

PASSWORD



THE EL PASO COUNTY HISTORICAL SOCIETY

VOL. XIX, No. 1

EL PASO, TEXAS

SPRING, 1974

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Published quarterly by The El Paso County Historical Society

EUGENE O. PORTER, *Editor*

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The Tiguas of Ysleta belong to the Tanoan language group. Cardinal numbers in the Tanoan are as follows:

1—wina	7—weede	20—wete
2—wisi	8—whang	25—wete-pantowa
3—pachowin	9—tetehem	30—pachoate
4—wiran	10—te	40—wiranate
5—pantowa	11—tewin	50—pantoate
6—matle	12—tewisi	100—shute

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EUGENE O. PORTER, *Editor*

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THE PRESIDENT'S MESSAGE

by CONREY BRYSON

Ten years ago, I had the honor of preparing for *PASSWORD* a President's Message saluting our organization on its tenth birthday. The years go by fast, and this year we observe milestone number 20. The organization grew from a project by the Woman's Division, El Paso Chamber of Commerce, with Mrs. W. W. Schuessler as organizational Chairman. Mrs. Schuessler is now our First Vice President and historian. The Society was formally organized March 18, 1954, with 42 charter members.

After the first quarterly meeting, the Society set a goal of 750 members. Twenty years later, our membership rolls at the latest count total 903. Many of these are man-and-wife memberships, which means we have undoubtedly passed the 1,000 mark.

In our report ten years ago we said, "Our Society needs a home, to serve as our headquarters and as a place to exhibit our publications and archives. A larger membership, I think, will be essential to sustain such a project." This statement is even true today. Our curator, Fred Bailey, reports on new acquisitions at almost every board meeting. These are stored in inadequate quarters at Radford School, whose co-operation is greatly appreciated.

With a large enough membership, say 5,000 to 10,000, we could buy or build an adequate headquarters and historical museum. As your President, I respectfully ask your assistance and suggestions to attain these goals. Our membership chairman, James Peak, has done outstanding work in the past few months in building up our membership, but we need your help to bring in your friends and acquaintances.

A large measure of our growth may be attributed to the high quality of our quarterly, *PASSWORD*, admirably edited for the past 18 years by Dr. Eugene O. Porter. Universities and libraries from coast to coast hold membership in our Society in order to receive *PASSWORD*, and they attest to its high quality as a historical journal. We must accept and prepare for the fact that Dr. Porter is not indestructible, but it will be a great loss when his services are no longer available to us.

Our Hall of Honor banquet was three years old on our tenth anniversary. Today, it is one of the great accepted civic events on the El Paso calendar, and has brought vividly to the attention of the community the achievements of its great men and women, past and present.

The El Paso County Historical Society must continue to foster the scholarly recording of southwestern history, not only through *PASSWORD* but through the production and promotion of quality historical

works. Now available to members, through the Society, is "El Paso, a Centennial Portrait," an official Society publication. Priced at \$12.50, this 292 page illustrated volume is available to members at \$10.50. There are now less than 400 copies of this book available. Your Society is also offering for sale Dr. Eugene O. Porter's new book SAN ELIZARIO, effectively illustrated by our own Jose Cisneros. The book is priced at \$12.50, and your Society receives a substantial commission on each sale.

I would hope that one of the advantages of membership will continue to be the availability of fine historical works. As we move into our third decade, we have many special projects in preparation: an annual "History Days" exhibition; a yearbook for our membership; co-sponsorship with the City of El Paso of historical attractions such as museums and a historical pageant; continued sponsorship of an annual essay contest for students, and many other projects large and small.

If you, as a member, feel you have special talents or resources that should be put to use for the Society, please don't wait to be asked. See your President, or any member of our officers and directors. As President, I am deeply grateful for the faithful services of our officers, directors and membership, and for the many offers of assistance received. I hope I may help to direct these energies in the proper channels. There is no energy shortage in the El Paso County Historical Society.

The El Paso Y.M.C.A. was organized in 1886 with nineteen members.

The Missouri route from Independence to El Paso required 80 days and to Chihuahua, 15 days more.

The Pueblo Indians were matronymic. Each tribe comprised two or more clans, and the children became members of the mother's clan.

The Lipan Apaches had good saddles and iron stirrups as early as 1724.

Apaches were proud horsemen who preferred ornate bridles and saddles, saddle blankets, saddlebags and horseshoes.

MEMORIES EL PASO HIGH SCHOOL SIXTY YEARS AGO

by I. B. GOODMAN

In 1913 I was a cadet at the El Paso Military Institute.¹ When it ceased to exist in the middle of the school year, I entered El Paso High School as a freshman. At that time there was only one high school in the city and it was located at 501 Arizona Street. It had a student body of around 480. In contrast, today there are fifteen public high schools with an enrollment in excess of 27,000 students. Of course, in 1913 El Paso's population was about 45,000 whereas to-day it is close to 400,000.

These "Memories" cover only the last three years in the life of the high school on Arizona Street, the school years of 1913-14, 1914-15, and 1915-16. A new building, the present El Paso High School, was built immediately below Rim Road and was ready for operation for the fall term of 1916. The building on Arizona Street was converted into a grade school and given the name of Morehead. It continued as a grade school until 1963¹ when it was sold to Hotel Dieu and torn down to be replaced by a nurses' home. Today a recently constructed grade school on North Mesa bears the name of Morehead.³

The Teachers

There were about thirty teachers in high school at the time I was a student but because of limited space I shall mention only those who had a marked influence on my life.

Mr. Allen H. Hughey was the Principal. He was fair and impartial but would not tolerate insolence and foolishness. His office door was always open to any student who sought his advice and counsel. To the student who became involved in trouble, Mr. Hughey not only expressed sympathy but also tried to help him out of his difficulty. He gave his whole hearted support to all school clubs and athletic teams. He was held in high esteem by all the people of the city. Later, in 1919, he became Superintendent of all city schools and served in that capacity for many years with distinction.⁴

Mr. Randolph R. Jones was the Assistant Principal. He was a Southern gentleman and a dedicated teacher who was willing to give his all towards the education of his students. In addition to his regular duties he taught classes in Latin and algebra. Any student who ever came in contact with him carried for the rest of his life a fond remembrance of his kindness and courtesy. I recall his shock of white hair that added dignity to his manner in addressing the students. He succeeded Mr. Hughey as Principal and served in that position for many years.

My favorite teacher was Mrs. Jeanne M. Frank. She taught me how to read and appreciate English literature so that I became an avid reader. She introduced me to the works of Sir Walter Scott which encouraged me to read all of his Waverly novels. Then came Shakespeare and his many plays followed by the poems of Robert Burns. I have been fortunate in being able to make several trips to England and Scotland where I enjoyed visiting the locales where these great men lived and worked. Because of her personality, attending Mrs. Frank's classes was not a chore but rather an excursion into knowledge and pleasure. There was no question but that she was partial to the boys in her classes and if one had any Scots blood in his veins, he became one of her pets. She loved to put on pageants and was able to obtain excellent cooperation from all of her students. Mrs. Frank was an excellent teacher. She created at least in me, a thirst for knowledge and her influence has never diminished. She served as head of the English Department for many years.

My next favorite was Miss Rebecca Goldstein. Contrary to the opinion of some of her students she was an excellent and devoted teacher. True, she was a martinet who demanded perfection but I learned more mathematics from her than from any other teacher I ever had, including my math instructors in college. Many students avoided her classes but to my thinking it was their loss. Her classes were usually small for the above reasons. Recently I asked Bernice Brick if she had ever been in any of Miss Goldstein's classes. Her reply was: "Who do you think stunted my growth."

I recall a solid geometry class taught by Miss Goldstein. There were only five of us: Errold Lapowski, James Goggin, Mary Kelly (Quinn),⁵ Lucille Mayer (Oppenheimer) and myself. Miss Goldstein conducted her classes in this manner: she would appoint one of us to go to the blackboard and with a yardstick as a pointer explain the theorem for the day; should we miss one step in our explanation, she would jump up, grab the pointer out of our hand and berate us for our stupidity; should one of us, especially if he was a boy, have the temerity to object, she would say: "Go to the Principal's office right now." As he walked towards the door she would say: "Go back to your seat, you are too anxious but just for that you are going to get a big fat zero for to-day's recitation." She seldom failed a student because she would stick with him and try to drum the math into his head. She knew her subject and wanted her students to know it too. There is no question but that her bark was worse than her bite. I am still thankful that I was one of her students. In later years we became very good friends. After her retirement she married Haymon Krupp⁶ of this city. In her will she left sizable amounts of money to both the Temple Mt. Sinai and the Bnai Zion Synagogue.

Mr. J. L. Henry was head of the French and German Language Department. He taught both tongues. I was in several of his classes. He had a sort of continental manner both in actions and speech but was not adverse to cracking jokes now and then even if they were over our heads. Mr. Henry was still in his thirties and we often wondered why he was not in the French Army fighting for his La Belle France. He and I became fast friends. He liked to wander around the streets of South El Paso and he insisted that I go with him. Perhaps it reminded him of some of the slums and environs of Paris. I enjoyed his company and while I did not learn very much German I did receive a very good picture of Europe. He was an incessant talker but still very interesting.



THIS WAS THE EL PASO HIGH SCHOOL BUILDING AT 501 ARIZONA STREET. IT WAS BUILT IN 1901 AND OCCUPIED AS A HIGH SCHOOL UNTIL MID YEAR OF 1916. IT WAS THEN CONVERTED INTO A GRADE SCHOOL AND KNOWN AS MOREHEAD SCHOOL FOR SEVERAL YEARS. IT HAS SINCE BEEN DEMOLISHED AND ON THE LOCATION NOW STANDS THE UNIVERSITY OF TEXAS SCHOOL OF NURSING AT EL PASO.

Photo courtesy of Mr. Ross Snyder of the El Paso Public Schools.

Mr. Vernon S. Rogers was head of the Science Department. He was an excellent teacher and made his courses informative and challenging. I took several courses from him, both in chemistry and physics. He was very patient but at the same time most exacting and insistant on perfection. He even offered courses during the summer session and I took ad-

vantage of this in order to gain more knowledge in the general field of science. Many of his students continued into medicine and became successful doctors. Mr. Rogers always had many girls in his classes as he was extremely good looking.

Another teacher I recall very vividly was Mrs. Robert M. Holliday who taught music. In those days the entire student body had to attend music instruction which was held in the study hall. We met one day a week for a full hour. She taught us how to sing our school songs and was most helpful in our maintaining an active school spirit. We also sang some of the classics such as Santa Lucia and the Neopolitan Love Song. One number that I keep remembering is a parody on the Aria from the opera Samson and Delilah: "My Heart at Thy Sweet Voice." We used the same tune but with different words and called it "Wind of Evening." While I enjoyed the singing hour, I really never learned to carry a tune as I was constantly off key. One of my school mates told me that I had a voice that would go good within a chorus of crows.

Clubs and Organizations

There were many clubs within the student body. In fact, each class such as low freshman and high freshman was a sort of club and held regular meetings, each attended by a faculty advisor. Actually, the meetings were largely social affairs with dancing predominating. At that time dancing was becoming very popular and almost weekly new dances were introduced, as the Fox Trot and the Boston Dip, to name only two. The jazz era was fast approaching. At first the dances were held in the main center hall of the school building. Later the city clergy insisted that dancing not be permitted in the schools and consequently new facilities had to be found.

Dancing, however, was not the soul purpose of club life. Many clubs were organizations for more serious purposes, as will be seen from the following list:

- The Sam Houston Debating Society (boys)
- The Forum Debating Society (boys)
- The Philomatheans Debating Society (girls)
- The Scheherazade Literary Society (girls)
- The Thespian Dramatic Society
- The Glee Club
- The French Club
- The Spanish Club
- The Commercial Club
- The *Tatler* Staff

Another club, the S A S A, was actually the class of 1916. It was founded in the freshman year and proved to be a very dynamic organization that was always in the forefront.

The Cadet Corps

In the spring of 1914 war clouds were already gathering over Europe and by fall World War I was in full sway. Here in the United States military fever was brewing. It was only natural, therefore, that preparedness became a topic of conversation. The student body, infected with the war fever, voted to organize a cadet corps.⁷ Harry Welsch drew up such a resolution and it was unanimously passed by the student body.

The United States Army accepted the resolution and detailed Lt. M. L. Shallenburger to be in charge of the corps. He directed and drilled the boys. The value of his efforts can not be overstated. Within a short time we had A and B Companies in uniforms and equipped with 1898 Model Krag-Jorgensen rifles supplied by the San Antonio Army Arsenal. In May, 1915, the Corps passed in review before General John Pershing. Within another year C Company was added to complete a battalion. We were even invited to use the Fort Bliss target range for shooting practice. Also in that year each company decided that it needed feminine sponsors. Three of the most beautiful and popular girls were selected for each company.

