of the money, and later he returned the rest to Huntington with the laconic explanation that Arizonians were not as expensive as the railroad executive had anticipated.¹⁵

Meanwhile the Texas Pacific had not been idle. This firm suddenly

13. Paul, p. 157.

14. Robert E. Riegel, *The Story of Western Railroads* (New York, 1926), pp. 179 ff.

15. Collis P. Huntington wrote to David D. Colton on September 27, 1875, and asked: "Can you have Safford call the legislature together and grant such charters as we want at a cost of \$25,000?" See the "Huntington-Colton Letters" in *Report of the United States Pacific Railway Commission*, 50th Cong., 1st Sess., Exec. Doc. 51, Part 8, p. 3724.

got permission from General McDowell to run a line across the Yuma Indian Reservation on the Colorado. This had the effect of blocking the Southern Pacific. Refusing to be stopped, the latter road illegally bulldozed its way through the reservation, and Jay Gould, who now controlled the Texas and Pacific, was forced to compromise and join forces with the Southern Pacific.¹⁶ The result of all these maneuvers was that after twenty-four years of waiting Tucson finally became a railroad town in March, 1880—an event it celebrated with a horse race. Three years later the Southern met the Texas Pacific at Sierra Blanca east of El Paso. The “snow free” route once advocated by Jefferson Davis had now become a reality. Since the Southern Pacific also joined the Atchison, Topeka, and Santa Fe at Deming in 1881, Arizona now had access to two trunk lines leading eastward. Sylvester Mowry’s dream of a road to Guaymas began to come true a year later when the Sonoran railroad projected a line from that port to Benson on the Southern Pacific.¹⁷

The Southern Pacific’s invasion of the last frontier was but half the railroad story. The Atlantic and Pacific railroad, which Congress had chartered in 1866, was slated to run across northern Arizona, but it had remained a paper railroad up to this time. The more vigorous Atchison, Topeka, and Santa Fe acquired a 50 per cent interest in the company and laid plans to build to the West Coast within the next few years.¹⁸ But before this could happen, the Southern Pacific extended its own line to Needles and blocked the only remaining entrance to California. The Santa Fe admitted temporary defeat by joining the tracks of its rival there in 1884.

Since the Santa Fe ran some fifty miles north of Prescott and the Southern Pacific ran nearly a hundred miles south of the new mining centers of Globe and Florence, plans were soon afoot throughout the decade of the 1880s to connect all these towns to at least one of the main roads by feeder lines. The Arizona Copper Company, for example, built a narrow-gauge line from Lordsburg to the smelter town of Clifton. Other spur lines were added despite many difficulties

16. Riegel, pp. 179 ff.

17. Bancroft, *Arizona and New Mexico*, pp. 603 ff.

18. Riegel, p. 189.

and changes in plans, and with the completion of the Santa Fe, Prescott, and Phoenix Railroad in 1895 the central skeleton of Arizona’s rail transportation had been established.¹⁹

The coming of railroads and the new boom in silver and copper mining, had a truly dramatic effect on the nature of the territory. The silver rush to Tombstone, for example, created a new town out of nowhere, called into being the surrounding villages of Richmond, Charleston, and Contention City, and necessitated the organization of Cochise County in 1881.²⁰ The location of Tombstone gave Tucson a new lease on life as a supply depot, and it inspired W. W. Williams of Lord and Williams, William Zeckendorf, the merchant prince, and ex-Congressman Thomas Fitch of Nevada to lay plans to build the Southern Arizona Railroad to the diggings.²¹

Ex-Governor Safford rushed to the area to form at least two mining companies and to establish a branch of Safford-Hudson and Company, a banking firm in which he was a major partner. The cantankerous Wyatt Earp, trailed by two of his sullen brothers, arrived from Dodge City, Kansas, to become a noted citizen of Tombstone and to protect Wells Fargo bullion shipments.²² Nevada businessmen, among them Thomas Fitch, were there speculating, and John P. Clum, the former Apache Indian Agent at San Carlos, arrived to found the *Tombstone Epitaph*. Bands of criminal outlaws drifted in to make trouble. These men robbed and killed miners, rustled cattle from the newly established ranches in southeastern Arizona, and periodically raided towns in Sonora. Mining companies from the East sent engineers and investors; and ambitious young lawyers and politician-businessmen came to Tombstone to get a start in public life. Among the able new political leaders in the town were Ben Hereford, Thomas Farish, and Marcus Aurelius Smith, a future delegate and senator.²³ Smith began his political career there.

19. Swor, “Development of Prescott,” pp. 63-67.

20. T. R. Sorin, *Handbook of Tucson and Surroundings* (Tombstone? n.d.), pp. 12 ff., YWA.

21. *Arizona Citizen*, April 7, 1880.

22. Wyllys, pp. 220, 249.

23. “The Private Journal of George Whitwell Parsons,” Arizona Statewide Archival and Records Project, WPA (Phoenix, 1936), pp. 102, 163. Sorin, *Handbook*, pp. 12 ff.

By the mid-eighties some 15,000 people lived in Tombstone—which was probably the most hardbitten, sophisticatedly tough boom town in the West. Although its citizens quickly elected a mayor, they found in 1880 that he had deeded the city to a single firm Clark, Gray, and Company in a private deal. This called for a Citizen's League and a new election in which John P. Clum was the victor.²⁴ Then, after the county voters had elected a sheriff, John Behan, they learned that he was allied to various outlaw cowboy outfits who had drifted into town. Weekly brawls and frequent killings became standard fare until a feud between the sheriff and the Earp brothers led to more killings and a final, great fight near the O.K. Corral.²⁵

These were, indeed, exciting and unforgettable days. George White-well Parsons, a former clerk from California who came to Tombstone, began to fill his journal with accounts of fatal saloon brawls, waylaid miners found robbed and dead, and posses riding after highwaymen. Parsons, though a peaceful man was soon wearing pistols—because everyone else wore them. He was even more amazed to realize that he had pulled down the shack of a claim jumper, had stopped a bank run on Safford-Hudson and Company, and had been a heroic fire fighter during two serious fires in Tombstone.²⁶

The rush to Tombstone coincided with the rise of less glamorous mining communities at Globe, Miami, Florence, Jerome, and Bisbee. Since engineers and chemists were at last learning to extract Arizona's oldest known mineral—copper—in a more efficient and scientific way, large copper firms came into being in Arizona. Such enterprises as the Copper Queen Mining Company, backed by California capital and Louis Zeckendorf, began operations around Bisbee in 1880.²⁷ The need for copper for telegraph and electrical wire led Eastern capital to follow suit: during the 1880s the Phelps-Dodge Company acquired major mines there and became one of the territory's largest busi-

24. *Tombstone Epitaph*, November 9, 12, 25, December 9, 1880.

25. For detailed accounts of this famous encounter see Stuart Lake, *Wyatt Earp: Frontier Marshal* (New York, 1931); John M. Myers, *The Last Chance* (New York, 1950); Lloyd and Rose Hamill, *Tombstone Picture Gallery* (Glendale, Cal., 1951).

26. Parsons, "Journal," pp. 203, 206, 236.

27. Annie M. Cox, "History of Bisbee, 1877-1937" (Master's thesis, University of Arizona, 1938), pp. 13-37.

nesses.²⁸ Side by side the old-fashioned individualistic silver miner and the scientific copper corporation worked to exploit Arizona after 1880.

Significantly, all these developments occurred in a period when industry had become large-scale in the United States, which meant that most capital had to come from outside the territory. The discoveries also occurred at a time when engineering and technology had become an integral part of most production processes. Arizona mineral enterprises took on all these characteristics; and long before the territorial period had ended, the region suffered from absentee ownership. Its citizens came to know all too well the meaning of "company towns"—where workers were paid in scrip—and of debilitating local conflicts between labor and capital.²⁹ The stage was set for the permanent inhabitants of Arizona to begin feeling that they were a colonial appendage to Eastern and California interests and that their own needs were being ignored.

The new population of Arizona could now feel this way, because by their very numbers they had established a more balanced society and economy. The presence of thousands of miners created an enormous demand for foodstuffs. Cattle were marched in, and soon local ranching enterprises large and small—which had gotten a start by feeding army installations and Indian reserves—expanded to supply the beef for mineral towns.³⁰ Since lumber was also needed for the mines and choice timberlands existed in northern Arizona, it was inevitable that the lumbering industry would invade that region.³¹ Meanwhile, Mormon and Gentile farmers were stimulated to raise more foodstuffs, while promoters in Phoenix began to build a grand canal there to irrigate lands for cultivation.³²

The sense of exciting change and material development that Arizona experienced between 1877 and the Panic of 1893 naturally

28. *Ibid.*, pp. 37 ff.

29. *Ibid.*, pp. 139-41. Wyllys, p. 290.

30. Wyllys, *Ibid.*, pp. 239-54 passim. Bert Haskett, "Early History of the Cattle Industry in Arizona," *AHR*, 6 (1935), 3-42.

31. Wyllys, pp. 287-88.

32. *Ibid.*, pp. 257-59. Thomas E. Farish, *History of Arizona* (8 vols. Phoenix, 1918) 6, 137-59.

affected politics. The familiar political rivalry between Democratic Tucson and Republican Prescott gave way to new political alliances in which Tombstone, Globe, Bisbee, and other towns played an important part. New counties broke down the previous political alignment of the legislature, made Indian affairs seem less important, and turned men's concerns away from defense, federal aid, and the like. The two railroads were also politically influential, particularly since the Santa Fe was allied with the Republican Party and the Southern Pacific cooperated with the Democrats.³³

The most obvious office to be affected by the new changes in Arizona was that of the governor. When Safford resigned in 1877, his successor was John Philo Hoyt. Hoyt appears to have been a competent executive, but he was suddenly the governor of a promising territory.³⁴ Before he had served for two years, he was replaced by none other than the famous "pathmarker," John Charles Fremont (1878-81). Ostensibly the former explorer was in dire financial straits and needed a steady income. His old friend Senator Zachariah Chandler knew of Fremont's plight and tendered him the Arizona post as a reward for the General's help in the 1876 presidential campaign.³⁵ Fremont's own reasons for accepting the position, however, appear to have been neither humble nor desperate. He had been a participant in great speculative schemes now for thirty years, and nearly all the enterprises had involved mining and railroads. Ten years before, he had been president of the Atlantic and Pacific, and now this road—under the aegis of the Santa Fe—was about to become a reality. Arizona only represented the newest investment frontier toward which the Great Pathmarker was attracted.

By the time the new Governor reached Arizona, in fact, he had conceived of a giant project to flood the desert Salton Sink with

33. T. W. Spear, *Uncle Billy Reminisces: The Story of a Newspaper* (Phoenix, 1940), p. 10.

34. Hoyt had been territorial secretary in 1876-77; after his short period as governor of Arizona he became governor of Idaho Territory (1878). He then secured a federal judgeship in Washington Territory (1879-87). Pomeroy, *Territories*, p. 131.

35. Allan Nevins, *Fremont, Pathmarker of the West* (New York, 1939), p. 603. See also Fremont to Chandler, May 3, 1878, microfilm, Bancroft Library.

