

# History of MADRID, New Mexico



Madrid from the south

## The Origin and Evolution of a Company Town

William Baxter, 2014

Bill's gratitude and appreciation goes to all the great number of people who made this story of Madrid a reality. His history piece reflects the depth of his research while burning the midnight oil. The words are his own. Due to his untimely passing it is impossible here to thank you all. Use of material should credit William Baxter.

### Prologue;

In 1892, as if by magic, in the northwest corner of the 69,000 acre Ortiz Mine Grant the coal mining settlement of Madrid appeared.

This is the story of that peculiar town, its convoluted gestation and its surprise birth. It is a tale rife with 'land sharks' and their frauds and manipulations, and the corporate shenanigans, often purposeful, meant to confuse and conceal what was done.

This is a story, too, of ordinary people and their ordinary struggles. There are few heroes in this story, least of all among the wealthy and powerful.

The second part of this book draws heavily on the memories of those who lived in Madrid and Cerrillos, and examines the

world of the miner in the twentieth century, during the administration of Superintendent Oscar Huber.

## PART ONE

### swimming with the land sharks

A dozen years before the existence of Madrid, the railroad town of Cerrillos Station was laid out about a mile north of the north line of the Ortiz Mine Grant. Cerrillos, as it was familiarly known, or, depending on your culture, Los Cerrillos, lay outside of the Ortiz Mine Grant and therefore beyond the control of its corporate masters and their bosses.

Cerrillos Station was a railroad town, but it was also the town for all the miners in the Cerrillos Hills (having, since the mid-1880s, supplanted Carbonateville in that role).



Cerrillos, N.M. from the East - 1884

Madrid was a one-company town. Everyone who lived in that town worked for the Company directly or indirectly. The Company owned everything. All residents, including the bosses, rented their houses from the Company.

Cerrillos, on the other hand, was a town of private residences and diverse entrepreneurs and individual businesses. Madrid offered steadier work, more regular and often better pay. Cerrillos offered private ownership of property, individual freedom, and an alternate (though not always wilder) place to spend the pay you received at Madrid. That is, if after paying off what you owed to the Company you had any money left to spend.

The economy of Cerrillos, save for the small number of railroad, mine and smelter workers, did not revolve around a common payday. In Madrid everyone's pay came on the same day.

The irony is that both towns owed their origins, separately, to the scheming of a very small group of men, the chief of whom was Stephen Benton Elkins.

With foreknowledge of the most likely route of the railroad, Elkins in 1871 purchased from the U.S. Government the obviously best land for the future railroad refueling stop.

His interest in the New Mexico Mining Company (the company that owned the Ortiz Mine Grant) dates from that same year, though it took him another eight years to gain effective control of the that company. Now he held the controlling interest in the Cerrillos Station property. And at about the same time he acquired a major interest in the Mesita de Juana Lopez Grant, the leading alternant claimant for the coal lands.

These acquisitions were components of his patchwork plan, a great land and resources grab that, as he doubtless saw it at the time, might play out in several different ways. But no matter how things evolved Elkins knew he was highly likely to emerge from it much wealthier.

A further complication was that Stephen Elkins of Santa Fe, as New Mexico Territorial Representative, resided in Washington D.C. and New York City. The lure of power and politics kept him there. After 1877 Elkins was seldom seen west of the Mississippi. Though widely known, his name echoed in conversations around New Mexico many times a day, the man most responsible for the existence of both Madrid and Cerrillos was not present at either of their births.

Perhaps the most difficult and underreported part of the Madrid story is that of the corporations. In some cases a corporation served as intended; the embodiment of a jointly-held enterprise. The company sold stock and took out loans to raise funds for development and operations, and it spread the risk and shared the profits.

But as often companies were created to conceal the people (and other corporations) who were really behind the enterprise, and they served to insulate the real owner(s) from acts of defalcation and foreclosure.

## A MADRID & CERRILLOS CORPORATE SCORECARD

The following Cerrillos-Madrid historical corporations are listed chronologically. (NM) indicates the entity is a New Mexico corporation. Abbreviations for the major corporations as referenced in this book are bolded. The reader's attention is called to sometimes subtle variations in

the corporate name, which invariably indicate a company reorganization or a successor company.

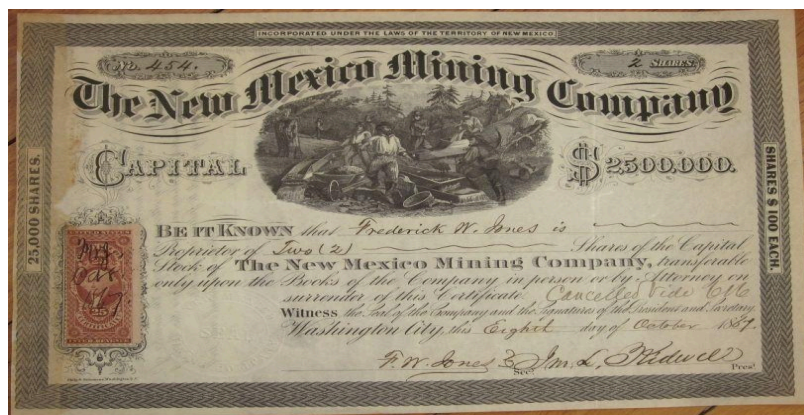
**NMMC** New Mexican Mining Company (NM), originally organized by John Greiner on February 3, 1854, to gain and hold control of the Ortiz gold deposits.

**A&P** Atlantic & Pacific Railroad Company, organized on January 31, 1856, was ten years later authorized by Congress to connect by rail Springfield MO with southern California along the 35th Parallel.<sup>1</sup> The Isleta-to-Barstow portion of the line was built in cooperation with AT&SF, and by the time it was completed in 1883 the A&P was effectively a subsidiary of AT&SF.

*<sup>1</sup> The geologist William P. Blake was tasked with reconnoitering possible A&P rail routes, and on August 29, 1857 visited the Cerrillos Hills and Cerro Chalchibuitl. His field report of that ancient turquoise mine, published the following year, is the first written report of that place. Blake was so impressed by what he saw that he seriously overestimated the size of the great western pit.*

**NMMC** New Mexico Mining Company (NM) was organized on February 1, 1858. The New Mexico Mining Company was a reorganization of New Mexican Mining Company, initiated by the dominant stockholder, New Mexico Governor Abraham Rencher.

The new NMMC was the landlord of the best of the coal lands in central New Mexico, and the owner of the site of the future Madr



NMMC Stock Certificate

**AT&SF** Atchison, Topeka & Santa Fe Railroad Company was first organized as the Atchison & Topeka Railroad Company of Kansas, February 11, 1859, then May 3, 1863 as the Atchison, Topeka & Santa Fe Railroad Company (KS). There would be more reorganizations to come, and great numbers of subsidiaries. For its first couple of decades in New Mexico the AT&SF operated as the New Mexico & Southern Pacific Railroad Company,

a New Mexico corporation.

**D&RG** The Denver & Rio Grande Railroad Company, was organized in Colorado on October 27, 1870 as the Denver & Rio Grande Railway Company, then on July 14, 1886 as the Denver & Rio Grande Railroad Company.

**Cerrillos Townsite Company** (NM) was organized circa 1871 by Stephen B. Elkins and Thomas B. Catron for the purpose of platting the 606 acres of land for Cerrillos Station and selling off the lots.

**NM&SP** The New Mexico & Southern Pacific Railroad Company (NM), filed incorporation papers on February 6, 1878, and was approved the same day or soon thereafter. This company was the AT&SF in New Mexico until the 1901 reorganization, when it was absorbed into the parent company.

**Keystone Coal & Coke Company** (NM) was organized by David Miller and O.W. Alexander circa October 1880, to develop the bituminous coal deposits in Waldo and Miller Gulches.

**TSF&N** Texas, Santa Fe & Northern Railroad Company (NM) filed papers on December 10, 1880, and incorporated the same or following day.

The initial TSF&N project was to build a railroad link between the D&RG terminus at Española to Santa Fe City, 30 miles apart. The link was completed in January 1887.

**SPC&CC** San Pedro Coal & Coke Company (NM) was organized on July 26, 1881 to develop and work, on behalf of the AT&SF, the Carthage coal mines east of Socorro. The SPC&CC was a subsidiary of the AT&SF.

**Raton Coal & Coke Company** (NM) was organized on August 29, 1881. The Raton Coal & Coke Company was an important supplier of fuel for the AT&SF and later for the CF&IC steel plant at Pueblo Colorado. Raton Coal & Coke Company ceased to exist in 1905, becoming the St. Louis, Rocky Mountain & Pacific Company .

**A&BCC** Anthracite & Bituminous Coal Company (NM) was organized December 1881 by Arthur Boyle, Wilmot E. Broad, and Charles H. Irvin, to develop and work the coal deposits on the Mesita de Juana Lopez Grant immediately north of the north line of the Ortiz Mine Grant (which could be done only with the permission of Elkins and Catron, who controlled the Juana Lopez). The A&BCC, however, worked coal deposits lying within the Ortiz Grant as well (the anthracite, certainly). The A&BCC was acquired in 1884 by CC&IC.

**C&SR** Cerrillos & Southern Railroad Company (NM)

filed papers on January 7, 1882 and its incorporation was approved on January 8. This railroad, organized by Tom Catron and Charles H. Irvin, the latter having just been a party to the organization of the A&BCC.

The C&SR line was projected to run from Cerrillos Station to Cerrillos Coal Bank, and onward to Albuquerque and Mexico. It was never constructed.

**Colorado Fuel Company (CO)** was organized in 1883, and merged October 21, 1892 to form the new Colorado Fuel & Iron Company.

**Cerrillos Coal Company (NM)** was organized on June 16, 1883.

There were different coal companies based at Cerrillos Coal Bank or at Cerrillos Station, both before and after the advent of Madrid, and the similarity of their names and the lack of rigor in the reporting and recording them makes references to the “Cerrillos Coal Company” a source of much confusion.

A company by this name was the buyer in 1883 of Keesee’s Coal Bank property, which implies S.M. Folsom’s involvement. Supposedly this company was later Cerrillos Coal & Coke Company, which was a predecessor of CF&IC. The same company name was used to indicate the Madrid Mining Company under Superintendent James Duggan.

The name “Cerrillos Coal Company” still pops up in records as recent as 1934. References to this company should be taken with caution

**Cerrillos Land Company (NM)** filed incorporation papers on February 25, 1884, and was approved then or on following day. The Cerrillos Land Company was a private real estate company formed by N.B. Laughlin, Samuel W. Bonner, W.A. McKenzie, and L. Bradford Prince. It specialized in dealing in properties in the Cerrillos area.

**CC&IC** Cerrillos Coal & Iron Company (NM), filed for incorporation on March 17, 1884 and was approved that day or following. The CC&IC was one of the most important businesses involved in this story. It was the holder of the fee-ownership of the Coal Bank tract (as differentiated from the leases, and from the NMMC’s fee-ownership of the remaining land of the Ortiz Mine Grant).

The CC&IC was the owner of the ‘package’ purchased by the AT&SF on December 10, 1891, including the proposed town and associated rail spur. The CC&IC was the corporate godfather of Madrid.

**Cherokee & Pittsburg Mining Company** was organized

on December 26, 1885 to develop the Pittsburg coal deposit in Cherokee and Crawford counties of southeastern Kansas. It was a subsidiary of the AT&SF and sometimes used by the parent company to hold coal properties.

**Keesee Coal Company** (NM) was organized circa 1886. It was an undocumented, unpermitted pre-Madrid mining company working at Cerrillos Coal Bank.

**Colorado Supply Company** (CO) was organized on August 23, 1888 as a sub-corporation of the Colorado Fuel & Iron Company. In Madrid it operated as the Madrid Mercantile Company. It was later compelled to add a New Mexico incorporation to its portfolio.

**CCRC** Cerrillos Coal Railway Company filed its incorporation papers on January 9, 1892, and was approved that day or the following. The CCRC is one of the most important businesses in this history. Created by the AT&SF as a railroad company, the CCRC was designated to take possession of the CC&IC, and thereby it was the CCRC that built the town of Madrid.

