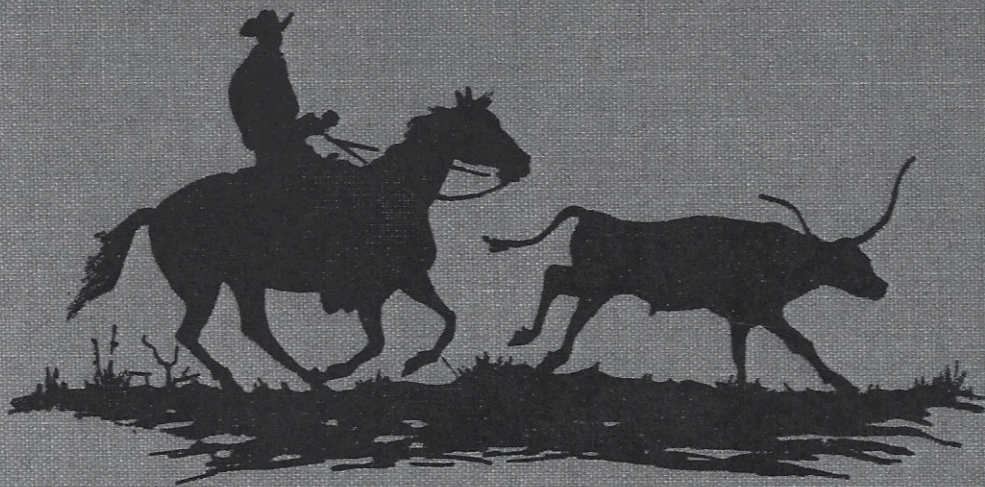


A HUNDRED YEARS OF HORSE TRACKS

The Story of the Gray Ranch



George Hilliard

GRAY RANCH 1996

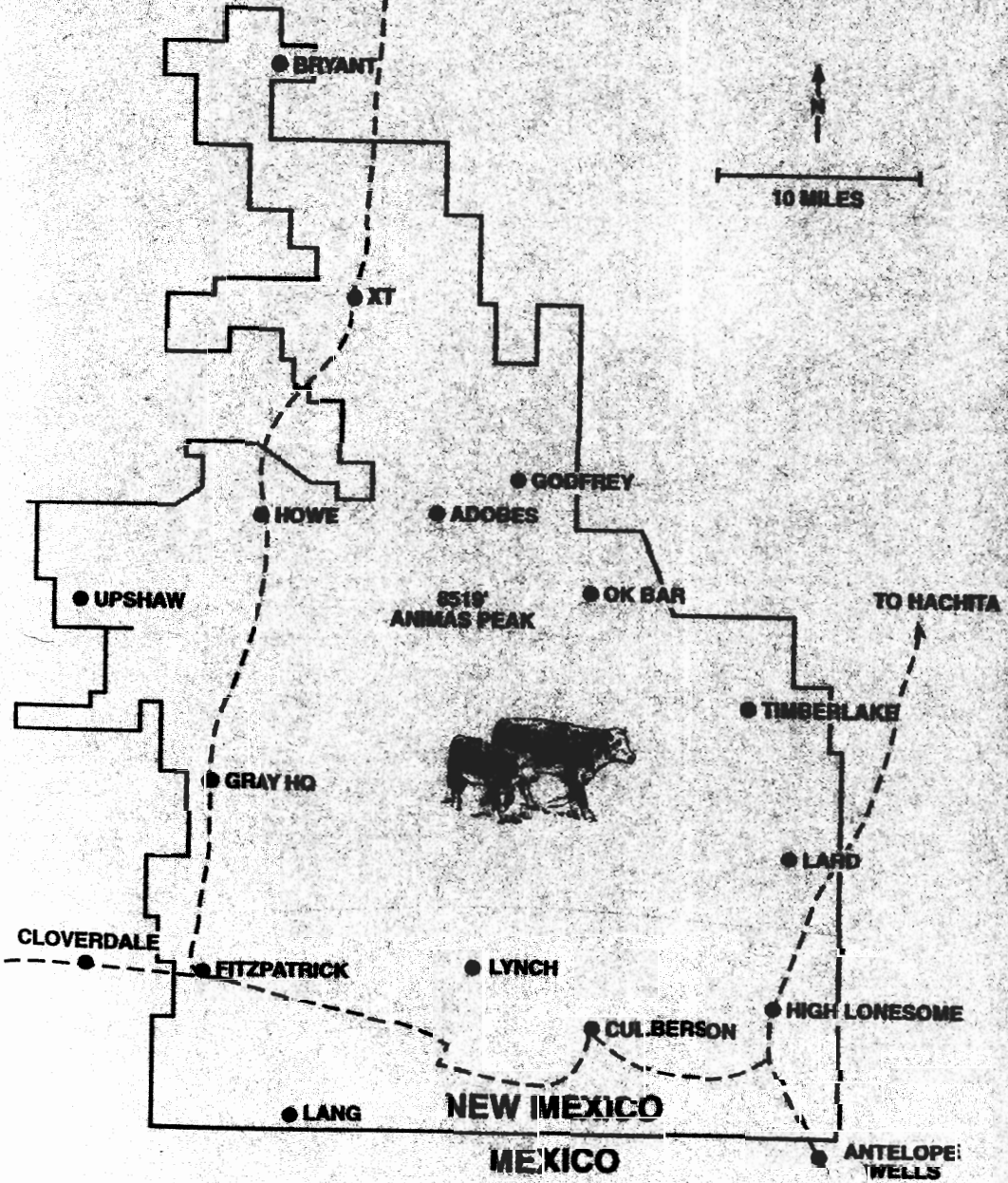
● SOCORRO

● LAS CRUCES

● IENDARIS RANCH

● ANGLE

TO ANIMAS



Chapter 1

A Wild and Dangerous Place

Had Lew Wallace known that he would be dealing with the likes of Billy the Kid when President Hayes offered him the appointment as Governor of the Territory of New Mexico, he might not have accepted the job.¹ As Wallace soon found out, the Lincoln County War was just one of the problems that faced him. In fact, he encountered so many frustrations in his attempts to bring order to the Territory that Mrs. Wallace in a letter to her son was moved to suggest half seriously that, "We should have another war with old Mexico to make her take back New Mexico."²

Part of the difficulty that Wallace encountered in governing the Territory came from the primitive state of its means of transportation and communication. The telegraph did not reach Santa Fe, the territorial capital, until 1868, and while rail service was in place in most of the other forty-two states and the territories by 1878, when Wallace came to New Mexico that year to take office he had to travel by stagecoach from the railhead at Trinidad in southern Colorado to Santa Fe.