Colorado waters so that it could be turned into a vast southwestern oasis.³⁶ While this project was not to be undertaken for many years, a dozen other schemes were awaiting Fremont's inspection and cooperation, for several entrepreneur-politicians saw in the new Governor the perfect liaison man to use to secure Eastern capital. One of these was the entrepreneur-politician Judge Charles Silent, a Californian who had been appointed to the Arizona supreme court in 1878.³⁷ His real interest appears to have been not justice but mining speculation. Thomas Fitch, the Nevada politician who was called "the silver-tongued orator of the Pacific," also suddenly appeared in Arizona as a representative to the territorial Assembly from Yavapai County. He, too, was soon at Fremont's elbow to give advice and to persuade the governor to promote various mining ventures. Arizona was the third territory in which Fitch had pursued a political career. After he had served as a congressman from Nevada, he became Brigham Young's legal counsel in Utah in 1870. During the Utah statehood movement of 1872, Young had actually chosen Fitch to be one of the Utah "senators."³⁸ Still a third assistant to Fremont was Henry A. Bigelow, an Arizona miner and politician who had been in the First Assembly. Bigelow was now a major voice in the Arizona Republican Party.³⁹

It was not long before Fremont and his three lieutenants were demonstrating to what uses a famous name could be put. The Governor, having approved of a territorial lottery to aid in the building of a capitol and to finance schools, went East to sell tickets, and Arizona railroad and mining stock as well. The *Arizona Citizen* reported that Fremont had made "bar'ls of money" by "placing Arizona mines at the East" and added that Judge Silent's success at

36. Nevins, p. 604.

37. Thus far Judge Silent remains a mysterious figure in Arizona history; there appear to be few written accounts about his activities there.

38. Although Fitch was a well-known public figure, his exact role in Arizona history remains ill defined. Bancroft, *Arizona and New Mexico*, p. 189.

39. Bigelow's public career may be followed in the *Journals of the Arizona Assembly* for the years he was a member of that body. See also John H. Marion to A. P. K. Safford, September 1, 1872, Arizona TP, ASA, which suggests that Bigelow was an important member of the Safford-McCormick ring as well.

the same task made him act "as if he was rich enough to tell the Department of Justice to pull down its vest."⁴⁰

The cynical use of Arizona by outsiders to promote huge schemes made Fremont extremely unpopular. The underlying resentment against "federal carpetbaggers," which McCormick and Safford had always been able to control, now burst forth in the delegate election of 1880. The Democrats meeting in Phoenix in June cast caution and compromise to the winds and chose Granville H. Oury, an ex-Confederate, as their delegate candidate. Despite all his faults, at least he was an old settler who could be trusted. When the Republicans met a month and a half later in their first territorial convention, they chose as their candidate M. W. Stewart, a former Colorado politician.⁴¹

The campaign that followed suggested the many ways in which Arizona was changing. For the first time in history the traditionally Democratic control of Pima County was challenged, since the boom town of Tombstone was still within its jurisdiction. The Republicans, in their effort to win, resorted to waving the bloody shirt. Meanwhile, Oury promised to try to get all Indians removed to Indian territory and to get rid of the soldiers in Arizona. Clearly the day when Tucson merchants lived on Indian and military contracts was over. It must have been hard to remember that Arizona was still a frontier, for torchlight parades were organized on behalf of the candidates wherever they went. When candidate Stewart left for Tip-Top, the *Tombstone Epitaph* reported that he was "accompanied by the Glee Club of Prescott and twenty citizens."⁴² In a furious effort to preserve themselves against the new outsiders, the local Arizonians elected Oury to Congress; and soon thereafter the Assembly placed rambunctious Tombstone in its own county. Politics based on local pride, real issues, principles, and the regional backgrounds of the voters had at last come to Arizona.

By 1881 territorial resentment was mounting against Fremont for being an absentee official and for allowing, if not persuading, the

40. *Arizona Sentinel*, quoted in *Arizona Citizen*, June 10, 1879.

41. *Tombstone Epitaph*, June 30, August 24, 25, 1880.

42. *Arizona Citizen*, September 20, October 14, 18, to November 4, 1880. *Epitaph*, October 22, 1880.

Assembly to pass a wide-open railroad incorporation act. That summer the *Tombstone Epitaph*, which was a Republican paper, printed editorials entitled: "Give Arizona a Governor," "Fremont's Pet Railroad Bill," and "Fremont Must Go." When the Governor did resign that October, the *Epitaph* expressed the hope that President Arthur would not "send us another eleemosynary barnacle to be fed from the public crib."⁴³

The outside exploitation of Arizona associated with Fremont represented only one of many complex "get-rich" schemes now in operation on the last frontier. Undoubtedly the most daring one was the Reavis land case. Arizona businessmen and California railroad interests, hoping to speculate in Spanish land grants around which so much of New Mexico's economy and politics still centered, had submitted enlarged land claims to ten or twelve vague grants in the San Pedro Valley and in the Gadsden Purchase area. Beginning in the early 1880s, nearly every surveyor general of Arizona voiced his suspicion about the validity of these grants, but each tended to allow modified claims to stand. The El Soporí Tract, which Sylvester Mowry had tried to sell to Rhode Island businessmen in 1859, was one of these fraudulent grants. Arizonians tolerantly felt that this minor land grab might be settled by the Land Office and that survey and settlement could go ahead.

Just as things seemed in process of solution, an imaginative Missouri trolley conductor named James Addison Reavis appeared in Arizona with Spanish documents that purported to be deeds to lands in the Gila and Salt River valleys amounting to over 17,000 square miles! Not only was Reavis the claimant, but his Mexican wife was thought to be none other than a descendant of the original grantee, Miguel Peralta de Cordoba, "Baron of the Colorados."⁴⁴ Reavis' claim, while always suspect in the eyes of the United States Land Office, seemed so believable that he and his supporters managed to secure tribute from settlers on the "Peralta Grant" and to make the Southern Pacific pay a right-of-way fee for a number of years. Governor Zulick warned

43. *Epitaph*, March 23, June 16, 18, 21, 23, August 6, October 18, 1881.

44. For a full coverage of the Reavis fraud see William A. Dupuy, *Baron of the Colorados* (San Antonio, 1940).

Washington that the claims were really backed by "certain persons of abundant capital" and a "great railroad corporation," and Surveyor General John Hise said it was another "giant California speculation scheme."⁴⁵ But only a thorough investigation by the Private Land Claims Court of 1891 proved that it was a fraud from beginning to end. Ironically, Reavis wound up in prison at Santa Fe, the home of successful land-grant speculators.

The successor to Fremont was Frederick A. Tritle, (1882-85) a miner and merchant who had once run for governor of Nevada. An able politician and an avid mining man, he made Arizona his home, helped build the Central Arizona Railroad, of which he was president, and played a key role in the development of the copper-mining industry.⁴⁶ His popularity undoubtedly aided the election of Curtis C. Bean as delegate in 1884, the first Republican to hold that office in ten years.⁴⁷

Before Tritle could establish a firm control over the territory, Grover Cleveland became President and filled the Arizona federal positions with the first Democratic incumbents ever to hold office there. Cleveland's gubernatorial appointee, Conrad M. Zulick (1885-89), was so anxious to build up a machine, however, that he pursued controversial policies that divided rather than united the local Democracy.⁴⁸ Zulick himself provoked the first crisis by pardoning a number of Mormon polygamists serving terms at the territorial prison in Yuma. Governor Tritle had opposed the Mormons and had cooperated with the federal authorities to enforce the Edmunds Act of 1882. Zulick's counteraction now made both the question of polygamy and Mormon voting allegiance red-hot political issues.⁴⁹

Zulick's next crisis came when bands of renegade Apaches, among whom was Geronimo, left the San Carlos Agency in 1885 and began to terrorize the inhabitants of southeastern Arizona. In many ways

45. *Annual Report of the Governor of Arizona to the Secretary of the Interior, 1884* (Washington, 1884), p. 527. *Ibid.*, 1887, pp. 108-606.

46. Wyllys, p. 180.

47. "Curtis C. Bean" in *Biographical Directory of the American Congress*.

48. C. Meyer Zulick File, APHS.

49. *Ibid.*

the new Apache outbreak was justified, for after 1875 the government had placed all kinds of Indians together at the San Carlos Agency. Then in 1879 a decentralization policy was adopted, and certain bands were placed at Fort Apache. Meanwhile a series of crooked agents stole from the Indians, and Congress itself occasionally failed to provide sufficient rations for the Indians. These internal conditions naturally produced discontent, but the real difficulties began after coal and copper were discovered on the San Carlos Reservation. Squatters and miners swarmed in to take up lands and claims. On the east, Clifton and Morenci threatened reservation borders, while on the western side white pioneers of Globe and Miami invaded Apache lands. At the same time, persistent Mormon farmers took up lands at Fort Apache.⁵⁰

Feelings became so strong that the Indians began to seek release in a religious revival. Alarm over the Indian problem undoubtedly helped elect Granville Oury in 1880 and 1882, for he was in favor of removing them to Indian territory. The federal government tried to restore peace by sending General Crook back to Arizona, but it was too late. Crook tried to better conditions, but he was hindered by the fact that he shared jurisdiction over the Apaches with the Indian Office, and the two could not agree on policy. The break came when Geronimo and 143 Chiricahuas left the reservation.⁵¹

Upon his arrival in the territory, Zulick had told a gathering of citizens at Tombstone that he was no Eastern sentimentalist and would not mind seeing all Apaches killed. He now seized this opportunity to demand their complete subjugation, a policy that soon turned into an attack on General Crook, who was known for his friendship with past Republican administrations. He had also come to practice a kind of "live and let live policy" toward the Apaches, which was perhaps more tolerant than most Arizona citizens cared for.

Crook's failure to bring in the raiders of 1885 and 1886 caused a public panic, which in turn prompted a vigilant press war against the Indians and the General. Citizens began to appeal for arms, and many Arizonians urged Zulick to permit them to raise a company of rangers.

50. Spicer, *Cycles of Conquest*, pp. 253-55.

51. Wyllys, pp. 206-08.

So great was the cry that Secretary of the Interior Lamar wired Zulick to stop the senseless newspaper provocation of a useless Indian war.⁵² Cleveland assured Delegate Bean that the government would "give the people of Arizona peace if it takes the whole army."⁵³ Long before the hue and cry died down, however, Cleveland had removed Crook and had appointed a Democratic general, Nelson A. Miles, to track down Geronimo and his band. This task was accomplished in 1886, and the Indians were carted off to prison—first in Florida and later at Fort Sill, Oklahoma. Nevertheless, the Indian question continued to be an issue, for Miles' accomplishment, which was actually carried out by Lieutenant Charles B. Gatewood, was used to promote the Democratic administration in Washington and in Arizona. Miles' own subsequent Indian policy also resembled Crook's so closely that debate over it split both Republicans and Democrats into Miles and Crook factions.⁵⁴ Still, the fact that Indian policy could now be debated was a sign of some progress in Arizona Indian affairs.

Zulick's next crisis was similar to the one that Governor Ross was experiencing in New Mexico. He discovered that his predecessor in office had named a full slate of Republicans to territorial offices just before resigning. By law these appointees were entitled to hold office for two years. Thus Zulick found himself hindered at every step by Republican underlings and by the fact that the legislature was evenly divided by party affiliation. When he tried to replace them with Democrats, Arizona found itself with two sets of territorial officials until the issue was settled in court.⁵⁵

The most controversial event of Zulick's career involved the removal of the capitol from Prescott, where it had been since 1877, to the more centrally located town of Phoenix. Convinced that neither Prescott nor Tucson was destined to become a great center, he persuaded the Fifteenth Assembly to put it in Phoenix in 1889.

52. L. Q. C. Lamar to Zulick, November 25, 1885, telegram in Arizona Territorial Papers, ASA.

53. Bean to Zulick, January 10, 1886; Fred G. Hughes to Zulick, May 26, 1886; Mass Petition of Citizens, 1885; *ibid.*

54. Katherine Shepard, "The Miles-Crook Controversy" (Master's thesis, University of New Mexico, 1936), pp. 1-55.

55. James M. Barney, "Territorial Governor C. Meyer Zulick's Opinion of Polygamy," *The Sheriff*, 11 (September 1953), 71.