The following is a list of the officers who served during the first three years of the Corps:

Captains: Harold Coldwell, James Kilburn, Harry Pearson

Lieutenants: Fred Hunter, Manuel Escajeda, Manuel Schwartz,
Robert Jolly, E. Womeldorf, H. Becker, Maurice Blumenthal,
Paul Harvey, Tom Clements

Sergeants: Bailey Winters, Marion Robertson, I. B. Goodman,
Harry Welsch, Walter Clayton, Paul McQueen, Errold Lapowski,
Frank Scotten, Dewey Carson, Loudon Wingo

I was never able to get promoted above the rank of sergeant during the two years I was in the Corps, although I had had previous military training, as noted above, at the El Paso Military Institute. My son Haskell, on the other hand, made Lt. Colonel in his senior year. He attended El Paso High School from 1937 to 1941.

LEST WE FORGET

Many of the boys from the classes of 1914, 1915 and 1916 answered the call to arms in 1917. To my knowledge the following paid the supreme sacrifice:

Frank J. Allen	Kensie M. Fethers	Harold E. Kilburn
Clifford Anderson	H. L. Frazier	Paul McQueen
James "Buster" Biggs	Arthur Hathaway	Preston Roberts
	Merrick B. Breck ⁸	

(Note: the military air field at Fort Bliss is named Biggs Fields in memory of James "Buster" Biggs.)

Athletics

Prior to 1914 there was very little supervised athletics in El Paso high school but through the efforts of Principal Hughey an organized program was instituted. In 1915 a Mr. Steim of Seattle, Washington, was employed as athletic commissioner. He brought with him Luther "Duke" Evans to act as coach. In a very short time both football and basketball teams were organized.

The 1915 football team was composed of the following: Cecil Boyd, Theo Lochausen, Madison Mudd, Paul Broyles, Donald Hogarth, Cooper McKemy, Ervin Schwartz, Webb, Chris Fox, W. D. Casey, Al Tatum, Robert Protho, Palmer Schmucher, R. E. Bryant, and Stanley Shea. The team was handicapped because of the lack of an athletic field. It was invited to use the grounds of the Catholic Athletic Association field which was located on Arizona Street in the block where now stands the First Christian Church. The team also used the Rio Grande Park which was located on Wyoming Street opposite the present



1916 E. P. H. S. BASKETBALL SQUAD

FRONT ROW FROM LEFT: R. E. BRYANT, DAVE HUGHES, AL TATUM, FRANK SCOTTEN.

BACK ROW FROM LEFT: CHRIS FOX, CECIL BOYD, PALMER SCHMACHER, MADISON MUDD, COACH "DUKE" EVANS.

Photo courtesy of Mr. Chris P. Fox

KROD-TV station. Because there was a lack of scholastic competition, the high school team had to play college teams and also semi-pro organizations.

Following are the schedule and scores for the 1916 season:

E P H S	6	New Mexico State College	0
"	0	New Mexico State College	17
"	18	Deming (New Mexico) High School	0
"	33	U. S. Army Signal Corps	0
"	7	El Paso Y.M.C.A.	6
"	13	Deming High School	0
"	31	New Mexico Military Institute	15
"	20	Texas College of Mines	0

The 1916 basketball squad was composed of R. E. Bryant, Dave Hughes, Al Tatum, Frank Scotten, Chris Fox, Cecil Boyd, Palmer Schumacher and Madison Mudd. Following are the schedule and scores for the 1916 season:

E P H S	35	El Paso Milling Company	14
"	30	Texas College of Mines	25
"	37	El Paso Milling Company	17
"	21	New Mexico State College	26
"	28	Alamogordo (N.M.) High School	22
"	25	Cactus Club (El Paso)	30
"	45	Feldman Club (El Paso)	23
"	18	Walz Company (El Paso)	24
"	31	Cactus Club	44

The basketball team was also handicapped as there was no indoor court to practice on. However, A. H. "Doc" Holmes of the Central Y.M.C.A. was a prime mover in getting basketball started in El Paso and he allowed the team to practice on the Y court.

There was also a girl's basketball team. It was composed of Mary Wadlington (Wynne), Bessie Routledge (Bougent), Ruby Ponsford (Tappan), Reba Elliot (Armstrong), Nancy Edwards (Klopfer), and Vivian Pomeroy. The girls were able to play only three games during the 1915 season, as follows:

E P H S	13	Silver City (New Mexico)	12
"	10	New Mexico State College	6
"	11	Silver City	12

1916 saw the start of the El Paso High School baseball team. Unfortunately, I do not have the names of the members of the team. However, here are the schedule and the scores for the year:

E P H S	7	New Mexico State College	14
"	11	Deming High School	6
"	7	Texas College of Mines	3
"	6	Texas College of Mines	10

HALL OF FAME

Each year the high school annual, called the *Tatler Year Book*, selected a number of students for special recognition. Following are the categories and the students selected for the years 1914, 1915, and 1916:

MOST POPULAR GIRL

1914	1915	1916
Ethel Crawford (Mayfield)	Mary Tincher	Irene Bryan

MOST ATTRACTIVE GIRL

Camille Kibler (Craig)	Marian Calnan (Nicoll)	Reba Elliott (Armstrong)
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BEST ALL AROUND GIRL

G. Bannell (Worsham)	Ethel Crawford (Mayfield)	Charley Carter
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BEST ALL AROUND BOY

Russell Worthington	Albert Tatum	William Race
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BEST ACTRESS

B. Schwartz (Blumenthal)	Esther Inghram*	Mamie Robertson
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MOST ATTRACTIVE BOY

James Kilburn	Paul Harvey	Carl Tipton
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SWEETEST BOY

Ashley Gillett	Jack Thompson*	(none chosen)
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NEATEST CADET

Eugene Womeldorf	Harry Pearson	(none chosen)
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BEST ATHLETE

Chris Fox	Scott Walker	Orvan Walker
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BEST MUSICIAN

Ida Hunter (Morris)	La Von Sorrels (Gifford)	Kathleen Paris
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HIGH SCHOOL NUISANCE

John Flannagan	Alvis Cochrane	(none chosen)
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* (Note: Esther Inghram and Jack Thompson later appeared on the New York stage and became Broadway musical comedy stars.)

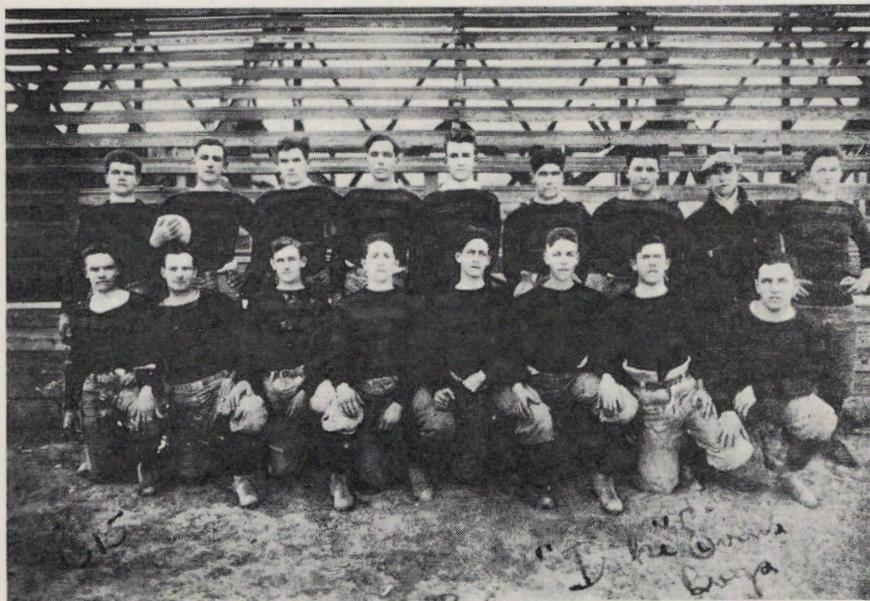
In addition to the above-named categories, the school also elected four "beauties" each year, as follows:

1914	1915	1916
Ethel Crawford (Mayfield)	Dorothy Blue (Davidson)	Irene Moyer
Mary Dewey (Gillespie)	Harriett Bottonoff (Bittick)	Mary Tincher
Anita Maetze (McCormick)	Rebecca Maetze (Whitman)	Marian Calnan (Nicoll)
Reba Elliott (Armstrong)	Frances Earle (Brown)	D. Vollertson (Rutherford)

A category that was lacking in the Hall of Fame was that of "Peppiest Girl." If there had been such a category, Betty Mary Smith (Goetting) would surely have been elected. Whenever any endeavor was started by the student body, Betty Mary was always up in front helping to inject enthusiasm and pep into the project. At football rallies she was tops. She was one of the leaders who helped get the voters of El Paso to pass the bond issue which provided funds for the erection of the new high school building. She also served as exchange editor on the *Tatler* staff. I had a terrific crush on Betty Mary but was too timid to let her know or even to ask her for a date. In later years she was the spark plug in organizing Planned Parenthood in El Paso. She also served many years as curator of our Historical Society.

In Retrospect

In our high school days the scope of our amusement was greatly limited. There was no radio or television and movies were only two "reelers." Our news came from the newspapers and a few magazines. Very few families could afford more than one automobile and many none at all. The word "Pot" was unheard of and marijuana was a crazy weed smoked by some of the peons below the border. We had to provide our own entertainment. We respected our parents and teachers and we lived under a strict moral code. We enjoyed a wholesome and healthy association with our girl friends. There were very few instances of going "steady" year after year. When we took a girl to a dance, we saw to it that her program was completely filled. There was no such thing as a wall flower. We were living in the last stages of the Victorian Age and the moral and social breakdown did not get underway until the great boom of the 1920's.



1915 E. P. H. S. FOOTBALL SQUAD

FRONT ROW FROM LEFT: CECIL BOYD, THEO LOCHAUSEN, MADISON MUDD, UNIDENTIFIED, PAUL BROYLES, DONALD HOGARTH, COOPER McKEMY, ERVIN SCHWARTZ.
 BACK ROW FROM LEFT: WEBB, CHRIS FOX, W. D. CASEY, AL TATUM, ROBERT PROTHRO, PALMER SCHUMACHER, R. E. BRYANT, COACH "DUKE" EVANS, STANLEY SHEA.

Photo courtesy of Mr. Chris P. Fox

I grant that the high school students of today are smarter or at least more knowledgeable than we were. But I will challenge anyone to admit that they derive more happiness and satisfaction out of life.

As I look back on some of the names that I have listed, I can see the many accomplishments made by my classmates. Many of the girls now are married women, have raised fine families and have identified themselves with efforts at city betterment.

The boys, now grown to manhood, have also contributed greatly to the growth and betterment of our city. They are bankers, lawyers, doctors, educators, business executives, statesmen, civic officials, military men, builders, artists, architects, and inventors as well as a whole host of other professions.

Finally, in closing, I should like to apologize to those many, many students whose names have been omitted. I have been restricted by limited space but also, in some instances, to inadvertence.

I wish to thank the following for their invaluable assistance in preparing this article:

Bernice Brick	Paul Broyles
Frances Earle Brown	Ethel Crawford Mayfield
Camille Kibler Craig	Genevieve Bannell Worsham
Gloria Lavis	Betty Mary Goetting
Chris P. Fox ⁹	Julia Breck
	Harold Coldwell

NOTES

1. For a short account of the Institute see my "Reflections on the El Paso Military Institute," *PASSWORD*, xiv, No. 3 (Fall, 1969), 77-81. My closest friend at the Institute was my cousin Karl P. Goodman. When the school closed, he enrolled in the Kentucky Military Institute.
2. The date of sale was verified by a phone call to the Central Office of the public schools, November 28, 1973.
3. Mr. Morehead was an important man in early El Paso. In 1966 he was elected to the El Paso County Historical Society's Hall of Honor. See George G. Matkin, "Biographical Sketch of Charles Robert Morehead," *PASSWORD*, xi, No. 4 (Winter, 1966), 147-50.
4. Mr. Hughey was elected to the Society's Hall of Honor in 1964. See Clifford M. Irvin, "Biographical Sketch of Allen Harrison Hughey," *PASSWORD*, ix, No. 4 (Winter, 1964), 131-36.
5. Naturally, most of the girls mentioned herein were later married. To help the reader identify them more readily, their married names when known, will be given in brackets following their maiden names.
6. Mr. Krupp was elected to the Society's Hall of Honor in 1970. See Chris P. Fox, "Tribute to Haymon Krupp," *PASSWORD*, xv, No. 4 (Winter, 1970), 120-24.
7. The National Defense Act of 1916 provided for the establishment of Junior ROTC units in high schools and El Paso was one of the first in the entire country to receive a charter. The cadet corps established at El Paso High School in 1914 was not, therefore, ROTC. It did, however, provide military training with government assistance. ROTC, on the other hand, provided military training with government supervision.
8. Colonel Merrick R. Breck lost his life in the Pacific during World War II. He was in command of a general field hospital under General McArthur.
9. Mr. Fox was elected to the Society's Hall of Honor in 1967. See H. Crampton Jones, "Christian Petrus Fox," *PASSWORD*, iii, No. 4 (Winter, 1967), 106-10.