However, the principal reason that the Territory was a sea of trouble was the lawless nature of many of its people; violence was everywhere. The *Las Vegas Gazette* reported on August 17, 1878, for example, that six wagon loads of immigrants had passed through who had been driven away by the lawless element and who had been forced to abandon their land, crops, and their houses and belongings. On the same note, the *Weekly New Mexican* reported that "every man is armed to the teeth" and that ranches were being abandoned because their owners were "determined and anxious to depart from a place where the reign of peace and order will not apparently be reestablished for a long time to come."

Petty thieves, outlaws, bandits, and gunfighters all kept the Territory in a turmoil and peaceful citizens in fear for their lives. Holdups were common enough to cause people to carry arms and travel in the company

of others for protection. Even stagecoach passengers were not safe; the Wells Fargo Company had a standing offer of a \$2,000 reward for information leading to the capture of the people who were responsible for holding up its stages.

Lawless New Mexico citizens were not the only cause of the violence and bloodshed. With the surrender of Sitting Bull in 1881 all the Indian tribes of the American West had been conquered with the exception of the Apaches who went on fighting a desperate rear-guard action. Much of their activity was centered in southwestern New Mexico where the widely scattered ranches, farms, and mining settlements were easy targets for the Indians who knew every draw and canyon and could appear and disappear in an almost ghostly fashion. The year 1879 was marked by particularly bloody raids by Victorio and his warriors in Grant County and on west in Arizona, and the next year in a single foray the fierce Chato led a raiding party out of Mexico that killed twenty six people in the county. Then there was a singularly shocking incident in March, 1883. Judge Hamilton C. McComas, his wife, and his son Charlie, traveling to Lordsburg from Silver City, were set upon by Apaches. The judge and his wife were killed, and their six-year-old son Charlie was carried off—savagery that prompted the county commissioners to put a \$25 bounty on Apache scalps.³

By 1880 Geronimo had succeeded the fierce Victorio as leader of the remnant of the Apache nation that was still at large, and this able field general carried on the war for six more years. From hiding places in the mountains of southern New Mexico and Arizona and from the wilds of the Sierra Madre in northern Mexico, Geronimo led his small band of braves on swift raids that kept the people on isolated farms and ranches in fear for their lives. Then on August 24, 1886, in Skeleton Canyon in the Peloncillo Mountains along the Arizona-New Mexico border, Geronimo handed his rifle to General Nelson Miles, and finally the Indian wars that had plagued the nation for well over a century were officially over.⁴

Earlier, in 1848, the Treaty of Guadalupe Hidalgo had ended the war with Mexico and ceded New Mexico (along with northern California and Arizona) to the United States, but it left the actual boundary between the two countries in dispute—Mexico was laying claim to all the land that

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Apache Indians, Chief Geronimo at right

lay south of a line that began at El Paso, proceeded north and west to the Gila River, and then followed the Gila to the Colorado River.

The Treaty of Guadalupe Hidalgo required that a joint commission be established to survey a borderline between the two countries. Under that fiat in July 1849 a party led by John A. Miller began at San Diego to survey a line, east across three territories and seven hundred and some miles, to El Paso. Because of the great distance, the difficult terrain, friction among the party members, and congressional bungling (Miller was replaced and then his successor as well), it required four years to complete the survey, and apparently the result satisfied no one.

In 1853 James Gadsden concluded negotiations with Mexico, and the Gadsden Purchase Treaty was signed by which for \$10 million Mexico relinquished its claim to the land south of the Gila River in Arizona and New Mexico. However, the treaty required another survey. This one, under the able leadership of Major William H. Emory, was completed in two years. The line Emory defined went directly west from El Paso for a hundred and ten miles, then south for thirty miles before proceeding

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west again. This survey finally determined a border line between the two countries that, with minor exceptions, has stood to this day. The detour to the south in the line was made to retain in the United States open country and passes through mountain ranges that offered favorable routes for future railroads.

This curious thirty-mile extension into Mexico of New Mexico's southern border formed an area about the size of the state of Delaware that, because of its shape, came to be called the "Bootheel." The Bootheel was unsettled except for a few people living on ranches or in small mining settlements, and its remoteness made it a haven for the lawless element and a convenient route for smugglers who came out of Mexico with pesos and bullion with which to buy goods to sell in Mexico. As well, the Bootheel's isolation encouraged the commerce in stolen cattle that took place across the border in both directions. Outlaws, cattle rustlers, smugglers, and Indians all made New Mexico's Bootheel a wild and dangerous place in 1880 when Michael Gray and his two sons ventured into it to establish a cattle ranch.

Notes to Chapter 1

¹ Lewis Wallace was an author as well as a politician, soldier, and statesman. His novel, *Ben-Hur: A Tale of the Christ*, published in 1880, made him one of the most widely read authors of his time.

In April 1879 Wallace met with William Bonney, better known as Billy the Kid, and the two came to an agreement that Bonney would give testimony concerning the killing of attorney Huston Chapman. In return, he would be pardoned for various crimes of which he was accused, including the murder of Sheriff William Brady. Later, believing that Wallace had gone back on his word, Bonney wrote, "I mean to ride into the Plaza at Santa Fe, hitch my horse in front of the palace, and put a bullet through Lew Wallace."

² Calvin Horn, *New Mexico's Troubled Years* (Albuquerque: Horn & Wallace, 1963) 208.

³ It was assumed at the time that the child had been slain, but some claimed he was adopted by the Indians and raised in their ways. Captain John Bourke, of General Crook's staff, reported seeing, in an Apache Camp in the Sierra Madre, a white child that might have been the McComas boy. In fact, Charlie McComas was reincarnated several times. In about 1920 two cowboys, horseback in Sonora, took to the brush to avoid a run-in with a party of six mounted Apache braves. The party's leader, they recounted, was an unusually tall, powerful, white-skinned Indian with long blond hair. And years later a cowboy, E.H. White, claimed that back in 1924 when he rode for the Diamond A the ranch was raided by Indians led by a blond-haired Indian of the same description. White was sure this was Charlie McComas.

⁴ In fact, as recounted in Chapter 4, well into this century small bands of Apaches survived in the wilds of the Sierra Madre and occasionally made forays across the border to steal goods and livestock.

Chapter 2

WEIRD SPIRITS OF THE ANIMAS VALLEY

Going eastward from Tombstone you cross the Dragoon Mountains into the Sulphur Springs Valley, thence through the Chiricahua Mountains into the San Simon Valley of New Mexico and right there under the shadow of Animas Peak was a big green meadow of about a thousand acres which was at the time covered with red top clover and watered by numerous springs...this was the spot we had picked for a cattle ranch and it seemed just right for the purpose.

That is how in 1940 John Pleasant Gray recalled a time sixty years in the past when he first looked out on the place in the Animas Valley where the Grays established the ranch that has been known ever since by their name. The site where the Grays settled (in today's geography—in the southwest corner of New Mexico, thirty miles south of the town of Animas on State Road #33) is still the location of the headquarters of the Gray Ranch.