Although cries of "steal" and "fix" resounded for years afterward and hurt Zulick's own career, the decision stuck.⁵⁶

The relocation of the capital was but another sign that Arizona was growing. Zulick himself noted in his annual report of 1887 that the population had jumped from 40,000 in 1880 to 90,000 in 1887. For the first time in territorial history, the Anglo-American citizens outnumbered the Spanish-American inhabitants. The value of the territory's taxable property was now twenty-six million dollars, and of this, six million represented the increase for the single fiscal year of 1886-87.⁵⁷ By 1890 the territory had a thousand miles of railroad and 700 miles of canals. A year later, Arizona reached a peak in the production of cattle, wool, timber, copper, and silver; and Salt River Valley fruits were beginning to be shipped out over railroads to the world.⁵⁸ The beleaguered frontier had at last become a part of the American industrial economy. Instead of Indian defense, its voters were now troubled by national reform issues centering around prohibition, free coinage of silver, trust-busting, and freighting rates; and even the seeds of Populism were to be found in Arizona.

In this transition period the Republicans as well as the Democrats became more factional than ever. When Benjamin Harrison named Lewis Wolfley (1889-90) to succeed Zulick in 1889, Arizonians were quick to find he was more interested in forwarding the Gila Bend Canal scheme than with the public welfare.⁵⁹ Since Wolfley was related to Senators James G. Blaine and John Sherman and to the Ewing family of Ohio, which had large holdings in Arizona mines, he was thought to be the epitome of a speculating, nonresident spoils appointee. Undiplomatic in his manner and strongly anti-Mormon in his policies, Wolfley lasted only a year and a half in office. His successor, John N. Irwin, (1890-92) a former governor of Idaho Territory, also resigned within two years, and still a third appointee,

56. Wyllys, p. 180.

57. *Annual Report of the Governor of Arizona to the Secretary of the Interior*, 1887, pp. 153-755.

58. *Ibid.*, 1890, pp. 463-64.

59. Lewis Wolfley File, APHS. Wolfley had also been a Civil War comrade of John W. Noble, the incumbent Secretary of the Interior at the time Wolfley was appointed governor.

Nathan O. Murphy, the incumbent territorial secretary, was named by Harrison in May 1892.⁶⁰

Happily, Murphy (1892-94) was both a resident of Arizona and one of its most popular public men. He had helped complete the Santa Fe, Prescott, and Phoenix Railroad and had served as its president. His appointment represented the triumph of a local Republican machine over the patronage wishes of a national administration. After his first term in the governor's office, he was elected delegate in 1894. McKinley reappointed him to the governorship in 1898 for four more years. Murphy became a prime example of the locally oriented leader—safe, conservative, and trustworthy—whom many Arizonians wanted.⁶¹ His own constant crusade for statehood and for Apache removal and his willingness to compromise with the Democrats made mincemeat out of party lines. As in Safford's time it was still clear that the party label was forgotten when a strong leader appeared.

The roster of Arizona governors from 1869 to 1900 demonstrates once again that the real function of government on the frontier was business development. Safford, Fremont, and Tritle were railroad and mining promoters. Tritle and Murphy were railroad builders; Wolfley and Murphy were irrigation promoters; Hughes was a land speculator.

The most extraordinary figure in Arizona politics after 1886 was not Murphy, however, but Marcus Aurelius Smith, a slight, keen-eyed, young Kentuckian who had come to Tombstone in 1881 to hang out his shingle as a lawyer.⁶² Possessed of a Southern accent, an unlimited fund of humorous stories, and an indomitable will, he was one of the shrewdest judges of men ever to come to Arizona. After graduation from Transylvania College and the University of Kentucky Law School, Smith had taught school in his home state before trying his luck as a lawyer in California. When the silver finds at Tombstone proved to be extensive, Smith moved to Arizona. Within months of his arrival he was a noted figure in that wide-open

60. Wyllys, pp. 180-81.

61. "N. O. Murphy," in *Portrait and Biographical Record* (Chicago, 1900), pp. 21-22. See also Spear, *Uncle Billy*, p. 10.

62. Marcus A. Smith File, APHS. *Biographical Directory of the American Congress*. La Moine Langston, "Arizona's Fight for Statehood in the Fifty Seventh Congress" (Master's thesis, University of New Mexico, 1939), p. 11.

town and in Tucson as well. Outspoken, acid in debate, and absolutely fearless, he had become prosecuting attorney of Cochise County by 1882, and by 1886 he had been elected delegate to Congress. Between 1888 and 1912 he was returned to that office for seven more terms. As an almost legendary political boss, he was to serve as one of Arizona's first senators when the territory finally became a state in 1912. Whether in or out of office, Smith's career and attitudes symbolized the wishes and attitudes of most Arizonians in their transition stage to maturity and statehood: his life was in many ways a minuscule political history of the territory.

At the outset, Smith made it clear that he would work within the political and economic framework that he found in Arizona. His Kentucky background made him carefully respect the habits and views of the territory's Southern population. He knew and understood pioneer types like Granville Oury and Peter R. Brady, and he joined them in their rabid hate for the Indian. But he also knew that Arizona's future lay in large-scale mining, cheap transportation, and irrigation, so that, while pleasing the older merchant-small miner oligarchy centered in Tucson, Prescott, and Yuma, he also cultivated the copper executives of Bisbee and the officers of the Santa Fe and Southern Pacific railroads. At various times he was the legal counsel for all these groups.

To the silver miner on the other hand, he stood as a stalwart defender of free coinage and bimetallism. Yet Smith, who advocated the eight-hour day for labor, had, on occasion, worked to secure Mexican contract labor for the copper companies. Smith's paradoxical stands extended to land policy.⁶³ He pleased the settler and corporation by opposing any recognition of Spanish land grants, and he fought furiously against the establishment of the Court of Private Land Claims in 1891. Still, Smith's own subsequent course in Congress leaves little doubt that he was interested in land speculation schemes involving the public domain.⁶⁴

Smith also seems to have cooperated with the saloon element that

63. See "The Official Record of Mark A. Smith" (6 vols. 1887-1907), deposited in ASA; note esp. 4, 531.

64. *Ibid.*, 3, 2-21, 31, 60, 204-06, 265.

now dominated a wing of the Democratic Party and was led by ex-Governor Zulick, and he did not object to Mormons. Last, but far from least, Smith was a politically attractive figure to many Republicans, and like Murphy he, too, made mincemeat out of party lines.

Peace, prosperity, a burgeoning population, and the presence of trusted political and economic leaders who took pride in the territory inevitably meant that Arizona was psychologically ready for statehood. A major reason for Delegate Smith's enduring popularity, in fact, was his identification with the crusade to make Arizona a state. Admission became an important issue in politics in 1889, when the first "Omnibus Bill"—which eventually admitted the Dakotas, Wyoming, and Washington into the Union—originally included Arizona. The success of these territories and the neighboring attempts of Utah and New Mexico to gain admission during 1890 and 1891 whetted the appetites of Arizona politicians. That New Mexico was Republican and Arizona was Democratic suggested to them that Congress might admit both, since this arrangement would not disturb party balance in the Senate.⁶⁵ So anxious was Arizona to join in the rush to statehood that in 1891 twenty-one of her leading men, among them Mark Smith, met informally in Phoenix to write a constitution and ask for admission. The convention was Democratic in makeup, but it had the cooperation of territorial secretary N. O. Murphy and of former Governor Tritle.⁶⁶

As constitutions went, the Phoenix document of 1891 was Jeffersonian in philosophy, but it did attempt to deal with current issues. The extravagance of territorial assemblies, for example, led the writers to create a weak legislature and to reduce both the number and salaries of public officials. At the same time, the rising national sentiment against vested interests and monopolies was reflected in clauses that not only prevented wild-cat corporation schemes but wiped out all dormant and exclusive charters.⁶⁷

The writers also engaged in some interesting ambiguities. Loftily

65. Langston, "Arizona's Statehood Fight," pp. 5-6.

66. "Journals of the Constitutional Convention for the State of Arizona," (Phoenix, 1891), ASA.

67. *Constitution for the State of Arizona As Adopted by the Constitutional Convention, October 2, 1891 . . .* (Phoenix, 1891), pp. 3-4.

they called upon Congress to survey the Atlantic and Pacific land grants so they could be taxed, and they asked for public school and other federal lands to be awarded upon achievement of statehood. On the one hand, this seemed a way to secure monies to run a state, but on the other, it was a threat to make the Atlantic and Pacific—which held these lands—cooperate with the statehood forces. It also implied that some of the delegates had in mind a big land speculation scheme.⁶⁸ Similarly, their promise to revoke the charters of abusing corporations provided a possible loophole whereby Pima and Yavapai counties, which had defaulted on some bonds, could get out of their obligations.⁶⁹

The founding fathers of 1891 faced up to one major issue by declaring for free, nonsectarian schools and preservation of the school lands, but they evaded the issue of female suffrage by allowing women to vote in school elections only. They did state, however, that the full right to vote could come as a result of popular referendum.⁷⁰ Woman's suffrage was far from an academic issue, for Governor Murphy, Louis C. Hughes (editor of the *Tucson Star*), and Arizona Mormons all approved of giving the vote to women. What made the issue crucial was that most leaders of the temperance movement—a crusade also backed by the *Star*—were women.⁷¹ To the saloon element, therefore, female suffrage meant prohibition.

Finally, the Phoenix constitution, while seeming to voice Populist and anti-big-business feeling as well as a love of free silver, included a water-rights clause that allowed corporations prior access over the individual owners of lands. Critics were quick to spot these weaknesses and evasions, and they frequently called it a "water and land grab constitution." But the popular desire for statehood and the attractive free-silver stand expressed by the convention persuaded the voters to swallow their objections, and the constitution was ratified in 1891 with an overwhelmingly favorable vote.⁷²

The prospect that two silver-producing territories wanted to come in-

68. *Ibid.*, pp. 6 ff.

69. *Ibid.*, p. 4.

70. *Ibid.*, p. 4.

71. Louis C. Hughes "Scrapbooks," 3 vols., clippings, etc., in the University of Arizona Library, Tucson; see esp. Vol. 2.

72. Langston, "Arizona's Statehood Fight," p. 5.

to the Union was not lost in Congress. Although an Arizona Enabling Act passed the House in 1892, the conservative Senate rejected it "on the grounds that it seemed to repudiate certain contracts and set up a double monetary standard." President Harrison explained the real reason to Delegate Smith in more direct language when he said the Republicans were "opposed to the free coinage of western senators."⁷³

Congressional rebuffs only temporarily dampened Arizona's enthusiasm for statehood. Cleveland's election in 1892 made the Democrats so optimistic that no fewer than five bills were introduced the following year. Once again Smith's bill passed the House but failed to win Senate approval. The statehood forces themselves met in Phoenix at the Opera House to petition Congress anew, to organize a permanent statehood committee in each county, and to send a bipartisan delegation—headed by N. O. Murphy—to Washington to lobby for admission. The difficulty now was that Smith and standpat Arizona Democrats had voted for Hill over Cleveland at the national Democratic convention in 1892, and the President was in no mood to cooperate with his former opponents. Indeed, he took revenge on Smith by appointing the temperance editor, Louis C. Hughes (1893-96), of the *Tucson Star*, as territorial governor in 1893.⁷⁴

Unfortunately for the statehood advocates, Hughes' appointment highlighted a party split between Smith and the more liberal elements in the Democratic ranks and coincided with the rise of a territorial Populist Party. The effects of the Panic of 1893 also shelved most admission efforts until 1900, although seven more statehood bills were introduced during those years. The intraparty fight among the Democrats in these years was so complex that it is difficult to tell who was protagonist and who was defender. When Governor Hughes, backed by church and temperance groups, came into office and promised certain changes, ex-Governor Zulick and the "wets" were so antagonistic that they turned Hughes' administration into a nightmare of accusations and charges of mismanagement. Marcus Smith, now punningly called "Octopus Smith" by his enemies because of his

73. *Proceedings of the Arizona Convention for Statehood* (Phoenix, 1893), p. 11, pamphlet, ASA.