The relationship between the AT&SF and the CCRC is instructive.

The AT&SF sold its subsidiary the CCRC the rails to build the Waldo-Madrid spur line, and the AT&SF leased rolling stock to the CCRC, and provided maintenance for the same.

The AT&SF also seconded the personnel to operate and maintain the CCRC operations. But it was the CCRC that took on the mortgage to finance it all. Not the AT&SF.

The AT&SF later had a similar arrangement with the A&CCC.

**CF&IC** Colorado Fuel & Iron Company (CO) was organized in 1872, reorganized in 1880, through merger reorganized again on October 21, 1892.

In mid-August 1893 the CF&IC, secretly, under the guise of the Madrid Mining Company (NM), took on the task of coal production at Madrid. The CF&IC is one of the most important businesses in this history.

In 1900 the Colorado Fuel & Iron Company was compelled to create a New Mexico-only corporate subsidiary of the same name.

**Rocky Mountain Coal & Iron Company of Colorado** filed papers on April 12, 1893, and was approved that day or the following. This company, closely affiliated with CF&IC, stated it intended to do business in Madrid. It does not appear in the Madrid records except for this incorporation document. It was otherwise active near Trinidad Colorado.

**Cerrillos Natural Gas & Oil Company** (NM) was officially organized in May 1893. Incorporation papers were filed a short time earlier, April 22, 1893, by W. H. Kennedy, Joseph Richards,

F. H. Mitchell, W. P. Gould, O. W. Alexander, S. L. North, and A. M. Anderson, with the stated objective of developing the natural gas and petroleum beneath Cerrillos. Evidence of petrochemicals was discovered in the process of drilling a water well. The company was not successful.

**Madrid Mining Company** (NM) was organized in August 1893 as the Madrid coal-production arm of the Colorado Fuel & Iron Company. The Madrid Mining Company (sometimes Madrid Coal Mining Company) continued operations until 1906, when it was succeeded by the A&CCC.

**Madrid Mercantile Company** (NM) filed its papers July 5, 1893, but was not incorporated until August 17, 1893. Along with the Madrid Mining Company above, the Madrid Mercantile Company was the public presence at Madrid of the Colorado Fuel & Iron Company.

**Ortiz Mining Company** (MO) filed incorporation papers in St. Louis on December 13, 1895. The Ortiz Mining Company was an attempt by Samuel Elkins to resume gold production in the Ortiz Mine Grant.

Two years later the Grant was sold to the Galisteo Company. The Ortiz Mining Company's lease allowed them to continue mining activities into the early 20th century.

**Galisteo Mining Company** (NM) was organized on May 9, 1896. It was an attempt by James W. Perry of New York City to resume placer gold operations. The Galisteo Mining Company acquired a lease on a portion of the Ortiz Mine Grant which it sold to the Galisteo Company two and a half years later. It is interesting to speculate that Perry, a resident of New York City, might have talked up his New Mexico gold mine to one or more of the Hoyt brothers, also residents of New York City.

**Cerrillos Coal Mining Company** (NM) was formed by August 27, 1896 to prospect the rest of the Ortiz Mine Grant (not the portion deeded to the CC&IC) for coal deposits.

This assignment of a mineral lease by the rump stockholders of the NMMC to the Cerrillos Coal Mining Company helped to distance the CCRC from its parent, the AT&SF and its various shell companies, which in turn paved the way for a clean default by the CCRC on its mortgage.

The incorporators of the Cerrillos Coal Mining Company were R.J. Palen, H.L. Waldo, and R.E. Twitchell. The directors were E.P. Ripley, C.M. Higginson, L.A. Hughes, R.J. Palen, and R.E. Twitchell. All of these people had interests in New Mexico land, mines, banks and/or railroads.

**Hahn Coal Company** (NM) was organized in Albuquerque in 1897. The Hahn Coal Company was a major reseller of coal



to homes and businesses in Albuquerque and other parts of NM. When they learned in 1906 that their major regional supplier, the Madrid Mining Company, was about to be shut down or sold to unknown parties, the Hahn Coal Company (W. H. Hahn and George A. Kaseman) bought the Madrid mining lease and organized its own production company there, which they named the Albuquerque & Cerrillos Coal Company.

**Galisteo Company** was organized by the three Hoyt brothers of New York City on September 20, 1897, for the purpose of partnering with Thomas Edison in a new process to dry-separate placer gold from gravel. The Galisteo Company bought the NMMC, which included the fee-ownership of the 57,267.04-acre remainder of the Ortiz Mine Grant.

The Galisteo Company property sold through bankruptcy to the Ortiz Cooperative Livestock Association on December 3, 1941, and ultimately to Potter-Simms a few years later.

**Cochiti Gold Mining Company** (NM) was organized on December 20, 1897 at Bland, in the Cochiti Mining District. The Cochiti Gold Mining Company built a coal-fired electrical power plant at Madrid to power their mining Cochiti operations, 32 miles to the west.

**Madrid Supply Company** (NM), was created in 1899 and incorporated January 8, 1900 to continue company-store operations performed to that date by the Madrid Mercantile Company.

The Madrid Supply Company, commercial arm of the CF&IC, continued doing business until 1906, when the AT&SF - CF&IC divested itself of most of its Madrid holdings.

A new Madrid Supply Company (NM) was organized in 1906 as the company store arm of the Albuquerque & Cerrillos Coal Company, and continued operations under that name into the 1960s.

**CF&IC** Colorado Fuel & Iron Company (NM) was organized on January 8, 1900 as a New Mexico corporation, but remained wholly owned by the Colorado Fuel & Iron Company (CO).

**Colorado Supply Company** (NM) was reorganized January 8, 1900 as a New Mexico corporation, wholly owned by the Colorado Supply Company (CO) and the Colorado Fuel & Iron Company. The Colorado Supply Company (NM) presence in Madrid was known as the Madrid Supply Company.

**A&CCC** Albuquerque & Cerrillos Coal Mining Company (NM) was organized by W. H. Hahn and George A. Kaseman of Albuquerque, and James Lamb of Madrid, on July 7, 1906 to take over coal operations at Madrid. The A&CCC is one of the

most important businesses in this history.

The Albuquerque & Cerrillos Coal Company continued operations, for all practical purposes, into the 1960s.

**Grubnau Chemical Company of Waldo (NM)** was organized in 1917 by the Grubnau brothers, Carl and V. Carl Grubnau.

The Grubnau Chemical Company operated a zinc and zinc oxide production plant a mile northwest of Waldo Station, into the late 1920s. It was a substantial customer for Madrid coal. F. F. Trotter was plant superintendent.

**Madrid Motor Club**, organized 1922, in part to lobby the New Mexico Highway Department to reroute State Route 10 (now known as SR-14) away from the Cerrillos-Dolores-Golden route on the east side of the Ortiz Mountains, and through Madrid on the west side of the Mountains. Their effort was successful.

**Henderson & Gibbs Motor Company (NM)** grew out of the reputation of the owners' ability to make automobile repairs, and was finally organized circa 1928 as an automobile sales and service company in Madrid. The Henderson & Gibbs Motor Company was financed by Hugh Cooper, of Albuquerque, and owned by John Henderson and Charles E. "Dad" Gibbs. They sold several makes of automobile, among them the Marmon, Marbon-Roosevelt and Austin.

**Huber Motor Company (NM)**, in 1945 the successor to Henderson & Gibbs Motor Company of Madrid, owned by Oscar Huber. Oscar mostly sold Chrysler automobiles.

## Archaeology

Reliable evidence of people living along the Galisteo watershed dates to more than 10,000 years ago. In the 14th and 15th centuries the Galisteo River was the focus of an unprecedented florescence of the Pueblo people, what archaeologists now call the Northern Rio Grande Classic Period. During that remarkable time multiple thousands of people lived in a number of great adobe cities in the Galisteo Basin.

But people for centuries before, in greater or lesser numbers, had inhabited the land in the Basin and around Madrid. It is safe to say that before there was a Madrid there was no speck of land in the greater Basin that had not been trodden or tilled.

The traces of several small 13th century stone structures lie only a mile or so from present-day Madrid, and another larger occupation complex is a half-mile west of those. A few miles further west a rock shelter was recorded, which was occupied 10,500 years ago. As recently as 650 years ago, at the peak of the Classic Period, there were likely thousands of people living

within fifteen miles of present-day Madrid. The sites of two of the very largest Classic Pueblos, renamed by the Spanish San Marcos and San Lázaro, lie about six miles from Madrid, and Madrid is only 5 miles distant from the fabled turquoise hill which, for well over a thousand years, was a major source of the all-important blue-green stone in the Southwest.

Given the gigantic footprint left by what followed – the subject of this book – it is sometimes difficult to find traces of the earlier people. But it is not impossible.

The numerous local Indians certainly knew of coal - the rock that burns - but the landscape contained more convenient and better fuels, fuels that were nearer at hand, easy to gather, and when burned didn't produce that foul aroma. Evidence for the use of coal for fuel in central New Mexico by early Native Americans is rare. Contrast that to northwestern New Mexico and northeastern Arizona, in the Four Corners-Hopi world, where the history of coal as fuel is a long one.

### **The first Cerrillos, 1695**

The town called Cerrillos, which plays such an important role in this story, is the second place in this region to carry that name.

The first one's full name was el Real de los Cerrillos, "the mining camp 'Real', Royal, because by Spanish law all minerals were the property of the Crown] of the little hills", and as a settlement it existed for barely more than a year.

In 1692, after the Revolt, the Europeans led by Diego de Vargas returned to New Mexico with expectations of reopening the lead and silver mines in the sierra (or 'serrillos') de San Marcos.

In 1695 Governor Vargas authorized the establishment of the settlement of el Real de los Cerrillos, and he designated Alfonso (sometimes read as 'Alonso' – records were always handwritten) Rael de Aguilar as alcalde. Due to the turmoil of the times, however, the camp was abandoned 13 months later. The plan and layout of Rael de Aguilar's settlement are not known today, except that it was somewhere in the near vicinity of the modern Bonanza Creek Ranch house.

The memory of that short-lived town is preserved today by two adjacent Spanish grants, the Los Cerrillos Grant and the Sitio de los Cerrillos Grant. The Bonanza Creek Ranch house is situated at the center of the Los Cerrillos Grant.

When Vargas arrived in New Mexico he found that all the residents of the great Classic-Era Pueblo of San Marcos had vacated the place, and with them went the rationale for using the name sierra de San Marcos for the nearby hills. The story of how

the hills that the Europeans used to call San Marcos came to be called simply los serrillos - the Cerrillos Hills – can be found in the pamphlet A HISTORY OF THE LOS CERRILLOS AREA, by Homer E. Milford, available at the Cerrillos Hills State Park Visitor Center.

One hundred and eighty-four years after the abandonment of Real de los Cerrillos, when a name was sought for the settlement on the new railroad station, seven miles south of the long gone Real de los Cerrillos, “Cerrillos Station” was chosen. T. B. Catron was the major agent on the ground at that time (his senior partner Elkins was absent), and he was in control of the development of the new town, so it is likely that he was responsible for the selection of that name.

### **Juana Lopez Grant**

Madrid town and the best part of the coal fields are situated on a tract of land encompassed by two different partially overlapping land grants; the Mesita de Juana Lopez Grant and the Ortiz Mine Grant. As originally granted, the two grants were no nearer than 10 miles from each other at their closest points. The fact that both grants emerged from the Court of Public Land Claims many times larger than their original sizes is not unique in the history of New Mexico land grants. The overlap of these two grants, confirmed by Congress in 1879, was the consequence of manipulations and land-grabs perpetrated by Territorial Anglos, largely by Tom Catron and Steve Elkins for the Juana Lopez Grant, and two decades earlier, John Greiner and Abraham Rencher for the Ortiz Mine Grant.