Michael Gray, John's father, born in Tennessee in 1827, had been a Texas Ranger and then for a time an acting sheriff of Yuba County, California. He was in Mexico in a mining venture when tales of Ed Schiefflin's rich silver strike drew him to Tombstone in the Territory of Arizona, and he moved his family there in 1879. The family included Michael's wife, and another son, Dixie Lee Gray (who was called Dick), as well as two daughters. John Pleasant Gray, who was born in 1860 in Sacramento, joined them in Tombstone immediately after his graduation from the University of California at Berkeley in 1880.

The valley that the Gray family looked out on that day was well suited to cattle raising. The climate was moderate, and the rich variety of grasses that grew there put hard flesh on cattle. But the land, owned by the federal government like most of the land in the Territory, was

considered to be free range, and claiming ownership of any particular plot of it was at best a chancy business. John Gray told about their purchase of the Gray Ranch this way:

We [paid] Curly Bill the rustler, three hundred dollars for his squatter claim on the land and also [received] a written contract or guarantee from Bill that he would uphold our rights against all claimants. It being unsurveyed land, possession of course was the only title possible, but we paid this sum to Curly Bill for the sake of peaceable possession of the land in a country where law officers seldom if ever ventured and self preservation was the only law to follow.¹

The Grays' tenure on the ranch was troubled from the beginning. They had hardly started making the adobe bricks for the ranch house when a man who signed himself George Washington Jones sent them a written ultimatum that they vacate or suffer the alternative of being "shot off." To avoid either outcome John Gray appealed to a trio of horsemen who happened to ride by the ranch (he believed them to be the robbers who had tried to hold up the Tombstone stage in the recent past). One of the riders, Jim Crane, assured him that he would see to it that Curly Bill's warrant was honored. Apparently Crane kept his word; Gray later learned that the would-be claim jumper had been "fixed good and plenty."

In addition to outlaw troubles, the Gray family, and in fact all of the people on the isolated ranches of the Bootheel, lived daily with the threat of attack by Indians—fugitives from the San Carlos Apache reservation—whose raids left "a trail of dead white man's bones." John Gray said of the Indians, "one had a chance with the rustlers or even the border Mexicans, for their ways were very much in the open where you had an even break, but against the Apaches you hadn't a ghost of a chance...he seemed almost uncanny in the way he could ambush his victims and then apparently fade away into the night."

It was not the Indians that put an end to the Grays' first ranching venture but rather a band of those people that Gray called "border Mexicans." In August 1881 Dick Gray was planning a trip on horseback

to Tombstone when he learned that cowboys from the nearby Lang Ranch had started to drive a small herd of cattle, a hundred steers, to Tombstone and would be camped in Guadalupe Canyon the following night.² Dick decided to throw in with them for safety's sake, five or six riders together being thought safe from marauders. It was an ill-fated decision. In the dim light of early dawn the camp was attacked and five men were slain—the rancher Billy Lang, Dick Gray, the outlaw Jim Crane, Charlie Snow, and “Old Man” Clanton, the cook.³ Two men escaped. One, a man named Harry Earnshaw, fled on foot and staggered into the Gray Ranch the next evening where he told John Gray of the tragedy.

Help was recruited at a mining camp at Gillespie Mountain, fifteen or so miles away, and the group headed for Guadalupe Canyon to claim the bodies of the dead and pursue the killers. Near the camp in the canyon they came on Billy Byers, the other man to escape death from the attack. Billy had been gravely wounded in the stomach by a gunshot, but he had escaped with his life by playing dead. The *Arizona Daily Star* of August 25, 1881, blamed the massacre on army troops from Mexico and made dire predictions about its consequences:

The D.L. Gray who was killed was the son of Col. Mike Gray, well-known in Tucson also throughout California. The prevailing impression is that the murders were committed by Mexican troops. It is known that a company of soldiers under the command of Capt. Carillo were scouring the country in the vicinity of the scene of the massacre in search of a party of cowboys who had been depredating on Mexican soil. It is not unlikely that this affair may lead to serious complications between the two governments. At any rate it will result in bloody border feuds between the representatives of both nationalities as the victims of the outrage were well known and have many friends, and their deaths will not be allowed to pass unavenged.

Many people believed that the Lang Ranch party had died at the hands of Mexican troops. John Gray thought differently: “It was

undoubtedly the work of escaped smugglers of the Skeleton Canyon fight taking revenge on the first Americans they could find.”⁴ However, Billy Byers in his account in the *Arizona Daily Star* blamed the attack on bandits:

We pitched our camp in a small swag between three low hills, which formed a sort of triangle around the camp and at about daybreak the cattle appeared uneasy and showed signs of stampeding, when Will Lang said to Charley Snow who was guarding the cattle, “Charley, get your gun; I think there’s bear up there, and, if so, kill it.” Charley then rode up one of the hills when the Mexicans opened fire, shooting him and pouring a volley into the camp. At the time they fired Dick Gray, Jim Crane and myself had not got up, but Will Lang, Old Man Clanton and Harry Earnshaw were up dressing. Gray, Crane, and Clanton were shot at the first fire, and almost instantly killed. When they first fired and killed Charley I thought the boys were firing at a bear, jumped out of my blankets and as I got up the boys around me were shot. As soon as I saw what was up I looked for my rifle, and not seeing it I grabbed my revolver, and seeing them shooting at us from all sides, started to run, but had not got forty feet when I was shot across my body, but I did not fall and in a few more shots was hit in the arm, knocked the pistol out of my hand and I fell down. When I was down Harry and Will passed me both running for the canyon. Soon Will fell, shot through the legs, and he then turned his revolver loose, and I think killed one Mexican and wounded another, as one man was killed and another badly wounded, and he was the only one that did much fighting. You must remember that the reason we had no chance to fight was that the Mexicans had crawled up behind the low hills mentioned, and being almost over us fired right down among us. We could see nothing but little whiffs of smoke. Soon after I saw some Mexicans coming from the direction Will and Harry had run, wearing their hats, and I thought then they had been killed, or had lost their hats in getting away. When I saw

the Mexicans begin stripping the bodies I took off what clothes I had, even my finger ring, and lay stretched out and with my face down, and as I was all bloody from my wounds, I thought they would pass me by, thinking I was dead, and already had been stripped. I was not mistaken, for they never touched me, but as one fellow passed me on horseback he fired several shots at me, one grazing my head and the others striking at my side, throwing dirt all over me. But I kept perfectly still and he rode on. They stripped the bodies, cut open the valises, took all the horses and saddles, and in fact everything they could, possibly getting altogether, including money, \$2,000. The only way that I can account for Harry's escape is that when Will began shooting at them they turned most of their guns on him and that gave Harry a chance to get away. After they rode off I waited a long time, thinking they might come back or were watching; finally I crawled to where my pistol was and secured that, and then I heard someone and cocked my pistol determined to shoot if it was a Mexican; but it was one of the boys from the ranch who, having heard the shooting, rode over. He put me on his horse and rode me over to the canyon saying he would come back for me at night; but he didn't, and I started for the ranch, and was not found until the next day.