74. *Ibid.*, p. 17.

far-reaching control, joined in the war on "Pin-head" Hughes.⁷⁵ The fact that territorial printing went to Hughes' paper, the *Tucson Star*, led to cries of corruption. Hughes' own decision to cooperate with N. O. Murphy, the leader of the Republicans, who had become delegate in 1895, led to still more. He also angered Smith by supporting the Court of Private Land Claims. Finally, Hughes got into serious trouble by pursuing a land policy that amounted to speculation in Indian lands. The cries of malfeasance by Zulick and Smith were so loud that Cleveland was forced to remove Hughes from office in 1896.⁷⁶

The war with Hughes cost the Democrats the delegateship in 1894, for that year Populist sentiment, particularly in northern Arizona, had grown to such a point that the People's Party chose William "Bucky" O'Neill, an extraordinarily popular rancher and editor of the *Arizona Miner*, to run for delegate.⁷⁷ O'Neill had endeared himself to the voters while he was a local tax assessor by billing the Atlantic and Pacific Railroad for \$800,000 in taxes. The Populist choice frightened both regular parties into selecting their strongest candidates, however, so that N. O. Murphy ran against Marcus Smith. In a three-cornered election the liberal and prohibitionist Democrats appear to have deserted Smith to vote for O'Neill. As a result Murphy carried the day. In the meantime, Cleveland veered toward the conservative Democrats again when he removed Hughes and appointed as governor a "pure type of the old time Southern politician," Benjamin J. Franklin (1896-97) of Phoenix.⁷⁸

As if committed to some party theory of checks and balances, Arizona went to the polls in 1896 and elected John F. Wilson, a Democrat, over O'Neill, the Republican candidate, and two prohibitionists, while the country itself went Republican. Yet for Arizona, Wilson's election seemed a wise choice, for he was also a silverite; and the national Democratic platform now included a silver plank and other clauses liberal enough to unite party factions. After the Populist fervor was over, Smith himself was reelected in 1898. By

75. The above is really a summary of the voluminous clippings in the Hughes "Scrapbook."

76. *Arizona Citizen*, April 19, 1893. *New York Times*, April 1, 1896.

77. W. O. O'Neill File, APHS.

78. Benjamin J. Franklin File, APHS.

then he had so consolidated his Democratic machine that with one two-year exception the territory returned either himself or his party colleague, John F. Wilson, as delegate for the next twelve years. Smith's task, both as delegate and as conservative, was made easier when McKinley reappointed Murphy to the governor's chair in 1898. With two ardent statehood advocates in office again, it was time to renew the crusade for admission.

Wilson's election in 1896 and the popularity of N. O. Murphy go a long way to support the contention of historians that Western silverites were neither good radicals nor good populists. In Arizona free silver was a practical bread-and-butter issue. Wilson's election was buttressed by the nineteenth Arizona Assembly, which has been described as the most conservative in territorial history.⁷⁹ Three-fourths of the councilmen and seven-eighths of the representatives were Democrats, and all were successful miners, ranchers, and merchants. Arizona still practiced a politics of development, but increasingly the belief was that local self-development and home rule were the best ways to realize Arizona's full economic promise.

Delegate Smith himself ran for reelection on a statehood platform in 1898, and informal conventions endorsed the movement. Unknown to Smith and the Arizonians, a strange combination of anti-Western attitudes in Congress, the Spanish-American War, the rise of the muckrakers and the progressives, and the simultaneous admission efforts of New Mexico and Oklahoma were to complicate and frustrate the Arizona statehood cause for a dozen years. In the words of Claude G. Bowers, it was to become "one of the most stubborn and historic contests over the conversion of Territories into States in the history of the Union."⁸⁰ The final "Americanization" of Arizona and New Mexico was to be a saga that the Southwest would never forget.

In reviewing the evolution of politics and political institutions in Arizona, it is remarkable to see how similar the overall process was to that found in other territories. During its first fifteen years of

79. James H. McClintock, *Nineteenth Legislature of Arizona, 1897* (Phoenix, 1897), p. 6, pamphlet.

80. Claude G. Bowers, *Beveridge and the Progressive Era* (Cambridge, Mass., 1932), p. 182.

existence Arizona was ruled by a combination of federal appointees and a merchant and/or miner oligarchy, variations of which could be found in New Mexico, Colorado, Dakota, and early Montana and Idaho. It must be concluded that a set of frontier conditions operated in territories west of the Mississippi which forced a fusion of political and economic affairs. Because of the Indian menace, the fusion was particularly strong in Arizona. But after conditions were sufficiently peaceful to allow the territorial economy to develop, the local leaders always chose the delegate from their own ranks and came to view the federal appointees as outsiders. This rising provincialism inevitably led to a demand that local men be appointed to federal office and to a firm belief in home rule through statehood.

Arizona had no real parties until the region was sufficiently developed to afford them, and even then the issues continued to be familiar frontier ones concerning Indian defense and policy, federal aid, transportation and railroads, and general economic development. This pattern, too, was common to all territories. The fact that local areas within a territory struggled with other local areas for the chance to be a political capital or a railroad center, or to carry off some other economic prize, was so overriding a characteristic of all American frontiers that states rights and sectionalism were almost inevitably by-products of the frontier condition. The politics of development practiced in the territories would also seem to imply that both a sectional and an "economic interpretation" of frontier history should prove far more rewarding than the view that the West was nationalistic in its views and uniquely democratic in its philosophy.

Yet it would be incorrect to say that a Beardian interpretation best explains frontier or Southwestern history. If daily politics centered around the problems of material progress and development, the institutions themselves were not only traditional but tended to come from the more fully developed neighboring states as well. What was familiar continued to be used until it did not work—unless, as in the case of Utah the population deliberately chose to be different, or, as in the case of New Mexico the cultural heritage was different. For Arizona the two pacesetters were California and Nevada. Not only did county government, mining customs and law, and many political

attitudes come from these states, but many of the political figures also came to Arizona via the coast. Of the thirty-six members of the 1897 Assembly, for example, at least twelve had migrated to Arizona only after a sojourn in California. Two of its governors were Nevada politicians, and a third was from California. As a major metropolitan business center, San Francisco was in many ways the economic capital of the territory. Nor could anyone ignore the powerful influence of the Southern Pacific in the territory. The power of California was matched in some areas—particularly in the copper regions—with the power of Eastern corporations, so that Arizona became an economic colony of outside interests just as so many other Western states and territories did between 1865 and 1900.

The majority of Arizona's settlers, whether from California, the Northeast, the Midwest, or the South, were not really at war with American institutions. They accepted the common law, a court system, public education, a standard county and territorial government, American land law, and adapted themselves to new water laws. While there were shades of difference between northern Arizona—which had many settlers with Northeastern and Midwestern backgrounds—and southern Arizona, which boasted a large population of Southerners and Westerners, the two actually worked together to force the local cultural minorities to accept American ways. Indeed the Arizonians were made more conscious of their heritage by its very contrast with Spanish-American customs and the distinct social qualities of the Mormon minority there. The way in which the majority used the minority, either as political whipping boys or as allies, was so familiar that the process needs no further explanation.

While Arizona was safely "American" in 1900, and its expanding population numbered more than 120,000 that year, its people were not yet a whole. Arizona is still a "mining camp," wrote Senator Albert Beveridge disdainfully when he visited the territory in 1902. The makeup of only eight communities during the period from 1880 to 1900 suggests that while it was more than a mining camp, social disorganization did exist there. The Hopi pueblos found themselves enclaved in the midst of a Navajo reserve. Flagstaff was a lumbering town with a population that often hailed from other lumbering re-

gions as far east as Maine. Prescott was a Midwestern town in appearance and population, while Tucson was Southern and "Mexican." Tombstone could have been a California or Nevada mineral rush town. Tempe was Mormon, and Bisbee was a company town half-filled with Sonoran workers. Phoenix, with its mixture of big schemers and small fruit farmers, was beginning to look like a southern California agricultural center or a smaller Los Angeles. And scattered both north and south were huge ranches resembling those found in Texas, Colorado, and New Mexico.

In 1900 Arizona may still have been a frontier physically speaking, and it was not yet a single society, yet its very disparateness was such an American quality that these conditions never prevented a general faith in progress and change. Governor Zulick struck the keynote in 1887 when he said that the territory was being "peopled by a sturdy, liberal, and progressive body of citizens," who were "making social as well as industrial progress."

The Admission of Arizona and New Mexico to the Union 1900-1912

We had rather be a Territory for the balance of time than to be joined to that Republican unproductive gang.

Delegate Marcus Smith to
Senator John Sharpe Williams,
November 21, 1905

There is no power on earth that will move Beveridge except the President.

Delegate W. F. Andrews to
Governor George Curry
December 31, 1907



The final struggle to gain statehood for Arizona and New Mexico lasted from 1901 to 1912 and was the longest sustained admission fight in American territorial history.¹ It also took place under conditions that no other territories had ever experienced, for the movement became entangled in three great national debates. The first of these concerned the continuing argument growing out of the Spanish-American War: whether America should be an imperial nation with colonies or should accept the new pos-

1. The Arizona statehood fight is treated briefly in Lockwood, *Pioneer Days in Arizona*, pp. 368-78; that of New Mexico more thoroughly in Marion Dargan, "New Mexico's Fight for Statehood, 1895-1912," *NMHR*, 14 (1939), 1-33, 121 ff.; 15, 133 ff.; 16, 70-103, 379-400. See also Claude G. Bowers, *Beveridge and the Progressive Era* (New York, 1932), pp. 182 ff.

sessions of Puerto Rico and the Philippines as an eventual part of the American Union. When Theodore Roosevelt became president after McKinley's assassination in 1901, the imperial approach to backward or underdeveloped areas now had, as it were, administration approval. More important for the Southwest was the fact that the war had been with Spain. Thus the backward and underdeveloped colonies that the United States had acquired possessed a Spanish colonial culture, possessed also by Arizona and New Mexico in varying proportions. This rather tenuous connection between American territories and overseas possessions would not have been important had not Roosevelt himself appointed a number of his Rough Riders to office in the territories. Two of them, Alexander O. Brodie (1902-05) and George Curry (1907-10), were to serve as governors of Arizona and New Mexico.²

The second debate concerned the use and disposition of national resources in the Far Southwest. Roosevelt's accession also meant that the conservation movement, now over ten years old, would take on new strength. The appointment of Gifford Pinchot to head the Forestry Service, for example, vitally affected the Southwest, for many of the remaining public lands—now that the Court of Private Land Claims was winding up its work—were in Arizona and New Mexico. Between 1901 and 1912 millions of acres were withdrawn from the public domain in these two states. The eventual result was that 15 per cent of the lands in Arizona and 12 per cent of those in New Mexico were set aside as national forests.³ Since nearly every prominent rancher in New Mexico was hit by these measures, the resentment and political agitation that resulted kept the territory in a turmoil for ten years. Governor Otero's hostility to Roosevelt, and the fact that education lands granted by Congress to New Mexico in 1898 had been turned into a large speculation scheme undoubtedly prompted the "Little Governor" not to seek reappointment in 1905. A major part of Governor Hagerman's administration (1906-07) was also concerned with land affairs, before he was removed from office for selling certain public lands without proper authority. Two federal attorneys, Ormsby

2. Wyllys, *Arizona*, p. 181.

3. Ferrigo, *Our Spanish Southwest*, pp. 336-41.

McHarg and Edward P. Holcombe, who actually appear to have been agents for Pinchot, found evidence of land frauds that implicated the territorial secretary, James W. Reynolds, Attorney General George Prichard, and the representative of a Pennsylvania land company, Willard S. Hopewell. Similarly George Curry's term as governor was filled with protests over withdrawal of lands from the public domain for forest reserves or for land reclamation purposes.⁴

These vigorous measures on behalf of the national welfare brought in their train a host of new government regulations. After 1906 cattlemen and sheepherders needed a license to graze their herds on public lands. Lumbermen had to obey cutting and conservation measures—if, indeed, they were allowed to use the timber at all. The Spanish-Americans who had traditionally grazed their sheep where they wished and had gone to the mountains to cut trees when they needed wood were now forbidden to do these things. From the very beginning, therefore, the Southwest was opposed to the Roosevelt-Pinchot forestry and conservation policies.⁵

An integral part of the conservation program involved the reclamation of arid lands and the preservation of local water supplies. Here the shoe was often on the other foot, for the territories generally badgered the government for aid in developing these resources. But whatever attitudes the territorial leaders held on such questions, the conflict over conservation affected the fortunes of the statehood struggle.⁶

Finally, the Republican Party and the entire country were caught up in the ferment of Progressivism. In Congress the growing split between conservative and insurgent Republicans greatly hindered the

4. These facts are brought out in the voluminous correspondence found in the Official Papers and Letterbooks of Governors M. A. Otero, H. J. Hagerman, and George Curry, located in NMSRC, Santa Fe.