To fully understand the origins of Madrid, New Mexico, it is necessary to understand the dirty little tales of fraud and thievery that, so to speak, laid the groundwork. What follows in this section is the sordid story of the Mesita de Juana Lopez and Ortiz Mine Grants and the Territorial land-sharks who swarmed at the prospect of large amounts of easy money.

## **MESITA DE JUANA LOPEZ GRANT**

On January 18, 1782, then-Governor Juan Bautista de Anza, in the name of the King of Spain, awarded to Domingo Romero together with his two half brothers Miguel and Manuel Ortiz the land grant called la Merced (Grant) de la Mesita de Juana Lopez. The grant as bestowed was bounded “...on the north, by the brow of the mesa; on the east, by the lands of the Ortegas; on the south, by the surplus lands from the Canada de Juana Lopez; and on the west, by the lands of Juan Antonio Fernandez.” The

Mesita de Juana Lopez runs from the edge of the mesa situated high up on the south bank of the Rio Santa Fe, south toward the valley of the Rio Galisteo. The “surplus lands” beyond the south boundary were at the time unoccupied, which a hundred years later when the Anglos became involved, meant there would be no one to contest some creative land-thievery in that direction. Lost but not totally forgotten in this particular instance of land-thievery was the omission of mention of a substantial portion of the reservation lands of Santo Domingo Pueblo. This Pueblo right of ownership was ignored in the land validation process that followed, and the Reservation land that fell within the ‘new’ lines of the Mesita de Juana Lopez Grant, reducing the Santo Domingo Reservation by over 20,000 acres.

Following Miguel and Manuel Ortiz’s deaths, Domingo Romero inherited the grant, and in the mid-1870s the heirs of Domingo Romero petitioned Surveyor General James K. Proudfit for the issuance of a patent on the (greatly expanded) Grant and their ownership of it. By this time the heirs and their assigns (the people to whom ownership had passed) included Stephen B. Elkins and Thomas B. Catron. In 1870 the latter two represented that they had acquired the majority interest in the Mesita de Juana Lopez Grant and they wanted the patent document to make note of their ownership.

The Juana Lopez Grant was surveyed by Rollin J. Reeves in October, 1876. He demarcated the parcel at 42,022.25 acres running from the edge of the Mesita at the Santa Fe River gorge, southward across the Galisteo River. Reeves’ survey was forwarded to Congress by the succeeding Surveyor General, Henry M. Atkinson, along with the recommendation for its approval. Congress, by an act passed on January 28, 1879, confirmed the Mesita de Juana Lopez Grant of as presented. [J.J.Bowden newmexicohistory.org] *Note:* This confirmation entailed the issuance of a quit claim patent; giving fee-simple ownership of both surface and mineral estates.

But thirty months earlier the General Land Office, on May 20, 1876, processed a quit claim patent on the Ortiz Mine Grant. The 1782 Mesita de Juana Lopez, as Reeves had surveyed it, shared about 15,000 acres with the 1833 Ortiz Mine Grant, and because of the dates on the patents the Ortiz Grant was the senior grant.

It should come as no surprise to learn that those 15,000 potentially disputed acres contained the bulk of the Cerrillos Coal Bank deposits. Furthermore, it not surprising to learn than Stephen B. Elkins held a significant albeit a minority interest in both grants. In both cases his partners, expecting to share in the

coming riches, were sympathetic to his schemes.

The Cerrillos Coal & Iron Company, hereinafter CC&IC, was formed in 1884 by Elkins and Kerens to hold and develop those 15,000 overlapping acres.

Elkins parlayed his minority interest in both grants to emerge as the majority owner of CC&IC. Kerens had no position in the Ortiz Mine Grant but still, with the connivance of Elkins, ended up with fully half interest in the CC&IC. Chaffee had no stake in the Mesita de Juana Lopez Grant and disposed of his Ortiz interest early on. And Catron, who was involved in both grants was chronically in debt to and thereby beholden to Elkins. Catron was persuadable and missed out at the last minute on some lucrative deals. That left Elkins in control.

The losers in this manipulation did not, all of them, go quietly. On September 30, 1882, Elias Brevoort, who claimed to own a share of the Ortiz Mine Grant, submitted to the General Land Office that the southern boundary of the Mesita de Juana Lopez grant had been surveyed at least ten miles too far south – he was absolutely right, but in pursuit of a hopeless cause – and was therefore in conflict with the Ortiz Mine Grant. Brevoort's effort was declared moot, not only because the Juana Lopez survey stood as approved, but because his claim to own a share in the Ortiz Mine Grant was found later to be without merit.

The accusations and challenges generated a series of court orders, an attempted resurvey the Juana Lopez, and the rescinding of that order for resurvey – all of which held up the all-important Ortiz Mine patent. [*Note:* The original 1833 Mexican grant of the Ortiz Mine was for less than two acres.] The Court of Public Land Claims recommended Ortiz Mine Grant, as quit claimed by Congress March 1, 1861, was for over 69,000 acres. The last step required for absolute (surface and subsurface) ownership of the Mine Grant under U.S. law was the issuance, upon instructions from Congress, of a U.S. Patent by the General Land Office. Patents were not supposed to be issued until all competing claims were resolved and the title to the land was uncontested and clear.] Congress had quit claimed the greatly expanded Ortiz Mine Grant to the New Mexico Mining Company March 1, 1861, but because of all the claims and counterclaims the patent for it was not issued until May 20, 1876, which should have ended things. But even then there were more challenges.

The Mesita de Juana Lopez question was finally settled with the decision by Secretary of Interior Hoke Smith, dated May 13, 1893, that acts of Congress were conclusive and not subject to further review. A copy of the decision, which may be found in the Elkins Papers, says in part:

*... It may be stated in a general way, however, it is claimed, that by the survey, the grant was exaggerated to more than three times its proper size, or from 12,000 acres to 43,000; that the grant was only for the Mesita or table lands, west of the Juana Lopez canon, which terminate some distance north of the Galisteo river; whereas by the survey the grant is extended some ten miles south of the table lands and several miles south of the river, including both table and valley lands; and also that, by the survey, it was extended over a mile too far to the west. It seems that these objections to the survey are made so late that your office and this Department are precluded from inquiring into them by the terms of the act of confirmation, supra." [Elkins Papers 829]*

Congress in its wisdom had issued patents on the same tract of land for both grants, and as the Secretary of the Interior had ruled, that Congressional decision would stand.

While all the above was going on the AT&SF railroad arrived in New Mexico. Its rolling stock had reached as far as Las Vegas in 1879 and the line was in Santa Fe in early February 1880. The tracks had reached Cerrillos Station by mid-February and Albuquerque two months later.

Planning for the AT&SF route had been ongoing and the AT&SF had gone so far as to file claims with the General Land Office on coal-bearing lands north (outside of) but adjacent to the Ortiz and Juana Lopez grants.

The lands containing the superior coal were situated within the grants and could not be so easily acquired by the railroad company.

The Railroad entered into negotiations with Tom Catron (Elkins' partner, and his New Mexico solicitor and agent) for access to the coal lying inside the two grants. Catron offered to sell the Railroad his own undivided half interest [note; it later turned out to be 4/9ths interest] in the Juana Lopez for \$100,000.

The Railroad considered the price too high for part interest in coal lands that were at that time in legal limbo. The Railroad countered that if Catron and Elkins could finally clear the titles of the two grants, they should then be willing to join 50-50 with the Railroad in a new corporation that would develop the coal field. Both Elkins and Catron agreed in principle, but Elkins said that in order to convince the other NMMC stockholders the new corporation would have to be 1/3 AT&SF and 2/3 Elkins and partners.

The AT&SF declined Elkins' proposal, and terminated negotiations. Instead of relying on Cerrillos coal, the AT&SF organized

the San Pedro Coal & Coke Company (SPC&CC). This San Pedro was not related to the San Pedros in Santa Fe County, and through that company developed the Carthage coal fields east of San Antonio, near Socorro, where they also build ovens to convert coal to coke, a product much in demand for steel-making.

Twelve years later, in early 1892, the SPC&CC at Carthage shut down operations over lease and title problems [HEMilford papers], and the void was filled by the acquisition and expansion of the coal mines at Cerrillos Coal Bank and the organization of the town of Madrid. [JPHereford, TheCerrillosCoalRailroad, 8Feb2008 draft] At the latter time the coke ovens at Waldo were constructed, and many of the Carthage miner's cabins were shipped by railcar and reassembled at Madrid.

Some of the best reports on the personalities and shenanigans of this era came from the pen of R.W. Webb, the populist, muckraking editor of the weekly Golden Retort, the newspaper of Golden, New Mexico. No friend of Elkins, Catron and Kerens he wrote:

We see the following statements going the rounds of the press: "A party of eastern capitalists, headed by R.C. Ker[e]ns of St. Louis, president of the Eureka springs railroad, have purchased the immense coal beds near Cerrillos, N.M., and will at once commence erecting coking ovens to supply Arizona and New Mexico with coke. They will make a demand on the Atchison, Topeka and Santa Fe railroad for rates to Albuquerque, so they can ship west by the Atlantic and Pacific and Southern Pacific. If favorable rates are refused they will commence at once the continuation of an independent line from Cerrillos."

No one more than ourself would like to see the improvements outlined in the foregoing quotations consummated.

But when we reflect that Kerens is a part owner in the fraudulent Ortiz grant, and is associated with others interested in that still greater steal known as the Juana Lopez grant, and that title to the coal is sought to be derived through these reprehensible sources, we see no permanent success in the scheme but a fruitful source of trouble only, likely to terminate disastrously to innocent parties. Even were the grant titles unquestioned, there would be no end to litigation as among those claimants. Besides the locators of these beds under the laws, there are three sets of claimants to the Ortiz grant and three to the Juana Lopez tract, all in court and all "red hot." So, whichever way you



look at the scheme, much as it is to be desired, nothing but trouble and backsets are apparent if the company intends to operate under the Kerens and Catron title, as is evident.

The shortest and most satisfactory way out of the complication is for the government to revoke the fraudulent patents and throw these almost exclusively mineral grants open. This done and there will be 50 companies operating on those now grants instead of the much-talked-of one said to be coming with such a flourish. [R.W. Webb, The Golden Retort. Vol.III No.19, September 21, 1883]

A week later Editor Webb was still at it.

Tom Catron volunteered the information the other day to certain gentlemen in Albuquerque who intend investing here that they would be served with an injunction if they attempted to work the placers of this camp. Just how it was to be done the redoubtable Tom did not explain, but it may be that he carries blank injunctions around in his grip, duly signed, so that he can fill and serve them on sight. You may howl and wail, scheme and plot, Tom, but you and your gang can keep this section back no longer. [The Golden Retort. Vol.III No.20, September 28, 1883]

Catron is reported as having made a fine speech at the army reunion in Albuquerque last week; he representing the Confederate side. – We see in the Review that there are 150,000 acres of patented lands, principally grants, in Santa Fe county unassessed. Even the 1,400 acres of Cerrillos agricultural lands, taking in the mountains and the mines, escape. Tom Catron's bean and chili patches, known as the Juana Lopez grant, extended so as to take in the coal fields near Cerrillos and comprising over 48,000 acres, are accommodately left out. The Ortiz, with its 68,000 acres of rich mineral mountains and placers, is significantly forgotten, and so on to the finish. ...The present assessor should be prosecuted for the non-performance of a sworn duty. [The Golden Retort. Vol.III No.22, October 12, 1883]

Elkins and Kerens formed the Cerrillos Coal & Iron Company in 1884, with Kerens as president. Catron also had an interest. This company was intended as the means by which they intended to correct earlier failings (the trespass miners and the clouded title) and gain control of the coal operations of the Madrid Tract. Ultimately, the goal was the sale of the coal lands. With a "possession-is-nine-tenths-of-the-law" attitude the Coal Bank miners prepared for the coming contest. For example, on May 18, 1888, a group of Coal Bank wildcat operators

gained (“bought”, almost certainly, even though J. Motto (see next) characterizes it “he gave them”) a quit claim deed from one of the most prosperous and important ranchers in the area, Nasario Gonzales, whose rights to the Juana Lopez were tenuous at best, but whose deed would serve to buttress their case against the CC&IC.