TITLE CLOUD OVER THE TEXAS CAPITOL

by J. J. BOWDEN

Following the accidental burning of its Capitol on November 8, 1881, Texas contracted to exchange three million acres from its public domain for a massive building which would rival the National Capitol in both size and grandeur. When Senator Temple Houston, on May 17, 1888, accepted the magnificent sunset red granite structure on behalf of the people of Texas, he stated that henceforth the building, which he described as the "noblest edifice upon this hemisphere," would be the habitation of Texas' government.¹ However, only a few people at that gala event realized that Texas's title to its new Capitol and grounds was invalid.

The Texas Capitol title problem is almost inconceivable considering that there was approximately eighty-eight million acres of public domain available when the state originally chose to locate its seat of government on a 25.96 acre tract of privately owned property in the heart of present day Austin, Texas. The history of this unique problem had its beginning while Texas still was a part of Mexico, when a young Alabama lawyer named Thomas Jefferson Chambers immigrated to Nacogdoches, Texas in 1829. During the next five years he was busily engaged in the practice of law and local politics.

While in Monclova, Mexico, representing a number of squatters who had settled in the "border leagues"² south of the Red River, in their efforts to secure titles to their lands, Chambers was appointed Asesor General or State Attorney to advise the state officials and supervise all of the judges in the State of Coahuila and Texas.³ Since a majority of the inhabitants of Texas were from the United States and did not understand or appreciate the Mexican judicial system, they clamored for reforms, especially the right to trial by jury. One of the first things Chambers did as State Attorney was to present a plan to the State Legislature relative to legal reforms in the administration of justice in Texas. Chambers' plan was enacted into law on April 17, 1834, and, in addition to providing for jury trials in both criminal and civil cases, created The Superior Judicial Court of Texas.⁴ Article 17 of this law provided that a Superior Judge was to be appointed by Congress upon the nomination of the Governor and was to receive an annual salary of three thousand dollars. Since the state's treasury was empty, the legislature, in Article 139, provided that for the first year the judge's salary was to be paid in "vacant land situated within the judicial circuit and at the rate of one hundred dollars for each

sitio.” Shortly before its recess, the legislature passed an act⁵ which authorized the governor to appoint a “Provisional Superior Judge” without its consent. Chambers resigned as State Attorney on May 7, 1834, and, on June 16, 1834 was appointed to the position by Acting Governor Francisco Vidaurri y Villasenor.⁶

On July 29, 1834, Chambers wrote Vidaurri advising him that he was ready to leave for Texas and the discharge of his duties but would need to receive payment of his salary in advance in order to subsist. In closing he requested the governor to appoint a Commissioner or Alcalde to issue title to the lands he was entitled to under the law. Vidaurri, on the same day, appointed Ira R. Lewis as a Commissioner and instructed him to issue the necessary titles to Chambers. Two days later Chambers wrote Lewis and advised him that he had selected nine tracts of vacant land as his salary. The eighth tract was described as being “eight leagues of land on the eastern margin of the river Colorado, near the foot of the mountains. In response to Chamber’s petition, Lewis surveyed the eighth tract as follows:

Commencing at a landmark established on the margin of the aforesaid river, two varas above the mouth of Cascade Creek and taking the course north run 1,500 varas, where a landmark was planted; thence following the course North 45° East 2,500 varas, where another landmark was fixed, making a corner; thence took a course South 45° East, and continued 1,500 varas where a landmark was placed; thence continued 1,500 varas on a course South 22½° East, and a landmark was planted, making a corner; thence took the course South, and ran 1,500 varas, where a landmark was placed; thence continued 1,500 varas on a course South 22½° West, where another landmark was established, making a corner; thence took the course South 45° West, and ran 1,500 varas, placing a stake; thence continued to the river on the course 22½° West where another landmark was planted, making a corner; and thence taking the river up on its margin, following its meanders to closing at the place where it commenced.

He placed Chambers in possession of the said tract and on June 20, 1835, gave him a *testimonio* of the proceedings to serve as his title.⁷ Lewis filed a certified copy of the grant papers in the General Land Office on January 20, 1840.

Meanwhile, growing confusion and unrest in Texas prevented Chambers from performing his Judicial duties. Although he originally opposed the revolutionary movement, once it appeared war with Mexico was inevitable, Chambers tendered Texas his personal services and fortune. On January 7, 1836, the General Council, which had been established under the provisional government, commissioned Chambers as a major general of reserves and sent him to the United States to procure badly needed personnel and war material. As a result of his efforts, he was able to recruit and forward to Texas 1,915 well supplied volunteers. Two of the cannons which he sent now grace the main entrance to the capitol building. He personally financed a major portion of this project by mortgaging his Texas lands.⁸

Once Texas firmly had established its independence, it turned its attention to the question of where to locate its permanent capitol. On January 14, 1839, a law¹⁰ was enacted which created a five man commission to select a capitol site, to be known as the City of Austin, at some



Judge Thomas Jefferson Chambers
Original drawing by José Cisneros

point between the Colorado and Trinity rivers above the Old San Antonio Road. The site was to contain not less than one nor more than four leagues of land. The act further provided for the condemnation of the site in the event the lands were privately owned and could not be purchased for three dollars or less per acre. Once the capitol site was ac-

quired, a six hundred forty acre tract was to be surveyed and subdivided into lots. After lots for a capitol and other public buildings were set apart, the balance of the lots were to be sold at public auctions on liberal terms.

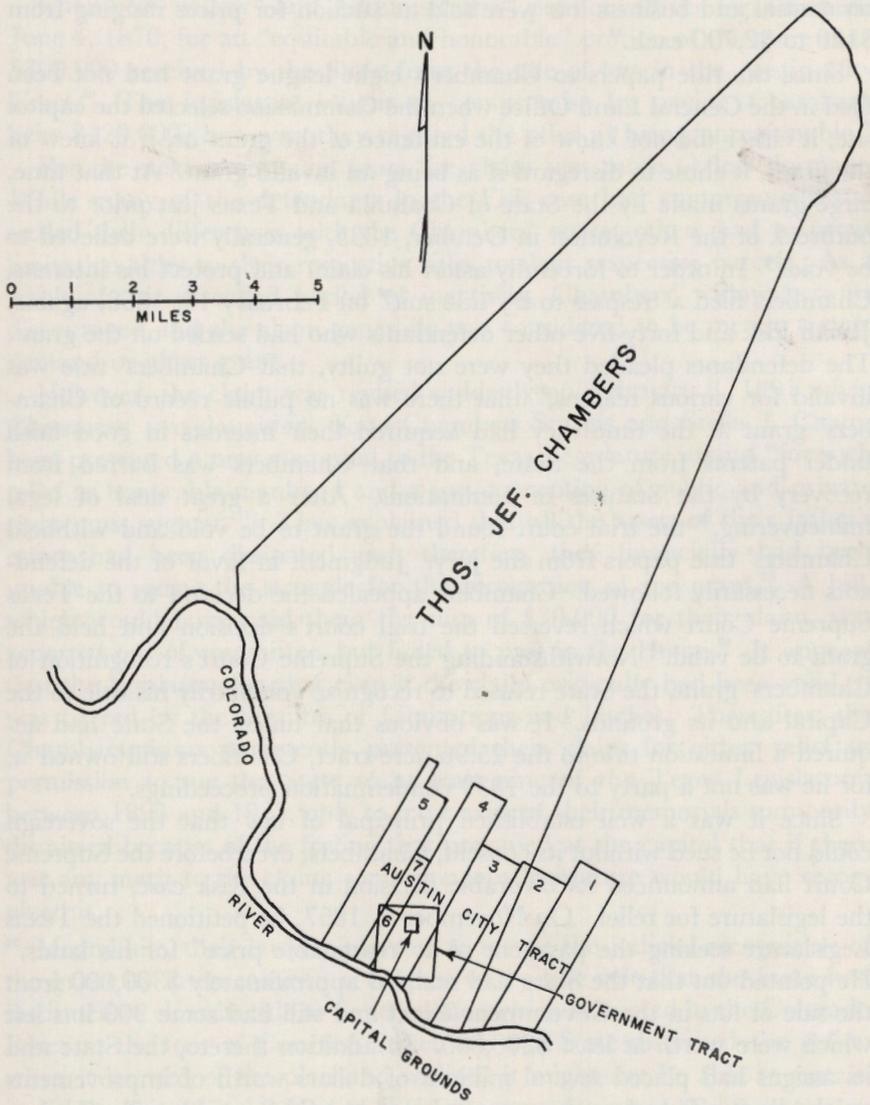
The Capitol Site Commission,¹¹ after critically examining the designated area, on March 23, 1839, chose a 7,735 acre site having approximately three miles of waterfront on the east bank of the Colorado River and upon which was located the Town of Waterloo.¹² Since the selected site was composed of seven privately owned tracts and the \$21,000 estimated cost of acquiring them exceeded the limit specified in the law, the Commission caused condemnation proceedings¹³ to be instituted in Bastrop County. The seven tracts allegedly were owned respectively by the following parties, who were named and cited as defendants:

<i>Tract</i>	<i>Owner</i>	<i>Size</i>
1	George Neill	One-Third League
2	Logan Vandever *	"
3	Aaron Burleson and George D. Hancock	"
4	Edward Burleson and J. Porter Brown	"
5	James Rogers	Fractional one-third League
6	Jacob Harrell	Labor
7	Edward Burleson	Labor

James F. Perry, executor of the Stephen F. Austin Estate, was also named and cited as a defendant since Austin claimed all of the land by virtue of the incomplete José Maria de Aguirre eleven league grant¹⁴ which was located on the east side of the Colorado at the foot of the mountains. The case came up for hearing on April 3, 1839, at which time all the defendants, except Perry, Harrell, and Edward Burleson, appeared. The court appointed William Pinckney Hill, as curator for the absent defendants.¹⁵ A six man jury then proceeded to determine the value of the seven condemned tracts. Tracts 1, 2, and 3 were valued at \$350 an acre. The other tracts were valued at \$300 an acre. Perry received nothing for the court apparently found Austin's title to the Aguirre grant invalid.¹⁶

The Capitol Site Committee reported on April 13, 1839, that the site for the permanent capitol of the State had been acquired by Deed from the Sheriff of Bastrop County pursuant to the condemnation proceedings. In describing the advantages of the site, the Committee stated that it was satisfied "that a truly National City could at no other point within the limits assigned them be reared up, not that other sections of the country are not equally fertile, but that no other combined so many and such varied advantages and beauties as the one in question."¹⁷

President Mirabeau B. Lamar appointed Edwin Waller as principal government agent for the new city. He promptly caused the 640 acres townsite to be laid out on the north bank of the Colorado River between



PLAT OF A PORTION OF TRAVIS COUNTY, TEXAS
SHOWING THE CHAMBERS TRACT AND THE AUSTIN CITY TRACT

Waller and Shoal Creeks. The townsite was fourteen blocks square. Four blocks in the north central portion of the town were designated as the "Capitol Square." After setting aside whole or half-blocks for other public purposes, the balance of the blocks were subdivided into residential and business lots. On August 1, 1839, approximately one-third of the residential and business lots were sold at auction for prices ranging from \$120 to \$2,700 each.¹⁸

Since the title papers to Chamber's eight league grant had not been filed in the General Land Office when the Commission selected the capitol site, it either did not know of the existence of the grant or, if it knew of the grant, it chose to disregard it as being an invalid grant. At that time, large grants made by the State of Coahuila and Texas just prior to the outbreak of the Revolution in October, 1835, generally were believed to be void.¹⁹ In order to forcefully assert his claim and protect his interests, Chambers filed a trespass to try title suit²⁰ on February 16, 1858, against Josiah Fisk and forty-five other defendants who had settled on the grant. The defendants pleaded they were not guilty, that Chambers' title was invalid for various reasons,²¹ that there was no public record of Chambers' grant at the time they had acquired their interests in good faith under patents from the State, and that Chambers was barred from recovery by the Statutes of Limitations. After a great deal of legal maneuvering,²² the trial court found the grant to be void and withheld Chambers' title papers from the jury. Judgment in favor of the defendants necessarily followed. Chambers appealed the decision to the Texas Supreme Court which reversed the trial court's decision and held the grant to be valid.²³ Notwithstanding the Supreme Court's recognition of Chambers' grant, the State refused to recognize voluntarily his title to the Capital and its grounds. It was obvious that unless the State had acquired a limitation title to the 25.96 acre tract, Chambers still owned it, for he was not a party to the 1839 condemnation proceedings.