Billy Byers recovered from his grave wounds, and according to his obituary in the *Dolores* [Colorado] *Weekly* of November 4, 1949, he prospered in later life: "He was a county commissioner for four terms and served on the school board." Byers died at the age of ninety and "...read his daily newspaper up until three weeks before his death."

John Gray wrote of the killings:

We took our dead back to the ranch in coffins constructed of lumber for which we tore up flooring, with the aid of our miner friends we buried the four bodies in a little square plot on a nearby knoll, rendering an equal honor and reverence to all.

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But the tragedy of young Dick's death—he was only nineteen—along with the many hardships and dangers they had faced in their year on the Animas Valley ranch were too much for the Gray family. John Gray continues in a tone of resignation:

This little Campo Santo on the lonely hilltop marked the end of our hopes of [the] Animas Valley prospect. My father and I felt that the conditions were too hard at that time to fight against. We knew that the valley would be a place exposed to Mexican raids and felt that it would be impossible to protect ourselves against them, so we had the place surveyed, filed preemption claims on the land, and abandoned it for a time to the antelope, the coyote, and those weird spirits supposed to be the cause for the name "Animas" [or "lost souls" in Spanish] given to that valley by the Mexicans.

For some time after the Grays had abandoned the ranch, John Gray regularly rode there from Tombstone. His purpose in making the long rides was to sleep at the ranch from time to time to make a show of meeting the requirement of residence that their preemption claim required.⁵ Then the ranch was sold.

On September 11, 1882, the *New Southwest*, a Silver City weekly, reported that "George Hearst, the well known California capitalist...has bought the Mike Gray ranch at Cloverdale for \$12,000." In fact, George Hearst may have contracted for the purchase of the Gray Ranch then, but it was actually bought for the partnership by James Haggin on November 20, 1883, a month after Michael Gray was issued a patent to the land. In any case, this purchase was the beginning of the Victorio Land and Cattle Company, better known by its cattle brand, the Diamond A, whose cattle grazed in the Animas Valley and over much of southern Grant County for the next eighty years.

As for the Grays, that same year they learned that Camp Rucker, in the foothills of the Chiricahua Mountains, was to be abandoned by the U.S. Army and was "open to the location of the first comer."⁶ They took possession of the camp and paid the former camp sutlers Norton and Stewart one hundred and fifty dollars for their stock and property. From

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this headquarters the Grays ran cattle on the country extending out into the San Bernardino Valley and were able to ranch successfully there for fifteen years. In May, 1897 they sold the Camp Rucker Ranch to the Erie Cattle Company.

Notes to Chapter 2

¹ Curly Bill, whose real name was William Brocius Graham, was a well-known gunman, outlaw, and cattle rustler who sided with the Clantons in the Tombstone gun wars. He was known to have held up the Overland Stage near Silver City in 1880. At one time the Arizona Stock Growers Association offered a \$1,000 reward for Curly Bill's capture. He was shot dead by Wyatt Earp.

A squatter claim was a quasi-legal claim to land to which the occupant had no deed or patent. In the case of the Gray Ranch, the land belonged to the U.S. Government until a patent was issued to Michael Gray on March 16, 1884.

² The Lang Ranch, now part of the Gray Ranch, is located just a short distance northeast of Mexican border monument #66.

³ Jim Crane was an outlaw, as was "Old Man" Clanton, the father of the Clanton brothers who became famous for their part in the Tombstone gun wars. In all probability these were cattle that had been stolen in Mexico.

Historian Alden Hayes puts the location of the Guadalupe Canyon raid near Mexican border monument #73.

⁴ Here John Gray is referring to what is now called the Skeleton Canyon Massacre. In July, 1881, a group of outlaws, including "Old Man" Clanton and two of his sons, along with Charlie Snow and a half a dozen others, attacked a Mexican pack train (undoubtedly the packers were smugglers), killed the Mexicans, and made off with \$4,000 worth of gold, silver, trade goods and livestock.

⁵ The preemption law by which a person could obtain ownership of public land gave preference to the person already "squattin'" there; it had certain requirements of residence. Obviously Gray's sleeping at the ranch one night periodically was not residence in the sense the law intended, but loose interpretations of the land-settlement laws were the rule rather than the exception.

⁶ Camp Rucker, on the White River in the Chiricahua Mountains of Cochise County, Arizona, was established on April 29, 1878. Originally named Camp Supply, on January 1, 1879, it was renamed in honor of Lt.

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John A. Rucker of the 12th Infantry Regiment who lost his life in a mountain stream when attempting to rescue Lt. Austin Healy, a fellow officer. The camp was abandoned in 1880.

Chapter 3

FOUR CALIFORNIANS WITH DEEP POCKETS

When the Gray family established their ranch in the Animas Valley in 1880 they were part of the rapid growth of the cattle ranching business that began at the end of the Civil War and flourished during the 1880s—a time that historians have called “the age of the cattle barons.”

The movement resulted partly from the relocation of people who had been displaced from their homes and jobs by the war and were seeking new livelihoods, and it was stimulated by the various land settlement laws by which people could obtain ownership of land at little or no cost.¹ New markets in the west—towns, mining settlements, military posts, Indian reservations—spurred cattle production, as did the growing railroad network that made it possible for ranchers to sell their livestock at the distant markets in Los Angeles, Denver, Kansas City, and Chicago. The railroads, in turn, in order to increase their cattle and freight hauling business were promoting the opportunities to be found in the West, and their agents wrote of ranching in extravagant terms.

In 1881 the staid Philadelphia company, J. B. Lippincott, published a book by an army officer, General James S. Brisbin, titled *The Beef Bonanza; or, How To Get Rich On The Plains*, that was a fanciful account of how a fortune could be made in cattle ranching with only a small investment and little risk. Another such was *The Handbook Of Wyoming* by Robert E. Strahorn, a public relations agent for the Union Pacific Railroad, that proposed that an investment of \$15,000 in a thousand Texas cows and forty bulls would in five years return a profit of \$67,000.

The colorful German baron, Walter von Richthofen, who came to Colorado with a fortune and a burning ambition to establish a cattle kingdom, made his contribution to the myths about cattle ranching with *Cattle Ranching On The Plains Of North America*.² In it he promised his readers that “There are no risks beyond losses arising from natural

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causes, which can be calculated down to a percentage per annum and none arising from speculation.... There is not the slightest element of uncertainty in cattle raising." The baron went broke of course.