5. See B. S. Rodey to Hon. L. O. Fullen, September 4, 1910; Otero to Rodey, May 4, 1904, protesting the creation of a forest reserve in the Black Mountains, *ibid.* See also H. J. Hagerman to William F. Andrews, April 30, 1906; Hagerman to W. P. Mudgett (N.D., 1907); Hagerman to W. P. Sanders, January 28, 1907; and Hagerman to Theodore Roosevelt, February 4, 1907, in Official Papers and Letterbooks of Governor H. J. Hagerman.

6. Hagerman to Governor Jesse F. McDonald of Colorado, January 2, 1907, Hagerman Papers. Ferrigo, *Our Spanish Southwest*, pp. 336-37.

statehood cause. At first, Congressional liberals saw statehood as a conservative plot and therefore opposed admission; after 1908, however, the conservative Taft felt that the Arizona statehood movement was an insurgent plot and opposed admission for that reason. Within the two states themselves progressive ideals threatened to disrupt the unity of both parties. To gain admission, therefore, the statehood politicians had to thread their way past the heritage of the Spanish-American War, the conservation crusade, and the Progressive movement, before they could claim victory. Not since the slavery issue had complicated the admission of new states between 1820 and 1860 had there been so many issues to hamper the cause of statehood.

After 1900 the efforts of Marcus Smith, N. O. Murphy, and the statehood forces in Arizona were paralleled in New Mexico by the activities of Bernard S. Rodey, an exuberant, enthusiastic, Irish-born politician who had come to New Mexico in 1881 as secretary to the general manager of the Atlantic and Pacific Railroad. Rodey had settled in the boom town of Albuquerque, where he was admitted to the bar. He quickly allied himself to Frank A. Hubbell's Republican machine there, and by 1900 he had collected enough of a following to run for the delegateship on a statehood platform.⁷ Rodey's witty nature and his ability to fire an audience for a cause soon earned him the nickname "Statehood Rodey." He was elected without difficulty that year.

Once in office Rodey very shrewdly associated statehood with the burning local issues of the day. In 1901 the Spanish-Americans in the territory became concerned that an international dam—the Elephant Butte project—was to be built across the Rio Grande in such a way that it would cut off water necessary for irrigated farming below Hot Springs, New Mexico. Rodey not only promised that statehood could defeat the dam but cleverly built up the idea that the dam itself was a scheme of nonresident Texas "birds of passage."⁸

Shortly after his election Rodey turned the annual territorial fair at Albuquerque into an informal statehood convention. There he and the proponents of admission associated the statehood movement with the possible defeat of a proposed federal lease law that promised to ex-

7. Bernard S. Rodey in *Biographical Directory of the American Congress*.

8. McDowell, "Opposition to Statehood," pp. 76, 82 ff., 88 ff.

clude cattlemen and herders from public lands and forested areas. After securing approval of the statehood crusaders, Rodey marched off to Washington to take his seat in the Fifty-Seventh Congress.⁹

Rodey had considerable cause for optimism that fall, for Delegate Marcus Smith of Arizona and Delegate Dennis T. Flynn of Oklahoma Territory agreed to join Rodey and to fight for the simultaneous admission of all three states. Flynn wrote Smith: "I am going to make a straight out fight for Oklahoma, and if I can be of any assistance to you I will do so."¹⁰ It was also true that the national press now seemed favorable to admission. A majority of Democratic congressmen approved of statehood, and by 1901 Smith and Rodey had persuaded Senators Matt Quay of Pennsylvania, Henry M. Teller of Colorado, Stephen Elkins of West Virginia, and William Clark of Montana to support the cause as well.¹¹

After much preliminary work on an omnibus bill to admit all three territories, the measure passed the House on May 9, 1902. While Marcus Smith was in wretched health during these months and was unable to run for reelection in 1902, another Democrat, Colonel John F. Wilson, was chosen delegate in his stead. Wilson joined Rodey and Flynn to carry the fight, until Smith returned to office again in 1904.¹²

Thus far the omnibus bill had experienced no great opposition, but when it reached the Senate, it was referred to the Committee on Territories, whose chairman was Senator Albert J. Beveridge of Indiana. Beveridge was an elegant and eloquent public figure. He was the author of a distinguished biography of John Marshall, and after his retirement from the Senate he was to write a fine study of the early life of Lincoln. He was both an ardent nationalist and a good Progressive. Quite paradoxically, he was also a nativist and an imperialist. What the three delegates did not know was that the Senator had formed a highly unfavorable view of colonial Spanish-Americans during the war with Spain in 1898. Yet all the while he had supported his friends Henry Cabot Lodge and Theodore Roosevelt in their de-

9. Rodey to Otero, August 20, 28, 1901, Otero Papers.

10. D. T. Flynn to Rodey, August 31, 1901, Otero Papers.

11. See Beatrice A. Cottrell, "Senate Action on the Omnibus Bill of 1902" (Master's thesis, University of New Mexico), for coverage of Smith's activities.

12. Langston, "Arizona's Statehood Fight," p. 30.

mands for the acquisition of overseas possessions! These initial views were further entrenched when he made a flying trip to the Philippines after the war, where he had been appalled by the low standards of living and the backwardness of the people there.¹³

When in the early fall of 1902, Beveridge and his committee took up the question of admission, he and a subcommittee made a whirlwind tour of the three Western territories. From the questions he asked it was clear that he liked "American" Oklahoma but that he was acutely hostile to the idea of statehood for "frontier" Arizona and "Mexican" New Mexico.¹⁴ The reasons were not hard to find. As a Progressive and as a friend of many muckraker journalists, Beveridge soon became convinced that the statehood movements in Arizona and New Mexico were part of a massive scheme by large mining and railroad interests to seize political control of the region. He found, for example, that Senator William Clark of Montana owned the United Verde Mine in Arizona and that Senator Boies Penrose of Pennsylvania and his brother had mining properties there as well. In New Mexico, Matthew Quay and Congressman William F. "Bull" Andrews were anxious to launch certain questionable railroad projects there that needed state aid.¹⁵

Yet it appears that Beveridge's real reasons were not economic or reformist but cultural. He returned to Washington believing that the Spanish-speaking residents of the Southwest were at best second-class citizens—passive, pliant, and uneducated. Beveridge and his supporters were to argue for the next eight years that the Spanish-Americans were not at home with United States law, its court and school systems, or even with the English language. To Beveridge, in fact, the refusal to learn English was tantamount to a mild form of treason.¹⁶ Beveridge's condescending views were not confined to Spanish-Americans, for he and other senators spoke of the Mormon minority in Arizona in disparaging terms throughout the period of the statehood movement.

13. Bowers, *Beveridge*, pp. 182 ff.

14. Charles Edgar Maddox, "The Statehood Policy of Albert J. Beveridge, 1901-1911" (Master's thesis, University of New Mexico, 1938), p. 42.

15. *Ibid.*, pp. 41-43, 57-58.

16. *Ibid.*, pp. 46, 60, 72. Langston, pp. 38-47.

This belief in ethnic and cultural incompatibility was further reinforced by the impression that the Southwest was some sort of modern-day "Great American Desert," which lacked enough water, good soil, adequate population, and the general wherewithal to support civilized man. Ironically, the Westerners themselves had contributed to this belief by their constant demands for new land and water laws and by their appeals for government aid to develop irrigation.¹⁷

When Beveridge reported the omnibus bill out of committee in January 1903, he urged statehood for Oklahoma, but he omitted all reference to the other two territories. Beveridge's reasons for the omission probably surprised his hearers, for while he touched on the role of big business in the statehood movement, his real argument was that:

The people must be sufficient in number; they must be on an equality with the remainder of the people of the nation in all that constitutes effective citizenship; they must have developed the resources of the land they occupy; and finally have further resources susceptible of like development to bring their proposed new state up to the average of the remainder of the nation.

Future senators, Beveridge concluded, "should stand for a quantity of people and not a quantity of land." To the Senator the Far Southwest was still a backward and underdeveloped colonial area.

Long before Beveridge had actually made his report, however, the statehood advocates had learned of his hostility. Local leaders from Arizona and New Mexico rushed to Washington to give his subcommittee favorable statistics, but to little avail. Speaking of Beveridge's swift visit to the Southwest, Smith complained that he had "met the committee but could never catch up with it," and concluded the whole thing was "a star-chamber proceeding from first to last."¹⁸ By the time Congress convened in December 1902, it was also obvious that Beveridge had lined up a formidable array of statehood opponents, including Senators Thomas R. Bard, Nelson Aldrich, Knute Nel-

17. Maddox, p. 83.

18. Quoted in Langston, p. 49.

son, Chauncey Depew, Henry Cabot Lodge, and even Mark Hanna. President Roosevelt was also impressed with Beveridge's antiadmission arguments and silently upheld him for the next six years.¹⁹ In cooperation with Albert Shaw, editor of the *Review of Reviews*, Beveridge even enlisted the aid of magazine and newspaper writers to question the wisdom of admission, and he called on technical experts and scholars to testify against statehood.²⁰

Despite this adverse report on admission, the pro-statehood forces were not worried. Senators Matt Quay of Pennsylvania and William Bates of Tennessee submitted separate reports in favor of the omnibus bill of 1902, while Senator W. R. Hearst and the Democrats also turned in pro-statehood recommendations. Nevertheless Beveridge was not to be defeated. After mobilizing many other senators and using filibuster techniques, he resorted to an unexpected device. For reasons of courtesy no vote could take place without his presence as chairman of the Territorial Committee. At the crucial moment he hid on the third floor of Gifford Pinchot's home for a week.²¹ The time passed when a territorial bill could be considered in 1903, and no vote took place in the Fifty-Seventh Congress.

Beveridge's attitude, while hostile, was not totally negative. A year and a half later he himself advocated a bill to admit Arizona and New Mexico jointly as a single state. But while "jointure"—as the 1904-05 proposal soon came to be called—seemed reasonable to the East and fitted Beveridge's own rules for admission, it caused a storm of disapproval in the Southwest. Marcus Smith said acidly of Beveridge's one state bill that "he proceeds from his own argument on the principle that one rotten egg is bad, but two rotten ones would make a fine omelet."²²

Smith himself argued against jointure by declaring that Arizona business connections were with California, while those of New Mexico were Eastern. The opposition was not merely political and economic, for the Spanish-Americans in New Mexico did not care to become a

19. Maddox, pp. 106-07.

20. *Ibid.*, pp. 10-11, 46. Langston, p. 33.