Since it was a well established principal of law that the sovereign could not be sued without its consent, Chambers, even before the Supreme Court had announced its favorable decision in the Risk case, turned to the legislature for relief. On November 2, 1857, he petitioned the Texas Legislature seeking the payment of a "reasonable price" for his lands.²⁴ He pointed out that the State had realized approximately \$300,000 from the sale of lots in the Government Tract and still had some 300 lots left which were worth at least \$200,000. In addition thereto, the State and its assigns had placed several millions of dollars worth of improvements on the tract. Therefore, he reasoned that the State could well afford to pay him a modest amount to clear the title to its "Seat of Government."

The passive attitude of the legislature towards his claim coupled with rising tensions action on the matter. Following his unsuccessful race for

governor in 1861, Chambers went to Richmond where he was wounded during the Seven Days Battle. He returned to Texas to recuperate and again ran unsuccessfully for governor in 1863. After the election, he retired to his home near Anahuac, Texas, where he was assassinated on the night of March 15, 1865.²⁵

Chambers' widow²⁶ and Administratrix³⁷ petitioned²⁸ the legislature on June 4, 1870, for an "equitable and honorable" portion of the more than \$300,000 received by the State from the sale of lots in the Austin City Tract.²⁹ The legislature sought to compromise by paying Chamber's heirs \$120,000; however, they rejected the offer as being unreasonable.³⁰

For the next twenty-one years the claim was more or less dormant. While many of the defendants in the Fisk case had compromised and settled their differences with the Chambers' estate, others had to prove limitation titles to their respective titles to their respective parcels. As a result of this extended period of inactivity, Chambers' widow became discouraged and the claim generally was considered to be merely a state demand or ghost grant.

However, the claim was revised suddenly on February 8, 1891 when Chambers' two daughters, Kate Chambers Sturgis and Stella J. Chambers, presented a new memorial to the Texas Legislature asking "for such relief as honorable manhood and a just conception of public and private right must suggest."³¹ They explained that all the assets of their father's estate had been dissipated and, therefore, they financially had been unable to renew the struggle for the recognition of the grant.³² A bill, which would have paid them the sum of \$30,000 for their claim, was reported out of committee, but failed to pass in the House.³³ It appears that the legislators felt that even if the claim originally had been valid, it was barred by the Statutes of Limitations and laches. Thereafter, the Chambers sisters persistently presented their claim for either relief or permission to sue the State to at least nine of the Texas Legislatures between 1893 and 1923, only to have each of their memorials summarily dismissed because of the feeling that prevailed at the capitol that if there was any merit to the claim, some previous legislature would have recognized it.

Meanwhile, their lawyers planned to secure the judicial recognition of the grant by intervening in a trespass to try title suit that the State had instituted to clear its title to Sand Island, which is located in the Colorado River at the foot of Congress Street, but the State dismissed the action when it learned of the plan and realized it might not be able to sustain its title to the capitol.³⁴ One of their attorneys suggested they build a log cabin or pig sty on the capitol lawn and, thereby, they would be given the chance to litigate their claim when the State sought to eject them. However, the Chambers sisters rejected the scheme, saying they would not

embarrass the State by resorting to such demeaning tactics, even if it meant the loss of their lands.

By 1925, the Chambers claim was so notoriously and widely accepted as being frivolous, the Chambers sisters encountered great difficulty in retaining an attorney to represent them before the Thirty-Ninth Legislature. When they timidly approached R. E. Cofer of Austin, he reluctantly agreed to study their title papers. After carefully examining all the documents and data upon which the ninety year old claim was based, Cofer concluded that the grant was valid. He also was of the opinion that because the legislature had not given the claimants permission to litigate their claim, it was not barred by the Statutes of Limitations as previously believed.³⁵ Since the State had knowledge of the claim when it built the present capitol building, he believed he could show that it would qualify as a good faith improver.³⁶ If he were correct, the capitol building and its beautiful grounds belonged to Chambers' daughters. On February 11,³⁷ 1925, Senator T. J. Holbrook, at Cofer's request, introduced a bill providing for the payment of \$100,000 for the claim. The bill was read for the first time and referred to the Senate Committee on Finance.³⁸ The bill came up for committee hearing on March 5, 1925. At the conclusion of the hearing, its Chairman, Senator John Davis, stated, "Well Ladies, I have been greatly surprised at the testimony offered. I want to apologize for any impatience manifested, because I am inclined to believe that you own the capitol and I think the committee will recommend the settlement of the claim if the amount can be agreed upon."³⁹ Thereupon, all concerned agreed that \$40,000 would be a fair and satisfactory settlement. The next afternoon a newspaper account of the hearing announced that the committee had recognized the grant and would recommend an appropriation to satisfy the claim.⁴⁰ The following morning, two of James Rogers' granddaughters appeared before the Senate Finance Committee and asserted that they were the true owners of the land upon which the capitol was built. When it was pointed out that Rogers was a party to the 1839 condemnation proceedings, they contended that he had never been paid for the taking of his land. A diligent search of the archives failed to uncover any evidence of such payment. Although the committee held that there was no merit to the Rogers' claim, it decided to cut in half the amount to be paid for the Chambers' claim. Mesdames Sturgis and McGregor reluctantly agreed that they would accept the reduced amount as full satisfaction of their claim. Based upon this understanding, Senator Davis included the claim in Senate Bill No. 438,⁴¹ which was pending in the Finance Committee. This bill provided for the appropriation of monies for the payment of a large number of claims. The appropriation for the satisfaction of the Chambers' claim was by far the largest contained in the bill, except for

the sums to be paid as interest on the public debt. The act provided that Chambers' daughters would be paid \$20,000 upon their delivery of a deed and satisfactory proof that they were Chambers' sole heirs at law.

On March 6, 1925, the Senate passed the bill and sent it to the House of Representatives for its action.⁴² The House passed the bill subject to certain amendments, the principal one being the deletion of the Chambers' claim from the act.⁴³ Since the Senate was unwilling to accept the deletion of the claim, the bill was referred to a Joint Conference Committee to work out the differences. The committee on March 17, 1925, decided not to strike the claim and the act was approved.⁴⁴ It was signed into law by Governor Miriam A. Ferguson on March 19, 1925.⁴⁵

Attorney General Dan Moody prepared the necessary deed and affidavit proving the relationship of Mesdames Sturgis and McGregor to Chambers. On March 25, 1925, at a simple ceremony held in Galveston, Texas, the two elderly sisters proudly signed the deed which gave the State of Texas legal title to its capitol building and grounds. After the deed was recorded,⁴⁶ a warrant for \$20,000 was issued to Chambers' daughters, thus answering their lifelong plea for justice and ending one of the strangest stories in Texas' history. The satisfaction of having secured recognition of their claim to such an important and historic tract undoubtedly brought the Chambers' heirs more pleasure than this meager monetary sum.

FOOTNOTES

1. *Austin Statesman*, May 17, 1888.
2. The Article 4 of the National Colonization Law of August 18, 1824, prohibited the settlement of lands located within twenty leagues of the border of any foreign nation without the approval of the Supreme Executive Power. Matthew G. Reynolds, *Spanish and Mexican Land Law* (St. Louis, 1895), 121.
3. William Chambers, *Sketch of the Life of General T. J. Chambers of Texas* (Galveston, 1853), 27.
4. H.P.N. Gammel, *Laws of Texas* (Austin, 1898), I, 364.
5. *Ibid.*, 386.
6. William Chambers, *Sketch of the Life of General T. J. Chambers*, 29.
7. Spanish Archives (Mss, Records of the General Land Office, Austin), XXX, 229-230.
8. By the act of June 12, 1837, land commissioners were required to file all of the land records in their office with the Commissioner of the General Land Office. H.P.N. Gammel, *Laws of Texas*, I, 1323.
9. William Chambers, *Sketch of the Life of T. J. Chambers*, 50.
10. H.P.N. Gammel, *Laws of Texas*, II, 161.
11. The Capitol Site Commission was composed of A. C. Horton, I. W. Burton, William Menefee, Isaac Campbell, and Louis P. Cooke. Ernest Wallace and David M. Vigneso, *Documents of Texas History* (Austin, 1963), 130-131.
12. Joseph Harold settled on the present site of the City of Austin in 1835. Mirabeau B. Lamar visited Harold about two years later and was impressed with the area. Lamar instructed the Capitol Site Commission to visit the small settlement which had developed around Harold's stockade and was incorporated as the Town of Waterloo on January 15, 1839. Walter Prescott Webb and H. Bailey Carroll, *The Handbook of Texas* (Austin, 1952), II, 869.

13. Police Court Records (Mss., Records of the County Clerk's Office, Bastrop, Texas), A, 51-53. This book was destroyed when the Courthouse burned in 1885. However, a certified copy of these proceedings are contained in Travis County Sketch File No. 43 (Mss., Records of the General Land Office, Austin, Texas). The fourth tract was owned by the heirs of Samuel Goucher. Goucher had been killed by Indians in 1837 and Edward Burleson was appointed Administrator of his estate. On March 11, 1839, Charles Spaulding on behalf of the Goucher heirs deeded the tract to Burleson. *Deed Records* (Mss., Records of the County Clerk's Office, Bastrop, Texas), C, 65-66. Years later, this deed was attacked on the ground Spaulding did not represent all the heirs. *Smith v. Sims* (Mss., Records of the United States District Court, Austin, Texas), Cause No. 3312.
14. Article 24 of the Colonization Law of the State of Coahuila and Texas dated March 24, 1825, permitted Mexicans to purchase up to eleven leagues of land. H. P. N. Gammel, *The Laws of Texas*, I, 99-106. Prior to 1830, very few purchasers were made under this article; however, the state's need for funds and an almost insatiable land hunger by Texas speculators soon created an extensive traffic in these large grants. On June 14, 1830, Jose Maria de Aguirre, Rafael de Aguirre, and Thomas de la Vega each purchased eleven leagues of land on the San Antonio River or "whatever other point best suits us . . ." On May 5, 1832, the three grantees gave Samuel May Williams a Power of Attorney to sell such land. Williams located and sold the Vega Grant but never located the other two grants. Williams later testified that the "Jose Maria Aguirre concession was not sold, and belongs, if to anybody, to the heirs of Stephen F. Austin." House Report, 35th Cong., 1st Sess., Report No. 540, 645, 662. Austin apparently had purchased the Jose Maria Aguirre Grant for \$1,000 and directed Williams, his partner, to locate it "on the Colorado River from the Upper line The Tannahill League . . . to 500 varas at least above the big springs at the foot of the mountain." Eugene C. Barker, *The Austin Papers*, (Washington, 1928) II, 771. After Austin's death in 1836, little effort was made by his executor to perfect title to the Jose Maria Aguirre Grant.
15. Police Court Records (Mss., Records of the County Clerk's office, Bastrop, Texas), A, 51-53.
16. *Ibid.*
17. Ernest Wallace and David M. Vigness, *Documents of Texas History*, 130-132.
18. Seymour V. Connor, *Capitals of Texas* (Waco, 1870), 82-83.
19. Concurrently with a rise in problems caused by the rapid colonization of Texas, the State of Coahuila and Texas refinanced condition worsened. The state's legislature attempted to solve a number of problems by utilizing its chief asset - raw land. In 1834 and 1835 the following land legislation was passed: (a) the Act of March 26, 1834 which authorized the sale, at auction, of vacant lands; (b) the Act of April 19, 1834, which authorized the sale of 400 leagues of the public domain to pay militia men for protecting the frontiers from Indian depredations; and (c) the Act of March 14, 1835, authorizing the sale of 400 leagues of vacant land to satisfy the exigencies of the state; (d) the Act of April 17, 1834, which provided for the payment of the salary of the Superior Judge of Texas in land and (e) the Act of April 7, 1835, which permitted the executive "to take of himself whatever measures he might think proper to the public tranquility." The governor interpreted this act as giving him authority to permit the sale of over a hundred leagues of land. H.P.N. Gammel, *The Laws of Texas*, I, 357-362; 380-381; 364-380; 391-392; and 395. This series of acts opened the gate for speculation in Texas land on a wholesale scale and aroused a great deal of resentment in Texas. This wasteful practice has been listed as one of the causes of the Texas Revolution and finally led to the Constitutional abrogation of the sale made under the Act of March 14, 1835. Eugene E. Barker, "Land Speculation as a Cause of The Texas Revolution," *The Quarterly of the Texas State Historical Association* (Austin, 1907), X, 76-95.
20. *Chambers v. Fisk*, (Mss. Records of the Clerk of the District Court, Austin, Texas), Cause No. 26.
21. The Defendants asserted that the Act of April 17, 1834, was unconstitutional in that only the National Government had the power to change the judicial system of the state or to dispose of the public domain for reasons other than colonization; that the governor had no power to make a recess appointment of the Su-