Tracts and books of this nature found an enthusiastic readership abroad among young men—Englishmen, Scots, Frenchmen—who had a taste for adventure. Most of them were from wealthy and aristocratic families, some with titles, and the few who were not backed by fortunes of their own generally had access to investment money through rich relatives or by reason of their social positions. The list of these young adventurers, a long one, includes such names as the Frewen brothers, sons of a wealthy Sussex squire; the earl of Aylsford; Horace Plunkett, third son of Lord Dunsany; Oliver Wallop, the younger son of the earl of Portsmouth; Alexis and Edmund Roche, sons of Baron Fermoy.

Among the Frenchmen who ventured into the American West were Pierre Wibaux, who settled in Montana and prospered, and Antoine (he had five middle names) de Vallambrosa, the marquis de Mores, who set up a big cattle spread in the western badlands of the Dakota Territory and had Teddy Roosevelt for a neighbor. The marquis, a would-be entrepreneur with more money than good sense, branched out into meat packing and a stage line. He failed in these ventures and in the cattle business in general, and along the way he alienated his neighbors by his imperious ways. When de Mores left the West he had a smaller fortune than the one he brought to it.

Along with these wealthy adventurers were a number of "remittance men," young men from good families who, misfits of one sort or another in society, were sent regular sums of money—remittances—with the agreement, or at least the expectation, that they would stay far from home. Some made legitimate places for themselves in the West and prospered; others led disheveled lives. Harry Thynne, one of the latter, who Horace Plunkett described as "the bibulous son of a bibulous father," failed at ranching, regularly drank up his remittances, and finally shot himself.³

The venture capital brought to America by these people opened up much of the West to cattle ranching; by 1880 more than twenty million acres of ranchland were controlled by foreign syndicates. The Spur Ranch, for example, some half a million Texas acres, was owned by the

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Four Californians With Deep Pockets

Espuela Land and Cattle Company, Limited, a London firm. Another, the Matador Land and Cattle Company, larger than the Spur, was a Scottish concern that had its head office in Dundee. The Matador was unusual among the large ranches that were founded in the 1870s and '80s in that, like the Diamond A, it endured well into the 20th century. In the 1950s the Matador was put into voluntary liquidation and divided into ranches, farms, and real estate developments. It returned its shareholders substantial profits. Probably the best known of the ranches that were financed by foreign capital was the XIT, established by a Chicago group that turned to England for financing to form the Capitol Freehold Land and Investment Company. The Freehold Company, in exchange for three million acres in the high plains of the Texas panhandle, contracted to build a new capitol building in Austin in place of the one that had burnt to the ground. In a Texas-style deal, the agreement required that the new building be the tallest of all the state capitols.

Of course many Americans also were attracted by the claims of fortunes to be made in ranching. For example, the Western Philanthropic Society of New York that had invested in New Mexico ranchland prophesied that, "Over a five year period annual profits of forty-six percent are typical." The equally optimistic prospectus of the Albany Land and Cattle Company, with holdings in Wyoming, assured potential investors that "the profits of the business are large which accounts for the eagerness with which the investments are made.... Careful estimates made by leading dealers place the profits of the average herd at thirty-five to forty percent over and above losses and expenses."⁴ Similarly, the *National Livestock Journal* wrote in 1883 that "no money had been invested in cows in North and West Texas since 1880 that had not netted more than a fifty percent return." Seemingly reliable reports like these caught the attention of people from the aristocracy of eastern society and finance, names like Roosevelt, Busch, Field, Rockefeller, Ingersoll, Whitney, and Lorillard, and they headed west with big bankrolls.

But wherever—Texas, New Mexico, Wyoming, Montana—the reason for the establishment of all the great ranches of that time was the huge expanse of open range, millions upon millions of acres of grassland, available to any would-be rancher who had the spirit and

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energy to take possession of a stretch of it and the means to buy cattle to stock it. And for a time the prospects were good. Because of the free use of the range, ranch operating costs were low. The major expense was labor; cowboys were paid only \$30 or \$40 a month, and it was generally reckoned that one cowboy could tend a thousand animals. Joseph Nimmo, chief of the US Bureau of Statistics, estimated the cost of running a steer for one year to be from \$.75 to \$1.25, and the Boston Livestock Company in Wyoming reported that from 1882 to 1884 its yearly cost per steer was \$1.55. The Pratt Ferris Cattle Company spent \$2.05 per animal, higher but still a workable figure. Because of low operating costs, in a good grass year and a favorable cattle market, a ranch could show a very substantial profit, and generally the market was good in those early years: steers that cost \$13 to \$15 a head and were fattened for a year on grass could bring three times that at Chicago or Kansas City.

When George Hearst came to New Mexico in the early 1880s the boom in the cattle business was under way and ranching on a grand scale had already begun in Grant County. John Slaughter had a growing cattle operation down on the Mexican border; north of it was the San Simon Land and Cattle Company; and nearby were the Erie and Chiricahua Cattle Companies, all big outfits. Where in 1870 there had been about 60,000 cattle in the Territory, by 1880 there were 350,000, and ten years later the cattle population was a million and a half.

It was not the cattle business that brought Hearst to New Mexico but rather mining activity. Silver and copper production in the Victorio mining district had shown enough promise to draw Hearst and three other Californians, James Ben Ali Haggin, Lloyd Tevis, and Addison Head, to Silver City.⁵ The four were wealthy men whose fortunes had, for the most part, come from mining investment, and they soon had interests in Grant County mining projects. However, mining men are risk-takers and opportunists, and the Californians saw an opportunity in all that free grass. Like the easterners, the Roosevelts, Rockefellers, Whitneys and the like, they got out their checkbooks.