21. Maddox, p. 85.

22. *The Statehood Bill: Speech of Hon. M. A. Smith* (Washington, 1902), p. 11, pamphlet.

minority in a giant state when they could be a majority in a smaller one. Using the same reasoning, the Anglo-American citizens of Arizona were opposed to an increase in the proportion of their own Spanish-American minority. Yet when a committee from the two territories called at the White House to protest jointure, Governor Otero reported that "our talk did not seem to impress President Roosevelt in the slightest degree."²³

In April 1904 a joint statehood bill passed the House of Representatives, and although the bill failed to pass the Senate that year—an outcome which the citizens of Tucson celebrated—the administration forces had a second jointure measure before Congress by 1905. This bill had the express approval of Roosevelt, who, in turn, applied pressure on his governors in Arizona and New Mexico to accept it. The subsequent local developments beautifully illustrated the basically different reactions and political conditions in Arizona and New Mexico. In Arizona, Governor Brodie's successor, Joseph K. Kibbey (1905-10), refused to support jointure even though virtually ordered to by Roosevelt. An antijointure convention met in Phoenix to back up Kibbey, while Mark Smith was returned to Washington to run the antijointure campaign in Congress. So irate was the Phoenix city council at the President's pressure that it changed the name of Roosevelt Street to that of Cleveland.²⁴

In New Mexico, on the other hand, a game of political intrigue ensued which would have been worthy of the most adept members of the old Santa Fe Ring. When he came up for reelection in 1904, "Statehood Rodey," who was by now probably the most popular political figure in the territory, found himself caught in the crossfire of a political feud between his Albuquerque sponsor, Frank A. Hubbell, and Governor Otero. When Rodey refused to abandon Hubbell, Otero persuaded the Republican Party to pass over Rodey for delegate and to nominate, instead, a newcomer: former Congressman "Bull" Andrews of Pennsylvania. Justifiably angry at Otero's action, Rodey ran

23. Mary J. Masters, "New Mexico's Struggle for Statehood, 1903-1907" (Master's thesis, University of New Mexico, 1942), p. 20.

24. Waldemar Westergaard, "Senator Thomas R. Bard and the Arizona-New Mexico Controversy," Historical Society of Southern California, *Annual Publications* (Los Angeles, 1919), p. 16.

on a jointure ticket with the backing of Senator Beveridge, but the Andrews forces, with the backing of Thomas B. Catron, carried the day in a close and questionable election. Clearly a new Santa Fe Ring was in operation.²⁵

The election of two single state delegates apparently did not worry either Beveridge or Roosevelt. Matt Quay, the chief defender of the single-state plan, had died in 1904. The jointure plan itself seemed well on the way to realization when Uncle Joe Cannon crushed an insurgent separate-state movement in the House in January 1906 and pushed through Congressman Edward L. Hamilton's jointure bill.²⁶ Four days later a receptive Beveridge reported it to the Senate. This time, however, it was Marcus Smith's turn to maneuver. First, the Arizona Delegate persuaded Senator Joseph R. Foraker of Ohio to propose an amendment (drafted by Smith) that would allow the two territories to hold a referendum on jointure. A combination of Foraker's old-fashioned eloquence and the Progressive love of referendum got the amendment adopted by a vote of 42 to 29. This was followed by a second vote to delete the name of Arizona and New Mexico from the Hamilton bill. Now only the name of Oklahoma was left in the measure. The act was then passed, and while Oklahomans were overjoyed at the prospect of admission, the citizens of Arizona once again celebrated their temporary escape from jointure with a parade.²⁷

It still remained for the two territories to approve or denounce jointure by referendum. The outcome in Arizona was anticipated by Mark Smith when he explained to Senator John Sharpe Williams that "we had rather be a Territory for the balance of time than to be joined to that Republican unproductive gang."²⁸ True to his words, Arizona overwhelmingly rejected the idea of jointure.

In New Mexico the referendum had a very different history. Ex-Governor Otero, Thomas Catron, and Judge N. B. Laughlin were such outright single-staters that they refused to cooperate with Beveridge or Roosevelt. Roosevelt's young gubernatorial appointee, H. J. Hag-

25. Masters, pp. 39-40.

26. Maddox, pp. 86-92.

27. Langston, pp. 65 ff.

28. Smith to Williams, November 21, 1905, in Private Letter Books of M. A. Smith, University of Arizona Library, Tucson.

erman, agreed to jointure, but his own reformist administration was at loggerheads with the territorial Republican Party machine, which was now headed by a master politician, Holm O. Bursum. The machine disliked jointure as much as the Arizonans did, but its leaders apparently agreed to support it if Roosevelt would remove the unpopular Hagerman and let the conservative Republicans of New Mexico continue undisturbed in power. Just what arrangements were made is not known, but Hagerman was soon replaced by a former Rough Rider and Philippine police commissioner, George Curry, while "Bull" Andrews was reelected delegate on a projointure ticket in 1906! The campaign itself was accompanied by much obvious press propaganda for jointure, and when the vote was counted there was also clear evidence of fraud. But jointure was approved in New Mexico, and Delegate Andrews squeaked in with less than a majority of 400 votes.²⁹

Ironically, the whole jointure campaign had helped defeat a reform governor in New Mexico and had reelected "Bull" Andrews, who was in Beveridge's eyes both a speculator and a former ally of Matt Quay. It had also put a new Santa Fe Ring into power, with Holm Bursum as its leader. In Arizona jointure had reelected Mark Smith, Beveridge's sworn enemy. A recent scholar has shown that Bursum himself secretly hoped that by approving jointure while Arizona disapproved it, New Mexico would be rewarded by being admitted as a single state!³⁰ Had Beveridge and Roosevelt deliberately set out to defeat their own program of reform and admission, they could not have been more successful.

During the long drawn-out struggle over jointure, Roosevelt finally appears to have changed his mind, for in 1908 in his last annual message to Congress he advocated the admission of Arizona and New Mexico as two separate states. That previous summer the Republican Party had also endorsed separate admission. Undoubtedly Roosevelt's own warm friendship for Governor George Curry of New Mexico and the fact that Arizona had diplomatically elected a Republican delegate

29. Donald B. Leopard, "Joint Statehood, 1906" (Master's thesis, University of New Mexico, 1958), pp. 11-33 passim.

30. *Ibid.*, p. 62.

in 1908 increased his receptiveness, but whatever the reasons for Roosevelt's change of heart, Beveridge's opposition now seemed less powerful.

Meanwhile, Beveridge's own arguments against admission became increasingly political. By September 1909 he was urging Taft to avoid all statehood legislation, since it would result in sending two Democrats to the Senate from Arizona and would send two nonreform Republicans (Curry and Andrews) from New Mexico. Beveridge also feared that both new states would elect Democratic congressmen.³¹

Taft himself was not particularly favorable to admission, but he refused to agitate to keep the territories out of the Union. The new President actually appears to have appointed Richard E. Sloan (1910-12) and T. B. Mills (1910-12), former judges, as governors of both Arizona and New Mexico, so that they could make the necessary legal, judicial, and constitutional adjustments necessary in a transition to statehood.³² At last, on January 14, 1910, Representative Edward L. Hamilton of the House Committee on Territories introduced an enabling act, and though Beveridge held it up for two months in the Senate until a good school-lands clause was included, it passed both houses. Even then the measure was loaded with qualifications which revealed continued suspicion of Southwestern motives for statehood. Beveridge himself made a final attempt to add provisos that would forbid anyone who could not read or speak English to vote or hold office, and even Curry and Andrews — with their eyes on the Spanish-American vote in New Mexico — did not manage to have all language requirements deleted from the final bill.³³

The Arizona and New Mexico admission fights demonstrated the familiar struggle of a region acting to resist outside authority which was attempting to standardize and force conformity. In this case the authority wanted adherence to national Republican and Progressive ideals. Though the federal government, by trying to make the two territories into one, was trying to be fair and achieve proportional

31. Maddox, pp. 103-08.

32. Richard E. Sloan, *Memories of an Arizona Judge* (Stanford, Cal., 1932), bears this out, as do the Official Papers and Letter Books of Governor T. B. Mills, NMSRC.

33. Curry to Andrews, February 16, 1910, Curry Papers.

representation in the national sense, it violated history, local political habits, and customs in a rather obtuse way. On the other hand, indignation over jointure helped make statehood a popular rather than a politician's cause.

The struggle for statehood also illustrates another classic pattern in American political history—how national issues and fads can so vitally affect local causes. Not only did admission become entangled in the prohibition issue and involved in the debates over women's rights and new ideas like the initiative and the referendum, but it was clouded by the free-silver controversy, war, conservation, land policies, feelings about the new immigration, and antisouthwestern attitudes. The regional struggle between East and West and the political struggle between conservative and insurgent Republicans in the 1910 Congress played vital roles as well. All in all, then, the admission debate mirrored American prejudices and preoccupations at the turn of the century and demonstrated how the concerns of the "metropolis" and the nation could affect the fortunes of the "province."

It has been traditional for Southwestern historians to blame Roosevelt, Taft, Beveridge, and Pinchot for holding up statehood. Yet many Arizonans and New Mexicans, first openly and later secretly, supported continued territorial status. More than once the influential New Mexican banker Jefferson Reynolds dashed off to Washington to oppose statehood. The Democrats in New Mexico opposed statehood throughout the last years before admission, for they felt it would perpetuate the Republicans and their Spanish-American supporters in power. Furthermore, neither state changed its traditional frontier attitudes toward land policy, conservation, tax elections, and public education enough to impress Congress. Indeed, Mark Smith spent most of his public career opposing federal land and water policies, and he continued to do so during the statehood crusade. William F. Andrews' correspondence with Governor Curry reveals that the former always wanted statehood for selfish and venal reasons and that Curry himself dreamed of a probusiness constitution. Thomas Catron tried at the last minute to defeat a fair water-rights clause in the New Mexican constitution, and Holm Bursum cynically used the whole statehood movement to establish a new Santa Fe Ring. At a crucial

moment in 1909, Mark Smith did not hesitate to hold up the statehood bill for two weeks until Arizona got a 600,000-acre grant of land.³⁴ It is not surprising therefore that Congress, Roosevelt, and Beveridge were so distrustful of the statehood movement.

What Congress, Roosevelt, and Taft did not realize, however, was that a large number of citizens in the Southwest had come to believe sincerely that territorial status was a terrible stigma and an insufferable mark of inferiority. They agreed with a remark made by Governor Prince in 1902 that "a Territory with bad officials is a despotism, and not a republic; it is ruled by men named by an authority 2,000 miles away, who are not responsible to any local instrument of power." Such men, he said, should be compared to Butcher Weyler in Cuba and the territory to "an East Indian State under Hastings."³⁵

It was such sentiments, reminiscent of the assertions of local liberty in the thirteen colonies, that led the Arizona and New Mexico citizens to campaign for their own independence between 1900 and 1910. In so doing, they eventually forced Congress to observe the spirit of the Ordinance of 1787 rather than to pursue the imperial implications of Beveridge's New Nationalism. The nation had finally followed the flag into the Southwest.

The constitutional conventions of New Mexico and Arizona met at time when the nation stood at a political and social crossroads. Would they heed the cry of insurgents and Progressives for a "new freedom" and the "square deal," or would they stand pat with the conservatives now epitomized in President Taft? Not since the heyday of Populism had the country been so self-analytical or full of debate over the future.