- perior Judge of Texas; that if validly made, such appointment could have been only until the next session of the legislature or a period of little more than six months; that the total amount of land Chambers could legally hold was eleven leagues while his nine surveys totaled 29-½ leagues; that Lewis' power to issue title was defective. *Chambers v. Fisk, Texas Reports, XXII, 504-537 (1858)*.
22. *Chambers v. Fisk, Texas Reports, IX, 261-262 (1852)*; *Chambers v. Fisk, Texas Reports, XV, 335-348 (1855)*; and *Chambers v. Fisk, Texas Reports, XX, 334-346 (1857)*.
 23. *Chambers v. Fisk, Texas Reports, XXII, 504-537 (1858)*. The Supreme Court held that since the National authorities generally had not sought to control or prevent the State of Coahuila and Texas from disposing of its public domain, the court would not repudiate the Act of April 17, 1834. It also recognized the State's right to establish a system of judication adopted to the wants, principals and intelligence of her Texas citizens. Notwithstanding the recognition of the validity of the grant, the court remanded the case to the district court for a trial to determine whether the defendants had established limitation titles. Chambers lost the case in the District Court and appealed again to the Supreme Court. The case remained on the docket until October 28, 1873, when it was dismissed for want of prosecution. *Minute Book, 1872-1875 (Mss., Records of the Clerk of the Texas Supreme Court, Austin, Texas), 307*. However, in the meantime, Chambers or his heirs had compromised and settled with many of the defendants.
 24. T. J. Chambers, *Memorial of T. J. Chambers to the Legislature of the State of Texas, (Galveston, 1857), 7-10*.
 25. Abby Thompson, *Memorial of Mrs. Abby Thompson to the Honorable Legislature of the State of Texas, (Galveston, 1870), 2*. Chambers was survived by his widow and two daughters, Kate and Stella.
 26. Mrs. Abby Chambers married Cyrus Thompson in February, 1869. *Ibid*.
 27. Estate of Thomas J. Chambers, (Mss., Records of the County Clerk's Office, Galveston, Texas), Cause No. 667.
 28. Abby Thompson, *Memorial of Mrs. Abby Thompson to the Honorable Legislature of the State of Texas, (Galveston, 1870), 1*.
 29. This Memorial shows that there were 5,004 acres in the Austin City Tract in conflict with the Chambers Grant. *Ibid*.
 30. *Petition of the Heirs of General Chambers dated July 23, 1970, (Mss., Records of the Texas Archives, Austin, Texas), 1-3*. The heirs pointed out that as a result of the taking of the 5004 acres, which originally appraised at \$3 per acre, the State was justly indebted to the Chambers Estate in the amount of \$15,012 plus compound interest thereon since 1839 which would amount to more than \$300,000. If a reasonable inflation factor was added, the debt owed the estate would result in an excess of \$600,000.
 31. Kate Chambers Sturgis and Stella J. Chambers, *Memorial (Mss., Records of the State Archives, Austin, Texas)*. As a result of the mishandling and dissipation of most of the assets of the estate following her marriage to C. W. Saladee, Chambers' widow was succeeded in 1882 by her daughter, Kate Chambers Sturgis, as Administratrix. Abby Saladee relinquished her interest in the estate to her daughter on January 17, 1891.
 32. Kate stated that after her husband had died in 1886, she had "a hard struggle to maintain herself, her young child and her delicate sister." *Ibid*.
 33. *Journal of the House of Representatives (Austin, 1891), 607*.
 34. R. E. Cofer, "The Chambers' Claim to the Capitol of Texas," *Texas Law Review (Bar Association Number), IX, 51 (1931)*.
 35. Stanley V. Schwalby, *Texas Reports, LXXV, 348 (1892)*; and *City of El Paso v. Ft. Dearborn National Bank, Texas Reports, XCVI, 496 (1903)*.
 36. *Vernon's Annotated Revised Civil Statutes of Texas, Article 7393 (Kansas City, 1960)*.
 37. *An Act to Appropriate the sum of One Hundred Thousand Dollars to Pay in full Mrs. Kate Chambers Sturgis (nee Kate Chambers) and Mrs. Stella J. MacGregor (nee Stella J. Chambers) the only surviving heirs at law of General Thomas Jefferson Chambers, for land which was condemned by the Republic of Texas for the purpose of establishing a seat of government, and upon a part of which the*

- State Capitol is built, and declaring an emergency.* (Mss., Records of the State Archives, Austin, Texas), Senate Bill No. 274, 39th Leg., Reg. Sess.
38. *Journal of the Senate, State of Texas, Regular Session, Thirty-Ninth Legislature* (Austin, 1925), 369.
 39. R. E. Cofer, "The Chambers' Claim to the Capitol of Texas," *Texas Law Review* (Bar Association Number), IX, 60 (1931).
 40. *Austin Statesman*, March 6, 1925.
 41. *An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous claims on the taking effect of this act and declaring an emergency* (Mss., Records of the State Archives, Austin, Texas), Senate Bill No. 438, 39th Leg., Reg. Sess.
 42. *Journal of the Senate, State of Texas Regular Session, Thirty-Ninth Legislature* (Austin, 1925), 862.
 43. *Journal of the House of Representatives, Regular Session, Thirty-Ninth Legislature* (Austin, 1925), 1760.
 44. *Journal of the Senate, State of Texas, Regular Session, Thirty-Ninth Legislature* (Austin, 1925), 1173.
 45. H.P.N. Gammel, *Laws of Texas* (Austin, 1925), XXII, 472.
 46. *Deed Records* (Mss., Records of the County Clerk's Office, Austin, Texas), CCC LXXIV, 204-205.
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The Navajos "did not begin making saddles until after 1621, the date when the Spaniards of New Mexico first granted the Indians of the Southwest the privilege of riding horses."

By 1885, hundreds of thousands of Texas cattle had been brought in over the old Cherokee Trail to stock the vast Wyoming ranges.

Commodore Edwin Ward Moore commanded the Texas navy during the period of the Republic.

Avocados are so large and so cheap in Mexico that they are called "*man-tequilla de pobre*," poor man's butter.

The unleavened thin pancake made of mais or corn by the Aztecs was named "*torilla*" by the Spaniards, meaning "little torta," "little cake."

A REPLACEMENT'S WALK DOWN THE SANTA FE TRAIL

by RUSSEL W. VAN NORMAN

I recently came across a single letter written by a John L. Harris on October 2, 1847 when he was a part of the Army of the West in the Mexican War. In the introduction and conclusion of this report I have attempted to answer some of the many questions raised by that letter such as why he enlisted, where did he go and what happened then. Surprisingly, El Paso and some of its heroes played an integral part.

On May 13, 1846 Secretary of War William L. Marcy instructed the governor of Missouri to raise a regiment of mounted volunteers and two companies of volunteer artillery. Two weeks later, Colonel Stephen W. Kearny requested Missouri to raise an additional two companies of volunteer infantry. Again, on June 3, 1846, the state was asked to raise a further 1000 mounted volunteers.¹

This Army of the West, composed of 1558 men and 16 pieces of artillery, was commanded by Colonel (later Brigadier General) Kearny. Colonel A. W. Doniphan led the First Regiment of Missouri Cavalry, Major Swimmer the Third Squadron of Dragoons, Major Clarke the two batteries of artillery and Captain Angney the two companies of infantry.²

The Army of the West left Fort Leavenworth between May 28 and July 6, 1846.³ Traveling the Santa Fe Trail, the first elements of the Army reached New Mexico in late July 1846. General Kearny sent Philip St. George Cooke, captain in the U. S. Army's regular dragoons forward under a flag of truce to negotiate a surrender of Santa Fe. Traveling through Las Vegas and San Miguel, he arrived in Santa Fe on August 12, 1846. Six days later Santa Fe surrendered without resistance and the American Flag flew over that Mexican territory.

Because Kearny and the Polk administration feared the Army of the West would not be large enough to accomplish its tasks of holding New Mexico and conquering California, further volunteers were called up.⁴ In August 1846 the twelve hundred man Second Regiment of Missouri Mounted Volunteer Cavalry, Colonel Sterling Price commanding, was mustered.⁵ Joined at Fort Leavenworth by the five hundred man Mormon Battalion of Infantry, the command under Colonel Price began the long trek down the Santa Fe Trail.⁶

On September 15, 1846, General Kearny left for the California campaign, taking with his volunteers the three hundred man strong U. S. First Dragoons, but leaving Captain Cooke behind to bring forward the Morman Battalion. Colonel Doniphan's regiment was to remain in New Mexico until relieved by Col. Price's regiment which was daily expected to reach Santa Fe from the United States. Then, the First Missouri Mounted Cavalry under Doniphan was directed to join General Wood at Chihuahua. Captain Fisher's company of artillery and the battalion of infantry under Captain Angney were to remain in Santa Fe while Captain Weightman's artillery battery was to accompany Doniphan.⁷ Two days later Colonel Sterling Price accompanied by his staff arrived in the city followed within a few days by his troops.⁸

On December 14, 1846, Captain Cooke already having left with the Morman Battalion for the California battlefront, Colonel Doniphan began his march down the Río Bravo.⁹ On December 15, 1846 a sharp clash with the Mexican Force at El Brazito, twenty-five miles north of El Paso, forced the retirement of the Mexican troops toward Chihuahua and Colonel Doniphan's troops occupied El Paso (Juárez). They left El Paso for the city of Chihuahua on February 8, 1847. The Battle of the Sacramento February 28, 1847, eighteen miles north of Chihuahua cleared that part of Mexico of combatants.¹⁰ But Colonel Doniphan's occupation was an uneasy one, as General Wool had not been able to advance beyond Saltillo and Doniphan was continually bombarded by rumors of large Mexican armies gathering to strike his modest command.

Charles Bent, civil governor of New Mexico, well aware of the continuing agitation among the New Mexicans, both Mexican and Indians, attempted to negotiate with the leaders of these forces. But at a meeting at Taos on January 17, 1847, he and five other Americans were seized by Mexicans and Indians and cruelly murdered. This signaled a general uprising in the northern New Mexico area with nine other Americans being barbarously murdered at various isolated ranches.¹¹ Colonel Price, however, after several sharp battles with the Mexicans and Indians including storming the church and pueblos at Taos, restored order and, following trial, hanged the fifteen convicted murderers.¹²

Captain James Hobbs who returned from Santa Fe to Colonel Doniphan on a round trip courier ride just eight days prior to Governor Bent's assassination may have exaggerated when he wrote¹³ that Colonel Price "was so enraged that he at once executed four hundred Mexicans by way of retaliation," as about one-hundred fifty were killed in the battle of Pueblo de Taos¹⁴ but reliably noted that, upon Colonel Price's reporting the restoration of peace, Colonel Doniphan ordered him to assume the governorship now vacant:

In the spring of 1847, with the approaching expiration of the terms of enlistment for Doniphan's troops, additional volunteers were needed from Missouri and Illinois. On April 19, 1847, Secretary of War Marcy made an additional requisition upon Missouri directing the governor to raise a battalion of five companies of volunteer infantry with Fort Leavenworth to be the rendezvous and Santa Fe the destination. In a letter of the same date, Marcy directed the Illinois governor to recruit a regiment of ten companies of volunteer infantry designating Alton as rendezvous and Santa Fe the designation. Both the Missouri and Illinois volunteer infantry were to be mustered in to serve during the War with Mexico.¹⁵ The new command consisted of Colonel John Ralls' Third Regiment of Missouri Mounted Volunteers, the Missouri Battalion of Volunteer Infantry (five companies) under Lt. Colonel Alton R. Easton and the First Regiment of Illinois Infantry Volunteers.¹⁶

The companies of the Illinois Volunteer Infantry, of which John L. Harris was a member, reached Alton between May 18 and early June. The regiment was organized on June 8, 1847, with Edward W. B. Newby elected Colonel, Henderson P. Boyakin, Lt. Colonel, and Israel B. Donaldson, Major. The forty-four officers and eight-hundred and ninety-six enlisted men of the First Regiment of Illinois Infantry Volunteers¹⁷ (frequently called the fifth as, although it was the first Illinois unit to be activated for "the duration", it was the fifth unit of Illinois Volunteer Infantry mustered)¹⁸ left Alton by boat between June 17 and 23, the volunteers proceeding down the Mississippi and up the Missouri, arriving at Fort Leavenworth in the latter part of June.¹⁹

The 2,250 officers and men of the Third Regiment of Missouri Mounted Volunteers, First Regiment of Illinois Infantry Volunteers and the Missouri Battalion of Infantry Volunteers, rather than all moving as one large unit, for speed and efficiency were divided into sections to proceed separately down the Santa Fe Trail, arriving in Santa Fe in September and October 1847.

The nearly 800 miles long Santa Fe Trail lead from Fort Leavenworth south to Lawrence and Topeka then southwest through Council Grove to the Arkansas River and west along that river. Here the trail split. John Harris' column probably turned southwest, forded the River at the Cimarron crossing and proceeded toward Las Vegas. The Mountain Branch leading straight west to Bent's Fort, then south through Raton Pass toward Las Vegas, became popular during the Mexican War but was quite difficult for wagon trains until several years later.