Nasario Gonzalez gave a Quit Claim Deed to W.H. Shup, W.M. Keesee, G.C. Booth and O.L. Houghton all of Las Vegas, N.M. to all his interests in the Merced de la Mesita Juana Lopez Grant, lying between the Galisteo River and the New Mexico Southern Pacific Railway [the proper name of the AT&SF’s presence in NM], encompassing Waldo Gulch and Coal Gulch. Keesee laid out a Township, recorded the Plat of Keeseeville, N.M., July 1892. He sold lots, gave leases to at least fifteen individuals to work the coal mine at Waldo Gulch. [Syntha Motto, MADRID AND CHRISTMAS IN NEW MEXICO, Alpha Printing Ltd, ABQ, 1973 p.7] *Note:* Motto goes on to say Keesee and the rest of them named their settlement Madrid, for which there is evidence to the contrary (Keesee named it Keeseeville), and she says that in 1892 Keesee sold his land to the coal company, which, as you will see, is not correct.

Over two years later, September 5, 1890, a deed was recorded whereby the same Nasario Gonzales sold his interest in the Juana Lopez Grant for \$10,000 to the newspaper man from Golden, our favorite muckraker, R.W. Webb. [The Cerrillos Rustler Vol.III No.8, an item that appeared originally in the SF New Mexican]

After the sale of the Madrid Tract a petition was filed, on December 9, 1893, with the General Land Office in Washington D.C., by Morgan Jones, Mrs. Morgan Jones, David Jones, Mrs. E. Meagher, James T. Williams, Thomas Harris and James Lucas, all settlers on the land overlapped by both grants, that they were being unfairly squeezed out.

... This tract has been so surveyed as to lap upon and include a large portion, to wit, supposed to be about 12,000 acres, of the Ortiz mine tract. Upon this lap your petitioners have entered and settled, and have made large expenditures of moneys and labor in developing a coal mine.

That notwithstanding the conflict of interests between the owners of the Ortiz mine and the owners of the Mesita de Juana Lopez some arrangement has been made between themselves whereby the litigation has been terminated and the contention as to boundaries between them adjusted and settled, and what was the conflicting interest came to be represented by a corporation known as the Cerrillos Coal and Iron Company, and

subsequently, as your petitioners are informed at present, it was owned by a corporation known as the Cerrillos Coal and Railroad Company, and the mines are being operated and worked by said corporation under the auspices of the Atchison, Topeka and Santa Fe railroad, and large quantities of coal are being daily taken therefrom by said corporation, and it is now threatening your petitioners with proceedings in ejectment on account of their occupation thereof.

Your petitioners are informed and believe that in the year 1882 one Elias Brevoort filed a petition with the surveyor-general of New Mexico, in which he charged that the survey of 1876 was fraudulent and that it improperly and illegally extended the survey of the Mesita de Juana Lopez south of the true southern boundary... [Government Land Office doc. #125415]

Eight months later S.W. Lamoreux, Commissioner of the General Land Office, responded that he "...denied their petition and refused to either recommend suit or order a new survey." [GLO document #71712]

On February 12, 1898, Solomon Luna filed suit in the Territorial District court to eject the Cerrillos Coal Railroad Company (CCRC) from the Juana Lopez Tract, saying that he was entitled to possession of "the Mesita de Juana Lopez tract of land", and that the CCRC has caused serious detriment by persisting in holding it. He also asked for \$25,000 in damages. Luna was powerful, well-connected New Mexican, the court had a new, supposedly friendly judge, John R. McFie. And McFie's court clerk, Alfred M. Bergere, was Luna's son-in-law.

Judge McFie's decision was issued on November 29, 1901 in favor of the CC&IC:

... The court holds as to the 11,200 acres in conflict between these two grants, the New Mexico Mining company's grant has the superior title, having been confirmed by congress in 1861 and patented in 1876, whereas, the Juana Lopez grant was not confirmed until 1879 and is therefore the junior grant. Court further holds that the New Mexico Mining company held possession of the grant for a longer period than the statute of limitation requires and therefore the statute of limitation would apply. As to the remainder of the ground in controversy outside of the conflict, the court sustains the statute of limitation as a defense and that the plaintiff is barred of a right to recover possession by the statute of limitation. This holding necessitates a judgment for the defendant and upon the other issue, which becomes immaterial, if the statute of limitation is a proper defense, the court holds that there is not a preponderance of evidence in favor of the plaintiff as to the heirship of the parties from whom the plaintiff

claims title as descendants of Palonia and Patricio Romero, claimed to be two children and heirs of Domingo Romero, other than those from whom the defendant, Hon. T.B. Catron, and the Cerrillos Coal and Iron company purchased. [SFNM]

Students of New Mexico history know too well that a land grant battle may be lost or won, but the struggle over that land grant goes on forever.

The complexity of the matter is further illuminated in the following letter written by Tom Catron to S.B. Elkins on February 26, 1904, dealing with their interest in the remaining portion of the Juana Lopez Grant.

I received your letter in regard to the Juana Lopez Grant.

Several years ago I made a deed of conveyance to you for 4/9 of the grant, 4/9 belonging to me. The title was originally all taken in my name. You have your deed. Antonio Ortiz [y Salazar] still owns 1/9 of the Grant which he has mortgaged to the First National Bank to secure an indebtedness he owes it. I do not know whether his interest stands in my name or his own, but that makes no difference he is entitled to the 1/9 interest whether he has it in his own name or in mine. ...within a very short time we will be getting money in and ... you will begin, I think, to receive your money after which I will be able to, I hope, pay you up the \$2000 I owe you. But I must ask you to be patient about it as it would inconvenience me very much and compel me to make great sacrifices to pay you just now. Very truly, &c., T.B. Catron. [Elkins papers]

Perhaps the most illustrative exchange came from a long letter written by Alfred J. Wolf to the Santa Fe Daily New Mexican on October 28, 1894, and the response by the editor of the New Mexican, which appeared three days later. Catron was at the time the Republican candidate for Territorial Representative, and the New Mexican newspaper had just been acquired by its new Governor, William T. Thornton, a Democrat. When it comes to the truth there's nothing quite so revealing as your opponent's version of it.

A Land Grant Deal With a History – Buncoing Investors in New Mexico.

Voluntary Testimony of an Eastern Gentleman Who is Prepared to Prove What He States.

To the editor of the New Mexican, Brooklyn, Oct. 15, 1894, 301 Hicks st. – Through the considerable kindness of a friend I am in receipt of the New Mexican of September 15, containing a long and interesting article on "tax dodging." Allow me to say your account of the affair does not begin to picture the cold blooded villainy of Elkins and Catron in connection with

the Ortiz and Mesita de Juana Lopez grants. If the story is interesting to your readers I shall be glad to have you publish my account of the formation of the Cerrillos Coal & Iron company. I was one of the principal, though innocent, actors to that nefarious business and am prepared to prove by irrefutable testimony every statement which I make.

In 1880, or thereabouts, Stephen B. Elkins, then living in New York city, induced a number of friends to join him in buying The Ortiz Mine Grant, the management and agency of which had been in his hands for many years. He assured them that the title was all right and at that time he did not utter a syllable about any conflict of title with the Juana Lopez grant. His friends, relying absolutely upon "Steve's" supposed integrity and upon his known familiarity with the property, invested \$375,000 in cash in the property. The title deed and stock of the original New Mexico Mining company were placed in the names of S.B. Elkins and J.B. Chaffee, as trustees, for all the purchasers. Afterwards the title was transferred to the New Mexico Mining company and the stock of the rehabilitated company was distributed pro rata among owners.

Sometime after the consummation of the purchase and while the syndicate were filled with joyful anticipations of huge and speedy returns on their investment, Catron, seeing *A Chance To Hold Up* the hands of this wealthy crowd, began to write Elkins letters threatening suit to compel a settlement of the pretended conflict of title. Then, for the first time, Elkins was forced to disclose the claim, made by his partner, Catron, for these worthies were copartners in the Juana Lopez grant. Elkins affected at the time to treat Catron's threats lightly, and he re-assured his alarmed associates by saying that he "would take care of Catron." All who know the latter gentleman need no assurance from me that he was not to be put off with honeyed words and promises. He probably knew enough about the secrets of Steve's phenomenal prosperity in the territory to make his former law partner fear his disclosures.

Elkins, finally made desperate by Catron's threats, changed his tone toward his still confiding associates and assured them that the prospects of Catron's successful prosecution of his suit were sufficiently serious to warrant a compromise. His associates *Were Helpless And Acquiesced.*

As a result they were induced to deed to a new company, the C.C.& I. Co., the entire northwest corner of the Ortiz mine grant comprising about 15,000 acres of anthracite and bituminous coal land of great present and enormous prospective value. Elkins and Catron deeded to the new company their pretended

interests in the Ortiz by virtue of the overlap, and 12,000 acres additional to the northward of the Ortiz grant. In dividing up the stock 60 per cent of the shares were assigned to

*The Joint Corporation.*

Elkins and Catron, and the sheared lambs were permitted to take the remaining 40 per cent. In English, the trapped innocents were “buncoed” into making a present of six-tenths of their magnificent property to a pair of sharpers who gave absolutely nothing in return.

I am prepared to prove beyond the possibility of contradiction that Elkins and Catron as claimants of the Mesita de Juana Lopez grant, had no more title to the part of the Ortiz grant which they claimed than if the latter were situated in the moon.

*Their Conspiracy To Defraud* the people was exhaustively laid bare during the investigation conducted by Surveyor General Julian under my direction in 1886. Should you care to publish the story at some future time I shall be very happy to communicate it.

Furthermore I shall be pleased to be allowed the opportunity of pointing out how and why just such transactions as the above retard the prosperity of the territory, and how [line missing] ...[prom]ising and delightful section can be stimulated and made permanent.

[Signed] Alfred J. Wolf.

[SFDNM October 28, 1894]

A week later the New Mexican wrapped it all up on page one.

*Steve And Tom.*

*The Final Chapter in the Story of the Juana Lopez Land Steal. How Candidate Catron and Boss Steve Buncoed the Government and Others Out of Valuable Coal Property – Gen. Julian’s Report.*

The New Mexican a few days ago contained a letter from Mr. Alfred J. Wolf, a capitalist of New York, in which he called attention to the methods by which Thomas B. Catron and his associate, Stephen B. Elkins, came into possession of the Juana Lopez grant and how eastern capitalists were buncoed out of their holdings in the Ortiz grant. The New Mexican proposes to-day to give a few extracts from the official records in regard to Thomas B. Catron’s connection with this case and to show by the official investigation made into the matter that the Republican candidate for delegate was a party to as flagrant a land grab as was ever perpetrated upon the miners of the other class of New Mexico’s population.

The Juana Lopez Grant, situated in the southern part of the county, is technically known as the Mesita de Juana Lopez. It has been regarded ever since it was granted by the Spanish government

in the year of 1782 as the land upon the top of the mesa.

In the year 1870 Catron and Elkins obtained from the heirs of the original grantees, deeds to their interest in the property, and with the “mesa” fit only for grazing purposes, as the foundation of their claim, it did not take these schemers long to extend the southern boundary of this property to such a distance south as to cross the Galisteo creek and to embrace incidentally some of the most valuable coal lands in New Mexico. This was done with *The Kindly Assistance* of title papers which had accommodately gotten mutilated in their most material portions; and by one or two other methods connected with the survey, which appear hereinafter.

As a result of this manipulation of the grant it came about that this property which could not have been more than three and one-half miles in length or breadth, was extended so as to stretch six miles from east to west and cover eighteen miles from north to south. These fickle boundaries as extended by Messrs. Catron and Elkins covered besides the Mesita (the only property that could possibly under the title papers been honestly held) 20,000 acres of the public domain, 12,000 of the Ortiz grant, and in addition a large slice of the Santo Domingo Pueblo grant. After this fraudulent survey an act was carried through congress by the same skillful hands confirming the grant as fraudulently surveyed and there the matter rests, The Arch-Conspirators being unwilling in view of the general character of the transaction to press it forward by asking for a patent.