The questioning and furor reached into the charming adobe city of Santa Fe in the fall of 1910, where 100 delegates gathered in the golden haze of September to write a state constitution for a region that had been a territory now for sixty-four years. Tremendous changes had overtaken the remote "provincia interna" of New Spain in the hundred years since Don Pedro Pino had begged for a new era in

34. Andrews to Curry, February 4, 1909, Curry Papers.

35. L. B. Prince, "Statehood Pamphlet," Otero Papers.

New Mexico. Yet American conquest still was an incomplete revolution. Although a thousand New Mexicans were to cast their votes for a Socialist candidate for delegate that year, the political patterns built by the Republican Party—using local customs—still remained; the patron system still worked; and there was still a clear cultural distinction between Spanish and Anglo-American habits and attitudes. As if to symbolize the necessary compromise, thirty-two of the delegates in the convention were Spanish-Americans while sixty-eight were Americans, although the observer might be justly confused by noting that the convention secretary was named George Washington Armijo.³⁶

In stark contrast to the Arizona constitutional convention, the New Mexican one was Republican, cautious, and conservative. Led by Holm Bursum, Solomon Luna, Charles Springer, and Charles A. Spiess and with Thomas Catron playing an independent role, the members wrote a conservative document that denied women the vote, evaded the prohibition issue, and rejected most Progressive ideas. They made it virtually impossible to amend the new document. One scholar has observed it was a perfect 1810 model, while Arizona's was a 1910 one.³⁷

Once completed, the constitution raised both a liberal and partisan storm. Eighteen Democratic members in the convention refused to sign it, and ex-delegate Harvey B. Fergusson, the dynamic Albuquerque lawyer, joined other Progressives in an attempt to defeat its ratification. Claiming that "it perpetuates in power the old ring which has misgoverned New Mexico as a territory so long," Fergusson toured the territory in a speech-making campaign and bombarded Democratic senators with letters urging them to defeat it.³⁸ But it was impossible to change the mood of a long-established, tradition-bound region overnight, so that a majority of the citizens, anxious to gain statehood, approved of the constitution.

36. See *Miscellaneous Manuscripts and Documents Relating to the New Mexico Constitutional Convention of 1910*, NMHS.

37. John R. Murdock, "Constitutional Development of Arizona" (Phoenix, 1930), p. 30.

38. Fergusson to George E. Chamberlain, June 17, 1911; to A. A. Jones, June 19, 1911; to R. L. Owens, July 5, 1911; to W. J. Bryan, September 15, 1911, in *H. B. Fergusson Statehood Letters*, University of New Mexico Library, Albuquerque.

The conservative victory was not quite complete, however, for in the first state election W. C. McDonald, a Democrat, became governor when Progressive Republicans, among them ex-governor Hagerman, bolted their own party to support him. The New Mexico Democrats, with the support of Taft himself, also persuaded Congress to pass the Smith-Flood amendment, which required a change in the amending clause and provided a system of ratification by means of a "blue ballot" that would prevent fraud at the polls. With these changes and their ratification, Taft admitted New Mexico to the Union on Jan 6, 1912. As prominent New Mexicans crowded about the President, Taft remarked: "Well it is all over, I am glad to give you life." Then he smiled and added, "I hope you will be healthy." That year Thomas B. Catron, who had dreamed of a Senate seat since 1873, joined Albert B. Fall to represent his state in the national upper house, while ex-governor George Curry and Harvey B. Fergusson became New Mexico's first congressmen.

To the west, the Arizonans, also in convention, were "bursting out all over" with progressive ideas. This liberal spirit had expressed itself sporadically ever since "Bucky" O'Neill had run for Congress on a Populist antirailroad ticket in 1896 and 1898. Temperance and female suffrage crusades accounted for other outbursts, and the rise of labor unions in mining regions provided still other sources of radical discontent. In party terms, however, the liberal protest had become increasingly identified with an anti-Mark Smith wing of the Democratic Party, for Smith and his conservative law partner, Eugene S. Ives, were now obviously spending much time as legal counsel for railroad and copper companies and were now being called "Corporation Democrats."³⁹

The acknowledged leader of the Arizona progressive and labor Democrats was George W. P. Hunt, a portly, balding, bespectacled businessman and publisher from Globe. The poker-faced Hunt was to prove one of the most capable and enduring public men in Arizona history, and once statehood was achieved, he was to serve as gov-

39. The correspondence between Smith and Ives in the Eugene S. Ives Letter Books, 1901-1913, in the University of Arizona Library, indicate this. See also *Tucson Citizen*, July 18, 1910.

ernor for fifteen years. Hunt's political success was based on the muckraker principle: a full exposure of every issue to the public. Fond of catch phrases and new crusades, he kept Arizona in a healthy ferment for three decades, and he gave to the state the liberal activist spirit that Frederick Jackson Turner so often identified as a frontier trait.⁴⁰

In 1910 Hunt, as spokesman for the liberal statehood forces, began a campaign to "start in with a clean slate and a clean state," by which he meant the adoption of the initiative, the referendum and recall, and the direct election of senators. Hunt actually traveled to Oregon and California to study Progressive constitutions and measures and to talk with liberal leaders. Refusing to compromise with Republicans or the conservative Democrats, the liberals of Arizona captured the constitutional convention in 1910 and made Hunt its president. Of the forty-one Democrats and eleven Republicans, some nine were cattlemen, fourteen were lawyers, five were miners, and four were merchants. The others represented a scattering of occupations ranging from saloon keepers to ministers.⁴¹

Typically, Hunt announced that the convention itself would operate in the full glare of public view and that there would be no caucuses. In the days that followed, proposals for female suffrage and prohibition vied with the initiative, referendum, and recall for attention, while a labor delegate from Bisbee introduced pro-union and anti-Pinkerton clauses. Still other delegates proposed to restrain courts from granting labor injunctions. The *Daily Globe* at one point declared that the "crimping of corporations is proceeding merrily."⁴²

Along with these more familiar items, other delegates advocated a clause forbidding capital punishment, openly discussed and voted down segregation in schools, and considered the problem of child labor and juvenile crime. As the conservatives watched in growing

40. "G. W. P. Hunt" in *DAB*.

41. *Daily Globe* (Globe, Arizona), July 19, August 6, 1910, in the G. W. P. Hunt Scrapbooks in the University of Arizona Library.

42. Clipping from *Daily Globe* (n.d.) in Hunt Scrapbooks. The convention proceedings are available in four massive quarto volumes entitled "Complete Verbatim Report of Arizona Constitutional Convention, 1910," University of Arizona Library, Tucson.

horror, the convention voted to adopt initiative, referendum, and recall and to make recall applicable to judges on the bench. This act led President Taft, who visited Phoenix in the fall of 1910, to warn them against the "crank constitution" that he felt Oklahoma now had. But the delegates went on from there to approve of female suffrage, direct primaries, and direct elections of senators.⁴³

In the realm of business and government the convention passed antilobbying and corrupt practices clauses, created a corporation commission, and established a valuation system for fixing railroad rates. Labor legislation included an antichild-labor measure and employer liability for employees, and made the path of unions easier in Arizona. Similarly, in water-rights clauses they modified traditional common law rules to fit the needs of a state dependent upon irrigation.⁴⁴

The excitement over the writing of the constitution was mild compared to the furious ratification campaign. The Republicans, both in Washington and in Arizona, so violently opposed it that the administration founded a paper in Tucson to defeat the document. Accusations flew back and forth that it was a Socialist constitution, while others called it a clever corporation measure, and still others dismissed it as a creature of the Western Federation of Miners. Mark Smith warned voters that it would never be approved by Congress or Taft, but 77 per cent of the voters endorsed the 1910 constitution. The *Arizona Gazette* caught the spirit of the times in the headlines: "POPULAR GOVERNMENT SUCCEEDS OLD REGIME: SPECIAL INTEREST DE-THRONE."⁴⁵

The election of the first state government was also a wide-open affair, but the liberals succeeded in electing Hunt to the governor's chair and sent the youthful Carl Hayden to Congress. When the first legislature met, young Henry F. Ashurst, the "Boy Orator of Bill Williams Mountain," was elected to the Senate. Out of respect for Mark Smith's own statehood efforts and because of his continuing great power, the legislature also elected the perennial Delegate to the Senate.

43. See clippings from September to December, 1910, same source as above. President Taft made his remark in Phoenix on October 13.

44. The *Los Angeles Recorder*, December 13, 1910.

45. *Arizona Gazette* (Phoenix), February 10, 1911, in the Hunt Scrapbooks.

Arizona exuberance over statehood was temporarily dimmed when Taft declared he would veto admission unless the provision for the recall of judges was omitted from the Arizona constitution. A new resolution including this amendment had been signed and ratified by December 1911, so that all obstacles were cleared. Two months later, on St. Valentine's Day, 1912, Taft signed the proclamation that admitted Arizona into the Union. But shortly thereafter a Democratic legislature reinserted the "recall of judges" clause, and in the fall of 1912 a Democratic electorate voted for Woodrow Wilson. The youngest state was now in the forefront of the Progressive march.

A long and colorful but often painful era of political apprenticeship had come to an end for the Spanish borderlands of the American Southwest. American habits, customs, and democratic institutions—such as the two-party system, public schools, elective office, county government, and secular courts—were now established there, for while Congress never had a real territorial policy, it had always set these conditions as a minimal requirement. Yet the immutable fact of a mountainous, semi-arid environment remained, and the institutional and cultural compromises born out of the meeting of Mormon, Anglo-American, Spanish-American, and Indian would live on for generations to come. The fact of statehood symbolized that a satisfactory "Americanization" had been achieved. But in the process the unique qualities of the Far Southwest and the long persistence of the frontier period there had greatly affected and enriched the unfolding chronicle of American history.

Sylvester, "Dr. John Milton Bernhisel, Utah's First Delegate to Congress" (1947); Everett L. Cooley, "The Utah War" (1947); V. G. Erickson, "The Liberal Party of Utah" (1947); Stanford O. Cazier, "The Life of William Henry Hooper, Merchant-Statesman" (1956); and Francis Edward Rogan, "Patrick Edward Connor: An Army Officer in Utah, 1862-1866" (1952).

Three Doctoral dissertations also aid in an understanding of territorial history: Therald N. Jensen, "Mormon Theory of Church and State" (Ph.D. dissertation, University of Chicago, 1938); Ellsworth E. Weaver, "The Evolution of Political Institutions in Utah" (Ph.D. dissertation, New York University, 1953), which uses the "Journal History"; and Stewart Lofgren Grow, "A Study of the Utah Commission, 1882-1896" (Ph.D. dissertation, University of Utah, 1954).

ARIZONA

MANUSCRIPTS

One of the main repositories of materials on the history of territorial Arizona is the Arizona Pioneers' Historical Society, Tucson. There manuscripts, printed items, and newspaper items relating to nearly every important political figure have been collected, cross-indexed, and filed. One may easily consult files, therefore, on such pioneers as Sylvester Mowry, Charles DeB. Poston, Granville and William Oury, and on all the governors and delegates. Since the individual files consulted have been indicated in the footnotes, they will not be repeated here.

These biographical files can be supplemented with the "Joseph Fish Manuscript History of Arizona" (typescript); C. C. Smith, "Some Unpublished History of the Southwest," and his "History of the Oury Family"; and the APHS "Miscellany."

The Arizona State Archives at Phoenix contain the "Letters of Jonathan Richmond, 1863-1865"; and "Territorial Papers concerning Indian Affairs, 1870-1887," in which are to be found letters to and from Delegate McCormick and Governor Safford, Delegate Caleb Bean, General George C. Crook, and John P. Clum, Governor Meyer Zulick, and others. From these an intriguing but only partial impression of

the complexities of Arizona politics may be gained. Of particular interest is (1) McCormick to Safford, August 4, 1869, proposing that the two men cooperate politically; and (2) the telegrams and letters of Governor Zulick during the Indian outbreak of 1885-86. Also located in the ASA were the "Letter Press Books of the Governors of Arizona, 1892-1898," which were of limited use, and the "Official Record of Mark A. Smith (1887-1909)," (6 vols.) which allows one to trace his long career as delegate in some detail. Mulford Winsor's typescript "Arizona's Way to Statehood" (Phoenix, 1945) was helpful as well.