On April 28, 1847, five months before these replacements reached Santa Fe, Doniphan, now a General, and his First Mounted Missouri Regiment, their enlistment term nearly up and never having seen any

further Mexican armies left Chihuahua and marches the six hundred miles east through Saltillo to Monterrey and then to the coast where they boarded ship for New Orleans and home.²⁰

In May 1849, the army established a monthly express service²¹ so John L. Harris had little doubt when he wrote his letter that his cousin and those fair Illinois flowers would soon vicariously share his adventures. The letter follows:

To: Zerril Simmons, Esq.
 Marion
 Williamson Co.
 Illinois

Santa Fe, New Mexico

October 2, 1847

Dear Cousin

I take this opportunity of repose to address you and to make you acquainted with my situation at present as well as to let you know something of the past. I am now at Santa Fe the capital of New Mexico. It is a city of about 600 inhabitants. The streets are very narrow and the houses are built of mud scarcely ever more than one story high and the roofs are perfectly flat; the houses have dirt floors which are not as disagreeable as one would imagine because it seldom rains here consequently the houses are not at all damp.

I will now proceed to give you a short history of my travels since I left Williamson County. After arriving at Alton we were mustered into the service and received our money. After this we were placed under a regular drill master and continued drilling for some time until we got to be nearly proficient. After remaining here for some time we left on board the packet St. Joseph for Fort Leavenworth at which place we arrived after a very tedious and dangerous trip in which our lives were several times endangered. At one time one of the cylinders bursted and at other times while running in the night we ran against snags. Leavenworth is a beautiful place and surrounded by the handsomest country that I ever saw.

We received our arms at this place and were again drilled daily. At this place a considerable number of volunteers died, principally old measles cases. We had not been here long before Colonel Boyakin was ordered to take command of the first division of the regiment which consisted of Capt. Cunningham's Turner and Hook's companies also a train of thirty-three wagons and proceed to Santa Fe. We left the Fort on the 7th of July and arrived here on the 12th of September after a tedious and toilsome journey suffering considerably at times for water and by the intense heat at times very apprepine. On our journey first came the immense prairies without the first stick of timber for miles then

came the great sandy plains over which we hauled water and the water was allowanced out to us. They are almost destitute of vegetation and at times entirely destitute of water. Next came the Rocky Mountains whose tall peaks appear almost lost in the clouds. On our way we saw thousands of Buffalo, Antelopes, wolves, and some few deer and elk; while in the buffalo range which lasted a considerable part of the way we eat buffalo meat constantly and it certainly is the sweetest meat that I ever eat. Our all but miraculous escape from the attacks of the Indians was owing to the cautious and ever watchful Boyakin who deserves great credit for the manner in which he conducted the expedition. Although we were not attacked nor I believe saw the first hostile Indian yet we had frequent alarms by the sentinels firing at what they supposed to be Indians and very probably were. We suffered great inconvenience for the great part of the way on account of having no wood and nothing but buffalo dung (vulgarly speaking) to cook with, which however makes a better fire than one would suppose. Although our sufferings were considerable they were not near what I supposed we would have to undergo. I will close this tedious letter by saying I am well at present and have enjoyed tolerably good health ever since I left. I walked nearly all the way from the Fort. I have stood the sentinel in the great American prairies on the Arkans river, in the Sandy plains, on the Rocky Mountains and in Santa Fe. I am perfectly contented as much so as people get to be. We have the finest Captain that can be paraded. He is at once a gentleman and a soldier. I do not speak but the sentiments of an individual but of the whole company; of all who are acquainted with him. Preparations are now being made by Col. Newby who is in command of New Mexico for us to go to Chihuahua and it will not be long ere we leave for that place. The distance from this place is about 675 miles which will be a considerable walk at least to those unaccustomed to walking but nothing to the hardy soldiers of the Sucker State and I am proud to say that I constitute one of that number and God forbid that I ever should bring disgrace upon her fair fame which now stands like a meteor in the sky a beacon light to her sister states.

Please give my compliments to all inquiring friends more especially to the girls; tell the latter that I do not intend to marry in this country but return and take one of Illinois' fair maidens whose known virtues are well known and will ever be respected so long as the finer feelings of mankind have the ascendancy. I still remain your affectionate cousin

John L. Harris

To Zary Simmons

N. B. R. Chunley Surham Reed and Sanders are perfectly well and as fat as bears. Please tell William Spillers that I have not forgot him and

that I will write to him as soon as convenient. Please tell H. Pikes folks that he is well also T. Woods.

John L. Harris

John Harris' fear of Indians was well founded. Pawnees, Kiowas, Comanches and Apaches found the Santa Fe Trail an interesting shopping center. On July 24, 1847 the War Department, recognizing the dire situation of Indians on the Santa Fe Trail requisitioned from Missouri five additional companies of volunteers. Known as the Indian Battalion and consisting of two mounted companies, A and B, one foot artillery company, C, and two infantry companies, D and E, its mission was to protect that major highway to the southwest.²²

On July 20, 1847, Colonel Price was promoted to Major General²³ probably in recognition of his excellent handling of the Pueblo rebellion. About the middle of August, General Price left Santa Fe for a brief visit "to the State". In his absence Lt. Colonel Easton and Colonel Newby successively served as the military and civilian commanders of New Mexico.²⁴

In September and October, 1847, most of the volunteers were ordered to march south, many as far as El Paso, to relieve crowded conditions in Santa Fe and place troops in a favorable position for movement upon Chihuahua.²⁵ Because there had been no significant American occupation south of Santa Fe since Doniphan's troops left for home, General Price had proposed to the War Department that he invade for a second time toward Chihuahua.

By the time Price returned to Santa Fe on December 9, 1847,²⁶ final approval of his plans had not been received from Washington. On February 4, 1848, General Price received information from Lt. Colonel Lane, commanding the Missouri volunteers in El Paso, that he had seized documents from captured Mexican troops which revealed General Urrea was marching toward El Paso with 3,000 men and that reinforcements from Chihuahua City would join him.²⁷ General Price left Santa Fe on February 8, arriving in El Paso on February 23, 1849.²⁸

On March 1, General Price and a flying column consisting of four companies of the Third Regiment of Missouri Mounted Volunteers (Colonel Ralls), two companies of the First Dragoons (Major Beall), and the volunteer company of light artillery (Captain Hassendeubel) departed El Paso, leaving orders that the wagons and the rest to the troops quickly follow.²⁹

Arriving before Chihuahua City on March 7, he found Governor Angel Trias and his 800 troops had retired farther south. Mexican sources told him the war was over (the Treaty of Guadalupe Hidalgo having been signed on February 2, 1848), but mistrusting the informa-

tion, General Price on March 8 pushed south with his 250 men the sixty miles to Santa Cruz de Rosales, arriving at sunrise on March 9. There, where Governor Trias and his soldiers had fortified the town, he was informed of the war's end. General Price suspended operations for a week, but with the arrival of the rest of his troops and with no official confirmation of peace, he elected to take the town. Early the morning of March 16 he opened fire on Governor Trias' troops and at the end of an active day's fighting with an American loss of twenty-three killed and wounded captured the town at sunset.³⁰ Trias reported that surrender of his "two hundred patriots" came only after they ran out of ammunition.³¹ The capture of the twenty-two officers and ten cannon indicated the governor may have under-estimated his troop count.

Even though the campaign which led to the battle had not been authorized by the War Department, Secretary Marcy on behalf of the Polk Administration conveyed to Price and his troops the president's "high appreciation" of their "gallant services".³² Simeon Hart, aide to Colonel Ralls, commanding officer of the Third Regiment of Missouri Mounted Volunteers was one of the soldiers commended for having fought with distinction.³³ His reward was even greater for in the four months of occupation he fell in love with a lovely fourteen year old señorita. However, since the war was so shortly over, her parents forbade any thought of marriage.

On July 9, 1848 the troops of Price's command left Santa Cruz for the States. Retracing the long path through Santa Fe and up the Santa Fe Trail the Army reached Independence, Missouri in early October 1848 where they were mustered out of service.³⁴

Colonel Doniphan subsequently led an active public and political life in Missouri. General Price came near to winning Missouri for the Confederacy by his victory at Wilson's Creek in 1861.³⁵ A year after the mustering out Simeon Hart returned to Santa Cruz, married his lovely lass, and moved north to establish his grinding mill across from Paso del Norte. John L. Harris? Well, I suppose like many of us returning to civilian life, he married (one of those Illinois fair maidens), raised a family, and probably spent many an evening recounting his walk to Chihuahua.

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21. Oliva, *Soldiers*, 21.
22. *Ibid.*, 82.
23. Twitchell, *History*, 358.
24. Ferguson, *Marching*, 60.
25. *Idem.*
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27. *Ibid.*, 63.
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To the trappers of the Old West, a "hole" was any valley completely surrounded by mountains.

The Homestake mine in the Black Hills was the fountainhead of the Hearst fortune.

Harry Longabaugh, an outlaw hailing from Sundance, Wyoming, was known as the "Sundance Kid."

HERITAGE HOMES OF EL PASO

The A. Goodman House

by HARRIOT HOWZE JONES

Writing about Heritage homes of El Paso is made much easier because of requests and suggestions. Many persons would like to have "my childhood home" or "grandfather's home" described. The house herein discussed is no longer in existence; the very portion of the planet Earth on which it stood for over sixty years has also disappeared. If by some magic the house could be restored to its former place it would be floating in mid-air some thirty feet above the Interstate - 10 freeway. Miss Gertrude Amelia Goodman and her cousin Amelia Levy (Mrs. Edgar Guy Lemon) have collected the data on their grandfather's home with loving nostalgia for use in this article.

On February 17, 1890 Aaron Goodman purchased two and a half lots at 708 North Oregon Street. The aggregate frontage was seventy-four feet and the depth one hundred twenty feet to an alley. On this site Mr. Goodman built a home for his bride, Amelia Levy of Nashville, Tennessee. The house was designed by Ernest Krause. It was a two-story edifice of red brick with bay windows and a pitched roof topped by a cupola. It was of Victorian design. The brick flat area over each window was common at that time. There was a small front porch topped by an open balcony. The balcony and porch had fancy wood-work railings. The glassed front door had a transom above it for ventilation when the door was closed.

Several years after its construction the house was re-modeled. It was widened and porches extending all around the house were added. These porches, on both levels, were supported by numerous white columns. The porches added comfort to the house, as they shaded the brick walls from the hot sun, making the interior much cooler. It was pleasant to rock on the porch on summer evenings and to sleep on the second floor level in summer.

Upon entering the house one stood in a hall facing the stairway. A handrail with supporting posts ran up one side of the stairs and another rail fastened to the wall extended up the other. To the right of the hall was the parlor with a large fireplace and a marble mantelpiece. In back of the parlor were the dining room, pantry, a smaller dining area and the kitchen which opened onto the porch. On the second floor were several bedrooms, a sitting-room, and a bathroom. Incidentally, the bathroom contained the first porcelain bath tub in El Paso.

Aaron Goodman (known only as A. Goodman by business associates, by his friends, and even on the invitations to his wedding) was born in Lithuania, then a part of Russia. He came to the United States as a very young boy and lived in Tennessee. In the early 1880's he moved to the Southwest and operated La Mesa Mercantile Company and a broom factory in Earlam, now Vado,¹ New Mexico. In 1886 he moved to El Paso where he organized The El Paso Grocery Company. Just before the turn of the century his place of business was flooded by water during an un-



House after remodeling

successful attempt to put out a fire in the Myar Opera House.² As a result the firm moved to Stanton Street between San Antonio and Overland streets and adopted the name of The Lion Grocery, featuring "Staple and Fancy Groceries." Mr. Goodman was not only a successful merchant but also an active worker in civic and philanthropic movements of his adopted city. A large, certified and elaborately decorated document shows that A. Goodman was an honorary member of Hose Company Number 2, El Paso Fire Department, having been admitted to membership on May 15, 1889.³

When A. Goodman was a young man in Tennessee, he married Esther Levy, daughter of Rose and Perez Levy of Nashville. Perez Levy, an old and respected citizen of Nashville, served in the Civil War after which he practiced optometry. Later he became active in the dry goods business and operated stores in Tennessee and Mississippi. After their marriage the young couple lived in Columbia, Tennessee, but Esther died in childbirth with her infant.

The Levys had a younger daughter, Amelia, with whom Aaron later fell in love. In late 1889 he proposed marriage to Amelia and plans were made for a fall wedding the following year. In the meantime young Goodman purchased the Oregon Street property and began building the house to receive his bride.