Surveyor General Julian made an investigation of the transaction in 1886 and his report on the subject to the authorities at Washington makes very interesting reading. The New Mexican quotes below a few extracts from this report as showing in what light the transaction was regarded by the government authority. Gen. Julian, in his report, refers to the fact that John T. Elkins, a brother of Claimant Steve, was the interpreter on the survey, and that the whole survey under his Republican predecessor in office, assisted by Catron and Elkins, had been conducted in a “*slipshod and Very Suspicious Manner.*”

He says that the claim as made by Catron and Elkins and established by the suspicious survey was “*absolutely irreconcilable with the language*” of the original title papers. He refers to the fact that the title papers say not a word about Galisteo creek, which Catron’s claim crossed without conscientious scruples. He says that “the accuracy of the survey is wholly unsupported by proof and its fraudulent character will conclusively appear from the evidence and the unmistakable interpretation of the language of the writ of possession. He refers to the fact “*that by*

*A Strange Coincidence or by careful training, the witnesses for Catron and Elkins make almost exactly the same statement, which leads to a strong suspicion” on his part that “their testimony was an afterthought, simply indicating a disposition to accommodate the wishes of the claimants,” Catron and Elkins. He then says: “It is difficult to escape the conclusion that the survey under consideration was an open and flagrant attempt to appropriate to private uses the large body of private lands covered by it which lie outside of the Mesita and which were never thought of by the governor in making the grant or by the alcalde to his delivery of possession.”*

In speaking of the evidence of Messrs. Catron and Elkins, he says that *“it only illustrates The Ravenous Hunger for land which frequently reveals itself in this territory,”* and he continues by saying: *“the case which I am now considering is itself a very remarkable commentary upon Catron’s testimony; for it shows that in the case of a grant of 11,000 or 12,000 acres of land with boundaries so well defined that an honest man could scarcely fail to define them, Mr. Catron or Mr. Elkins or somebody else prevailed on the deputy surveyor to enlarge the grant so as to cover 42,000 acres.”*

In conclusion, he referred to the fact that “Catron and Elkins occupy a front rank in the art of measuring land” and calls attention to the fact that Claimant Catron on another occasion stretched a grant of 130 acres, easily defined and ascertained, to 130,000 acres. Mr. Julian concludes his commentary on Catron and Elkins by referring to them as belonging to that Class Of Land Sharks who are so abundantly equipped for their work *“both by training and by exceptional aptitude,”* Col. C.G. Coleman, who was appointed by Gen. Julian to investigate the matter, reported that the southern boundary claimed by Catron and Elkins is *“not only unwarranted but simply absurd and preposterous.”*

Comment on the foregoing is unnecessary. It is sufficient to say that the people of New Mexico will never send to congress a man whose whole life has been devoted to deeds of selfishness which not only unfit him to represent the people in the halls of national legislation but make it certain that, if elected, all his representative capacity would be merged into a representation of himself as his sole constituent.

[SFDNM November 3, 1894]

On March 4, 1895, Thomas B. Catron, having won the election, was sworn in for a two-year term as the Representative of the Territory of New Mexico to the United States Congress.

### **Ortiz Mine of 1833**

It is not recorded when gold was first discovered in the Sierra



de San Lázaro but the event was driven by the crumbling of the Spanish Empire and the advent of the Republic of Mexico in 1821, as well as the appearance of the Santa Fe Trail.

Santa Fe's economy had been based on peonage and barter, and the sudden flood of manufactured goods over the resultant Santa Fe Trail brought with those goods the sudden need for the wherewithal to pay for them. The American traders wanted payment that was transportable, that could be taken back to Missouri. They were little interested in six months of your labor, often not even six fenegas of your maize. Did you have silver? Gold? This changed economy gave the New Mexicans a powerful new incentive to follow those ever-present waste-of-time rumors that valuable minerals had been found in the hills or stream beds. One of those rumors just might lead to something the Americans would value.

So the discovery of gold in the San Lázaro mountains 25 miles south of Santa Fe probably occurred about 1822 or 1823 [note Gregg's use of 1828 as discovery year; College of the Pacific, U.Ok Press 1954, NormanOK p.118-120 – and John M. Townley refutation; Mining in the Ortiz Mine Grant Area, Southern Santa Fe County, New Mexico, Univ. Nevada MA Thesis, May 1968, p.43-44]. By 1825 there was a thriving gold mining camp, Real del Oro, around one of the few springs in the sierra, and raw gold from New Mexico began to appear in Missouri, and at New Orleans. Because of the growing volume of "Mexican gold" a branch U.S. Mint was established in New Orleans in early 1835. Most all of the gold produced in the San Lázaros was obtained by placering, hundreds, sometimes thousands of men using shallow wooden bowls to wash the gravel in an effort to separate out the fine bits of gold mixed in amongst the sand. Working the placers was labor-intensive but it was something everyone could do. It required no special skills or special tools, only a batea [a wooden bowl], a strong back and the ability to endure mind-numbing labor.

Potentially greater riches awaited those who were capable of working hard rock lodes; the gold concentrated in veins. Hard rock or lode mining, however, required sufficient capital for specialized tools, black powder, timbering, crushers, and a force of workers. One of the most active capitalist miners was a wealthy Santa Fe merchant by the name of José Francisco Ortiz.

The camp of Real del Oro gained a church by 1832, dedicated as Iglesia de Nuestra Señora de los Dolores; the church of Our Lady of the Sorrows – and the booming camp quite naturally became el Real de N.S. de los Dolores, or just plain Dolores. The following year, 1833, José Francisco Ortiz succeeded in

squeezing out the small-time lode miners who had been working high in the hills on the hard-rock mother lode, and with his partner Ignacio Cano he invested in expanded operations. He and Cano were awarded a mine grant a little smaller than one acre. Soon Ortiz' Santa Rosalia shaft became the dominant mine, and nearly as quickly the Santa Rosalia and the complex of shafts around it came to be called collectively "the Ortiz Mine". In the same way that once the people living at Pueblo San Marcos departed, what had been known as the sierras de San Marcos came to be called Los Cerrillos, so too the now-unoccupied Pueblo San Lázaro, together with the dominance of J. F. Ortiz, led some time later to a new name for what had been the sierras de San Lázaro; the Ortiz Mountains. Ignacio Cano died in the later 1830s and José Francisco Ortiz died in 1848, without heirs.

### **New Mexico Mining Company 1854-1943**

#### **NMMC**

John Greiner of Santa Fe purchased for \$1,000 from Maraquita Montoya de Ortiz, José Francisco Ortiz' widow, her partial interest in the Ortiz Mine, and in 1854 he organized the New Mexican Mining Company (NMMC) <reincorporated four years later, 1858, as the New Mexico Mining Company] around that acquisition. The heirs of Ignacio Cano, who died ten years before J.F. Ortiz, in theory owned the rest. [note; the dau of Ignacio Cano and Ana Maria del Pilar Quiroa, Maria Ignacia Cano, married Franklin Reed [FrAChavez ONMF] and was the mother of NM attorney and historian Benjamin Reed.] But according to Greiner he had purchased all interest in the entire grant. Ortiz' original two lode claims covering the mother lode – he started with two but came to own all three – were together 1600 varas by 15 varas, or not quite 1.5 acres.

That statement deserves to be repeated. The three mine grants [equivalent to 'claims' in later US parlance. A patent on a mina, a mineralization – minerals being the property of the Crown or the Republic – was not an option.] that came to be the Ortiz Mine Grant, taken all together, comprised not quite 1.5 acres.

It was customary under Spanish and Mexican mining law to allow 22 by 66 [note; a short yard; about 32 inches] varas per mina, about 59 by 176 feet, which would equal about a quarter acre per claim. The actual dimensions would be determined by the shape of the mineralization. That Ortiz' minas were oversized was a measure of his standing among the citizens of New Mexico.

It was also customary to allow the claimant to utilize the resources – timber, water, grazing – for a league in each of the cardinal directions from the claim, the rights to said resources being vacated the moment the claim was no longer worked. The earliest of the lode mines, the Santo Niño, which later became Ortiz' third claim, and was probably about a quarter acre in size and it came with four square leagues of resource land. His other two claims together were allotted access to an additional league of resources in each direction beyond that Santo Niño square of four square leagues, or twelve additional square leagues. [note; One league as used at this time in NM = 5,000 varas = 2.604 miles. One square league = ca. 4,340 acres.]

What Greiner and his associates did in 1854 was to represent, falsely – but at the time no one opposed them – that they had acquired the entire Ortiz Mine Grant (not as they were originally identified; the Santa Rosalia and Santo Niño Mine Grants) from Señora Montoya as the said Ortiz Mine Grant had been granted to J.F. Ortiz in 1833 by the Republic of Mexico, and they represented that that Ortiz “Grant” comprised not just the less than two acres comprising the three registered lode claims, but also all of those 16 square leagues of usufruct! [note; the right to use and benefit from property one does not own]

John Greiner had originally come to New Mexico as Indian Agent in 1851, in the company of Michael Steck. He was appointed Territorial Secretary on June 28, 1852, and, until the creation of the office of Surveyor General in 1854, he controlled the Territorial archives and all land grant approvals. He functioned as acting Governor from August 30 to September 13 of 1852, prior to the arrival of Governor Lane. [GofOM 2004 p.64] Greiner's approval of his own acquisition was rubberstamped six years later, when the NMMC claimants to the Ortiz Mine Grant, Elisha Whittlesey, Ferdinand W. Risque [note; the father of Ferdinand W. Risque, who later served as the planner of the town of Madrid and first superintendent of the CC&IC], Andrew J. O'Banon, Charles E. Sherman, N.M. Miller, and Thomas J. Walker received on November 24, 1860 a “favorable decision” by the Surveyor General of New Mexico, who agreed that the Mexican-era Ortiz Mine Grant had been made for 69,000 acres. Missing from the above list of claimants was the most important participant of all: Abraham Rencher, of North Carolina. Rencher was one of the original 1854 investors in the NMMC, and soon owned  $2\frac{1}{2}$  ninths (28%) of the stock. As the largest stockholder he became the NMMC president.

Rencher, an important Democratic politician, declined offers for several appointive governmental offices, including that

of Secretary of the Navy, in favor of the office of Territorial Governor of New Mexico. He served as Governor from November 11, 1857 to September 1, 1861. Though his papers do not state his reasons for choosing the lesser office of Governor, Rencher clearly wanted to be where he could control and assist the company in which he had such a significant investment. [GofOM 2004 p.67] [note; During all of Rencher's youth his home state of North Carolina was the only significant producer of gold in the United States. Gold was discovered there not far from the town of Albemarle the year after his birth.]

The February 1, 1858 reincorporation as the New Mexico Mining Company was at Rencher's direction. The motivation for this reorganization under a slightly different name is unknown. Four months after the decision by the NM Surveyor General, on March 1, 1861, by special act of the House of Representatives, the NMMC received a quit claim (the U.S. Government surrendering whatever claims it might have to that land, but without affecting other unknown prior and future claims) for the full 108 square-mile [69,453 acre] Ortiz Mine Grant.

The thus-amply-enhanced Ortiz Mine Grant, in its northwest quadrant, also contained the potentially valuable deposits of coal. The coal wasn't so valuable then, in 1861, but it was imagined that when the railroad finally got here, in perhaps 10 years' time, transportation over distances would become economical and that coal would be quite lucrative. As it turned out ten years was overly optimistic.

The ultimate legal action took place fifteen years after that 1861 Congressional quit claim. On May 20, 1876, the General Land Office issued letters of patent [note; a patent deed, not just a quit claim, issued at the direction of Congress giving fee-simple possession of both the surface and mineral rights] on 69,199.33 acres. [note; a total of 253 2/3 acres had, in the interim, been excluded as "exceptions" to placate or remove other claimants who were otherwise capable of dragging things out in the courts and thereby blocking the issuance of the patent.] The issuance of this patent was the big deal. With the patent the NMMC's rights to that land became absolute. That patent trumped any and all other past or future claims.