The Special Collections of the University of Arizona Library, Tucson, house the Journal of Alexander Bowman, 1861-65; the Pictures, Scrapbooks and Letters of John P. Clum; the Louis C. Hughes Letterbook, 1893-96, and "Scrapbooks," 3 vols.; the Private Letterbooks of Mark A. Smith, 1900-1905; and those of his partner, Eugene S. Ives, 1901-1913. The Library also holds the voluminous "Scrapbooks" of Governor G. W. P. Hunt as well as those of the late Senator Henry F. Ashurst. The extensive "Complete Verbatim Report of the Arizona Constitutional Convention, 1910" (4 vols.) is also there. Insight into local government may be gained from a perusal of the "Original Documents Pertaining to the Financial, Legal and Political Affairs of Pima County . . . 1864-1923" (53 vols.)

The "Correspondence and Papers of John Charles Fremont, 1862-1889" in the Bancroft Library leave much untold about Fremont's Arizona sojourn but are of some pertinence.

PRINTED DOCUMENTS, LEGISLATIVE PROCEEDINGS
AND CONTEMPORARY ACCOUNTS

Report from the Secretary of War Communicating . . . a Copy of the Official Journal of Lieutenant-Colonel Philip St. George Cooke . . ., 30th Cong., Spec. Sess., Sen. Exec. Doc. 2 (1849), covers Cooke's trip through southern Arizona. Early Arizona's bright prospects are portrayed in Sylvester Mowry, *Memoir of the Proposed Territory of Arizona* (Washington, 1857), and his *Arizona and Sonora* (New York, 1864); Capt. T. J. Cram, "Memoir Showing How to

Bring the Lead, Copper, Silver, and Gold of Arizona into the Markets of the World," (Troy, New York, 1858); *Report of Frederick Brunckow, Sonora Exploring and Mining Company* (Cincinnati, 1859); and John R. Bartlett, *Charter and By-Laws of the Sopori Land and Mining Company* (Providence, R.I., 1859). One of the most famous accounts of early Arizona is J. Ross Browne, *Adventures in the Apache Country* (New York, 1869).

The efforts to establish a separate government for Arizona may be traced sporadically in *Constitution and Schedule of the Provisional Government of the Territory of Arizona* (Tucson, 1860), and James M. Ashley, *Protection and Freedom in Arizona* (Washington, 1862), both pamphlets; and in the *Journal of the First Legislative Assembly of the Territory of Arizona, 1864* (Prescott, 1865). The history of subsequent assemblies may be followed in the *House and Council Journals* to 1909. The accomplishments of the first political pioneers may also be seen in the *Acts, Resolutions, and Memorials . . . of the First Legislative Assembly of . . . Arizona, 1864* (Prescott, 1865), and in the *Laws of Arizona Territory for . . . 1865*. A good summary of a later Assembly is James H. McClintock, *Nineteenth Legislature of Arizona, 1897* (Phoenix, 1897), pamphlet.

The *Annual Report of the Secretary of the Interior for 1864* (and for subsequent years to 1900) carries the *Annual Reports* of the governors as well as information on Indian affairs.

Indian troubles in Arizona may be followed in part through the reminiscences of some of the participants: John G. Bourke, *On the Border with Crook* (New York, 1891); General O. O. Howard, *My Life and Experiences Among our Hostile Indians* (Hartford, 1907); General Nelson A. Miles, *Personal Recollections* (Chicago and New York, 1897); and Martin F. Schmidt, ed., *General George Crook, His Autobiography* (Norman, Okla., 1946). For an instructive account of Indian troubles see the "Memorial and Affidavits Showing Outrages Perpetrated by the Apache Indians in . . . Arizona, 1869-70" (San Francisco, 1871), YWA.

The coming of the mining boom to Arizona is shown in T. R. Sorin, *Handbook of Tucson and Surroundings* (Tombstone?), YWA; "The Private Journal of George Whitwell Parsons," Arizona Statewide

Archival and Records Project, WPA (Phoenix, 1936); and "Globe Gold and Silver Mines, Arizona" (Aurora, Ill., 1880), YWA.

Early efforts to gain statehood may be seen in *Constitution for the State of Arizona As Adopted by the Constitutional Convention . . . 1891* (Phoenix, 1891), and *Proceedings of the Arizona Convention for Statehood* (Phoenix, 1893), pamphlet, ASA.

NEWSPAPERS

Newspaper accounts in the San Francisco *Herald*, 1858-62, and the *Alta California*, July-December 1862, have been compiled in the Ida Reid Leonard Collection, APHS, and are helpful. The pioneering *Weekly Arizonian*, March 3, 1859 to July 14, 1859, and the Arizona newspaper files in the Bancroft Library were consulted. While no paper dominated the whole territorial period as did the *Rocky Mountain News*, the *Arizona Miner* (Prescott) and the *Arizona Citizen* (Tucson) were generally important and representative papers. The following papers were used:

Arizona Citizen, 1870-1910 (a weekly and daily which evolved through several name changes to become the *Tucson Daily Citizen*) (Phoenix)
Arizona Democrat, 1901-12 (Florence)
Arizona Enterprise, September 26, 1891 and March 3, 1892 (Phoenix)
Arizona Gazette, February 10, 1911 (Phoenix)
Arizona Miner, 1864-1900 (a weekly and daily which evolved through several name changes) (Prescott)
Arizona Star (and *Daily Star*), 1877-1910 (Tucson)
Tombstone Epitaph, 1880-82 (Tucson)
Weekly Arizonian, 1869-71 (Tucson)

BOOKS AND ARTICLES

A definitive history of Arizona in the American period remains to be written. H. H. Bancroft, *History of Arizona and New Mexico, 1530-1888* (San Francisco, 1889), is dated and in need of corrections. A good textbook summary is Rufus K. Wyllys, *Arizona: The History of a Frontier State* (Phoenix, 1950). Eminently readable

but now dated is Frank C. Lockwood, *Pioneer Days in Arizona* (New York, 1932). James H. McClintock, *Arizona, the Youngest State* (3 vols. Chicago, 1916) is still useful. Thomas J. Farish cites so many documents and sources *in toto* in his *History of Arizona* (8 vols. San Francisco, 1915-18) that it is a compendium rather than a true history.

Exploration of the Arizona area is covered in Ralph P. Bieber, *Exploring Southwestern Trails, 1846-1854* (Glendale, Calif., 1938). Cooke's career is revealed in his own *Conquest of New Mexico and California* (new ed. Oakland, Calif., 1952). Federal interest in the possibility of a transcontinental railroad across Arizona is brought out in Robert R. Russel, *Improvement of Communication with the Pacific as an Issue in American Politics, 1783-1864* (Cedar Rapids, Iowa, 1948), and in William H. Goetzmann, *Army Exploration in the American West, 1803-1863* (New Haven, 1959), which covers in detail the government explorations.

Paul Neff Garber, *The Gadsden Treaty* (Philadelphia, 1923), is a standard history of the Purchase, but it may be supplemented with Louis B. Schmidt, "Manifest Opportunity and the Gadsden Purchase," *Arizona and the West*, 3 (Autumn 1961). James P. Shenton, *Robert J. Walker, A Politician from Jackson to Lincoln* (New York, 1961), explains the role of the "hundred million" company.

The federal organization of Arizona Territory has been carefully and accurately detailed in B. Sacks, *Be It Enacted: The Creation of the Territory of Arizona* (Phoenix, 1964). The first year of government is treated in Pauline Henson, *Founding A Wilderness Capital: Prescott, A.T. 1864* (Flagstaff, Ariz., 1965). Ray C. Colton, *The Civil War in the Western Territories*, summarizes the brief history of Confederate Arizona, as does Robert Lee Kirby, *The Confederate Invasion of New Mexico and Arizona, 1861-62* (Los Angeles, 1958), while Aurora Hunt, *Major General James Henry Carleton, 1814-1873* (Glendale, Calif., 1958), traces the march of the California Column across Arizona.

The war between the Apaches and the Americans has been treated in scores of books. Edward E. Spicer, *Cycles of Conquest: The Impact of Spain, Mexico, and the United States on the Indians of the Southwest, 1533-1960* (Tucson, 1962) is very good. Frank C. Lockwood, *The*

Apache Indians (New York, 1948), is readable, but Ralph C. Ogle, *Federal Control of the Western Apaches, 1848-1886* (Albuquerque, 1940), is more pertinent to the focus of this study. Sonia Bleeker, *The Apache Indians: Raiders of the Southwest* (New York, 1951), should be consulted as well. The extent of the Army's commitment to Arizona defense is suggested in Ray Brandes, "A Guide to the History of the U.S. Army Installations in Arizona, 1845-1886," *Arizona and the West*, 1 (Spring 1959). James R. Hastings, "The Tragedy at Camp Grant in 1871," *Arizona and the West*, 2 (Summer 1959), provides a much needed recent account of the massacre. Clum's career is narrated in Woodworth Clum, *Apache Agent: The Story of John P. Clum* (Boston, 1936).

A number of books and articles are helpful in piecing together the political history of Arizona Territory: Farish, *History of Arizona* gives lengthy details about men and events and tells the story from the point of view of the Democrats. The careers of the governors are briefly summarized in E. E. Williams, "The Territorial Governors of Arizona," *AHR*, 6 and 7 (1935-36). Roscoe G. Wilson, "The Little Governor Does Well by Arizona," *Arizona Days and Ways Magazine* (March 30, 1958), is appreciative of Safford. Fremont's Arizona career is treated only briefly in Allan Nevins, *Fremont, Pathmarker of the West* (New York, 1939).

The Mormon experience in Arizona is revealed in two works: James H. McClintock, *Mormon Settlement in Arizona* (Phoenix, 1921); and David King Udall and Peal Udall Nelson, *David King Udall: Arizona Pioneer Mormon* (Tucson, 1959).

Outlines of the mineral development of Arizona may be followed in Wyllys, *Arizona*, in Anne M. Peck, *The March of Arizona History* (Tucson, 1962), and in Rodman W. Paul, *Mining Frontiers of the Far West, 1848-1880* (New York, 1963), but a definitive history of Arizona mining remains to be done. Copper mining is treated in Robert G. Cleland, *A History of Phelps-Dodge* (New York, 1952). The territorial railroad story still lacks a historian, but the story of the larger lines may be followed in Robert E. Riegel, *Story of the Western Railroads* (New York, 1926). Studies of the Santa Fe are listed above in the New Mexico section. Bert Haskett, "Early History of the Cattle

Industry in Arizona," *AHR*, 6 (1935), traces the beginnings of the industry. The Reavis land fraud is covered in William A. Depuy, *Baron of the Colorados* (San Antonio, 1940).

The Arizona crusade for statehood is best followed in the series of unpublished theses listed in the New Mexico section, but for brief printed accounts see Lockwood, *Pioneer Days*, Wyllys, *Arizona*, and Richard E. Sloan, *Memoirs of An Arizona Judge* (Stanford, Calif., 1932). Sloan, the last territorial governor of Arizona, viewed the admission with amusement and detachment. Claude G. Bowers, *Beveridge and the Progressive Era* (New York, 1932), gives the senator's side of the story, while Waldemar Westergaard, "Senator Thomas R. Bard and the Arizona-New Mexico Controversy," *Annual Publication of the Historical Society of Southern California*, 11 (Los Angeles, 1919) explains a specific case of hostility to statehood. George H. Kelly, *Arizona Legislative History, 1864-1912* (Phoenix, 1926), is of limited help.

UNPUBLISHED DISSERTATIONS

Annie M. Cox, "History of Bisbee, 1877 to 1937" (Master's thesis, University of Arizona, Tucson, 1938), is a good introduction to the social and economic structure of an Arizona border mining town. Robert L. Swor, "The Development of Prescott" (Master's thesis, Arizona State College, Tempe, 1952), is informative and understanding. Katherine Shepard, "The Miles-Crook Controversy" (Master's thesis, University of New Mexico, Albuquerque, 1936), is cautious. LeMoine Langston, "Arizona's Fight for Statehood in the Fifty-Seventh Congress" (Master's thesis, University of New Mexico, 1939), is quite good.