There is a saying that "The course of true love never runs smooth" and this was certainly true in the case of Aaron and Amelia. As the time approached for the wedding, Rose Levy, Amelia's mother, suddenly became adamant in opposing the marriage. Aaron Goodman had married her other daughter and she had tragically died. Perhaps the mother could not bear the thought of letting him have her other child. Mrs. Lemmon, one of the granddaughters mentioned above, has in her possession a series of telegrams and letters of this troubled time. The wedding had long been planned for September 10, 1890 but on September 1, Amelia wired to her fiance: "Mama still determined. Shall we proceed by force or wait until January"? On September 3 Goodman sent a telegram to Amelia, as follows:

Your message and two letters just received. Its too bad — more than human endurance can bear — enough to drive one to distraction. Will no longer postpone, it's impossible. Did not think would have to face such a fate. Do as Mama tells you. Will write a farewell letter tomorrow, feel too heart-broken to write now. Cheer up, Melia. Our happiness may be destroyed but our true love for one another never.

It is interesting to speculate what the effect of this telegram was — did Amelia have a fainting spell? Did the Levys suddenly realize that they were letting a fine husband for their daughter bow out of the picture? In any case, almost immediately Goodman received a wire from Amelia's father: "We have Mama's blessing. Come Monday." A letter followed:

Dear Goodman: I am proud that Ma is willing as well as I am glad the trouble is over. Everything will be fixed in style. Answer me fully by mail. Come as soon as you can. Invitations sent this morning. Rest easy. P. Levy.

And Mama wrote:

Don't be uneasy. You have my blessings. Will receive you with open arms. Have sent invitations.

The wedding took place on September 10, 1890. Following a short honeymoon the young couple settled in their beautiful home on North Oregon Street and quietly entered the social life of the community. Their first child was born in 1891, a daughter, Estelle. Amelia returned to Nashville to be under "Mama's" care for the birth of the child. Their sons, Karl Perry, born in 1896, and Leonard Aaron, born in 1899, were both born in the house at 708 North Oregon.

Estelle married Charles Levy (no kin to her mother's folks) in 1916. They were the parents of two children, Robert Aaron who, incidentally, holds the Ph. D. in physics from the University of Cincinnati, and Mrs. Edgar Guy Lemmon (Amelia Rose) of Oakland, California. Robert makes his home in El Paso and Cloudcroft. Charles Levy died in 1953 and Estelle⁴ ten years later.

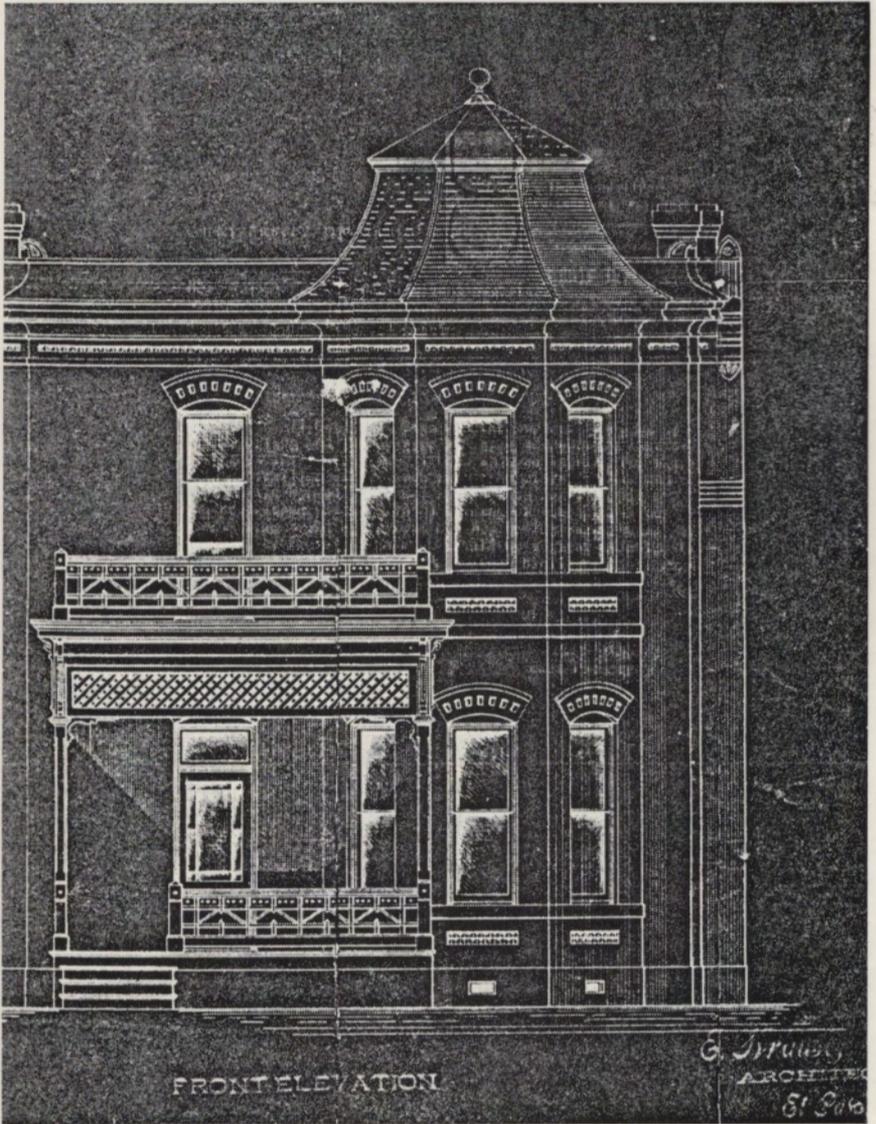
Karl Goodman married Helen Pinkiert of Los Angeles. They had two children, Karl, Jr., who died in 1932 at the age of fourteen, and Gertrude Amelia, popularly known as "Sugar," who lives in El Paso. Karl Goodman died in 1969 and Helen in 1972.

Leonard Goodman married Evelyn Pearlstine of Charleston, South Carolina. They are the parents of Leonard Jr., Amelia Pauline (Mrs. Albert Mathias Krohn) and Robert E. All live in El Paso.

A. Goodman died in 1910, in his sixties, and his wife operated the business until her death in 1916 at the age of forty. After Mr. Goodman's death, life was not the same at 708 North Oregon and in 1913 Mrs. Goodman purchased lots at 1617 North Mesa Avenue and built a house which still stands. To-day it is owned by Estelle Goodman Levy's children.

Karl Goodman helped his mother with the Lion Grocery Company. After her death he and Leonard started the Goodman Brothers Real Estate and Insurance Agency (Pan American Life Insurance) and later opened the Goodman Brothers Garage in the old A. Goodman Building at Stanton and San Antonio Streets. Still later Karl operated the garage and entered the automobile, truck and trailer business. He was reputed to have been in the automobile business longer than any other dealer in El Paso. Leonard continued to operate Pan American Life and then became general agent for the John Hancock Insurance Agency in El Paso. He is presently Agent Emeritus of the company and his son, Leonard, Jr., is general agent.

Although the Goodmans moved out of the house on North Oregon Street, the property remained in the estate and the house was rented until 1935 when it was sold to J. K. Prather. A sheriff's deed dated 1943 reveals that the city took it over as it was sold to Mamie and Elias Malooly. The following year it was sold to Frances and E. W. Clark. In 1946 the Clarks sold it to Robert E. McKee who proved to be the last



Architect's blueprint of original Goodman house

owner. He rented the house until 1953 when he razed it along with other houses which he owned in the block. The area was just empty lots until it was excavated in preparation for what is now the Interstate 10 Freeway.

Before the house was knocked down, Mr. McKee telephoned the A. Goodman heirs and invited them to visit the house and to take whatever they wished as mementoes. Mr. and Mrs. Leonard Goodman, Jr., requested the banister, a wash basin and a marble mantel, all of which have been incorporated in their home on Pinehurst Street. Estelle Levy placed one of the doors in her home on North Mesa. Other portions of the house were given to people outside the family circle.

Visiting the house for the last time was sad for Estelle, Karl and Leonard. Many happy years had been spent in the house. It was full of memories. The Goodman children were fortunate to have lived in a neighborhood with many children their own ages and many of the neighbors remained their close friends in the years that followed. They remembered Karl's burro which had been kept tied at the side of the house, the street car which ran in front of the house, Wong, the faithful Chinese cook. The Goodmans recalled the happy festivities which had been held in the old house. Music and laughter seemed to echo from the walls, soon to come tumbling down.

The A. Goodman grandchildren and great-grandchildren were delighted and fascinated to view the interior of the house they had heard about all their lives. Even in its state of disrepair, the house still had a charming quality and they could picture it in the early days of its beauty, filled with the love of its master and mistress and their children.

Even though the area below where this lovely house once stood is now a roaring freeway, the memory of 708 North Oregon will always live in the minds and hearts of the family of Amelia and Aaron Goodman.

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4. Mrs. Estelle Goodman Levy was an excellent writer. Three of her articles were published in *PASSWORD*—"El Paso Defends Her Culture—Opera at the Pass of the North," v, 3 (July, 1959), 90-95; "The Cloudcroft Baby Sanatorium," vii, 4 (Fall, 1962), 631-148; and the article about the Myar Opera House, mentioned above in footnote 2.

SOUTHWEST ARCHIVES

The El Paso Branch Genealogical Library

by LILLIAN COLLINGWOOD

In an attractive bungalow on Douglas Street, there exists a storehouse of information so abundant in its research potential as to be almost incalculable. The bungalow, owned by the El Paso Church of Jesus Christ of Latter Day Saints, houses a library of a very specialized sort; a genealogical library. Although it is operated by the El Paso Church of Jesus Christ of Latter Day Saints and was organized (in 1966) to assist the members of that church to trace their ancestors for purposes connected with their faith, The El Paso Branch Genealogical Library is open to the general public. In fact, I was told by Mrs. Carl Lovett, the Assistant Librarian, that about two thirds of the people who use the library are not members of the Church of Jesus Christ of Latter Day Saints.

And who would such people be? Why, just about anybody—professional scholars, history buffs, matrons who want to join the Daughters of the American Revolution, and family-minded folks who just want to trace their ancestry.

Suppose you want to track down somebody's antecedents—your own or, say, those of an El Paso pioneer whose background would lend richness to a study you are pursuing. You can very likely find what you want—or, more precisely, find where you can find what you want to find—by going to that attractive bungalow-redesigned-into-a-library at 3651 Douglas.

If you don't know exactly how to proceed, Mr. Willard Whipple, the Librarian, his Assistant, Mrs. Lovett, or any of their staff of sixteen volunteer workers will lend you aid and encouragement. They will tell you how to do your research. They will probably take you first to the extensive cabinets which house in microfilm the entire card-catalogue of the Genealogical Society of the Church of Jesus Christ of Latter Day Saints which, Mrs. Lovett tells me, "has gone all over the world" microfilming various kinds of records. If you find the name you're looking for, Mr. Whipple or one of his staff will show you how to order from The Genealogical Society in Salt Lake City (at a very nominal fee) the various microfilmed materials available on the person in question—such materials as wills, court records, land records, probate proceedings, vital statistics, Bible entries.

Should you not find the name of the person you are researching, the Library personnel will lead you to another room where an assortment of books and journals having to do with genealogy are shelved. As I glanced rapidly through these shelves I noticed the entire file of the *Genealogical Journal*, now in its third year, which is published in Salt Lake City, sev-

eral genealogical magazines pertaining to individual states, such as the *Georgia Genealogical Magazine*, published under the auspices of the Sons of the American Revolution, and full of information leading to old newspapers and court records, some going as far back as pre-Revolutionary times, such books as *Collections of the Illinois State Historical Library*, Vol. XII, *Virginia Tax Payers (1782-1787)*, the *Genealogical Gazetteer of England* and that of Scotland, *John Skelton of Georgia* (containing information on one John Skelton, born in 1762 in Virginia, and all his descendents to 1969—compiled with obviously loving care by a twentieth-century descendent), *Survey of American Church Records*; several "How To" books, such as *Basic Course in Genealogy, Vol. I, Genealogy in America, An Introduction to Record Keeping and Research*; and, of course, several standard works like *Who's Who*.

But as I walked with Mrs. Lovett through the rooms of this splendid little library, I learned that people don't have to be in *Who's Who* to be located in time and space. They can be just ordinary folks who left the imprint of their lives in marriage records, old Bibles, census reports, deeds, wills, and newspaper stories. And all this material is readily available to us El Pasoans in a bungalow on Douglas Street.

The Navajos were more intelligent and industrious than the Indians of most tribes, yet they were addicted to strong drink and the women were grossly immoral.

The term *quadrilla* comprises all the men who assist at a bullfight, the *matador*, *chulo*, *picador*, *lazo*, etc.

In the Aztec religion there was no ethical concept—its heaven, like the Greek Hades, was devoid of moral significance.

Indians often buried guns with their dead.

The Pueblos are not one tribe or race but belong to a number of distinct stocks, each having its own culture, arts, dialect, and customs, but all living in much the same manner.

Pope Innocent III (1198-1216) banned the crossbow as too inhuman a weapon for use among Christians. Its use against the American Indian was permitted, however.