The implications of the patent had a profound effect for the people living in the town of Dolores. It would be another two decades before they finally ran out of legal recourse, but because of the 1876 patent all the houses in Dolores as well as the church of Nuestra Señora de los Dolores and its graveyard were the absolute property of the NMMC. The residents, some of whom had been born there, whose ancestors were buried there, were since

1876, by law, all of them, trespassers.

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The earliest historical document with a reference to coal (carbón) in the immediate region dates from May 7, 1832, a year before Ortiz' hard rock grant and nearly three decades before the enhanced Ortiz Mine Grant, when Juan José Lujan of Santa Fe sold a 15-year lease on 150 varas (about 400 feet) of a coal vein for two pesos a month to two Americans, Harvey Ellison and a man named Wyatt. [JMTownley p.62]

At this time in New Mexico the New Mexico Spanish word carbón most commonly meant the much-in-demand fuel, charcoal, but the same word might also be used for coal. [HM pers com 2013] Which was the case for Ellison and Wyatt is still debated. Had Juan José Lujan leased a charcoal yard or a coal vein?

Townley takes it to have been coal.

Assuming it was coal Ellison and Wyatt were most likely expecting to use it in metallurgy, probably for silver production – the litharge process – at the nearby Cerrillos Hills, or even copper or iron production. If so, the two leasees would have quickly discovered the sulfur content of the coal made it a poor choice for removing sulfur from the local sulfur-rich ores. Charcoal would have been a better choice.

This lease is the only mention in the records of Ellison and Wyatt, and it may be assumed that after a short time they walked away from their lease.

Juan José Lujan appears in the 1850 census as an 88-year old goldsmith resident in Santa Fe. In 1832, the year of his agreement with the two Americans, virtually all the gold in New Mexico came from the sierra de San Lázaro (Ortiz Mountains).

In the summer of 1857, a few months before Rencher arrived in Santa Fe to assume the duties of Governor, the NMMC's first steam engine arrived at Dolores [GofOM p.70-71], and the Company turned its attention to securing the fuel needed to run it. Both wood and coal were abundant in the Dolores area, and coal cost per therm about half as much as wood. As long as transportation costs were negligible factors coal retained its advantage.

The New Mexico Mining Company's diggings at Coal Bank are generally regarded as the first industrial use of coal in New Mexico.

Joe Huber, in his remembered history entitled MADRID [Southwest press, 1963, p.3], states that coal was used to fuel an ore-crushing mill at Dolores as early as 1835. No evidence to support the presence of a steam engine in the region before 1857

has been found, and until evidence of that is discovered Mr. Huber's factoid should be discounted.

The Civil War effectively shut down operations at Dolores, but immediately after that conflict ended the field representatives of the Company, John Greiner and Michael Steck, filed a claim on the coal deposit at the Coal Bank. Their 1865 claim is one of the earliest official documents to use the name Coal Bank. The fact that Greiner and Steck filed the claim on land their company already owned suggests that even then Coal Bank had a problem with trespass miners, and suggests that Greiner and Steck sought by this additional claim to preempt additional claimants and grant-jumpers.

The 1865 Greiner-Steck document describes an "anthracite coal bed" which had been discovered by Daniel Wright, who was himself the agent for Company representatives Greiner and Steck. The coal bed was from 5-feet 8-inches to 5-feet 10-inches thick, and was situated in a...

"...cañon or ravine which exhibit on its eastern wall, columnar porphyry, of 50 feet in height which is opposite the entrance to said coal, and which porphyry, again appears on the southern side of the hill containing the said coal, in a ravine in which is the spring of water known as the 'ojito de carbon Piedra' ... Said coal bed, is said to have been worked by a miner named Geronimo A\_\_\_. at los Cerrillos many years since but the same has been abandoned by him and has not been legally denounced for more than ten years although quantities of coal have been hauled therefrom by several persons in late years." {Locations & Mining Deeds Book A#15405 p.69, November 11, 1865}

The man whose name Daniel Wright couldn't quite remember in 1865, who had dug coal more than ten years earlier, meaning before 1855, was probably Geronimo Cordova [note: the only known local miner of an appropriate age who was named Geronimo; see Weekly New Mexican Review 19Jun1884 p.2 c.6 regarding Geronimo Cordova at the mina del Tiro]. The "los Cerrillos" mentioned in the document is the original town of los Cerrillos, a short distance east of La Cienega, not the later Cerrillos Station on the AT&SF railroad line. "Ojito de carbon Piedra" may be translated as "Coal Seep Spring." The ravine exhibiting columnar porphyry can still be seen today on the east side of the Turquoise Trail Scenic Highway about one mile south of the town of Madrid.

Señor Cordova had been digging coal at ojito de carbon Piedra during the early days of the Territory, if not also during the earlier Mexican era. One must wonder whether Geronimo Cordova's coal dig was the same one previously controlled by Juan

José Lujan?

Steck's supposed crowning achievement as superintendent of the NMMC was the construction, in 1866-67, of a 1.25-mile long mule-and-gravity railroad, running from the old Ortiz lode gold mine up in the high mountains down to the ore-processing mill at Dolores spring. "Supposed" because Steck's railroad designed and built under the direction of Capt. N.S. Davis, lavishly praised and thoroughly effective though it was, finally cost over six times what had been budgeted, and that massive cost overrun was a major factor in the New Mexico Mining Company's subsequent bankruptcy.

This financial strait led in 1879 to the Company and its thentree-year-old patent of the Ortiz Mine Grant falling into the hands of Stephen B. Elkins, and his partner Jerome Chaffee, and others (who were not mentioned in the deed). At the time of the sale of the NMMC to Elkins and Chaffee (serving as trustees) there were 36 shareholders of record. [August 10, 1880; NY Supreme Court record 172, 1882NY, p.23, 24]

The mining operations of the Company had not been successful, and in the month of May, 1879, the Company found itself in an embarrassed financial condition. It had outstanding an issue of bonds amounting to \$100,000, secured by a mortgage on its property, the principal of which had become due and payable. There were also arrearages of interest on its bonded debt; taxes had accumulated upon its property, and judgments had been recovered against the Company on various obligations. It was quite evident that something must be done at once to prevent a sale of its property under judicial process, and the consequent loss to the stockholders of their entire investment. To meet this emergency, the stockholders, at a meeting held at the City of New York, on the 5th of May, 1879, unanimously adopted a resolution, conferring upon the Board of Directors full authority "to lease, sell or otherwise dispose of the real and personal property, and the franchises of the New-Mexico Mining Company, upon such terms as it may think proper, and to execute all necessary and proper deeds and conveyances for the same." (Fols. 68 to 73) ...authorized to sell the property of the New-Mexico Mining Company, for not less than \$375,000 net cash, to the Company, over and above all expenses whatever. (Fols. 219 to 223) Such proceedings were subsequently had, based upon this action of the corporation, that the respondent, having succeeded in associating with himself enough other persons to raise the stipulated price, the property in question was, on or about the 20th day of January, 1880, by indenture bearing that date, conveyed by the Company to Stephen B. Elkins and Jerome B.

Chaffee, representing those associated in the purchase, for the price of \$375,000, and the purchase money paid to the Company. (Exhibit 9, fol 435) [August 10, 1880; NY Supreme Court record 172, 1882NY, p.1, 2]

The warranty deed conveying the real property of the NMMC to Stephen B. Elkins & Jerome B. Chaffee, both of the City, County and State of NY, for \$375,000.00 was dated January 20, 1880. [Book.J Deeds p.54] Elkins' personal contribution toward that sum was \$50,000. [NYSupremeCourt172, p.151] For a number of years prior to 1879 Stephen B. Elkins had functioned as an attorney under retainer to the New Mexico Mining Company. [August 10, 1880; NY Supreme Court record 172, 1882NY, p.122]

### **S.B. Elkins**

#### **Elkins & 1878-1890**

Stephen Benton Elkins, of New Mexico, in partnership with his close friend Senator Jerome B. Chaffee of Colorado, acquired in 1879 the NMMC – they were the trustees – and the 108-square mile Ortiz Mine Grant. [note; Though still widely styled as ‘Stephen B. Elkins of New Mexico’, by 1878 he was no longer a resident of this state.]

The warranty deed from NMMC to Elkins and Chaffee, dated January 20, 1880, gives the transaction amount as \$375,000. [b.J Deeds p.54 BHenderson Abstract of Title No.1 30Sep1983]

Two months later rumors had it that the transaction amount had grown to \$1.5 million, and as well there was a grand scheme to divert the Pecos River to provide water for monitor-cans for gold extraction. [D. A. Millington, Albuquerque, N. M., Feb. 17, 1880]

The marketing of the reorganized Company to a select group of mostly-Eastern stockholders is reflected in that markedly increased valuation. Elkins tended not to use his own resources when there were others who could be talked into investing their money.

At this same time Chaffee's participation in the NMMC began to diminish, leading one to speculate that either Chaffee saw a less than glorious future for Ortiz gold, or perhaps he disliked Elkins schemes. As you will see, the eventual monetary return for Elkins' select group of investors was probably somewhat less than what they had been led to expect.

For the next twenty years, until the larger part of the Ortiz Mine Grant was finally sold to the Hoyts (the Galisteo Company) in 1899, Elkins remained the dominant NMMC stockholder, and as such he effectively controlled the NMMC.



Back in 1878 the NMMC mining leases and gold operations were in a state of neglect and disarray. What was needed was time, effort, money, and most of all a trustworthy administrator superintendent to clean up the mess.

Elkins' initial plan was to repackage and subdivide the Grant in order to sell off the pieces, but Elkins himself couldn't take time away from his booming east coast political career and devote himself to it. He let things slide. That inattention exacerbated the problems that had been inherited from the old company, and those problems that were to come.



Stephen Benton Elkins 1841-1911

Elkins was born in 1841 in Ohio, near New Lexington, but at the age of 3 his family relocated to Westport (where Kansas City is today), Missouri. He grew up a Missouri boy. He studied law at the University of Missouri at Columbia [note; evidence of how far he progressed or that he completed the normal two year-long course of law studies is lacking] with classmates H.L. Waldo, R.C. Kerens, T.B. Catron, and possibly also N.B. Laughlin. Late 1860 found him in Cass County, south of Kansas City, teaching in a school where his pupils included two brothers, Coleman and James; the Younger boys.

When the Civil War broke out Elkins volunteered for the 77th Missouri Infantry in the Kansas Militia (USA) – though his father and brothers all joined the CSA – and he reported for duty May 11, 1863. He was elected captain. H.L. Waldo, for whom three decades later the railroad town of Waldo would be named,

was made corporal in the same company. But Elkins' military career was cut short by a revelatory event that, it might be assumed, either shaped his character or reflected it.

Within a few weeks of embarking on active duty Capt. Elkins and some of his men were captured by the pro-South guerilla "General" William Clarke Quantrill (of the loosely organized Quantrill's Raiders), this taking place several weeks before Quantrill's infamous raid on Lawrenceville Kansas which resulted in the death of some 200 citizens. The details of what transpired concerning the capture of Elkins are unclear (except for his obviously revisionist version of this event written much later), but Cole and James Younger were among those Raiders present. Capt. Elkins was not summarily executed. Did the Youngers intervene on Elkins' behalf? Did Elkins strike a bargain to save his life?

On July 3, 1863, after less than two months of active service with the Kansas Militia, Elkins' request to be relieved of his commission in the Kansas Militia was granted.