In those times the man who controlled a cattle watering place controlled the range around it for as far as cattle could graze, and the man who controlled several waters had the beginnings of a cattle

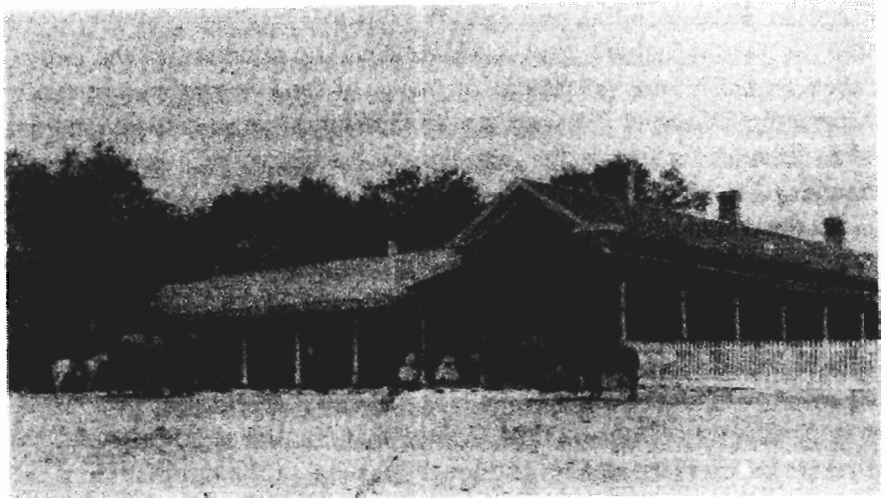
kingdom. Following this principle, the Californians began buying tracts of land on which there were stock waters. The purchase of the Grays' ranch in 1882 was the first of a series of land buys that eventually became the Diamond A Ranch, one of the biggest range cattle operations of its time or, for that matter, any time in the history of American cattle ranching.⁶

In September, 1882, Haggin bought the 160 acre Cow Springs Ranch from J.A. Haggerty for \$5,000. The Springs had once been a station on the Butterfield Overland Mail and Stage, and years before that pack trains going between Janos in Chihuahua and the copper mines at Santa Rita had passed nearby. Next, Head paid \$8,000 for a 493 acre tract adjacent to Hudson Hot Springs, a well-known health spa. (*The Silver City Enterprise* of June 6, 1884, opined that Hudson Hot Springs, "...as a resort for pleasure seekers and invalids is one of the most enticing and well-known places in the southwest...and afflicted humanity go there with almost every complaint that flesh is heir to, confident of returning restored.") An important purchase followed—the Apache Tejo property, near the present town of Hurley, on which there were enormous natural springs that produced thousands of gallons of water a minute.⁷ Then for \$100 Addison Head bought the Alamo Hueco spring down in the southeastern corner of the Bootheel just a few miles from Mexico.

These purchases were the beginning of the Diamond A land acquisition program that continued into the middle of the next century. There were over a hundred land transactions recorded in Hearst's, Haggin's and Head's names during the 1880s and '90s, and after the turn of the century there were some three hundred more land buys made in the Ranch's corporate name.

In the 1880s homesteaders—"nesters" they were often called—began settling in Grant County in considerable numbers. Before 1880 there had been only 450 homestead filings; in the next ten years there were more than 5,000. These settlers often took over and fenced off cattle watering places that the ranchers were accustomed to use, and consequently they were generally met with hostility and occasionally with violence. However, the homestead laws that brought the settlers to southwestern New Mexico in one sense worked to the ranchers' benefit. East of the 98th meridian where rainfall averages twenty or more inches a year, 160

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Hudson's Hot Springs, New Mexico, about 1888 (*Silver City Museum, John Harlan Collection, #436*)

acres was enough land to support a family, but this was not the case in Grant County where the average rainfall is barely twelve inches on the grasslands and varies widely from year to year. Silver City, for example, had thirteen inches of rain in 1879 and thirty inches in 1930, and Hachita, down in the Bootheel, has received as little as four and half inches in one year and as much as eighteen.

For this reason much of Grant County was only useful for grazing livestock, and 160 acres, or ten times that, would not carry enough animals to support a family. As a consequence many homesteaders soon became discouraged. Some just abandoned their claims and moved on leaving behind useful improvements; others were glad to sell out at almost any price. In fact, only about fifteen percent of all the original homestead claims that were filed in New Mexico were ever proved up. Through this circumstance ranchers frequently gained ownership of land at a very small cost on which there were watering places and sometimes valuable improvements as well.

The homestead laws benefited the ranchers in another way. In Texas the XIT encouraged its cowboys to file homestead claims which the

ranch company then bought from them for twenty five cents an acre. This practice, or some variation of it, was common in New Mexico. John Chisum's great ranch on the Pecos River included a hundred and sixty homestead claims originally made by relatives and friends (and possibly a scattering of graveyard residents), and the Prairie Cattle Company got control of much of Union County in a similar fashion. In fact, a government agent investigating New Mexico homestead filings found that only about a third of them complied with the regulations, and it was estimated that eighty percent of all the land-entry claims were fraudulent.

At any rate, by whatever means, the Californians continued to acquire land and cattle waters. In 1887 Haggin bought 160 acres down on Animas Creek from Phineas Clanton and in another purchase from John Gray, 160 acres in Taylor Draw⁸. (There is a story that back in the 1890s four brothers built a square, four-room house in Taylor Draw; each room had an outside door and a window—a dwelling in terms of the homestead law. The brothers situated the structure precisely on the spot where four sections cornered, and by this means they lived together while proving up four separate homestead claims.)

The Double Adobes, bought in about 1892 from Richard and Nellie Powers, had on it two adjoining buildings that in John Gray's time, "were never occupied except as a rustlers' rendezvous." The Double Adobes was an important addition to the ranch because of the stream on it which in those times ran year around. According to ranch manager Henry Brock, during the terrible drouth of the early 1890s great numbers of cattle watered there that otherwise would have perished.

Henry Brock deserves an introduction here. His reminiscences, recorded by Lou Blachly in 1953, are the principal source of information about the early days of the Diamond A Ranch. Brock, born in Ohio in 1867, was a twenty-year-old working his way across the country on the way to the mines at Silver City when he over-nighted in Deming. By chance he met Thomas Marshall, the Diamond A office manager, who offered him a ranch job. Brock expected to work on the ranch for two or three weeks; instead he stayed seventeen years. In 1896 he was made foreman of the upper division at Apache Tejo, then a major part of the Diamond A operation, and then a couple of years later cow boss of the

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whole outfit. He left the Company in 1907 and became a law officer. In retirement Brock lived in Albuquerque for many years and died in Santa Fe at the age of ninety-two.

The Fitzpatrick Ranch, to the south just a few miles from the border, had three owners before it was added to the Diamond A. Francis W. Fitzpatrick, who homesteaded 160 acres there, was issued a patent to the land in 1892. Then in '94 he lost his life when a steamship on which he was a passenger wrecked on the California coast; the ownership then passed to his mother, N.A. Fitzpatrick. Mrs. Fitzpatrick, in turn, in 1895 sold the land for \$150 to J.F. Whitmire. Whitmire got a bargain, as it turned out; two years later he sold the ranch to the Diamond A for \$2,000.



In 1897 the Diamond A partners bought the Lang Ranch, down on the Mexican border south of the Fitzpatrick, from James W. Knox and turned it to peaceful use as a cow camp. The Lang has a colorful history going back to the early part of the century when pack trains laden with ore passed east of it on the "copper trail" between the mines at Santa Rita and Janos in Mexico. Later it was on the route that Mexican smugglers used—north across the border at the Lang and then west through Guadalupe Pass to Tombstone and Tucson—bringing bullion and pesos with which to buy goods to take back to Mexico. In Billy Lang's time the ranch was a hangout for cattle rustlers and horse thieves who used it as a base from which to make raids in Mexico. Later, during Pershing's campaign in pursuit of Pancho Villa, troops were stationed at the Lang.