BOOK REVIEWS

SAN ELIZARIO: A HISTORY

by EUGENE O. PORTER

(Austin, Texas: The Pemberton Press, \$12.50)

Most historians would be content to write one good book in a lifetime. Eugene O. Porter has now crammed two into the space of one year. His *Letters of Ernst Kohlberg* dealt with that most obscure of all periods in El Paso history (1873-1880), and now his *History of San Elizario* has reached even further into the past and illuminated perhaps the most controversial Spanish village within the present limits of the United States. The book rises above everything previously written on the subject, and it will stand as a landmark of scholarship even after the 200 year old village it memorializes has crumbled into dust.

San Elizario is a tiny community about 20 miles southeast of El Paso, Texas, and nobody presently living can remember when men have not argued about its origins, and whether or not royalty once lived there. It now appears that Dr. Porter will have the final word on the subject.

Since fables have been so interwoven with the story of San Elizario, Dr. Porter has destroyed many of them in order to rebuild upon the foundation of fact. He touches on Coronado who came seeking the Seven Cities of Gold. Good coverage is given Juan de Oñate who arrived at the Pass in 1598. In 1659, Dr. Porter picks up the birth of Paso del Norte (Juárez), the lonely Río Grandé outpost halfway between Chihuahua City and Santa Fe. When the Pueblo Indians rebelled in 1680 and sent the northern New Mexico Spaniards and their remaining Indian allies fleeing for the Pass, problems arose about housing and religious care. Indian communities were established, and they bore such names as Ysleta, Socorro and Senecú. The question is, did San Elizario originate at this time too? Porter says no, and he cites some pretty impressive evidence to back up his claim.

According to the author, San Elizario resulted from Spain's feeble efforts to build a string of *presidios* (forts) across the northern frontier. Just as Fort Bliss had several locations before settling on the mesa, San Elizario started the same way by originating near present-day Porvenir, Chihuahua in 1774. Six years later it moved to its present site, which was then south of the Río Grande. A chapel served the soldiers and perhaps a few civilians. The community never had an Indian mission. Far from being an isolated portion of the Spanish armor, San Elizario was a cornerstone of frontier defense against the Apaches. Its military orders were to "impede the continuous entrances the enemies [Indians] make through the gateways and gorges of La Cueva, El Nogal, Pena Blanca, and others . . ."

San Elizario evolved over the years from a principal guardian of the *Camino Real* (King's Highway) to being simply a garrison village watching over itself and a few other isolated towns. The American Lt. Zebulon Montgomery Pike saw it in 1806 as he marched into Mexico as a prisoner. Forty Years later Colonel Doniphan and his Missouri Farm Boys wrenched the north bank of the Río Grande from the grasp of Mexico. The capricious river had already shifted its channel to the south, and so the fortunes of San Elizario would now be forever cast with the United States.

American boundary commissioners of the early 1850's spoke of the ruined fort and chapel. As the largest community along the upper Río Grande,

San Elizario became the first El Paso county seat, a distinction it held at least on three separate occasions. If not for the route of the railroad, we might today be calling ourselves San Elizarians instead of El Pasoans. The iron horse bypassed the ancient Spanish village in 1881, and except for a violent episode known as the El Paso Salt War, San Elizario "slipped back into the stream of historical anonymity." Throughout the years it has retained its charm and much of its originality. Within this well written and beautifully designed book (map and sketches by El Paso's own José Cisneros), Eugene O. Porter has now restored its identity.

University of Texas at El Paso

—LEON METZ

MARVIN JONES MEMOIRS

edited by JOSEPH M. RAY

(El Paso: Texas Western Press, \$7.95)

Few men had a longer or more distinguished public career than Marvin Jones. He served as the Texas Panhandle Congressman from 1917 through 1941 when President Truman appointed him Chief Judge of the United States Court of Claims, a position he held until 1964 when he became Chief Judge of the United States Courts. Throughout his active career, presidents and statesmen have respected his fair decisions and his fine abilities.

Jones knew all of the Washington greats and he said something good about each. If Jones had any enemies, or was privy to great secrets or titillating bits of Washington gossip, he kept it all to himself. He saw John Sharp Williams as "small of stature, but powerful of mentality." Clemenceau of France spoke beautiful English, wore black gloves, and had an amazing facility for recalling names. Champ Clark knew "infinite details about presidential candidates and the popular vote they received." John Nance Garner of Texas advised Jones to speak for the record as little as possible for "a man is not beaten for what he does not say." Sam Rayburn demonstrated abundant common sense. Jones described him as "not a showy man, not a man to play the galleries, but a man who had a way of inspiring confidence in his judgement." Thomas P. Gore was one of the "most eloquent speakers I ever heard during my long experience in public life," while Warren Harding was "easy going," making "no drive for special legislation."

As one of the most effective men in Congress, Jones naturally sponsored many bills. His Soil Conservation Act of 1938 helped erase America's Dust Bowl. He handled legislation for the Sugar Act, and the price stabilized all around the world. The Bankhead-Jones Act made it easier for tenant farmers to purchase homes and land, while the Small Lakes Program became part of the largest public works program in history. His book is a monument to his own ability and dedication.

Those of us who have followed the fortunes of Texas Western Press cannot help but be impressed with Evan Haywood Antone who has really come into his own as a designer of fine books. His "wrap-around cover" for this particular volume is both interesting and innovating. Also deserving plaudits is Joseph M. Ray, editor of this memoir. Dr. Ray has established himself as one of the country's leading political analysts.

University of Texas at El Paso

—LEON METZ

BOOK NOTICE

The Presidential Press of Austin announces the publication of *Papers of the Texas Revolution 1835-1836* under the general editorship of John H. Jenkins, president of the Pemberton Press. Incidentally, Dr. James M. Day, Professor of English at UTEP and an active and valued member of our Historical Society is one of the nine members of the Editorial Advisory Board.

"For the first time," according to Editor Jenkins, "all of the known letters, papers, and documents of the Texas Revolution have been published in one work. Over four thousand individual items, most of which have never before been published, are collected here in ten volumes totalling some five thousand pages. Included are the official documents and reports, as well as numerous private papers which have remained in private hands for over 175 years. The work includes hundreds of previously unpublished letters from the private papers of Sam Houston, Thomas J. Rusk, Thomas J. Green, and many others, as well as numerous unpublished letters of William B. Travis, James W. Fannin, Stephen F. Austin, Ben Milam, David Crockett, and James B. Bonham. There are also over a thousand Mexican documents detailing all phases of the Mexican campaigns, including previously unknown letters of Santa Anna, Filisola, Cos, Urrea, and Tornel."

The collection is the largest compilation of original source material ever published in Texas. The ten volumes which include annotation and an index sell for the unusually low price of \$115. Every university and public library in Texas should have a set.

E.O.P.

Not all western Indians became horse Indians. In many parts of the West the country was too poor to support horse culture and the best use to which the Indian could put the horse was to eat it. In California a whole class of Indians became known as "Horse Eaters."

The Plains Indians called horses "Big Dogs."

The gun and the horse were the two most important factors that shaped the history of the West after the coming of the white man.

The town of Seguin was named for Juan Seguin who fought at San Jacinto with Sam Houston and later was mayor of San Antonio.

Fayette County, Texas, settled largely by South Germans and Bohemians, voted against secession from the Union in 1861.

HISTORICAL NOTES

Letters to Germany

In the fall of 1973 the Texas Western Press of the University of Texas at El Paso published *Letters of Ernst Kohlberg 1875-1877*. They were translated from the German by Walter L. Kohlberg, a son of Ernst and the father of Mrs. Leonard A. Goodman, Jr. (Eleanor). Dr. Eugene O. Porter wrote the Introduction. The book was reviewed in *PASSWORD*. See vol. xviii, No. 3 (Fall, 1973), 134-5.

Not all of Mr. Kohlberg's letters to Germany were included in the book, however. The ones he wrote from New York, Chicago, and West Las Animas, Colorado on his way to El Paso were omitted. These letters are interesting, however, and historically important because they give a picture of travel in the United States a century ago. We decided, therefore, to publish some of the omitted letters in *PASSWORD* with the kind permission of Mrs. Goodman. The following is the first in a series of four.

Chicago, Ill.

Sept. 16, 1875.

My dear Ones,

My letter to you to-day is coming from a thousand miles further away than the last one. We arrived in Chicago at nine o'clock in the morning on the fourteenth of September. Leaving New York at 6 P.M. September twelfth to come here we covered more territory than there is between the furthest points in Germany. The trip was wonderful and I saw many new and interesting things.

The railroad cars are most luxurious and fitted out in a very practical way. We are traveling in a sleeping-car. The ticket to St. Louis cost thirty dollars, which considering the distance and the comfort is very reasonable. When one wants to retire the beds are made up and they are as good as one can find in the best hotels.

Along the railroad one sees only frame-houses and some agricultural land, but most of the land is still covered with heavy forest-growth. On a journey like this, one realizes the immense ungarnered richness of this country. To prepare a piece of land for farming the trees are felled and allowed to rot. I think I saw more decaying timber, magnificent oak-

trees, pines and cedars than are contained in the entire Solling Forest.

When I finish the entire journey I intend writing you a detailed account of it.

I inquired about B. Rhoenig in New York. I heard that he was the coachman in a private house and feeling that my visit might be embarrassing to him I did not go see him. I did not look up any one else because it would take several hours for each call, cost money to get about and then I might get a cool reception. I lived very comfortably at Kohlbergs and felt very much at home there. I think that they are quite wealthy for Aunt told me that her daughters receive a dot of ten thousand dollars which is unusual as dots are not often given here. I was really very sorry to leave New York as I had such a good time there.



ERNST KOHLBERG — 1875

This picture is from the Ernst Kohlberg manuscript and was copied by Cmdr. M. G. McKinney.

I am living on the street fronting Lake Michigan and I like it here. I pay one dollar per day for board and room in a private home which I find very cheap. The board consists of the following: Breakfast at which I receive meat, potatoes, pan-cakes, or corn, which is called turkish wheat there, and is green corn on the cob cooked in boiling salt water, then spread with butter, seasoned with salt and pepper and eaten off of the cob and which tastes very good to me. Coffee etc. is served with this

meal. At noon we have meat, potatoes, cornpot and tea. At night a big dinner is served. Up to this writing I have gotten along very well with Mr. Schutz and I do not think that I have made a mistake in my judgment of him.

My best wishes for the coming New Year. We leave here next Saturday and I believe we will be in El Paso before the New Year.

We expect to spend one or two days in St. Louis. I do hope to find letters there from you as Mr. Schutz gave you his card with the address on it dear father.

To make sure that you have my address I am giving it to you again:

Via Hamburg or Bremen

Via New York, St. Louis, & Santa Fe, N. M.

Care of S. & A. Schutz

El Paso, Texas, North America.

I hope all of you are well. I am feeling fine. Please write me about everything.

For all those away from home hearty greetings; also for Sudheims. They have a couple of illustrated books which please have them return to you. I met an Eppstein from Hoexter a while ago. In New York I met a Mr. Wurzburger who used to be in Volkmarsen dear Leopold and sends you his regards. I am enclosing stamps for you dear Wilhelm and Hedwig.

Schutz and wife are living next door at a cousin's house.

Heartiest greetings to all.

Ernst.

Some Indians practiced sororal marriages where one man marries two or more sisters, usually after the first wife has been found to be barren or after her death.

The Navajos were a pastoral people. In 1884 they had a million sheep and 35,000 horses.

From at least 200 A.D. to about 1200 the entire Southwest was occupied largely by Indians of a general "pueblo" type culture.

The western horse came from Mexico and the eastern from Spanish Florida.

Sam Colt invented his revolver in 1835.

El Paso Chinese dedicated a Masonic temple on South Virginia Street in 1904.

CONTRIBUTORS to this ISSUE

CONREY BRYSON recently retired as Press Assistant in Washington to Congressman Richard C. White. Previous to his appointment by White, Bryson was a writer and broadcaster for KTSM radio and television, 1936 to 1964. He is presently engaged in researching and writing a book on the contribution of Dr. L. A. Nixon to the political history of the United States.

I. B. GOODMAN, a native El Pasoan, is a frequent contributor to *PASSWORD*. He is a graduate of Syracuse University where he met his wife Fannie of Indianapolis. The Goodmans throughout their married life have both been active in community affairs.

J. J. BOWDEN is the author of several articles published in *PASSWORD* (see Cumulative Index). Born in El Paso, he now resides in Houston where he is a member of the State Bar Association. He has a master's degree in history (1952) from Texas Western College, now UTEP. His history degree along with his law degree furnishes him with excellent tools for his hobby, historical research in the land history of El Paso and other areas of Texas.

RUSSEL W. VAN NORMAN, an active and valued member of our Society is recognized as one of the finest orthopedic surgeons in Texas. This is his first contribution to *PASSWORD*.

LEON METZ, former archivist and presently supervisor of special collections at the UTEP library, is a well-known author whose field of specialization is the history of the Southwest.