Decades later Elkins wrote:

They marched me along and we got to Quantrill's camp. There I saw Cole Younger, Dick Yager and George M. Todd, and several others afterward known for desperate deeds. Those I have mentioned were farmers' sons around where I lived. They identified me and said: Here comes Steve Elkins. All the way along I had been afraid that those fellows who had captured me would shoot me in the back, for I had on the watch which I am carrying now in the office of the secretary of war. 1893 November 17; (article in Washington Post)

*When Life Was Cheap.*

Much later still (1901) then Senator Elkins, Republican of West Virginia, was a participant in the arrangements for the presidential pardon of Cole and James Younger, which resulted in their release from the life sentences they had been serving. After his resignation from the Militia, in September of 1863, Elkins left the United States for Mesilla, Doña Ana County, in the Territory of New Mexico, where he settled into the study and practice of law.

After two years in Mesilla, Elkins returned to Missouri to wed Sarah Jacobs (1866). They were accompanied on the return wagon trip to New Mexico by Steve's old Missouri friend and ex-Confederate, Tom Catron.

Within a few years Elkins came to be identified, along with Catron, Stephen W. Dorsey and other lawyers, ranchers and politicians who cooperated with each other through the crude and unchecked Territorial legal system, as a major participant in the

Santa Fe Ring. The Ring didn't exist in any formal sense; it wasn't a club and it didn't have meetings. It was the catchall term for the small group of self-aggrandizing wealth-power-land barons based in Santa Fe. Other population centers had their 'rings' but Santa Fe, being the seat of Territorial government, was the home of the biggest one.

In post-Civil War America the Republicans were ascendant.

The party of Lincoln had won the war and power in Washington D.C. and in New Mexico, where Territorial officers were appointed by those in Washington, resided mostly in the hands of Republican politicians. Consequently the politicians identified with the Santa Fe Ring were mostly Republicans. But not exclusively so. Powerful Democrats in New Mexico got their hands just as dirty. Your acreage owned, your connections, and the color of your money mattered more than which side you fought for during the recent war.

Some took a practical approach; upon arrival in New Mexico Tom Catron, the former CSA Democrat, saw where power resided, and switched to the Republican Party. It would not be his last transfer of allegiance.

Throughout the decade following the Civil War Elkins was arguably the biggest and most successful New Mexico political figure. From March 1873 to March 1877 Elkins served as New Mexico's Territorial Delegate to Congress in Washington, D.C., where he spent much of his time. After 1877 he was rarely seen here, though he continued to have large and varied interests in New Mexico.

Charles Lummis, also a staunch Republican, said of Elkins in 1884 [note; the same year Elkins and Kerens formed the Cerrillos Coal & Iron Company]; "Steve Elkins is the boss thief of the lot, and he is a choice one. He is universally detested and feared throughout all New Mexico, and his life wouldn't be worth much if he were to venture into this part of the country." [Charles Lummis, *Letters from the Southwest*, James W. Byrkit, Ed., Univ of AZ Press, 1989]

Looking at Santa Fe County in 1890, and considering lands the south half of that county only, Elkins' holdings included; half (or perhaps 1/3) interest in the 606 acres that became the town of Cerrillos Station (acquired in 1871); the controlling interest in the 69,453 acre Ortiz Mine Grant (acquired in 1878-1879), a 4/9 interest in the Juana Lopez Grant, which was in partial conflict with the Ortiz Grant; and an 1/12 interest in the 33,000+ acre San Pedro and Cañon del Agua Grants, near Golden, which were also in partial conflict with the Ortiz Mine Grant. That's Elkins, and only in south Santa Fe County!

The national economic depression of 1873 was the wrecker of best laid plans. The slowly advancing railroad, which was expected to dramatically increase the value of Elkins' holdings, was stopped in its tracks by the 1873 depression.

Elkins officially became a resident of West Virginia in 1888.

From 1891 to 1893 he served as Secretary of War for Benjamin Harrison, and afterward was elected U.S. Senator from West Virginia [note; senators at the time were elected by the respective state legislatures], an office he held until his death in 1911. Upon his death his son, Davis Elkins, was appointed to fill his vacant senate seat, which he did for all of 22 days. Davis Elkins was later (1919-1925) elected to the U.S. Senate in his own right.

Senator Stephen B. Elkins had two near-brushes with political greatness. In 1895 he was a serious contender for the Republican candidate for president, based on his "Silver Straddling Platform"; Elkins' recognition of silver-backed currency while not declaring unqualifiedly for free coinage. He lost the Republican Party's nomination to William McKinley. [SFDNM June 12, 1895]

Four years later Elkins, for his western ties – West Virginia was then regarded as "west" and he had connections to New Mexico Territory as well – was offered up as the New Yorker McKinley's vice president, only to lose that office to the bully and brash newcomer Teddy Roosevelt.

...the rosy and rotund West Virginia statesman, Senator Stephen B. Elkins. It is said that Senator Elkins' name has been submitted to the president, and on the principle that "silence gives consent," it is argued that Mr. McKinley would not object to the West Virginian as running mate. It is admitted that the senator is closely identified with various large trusts, but it is claimed that this defect is more than counterbalanced by his popularity with the labor elements. In view of the fact that a part of West Virginia lies on the other side of the Alleghenies it is believed that the senator could be presented as a "good western man." The circumstance that he was born west of the Mississippi (sic.) and sprang full panoplied into the arena of statesmanship from New Mexico, would also be used to bolster up this argument. [SFNM Jan 29, 1900]

**T.B. Catron**



Thomas Benton Catron 1840-1921

Thomas Benton Catron was born October 6, 1840 near Lexington, Missouri. He graduated from the University of Missouri at Columbia, Class of 1860. In the Civil War he saw action as a gunnery Lieutenant, C.S.A., in the siege of Vicksburg, where he was, as a consequence of U.S. Grant's great victory there, taken prisoner. He was later, while the war was still on, released through a prisoner exchange.

In 1866 he was convinced by his former Columbia classmate, Stephen B. Elkins, to leave Missouri for the Territory of New Mexico – probably not a hard choice to make, as there were restrictions placed upon former Confederates interested in the governmental, legal and political professions, restrictions that did not apply to those who relocated to the Territories.

Catron began to study the Spanish during that journey, and it was his mastery of that language that contributed greatly to his success in New Mexico.

That same year Catron set up a commercial law practice in Las Cruces, and the following year he changed his party affiliation from Democrat to Republican. He was the District Attorney for New Mexico's Third District until 1868. In 1869 he was appointed Territorial Attorney General. In 1872 he resigned to take the position of the United States Attorney, which he held until 1878.

As a rule Tom Catron occupied his mentor and friend Elkins' political offices as Elkins moved on to higher ones. Like Elkins, Catron became an important part of the Santa Fe Ring, and participated in the manipulations of the Maxwell Land Grant. Catron was the attorney in fact for Stephen Elkins while Elkins was in and out of New Mexico as Territorial Delegate, and he continued as Elkins' attorney in fact as circumstances warranted after Elkins moved permanently to New York City and West Virginia. Catron oversaw the sale of many of the lots that comprised

the Cerrillos townsite.

From 1884, off and on until statehood in 1912, Catron served on the New Mexico Territorial Council. He lost in the elections of 1886, 1892 and 1896. Along the way he managed to amass enormous landholdings in New Mexico, some of which were widely believed to have been acquired through misrepresentation and malfeasance.

Former New Mexico Republican Governor Lew Wallace (in office 1878-1881), said of Tom Catron; “One of the curious incidences pertaining to Mr. Catron is his astonishing influence over New Mexicans. I cannot recall one instance in which he did not absolutely submerge and control all persons who came in contact with him speaking the Spanish tongue.” [letter to Eugene A. Fiske, Nov 6, 1897]

There came in early October 1891 the transaction that may go a long way toward explaining Catron’s actions in subsequent events. On this date Catron sold his interests in the Cerrillos coal fields to Elkins and Kerens. [SFDNM Oct. 3, 1891] The details of the transaction have not yet been uncovered, but Catron was always in need of cash, and it is likely that he was unaware how close the Cerrillos Coal & Iron Company (and thereby the Cerrillos Coal Bank) was to being purchased by the AT&SF. Consequently, he likely sold those interests for considerably less than he would have realized had he waited just a little longer. On December 10, 1891 Elkins’ and Kerens’ AT&SF deal was consummated for what amounted on paper to about one million dollars.

Upon statehood in 1912 Tom Catron became the first Senator from New Mexico, and he served in that office for five years. He died on May 15, 1921. [GofOM 2004 p.104-06]

### **Anthracite & Bituminous Coal Company Dec1881**

In the early years the New Mexico & Southern Pacific Railroad (the AT&SF in New Mexico) sometimes encouraged the local production of coal, or, when circumstances and grander schemes dictated it, they discouraged coal production.

In 1881 in furtherance of the expected fuel needs of the NM&SP, the two parties with controlling interest in the Mesita Juana Lopez Grant, specifically Elkins and Catron, leased the portion within the Juana Lopez Grant of the Cerrillos Coal Bank that was not also covered by the Ortiz Mine Grant (an area immediately north of the future Morgan Jones mine). The lease went to Arthur Boyle, Wilmot E. Broad, and Charles H. Irvin of the Anthracite & Bituminous Coal Company. Their Anthracite & Bituminous Coal Company (A&BCC)

was incorporated on December 17, 1881, and was among the dominant coal companies at the Coal Bank for the few years before the advent of Elkins', Catron's and Kerens' Cerrillos Coal & Iron Company, in 1884.

A&BCC opened two bituminous mines in Waldo Gulch (on the part of the gulch covered by the Mesita de Juana Lopez Grant) and another anthracite mine three miles south (on Ortiz Mine Grant land). [note; the anthracite mine should not have operated except with the written agreement of the NMMC stockholders, but for land use in New Mexico the tradition of bluff and daring runs long and deep.] By summer 1882 the A&BCC was offering coal at the mines for \$2 per ton, it had installed steam hoisting engines at each opening, and it was shipping coal to Santa Fe City and Las Vegas. [JHereford 2009]

Arthur Boyle had emigrated from England, where he had been a mining engineer. Along with coal mining, his interests in New Mexico included the Texas, Santa Fe & Northern railroad, which was proposed to connect the D&RG terminus at Española with Santa Fe, and quite important for the era, the Clermont Gardens, Santa Fe's premier orchard and fruit tree nursery. Wilmot Broad [as in 'road'] was initially an associate of Catron, but two years later had been relegated to his vassal. Be very careful who you borrow money from.

In the mid-1870s Catron was busy maneuvering to acquire every interest in the Tierra Amarilla grant from Manuel Martinez's heirs. In early 1876, he hired Wilmot E. Broad to serve as his agent in Tierra Amarilla for that purpose. ...Four years earlier Broad, John S. Corthell, and William G. Thompson had incorporated The New Mexico Stock and Agricultural Association in Illinois for the purpose of colonizing and bringing into use tracts of lands in New Mexico and Colorado... A determined entrepreneur, Broad attempted several other business ventures, most of which failed. One of these undertakings, the Monero Coal and Coke Company, was financed [in 1883] by a note cosigned by Catron. When the company failed, Broad's position as manager of the grant became what one of Catron's biographers described as "debt servitude." When Broad died in 1907, he was still working for Catron and had not yet paid off the debt to his employer. [New Mexico Historical Review April 2001 p.177, 184]

Charles H. Irvin, a former Union officer, had been a member of W.J. Palmer's surveying party into New Mexico. Palmer left the Kansas Pacific RR to organize the Denver & Rio Grande, and Irvin went with him as a locating engineer on the Antonito Colorado to Española extension. [note; part of this extension

operates today as the Cumbres & Toltec Railroad.]

The March 1880 “treaty of Boston” by which the two big railroads, the AT&SF and the D&RG, agreed to stay clear of the other’s territory, meant that the D&RG line could not go south of Española. That limitation provided the opportunity for a new company, the Texas, Santa Fe & Northern, to fill the gap. “...to make some use of the D&RG’s misfortune.” [Chili Line, John A. Gjevre, 1969] Irvin joined the new railroad as its first chief engineer. The TSF&N line between Española and Santa Fe, because of right of way issues, was not completed until January 1887. Before there was a Madrid there was a short-lived coal mining town just south of Cerrillos named Boyle, west of the “S” curve on today’s highway between Madrid and Cerrillos. Less than a month after the incorporation of the A&BCC some of the same men incorporated, (January 8, 1882) the Cerrillos & Southern Railroad.