Billy Lang and his cronies seem to have left a legacy of violence at the ranch that lasted for years. In 1924 the body of a man named Frank Fisher was found on Smugglers Trail just yards south of the Lang. According to old-timer Henry Eicks, who settled in Cloverdale in 1904, Fisher was killed by Apache Indians on their way south after a thieving foray in the Bootheel. The Indians escaped on horses they had shod with rawhide in order to hide their tracks.

Over the years a number of Diamond A cowboys lived at the Lang. One, George Upshaw, started with the Company as a kid horse-wrangler in 1922; when he retired in 1969 he was the foreman at the Gray. Another was Bill Eddleman, a loner (perhaps because of his stammer

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that made talking difficult) who never married. He had little use for money, and his pay checks used to accumulate in a flour sack until the Company bookkeeper got after him to cash them. Bill preferred his own company. Once when he was sent to the Cienega to help a camp man who had a family, he unrolled his bedroll out on the porch, stacked sacks of feed around it to break the wind, and did just fine for most of that winter. Bill bached at the Lang during his last years with the Company, and when he retired he also had ridden for the Diamond A for more than forty years.

Before stocking the lands they were acquiring, it was necessary that the partners settle on a brand. In January 1883 Haggin wrote Hearst that they should select a brand that was "effective and conspicuous" to prevent that "your own vicaro [vaquero] will combine with the other fellow and swindle you." The cattle brand that was first chosen combined the initials of the founders, Hearst, Haggin, and Head: three Hs connected:  For a horse brand a 10 over a quarter-circle was used: 

Very soon though these brands were replaced by the Diamond A  burned on the left hip on cattle and the left thigh on horses. Although years later the ranch was given a corporate name, and for a few years used still another brand, it has always been known and spoken of as the Diamond A Ranch.⁹

(Originally New Mexico brands were registered by county, if at all, and sometimes several ranchers in the Territory used identical brands. When the New Mexico Cattle Sanitary Board was formed in 1900, the brand book it issued recognized all brands then in use. There were five other Diamond As, one of them a large ranching company owned by the Bloom family of Trinidad, Colorado, that ran cattle in eastern New Mexico. Remnants of the Bloom outfit continued in existence into the 1960s in various forms and ownerships. It is sometimes confused with the Diamond A ranch company that is the subject here.)

Cattle buying began later that year. In August 1883 the *Silver City Enterprise* reported that Col. Head was in Mexico receiving steers from the Corralitos Cattle Company that were to be wintered on the Gray Ranch and then sent to California. In April the next year a brief piece in the *Southwest Sentinel* had Head and Hearst looking for 15,000 head to

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put on their Animas Valley ranch and another 6,000 to 8,000 for their Apache Tejo and Cow Springs country. Other cattle were bought that year from the Porter Brothers on the Mimbres River and Thomas Holson of Lone Mountain.

As more rangeland was taken over, cattle buying went on. In April '86 the *Enterprise* reported that "Head and Hearst are about to place 12,000 head of additional stock upon their extensive ranches in Grant County" and later cited the purchase of 1,000 cows from J.C. Beatty of El Paso, another 3,000 steers from the Corralitos Ranch, and 3,000 heifers for May delivery in Texas.

At the time when the Californians were establishing their ranch they were not experienced cattlemen, but they showed a good eye for ranch land. Much of the area from Hurley south to the Mexican border is open country where it is not difficult to gather and work cattle, and at that latitude and elevation severe winter storms are seldom a hazard. The part of the ranch that lay in the Animas Valley particularly earned a reputation as some of the finest rangeland in the Territory. The range is primarily a grama grass country, (manager Henry Brock claimed of grama grass, "... cattle will fatten on it in the winter as well as in the summer."), but it has a variety of forage that makes it well suited to year-round grazing.

Further, there were a good number of natural stock waters in the two big valleys then. At the north end of the Playas Valley there were numerous springs and seeps where water stood, and south of these were two big *cieneegas* where water came to the surface and ponded. On down the valley there were artesian wells; one, at a location that is now the Cienega Camp, flowed with enough force to lift water several feet into a storage tank. And there was Playas Lake, half a dozen miles or more from north to south, that then held water year around—old timers say the lake never went dry until about 1925. (There is a story about Playas Lake that needs telling: One time a cowboy, new to the Company and the country, was sent to gather some cattle that were in sight across the lake. The cow boss assured him his horse was a strong swimmer but advised him to strip in case he too had to swim. The oddity of Playas Lake is that its bed is as flat as a table top, and in most places the water was no more than eight or ten inches deep. Consequently the cowboy

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made the perilous crossing sitting tall in the saddle in his long-johns, holding his belongings high in the air, with his horse plodding along in ankle-deep water).

West in the Animas Valley the Animas Creek ran above ground continuously from its source for some twenty miles, and there were many seeps and springs in that valley too. Some of the seeps could be a hazard from the danger of cattle bogging down in them. According to the *Silver City Enterprise* of September 10, 1886, "Bad places and *ciénegas* on the Animas Valley Ranch of Head and Hearst are being fenced so as to keep cattle out of the many holes. The water from such places will be carried to troughs for the cattle."

Over the years the Diamond A herd was increased through purchases and by retaining heifers for breeding stock. By the early 1900s it was certainly one of the largest herds in New Mexico; unfortunately no exact cattle inventory figures have come to light. According to Henry Brock there were about 50,000 head carrying the Diamond A brand then, a more likely number than the jottings that appear under ranch superintendent Jastro's letterhead dated January 2, 1912: Animas and Playas 40,000, Apache Tejo and Cow Springs 20,000, and the Armendaris 10,000. Seventy thousand is an astonishing number of cattle even considering the great expanse of country the Diamond A controlled in those times. Further, the figures, rounded off to the tens of thousands, suggest that the notations are more in the nature of idle projections about possible stocking in the future than about present numbers, although any sort of imprecision was uncharacteristic of the hard-headed German who was known for his seriousness about business matters.

Henry A. Jastro, born in 1850, had emigrated to this country at age thirteen and traveled alone by way of Panama to San Francisco. In California he worked at "anything I could find to do" until 1871 when he went to work for James Haggin at Bakersfield. He was one of the first employees of Haggin and Tevis's Kern County Land Company and proved to be so capable that in 1886 he was made KCL superintendent with the mandate "to put things on a paying basis." Over the years Jastro became a distinguished figure in the cattle industry in the West—president of the California Board of Agriculture and three-term president of the National Livestock Association.

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Diamond A Superintendant H.A. Jastro about 1900 (*New Mexico Stockman*)

By the end of the century George Hearst was dead and Addison Head was no longer connected with the Company, but under the ownership of Haggin and Tevis and under Jastro's able management the Diamond A Ranch was a going concern. By any measure the partners had earned the right to be named among the ranks of that curious nobility—the "cattle barons."

Notes to Chapter 3

¹ The federal program to encourage land settlement began with the Preemption Law of 1830 which provided that a person, head of household or twenty years of age, could acquire ownership of 160 acres of land by means of six months residence and payment of \$1.25 an acre. It applied to unsurveyed land and gave preference to "squatters," people already occupying the land, over other claimants. The Preemption Law was repealed in 1891.

The Donation Act of 1854 granted 160 acres to any white male citizen of the U.S. over twenty-one years of age who was a resident of the Territory on July 22nd of that year. It required continuous residence and cultivation of the land for a period of four years.

The Homestead Act of 1862 applied to surveyed land and required that the homesteader be twenty-one years of age or head of household and fulfill certain residence and land improvement requirements, along with payment of \$1.25 per acre and various filing fees. This law was amended a number of times over the years. Until recently there was land in Alaska open to homesteading.

The Timber Culture Act of 1873 had provisions similar to those in the Homestead Act but required that a certain number of trees be planted to qualify the land for patent.

The Desert Land Act of 1877, which only applied to seven western states and territories, recognized that a tract of 160 acres of land in an arid region was insufficient to afford a livelihood. This act made it possible for a settler to acquire 640 acres for \$1 an acre by bringing irrigation to the land in three years.

² Baron Walter von Richthofen was an uncle of Manfred von Richthofen, the "Red Baron" of World War I air-combat fame.

³ Lawrence M. Woods, *British Gentlemen In The West* (New York: Macmillan, 1989) 38.

⁴ Gene M. Gressley. *Bankers and Cattlemen* (New York: Knopf, 1966) 54.

⁵ George Hearst, William Randolph Hearst's father, was a Missourian who joined the California gold rush. He hit his first big strike in 1859

when he paid \$450 for an interest in a mine that, a bust for gold, became the Comstock Lode, the richest silver mine in the world. Other mining investments like the Homestake in South Dakota and the Anaconda in Montana, added to his fortune. In 1885 for seventy cents an acre he bought 40,000 acres on the California coast that later became his son's estate, San Simeon, and in '86 he purchased the *San Francisco Examiner* as a voice for his political ambitions. The next year he was appointed to the U.S. Senate and then won a seat by election. When Hearst died in 1891 his estate included mines in North and South America and vast land holdings including the big Babicora Ranch in Mexico.

James Ben Ali Haggin, whose mother was half Turk and whose father was a prominent Kentuckian, like Hearst went west in the gold rush. In San Francisco he opened a law practice with Lloyd Tevis, and the two men married sisters and became life-long business partners. When Haggin died in 1914 at the age of ninety-two his holdings, valued at more than \$20 million, included mining interests from Alaska to Chile and estates in New York and Newport. In Kentucky on his Elmendorf Farm he had raised two Derby winners—Ben Ali and Stone Street.

Lloyd Tevis, also from Kentucky, joined Hearst and Haggin in mining ventures but had wider business interests. He was president of the Southern Pacific Railroad and the Wells Fargo Company and founded the Wells Fargo Bank. Said to be the largest land owner in California, among other holdings he shared with Haggin ownership of the Kern County Land Company, the parent company of the Diamond A.

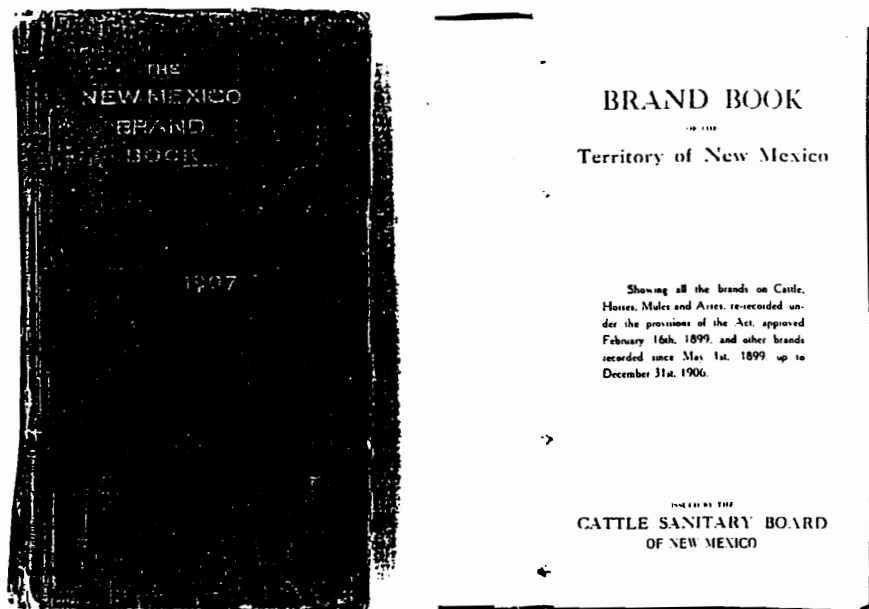
Addison Head, less well known than his associates, was described in his wife Rebecca's obituary in the *San Francisco Examiner* as one of the city's wealthiest men. He was a director of the California Mutual Life Insurance Company and a member of the Union and Bohemian clubs.

⁶ Comparison by acreage of the size of the ranches of that era is meaningless. In the free-range days ranchers owned little of the land their cattle grazed, and their ranges had no precise borders and overlapped. But even then when herds numbered in the tens of thousands, the extent of the Diamond A cattle operation was unusual.

⁷ Morely's map of New Mexico, dated 1873, shows the spelling Apache de Ho. The one used here is the most common. The great Apache chief, Mangas Coloradas, is said to be buried at Apache Tejo.

⁸ It was only possible for a person to legally obtain title to one tract of land by homesteading. That the Grays and others sold several homesteads is explained by the fact that nothing prevented a person filing a claim and then, before obtaining a patent, selling his interest in the filing by means of a “relinquishment” and filing on another.

⁹ In the early 1930s the Diamond A brand was replaced by the “wagon rods,” branded on hip and shoulder, one up and one down: ¶ᄂ (the cowboys called the brand the “tadpoles”). The change may have been related to whatever circumstances caused the firing of members of the Gray Ranch crew in 1932 (mentioned in Chapter 9). Sometime in the late 1940s the Diamond A brand came back into use by the Company.



The Territory's First Brand Book (*Courtesy J.W. Lang*)