What was the Cerrillos & Southern Railroad? Always looking for ways to develop their lands and turn them into more valuable assets, and having been stymied by the AT&SF’s choice of Carthage for its coal supplies (mid-1881), Catron, Irvin and others made plans in early 1882 to build a short railroad spur from Cerrillos Station south to Coal Bank.

Several enterprising Santa Fe men have embarked upon an enterprise which promises them a rich reward for their trouble and expense. They have organized a company known as the Cerrillos and Southern Railway company. The object of the organization is to build a railroad from the town of Cerrillos to the coal fields near that place. The incorporators are Messrs. Chas H. Irvin, Peter L Vander Voor, Wilmot E. Broad, Pascal Craig, John Symington. The directors are the same gentlemen above mentioned with one exception, T.B. Catron being of the board instead of Peter J. Vander Voor. The company has a capital stock of \$300,000 in shares of a par value of \$100 each. Of this sixty-five shares have been actually subscribed. [SFDNM January 8, 1882]

This specific project, as with so many other projects, was not to be, but the need persisted and the opportunity remained. When ten years later the railroad spur to Coal Bank was finally constructed it was built by a different company and connected with the main line at a different location. That different company was the Cerrillos Coal Railroad Company and that different location was Waldo Station.

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Six months earlier, in late June 1881, the AT&SF had made their decision; for the central portion of New Mexico they would obtain their coal fuel from the Carthage field, a short distance



southeast of Socorro. The impact of this decision on one of the Mesita de Juana Lopez Grant leases, the part that would be later known as Rogersville or Waldo Gulch, was reported by W.W.

Cone to the New Mexican:

Two miles west of [Cerrillos] station is a coal mine, which produces coal equal in quality to any in the whole West. On the 30th day of June, 1881, the miners who had been at work in this shaft, to the number of eighteen, struck for higher wages, demanding an increase of 25 per cent on each ton mined. Their demand was not acceded to. Two or three of them went back for a day or so to finish up a car load partially filled at the time of the strike. About this time, I think a little after, Mr. W.H. Patton received advices from the railroad company of a change in freight rates. Mr. Patton informed me that he had a contract with the company for freight as follows: To Santa Fe, \$2.50 per ton, to Albuquerque, \$2.75; Las Vegas, \$3.25. This had been the price for six months. The change on freight rates was as follows: To Las Vegas, \$12.45; to Albuquerque, \$7.35; to Santa Fe, \$5.55. At these rates Mr. Patton said that he could not afford to ship coal, and therefore on last Saturday all the lumber for shutes, &c, at the mine was hauled away, and no more work will be done there. Mr. Patton lays all his trouble to the railroad company, and the miners declare it all proceeded from this strike. I give both sides as given to me by the parties themselves.

Mr. Patton had leased the mines from the owners, Messrs.

Catron & Elkins, and had expended over \$5,000 in improvements.

I have never seen a better quality of coal than that taken from this mine. WWC, Los Cerrillos, July 12, 1881 [SFDNM July 14, 1881]

The AT&SF decision to obtain its coal from the Carthage field and their blatant predatory pricing for the transport of coal from other places put off the large-scale development of the Cerrillos Coal Bank indefinitely.

Eleven years later the AT&SF shut down of Carthage and shift of coal production to Madrid resulted in some major relocations.

The solution to the housing shortage at suddenly-booming Madrid was to transfer many of the Carthage miner's houses to Madrid, sawn-in-half or –in-thirds so as to fit on rail cars.

### **Cerrillos Townsite Company**

Recognition must be given Stephen Elkins for his ability to engage in so many projects and enterprises all at the same time. Or, considering how poorly he managed many of them, perhaps what he deserves is opprobrium. To take an example

of his methods – lies and delay, smoke and mirrors, using other people's money – let us now consider the prolonged contest over the ownership of the land comprising the town and railroad station of Cerrillos.

To understand the evolution of Cerrillos Coal Bank into the town of Madrid one must understand Elkins and his methods. Much of the following took place at the same time that Elkins, resident in New York City, was also busily repackaging of the Juana Lopez Grant and the Ortiz Mine Grant into the Madrid Tract, for resale.

The saga of the Cerrillos Townsite [note; this is the newer Cerrillos on the railroad] revolves around what Elkins did or didn't own.

For nearly 30 years, starting in 1873, William C. Rencher, the son of Gov. Abraham Rencher of NMMC fame, by a series of lawsuits against Stephen Elkins pursued his avowed 1/3 interest in the 606 acres of the Cerrillos Townsite. [SFCounty Book U Deeds p.141 & 173]

That acreage had been originally acquired by Elkins from the US government in two transactions, on September 13 and October 17, 1871, for \$1.25 per acre. Tom Catron was the other interested party in the transaction. [NMSU Folder #s 2/4 2/5 2/6, Lawsuit] As late as 1871 there were many who expected the arrival of the rails to New Mexico was imminent, in a year or three at most, and by buying land that would inevitably be the site of a major railroad town Elkins stood to make quick and enormous profits. No one knew it at the time, but the depression of 1873 disrupted all their plans.

The national economy, in time, recovered, the railroad arrived, the investment began to pay, and William Rencher advanced his claim to 1/3 of Elkins' and Catron's 606 acres.

However Rencher did not pursue Catron, who was the principle property agent as well as part owner of the Cerrillos Townsite Company. Rather, Rencher went after Elkins. True, Elkins had deeper pockets, but in light of his subsequent actions it appears that for Rencher it was more than money. It was personal.

Elkins, in his customary manner when under attack, chose delay and inaction over arriving at a settlement.

As early as 1889 Catron was in the thick of the Cerrillos townsite mess. Elkins had promised him a full one-half interest in the Cerrillos Townsite Company.

As the years went by and the case dragged on Elkins shed more and more of his interest in the Cerrillos Townsite Company to Catron, finally claiming under oath that he had sold all his remaining interest to Catron. Had he? Rencher didn't think

so. Rencher's litigation against Elkins over who owned what in Cerrillos town went on for nearly another decade.

The deeds for Cerrillos town lots always list Elkins as the seller and usually Catron too (especially in the later transactions), but never Rencher.

For example these two deeds of sale were executed by Catron on October 6, 1880, nine years after the Townsite was first acquired and seven months after the arrival of the railroad tracks: Stephen B. Elkins by his attorney in fact Thos B. Catron sells for \$125 to Elliott D. Horubek Lot No.1, Block No.14 [note; fronting west side of Second St, between S. Railroad and Main streets], Lot No.6, Block No.9 [note; either a typo or nonexistent; all lots on Block 9 are odd-numbered] in the town of Cerrillos, in SE ¼ of Sec18 T14N R8E, all 25'x150', and Stephen B. Elkins by his attorney in fact Thos B. Catron sells for \$150 to Elmira S. Harkness Lots No.3, 5, 7 Block No.14 [note; next 3 lots west of Horubek, the 4 lots comprising 1/3 of the block = the Cerrillos Hotel] in the town of Cerrillos, all 25'x150' [recorded in Locations & Mining Deeds Book E #15409 p.38 & 40]

Elkins' name is on every deed along with Catron, his factotum. In fact, Catron was chronically land-poor – his considerable assets were tied up in property and he was always short of cash – a problem not shared by Elkins, who had no compunction selling assets and who, being financially liquid, frequently functioned as Catron's private banker. Therefore the proceeds of the Cerrillos lot sales, ostensibly half or more for Elkins and the remainder for expenses and Catron, were much more important to Catron than to Elkins. And Elkins was not about to give in to Rencher.

Still, the Cerrillos Townsite Company was a functioning business and not Catron's private milk cow. Catron didn't have final say for the Cerrillos lot sales. In June 1884 real estate dealer Charles Etheridge was appointed the Company's sole agent in Albuquerque. [The Weekly New Mexican Review 1884 June 26, p.4 c.8] This does not preclude the possibility that Etheridge was in Catron's employ but it does support that Catron's authority was not absolute.

When Elkins offered to buy out Catron's remaining interests in the Cerrillos Coal Bank in 1891, Catron was perhaps more eager to sell than he should have been.

W.C. Rencher, who has a transfer of a third interest in the land a portion of which comprises the original town site of Cerrillos, from Mr. Elkins, and who has enjoined the further sale of lots by Mr. Catron, until his rights are recognized and a settlement adjusted, informs this paper that his claims will not be allowed

to interfere or disturb the titles as vested in former purchasers, and that his sole aim is and shall be for the advancement of the town. He goes east next week to obtain an interview with Mr. Elkins, so says the Rustler. [Los Cerrillos Rustler, reprinted in SFDNM 1889October25]

The day after Christmas, 1889, Catron discussed in a letter he wrote to Elkins the points of Rencher's case for Cerrillos Station, their (his and Elkins') enemies in Congress, and, interestingly, Elkins' promise to Catron of a one-half undivided interest in all the Cerrillos property. [NMSU Folder #s 2/4 2/5 2/6, Lawsuit, dated 1889December26]

Clearly, Catron was Elkins' partner but he was at the same time beholden to him.

In late 1891 Catron discovered he couldn't find Elkins' power of attorney document giving him power to sell Cerrillos town lots, and without that document all lot sales executed under Catron's signature were, at best, clouded. [Elkins papers 744 Dec14, 1891]

At what must have been the most awkward moment – coming just days after Catron became aware he had been squeezed out of the extremely lucrative CC&IC-AT&SF transaction – Elkins had to accommodate Catron by giving him a replacement power of attorney, which he did. [Elkins papers 747 December 23, 1891] Apparently, by the standards of late-19th century landsharks it was within accepted practices to administer a helping hand with one hand and a knife in the back with the other, and all at the same time.

Sometime later Elkins attempted to remove himself from the Rencher suit. He told the courts that he had sold his interest in the Town Company to Catron. [SFDNM November 22, 1895] But this transfer to Catron may have been as much an attempt to assuage Catron for being squeezed out of the Coal Bank deal by Elkins and Kerens as it was an attempt by Elkins to be rid of Rencher. Neither Elkins nor Rencher, who at one point asserted that he, too, had transferred his interest in the town lands in 1884 to Abraham Staab and Henry G. Prout [NMSU Folder #s 2/4 2/5 2/6, Lawsuit], were disposed to any kind of resolution of the matter.

The Albuquerque Democrat tried to explain the situation thusly:

Cerrillos Lands Involved. The Albuquerque Democrat prints a press dispatch under date of New York, Nov.20, which says:

“The hearing of a suit, in which William C. Reeves sues United States Senator Stephen B. Elkins, of West Virginia, to recover interest claimed by him in certain lands in New Mexico

and also for an accounting, was commenced to-day before Judge Patterson in a special term of the supreme court.”

Not Reeves, but William C. Rencher is the party who is suing and the case is a famous one, involving lands now covered by the Cerrillos town site. Years ago Rencher’s father was surveyor general [note; his father was in fact Territorial governor] of New Mexico. Under his administration certain so called non-mineral bearing U.S. lands in south Santa Fe county were put up at public auction and bought in by the Elkins Catron syndicate at \$1.25 per acre. About eight years ago Rencher came to Santa Fe and offered to pay the necessary money, but he found that Catron had filed a suit in Elkins’ name against “all unknown owners” to quiet title. Rencher put in an answer, filed a cross bill and tied up this suit in New Mexico and now he brings suit in New York because there he succeeded in getting personal service on Elkins. The senator says he sold a portion of the lands claimed by Rencher to T.B. Catron on the same conditions as they had been previously held by Rencher. He also pleads that Rencher is barred by statute of limitations. [SFDNM November 22, 1895] This article, originally from the New York Journal, was reprinted in the New Mexican four days afterward. It sheds light on Elkins’ manner and personality and suggests that animosity for Rencher was a motivating force:

Senator Stephen B. Elkins, of West Virginia, lost his temper under cross-examination during the trial of William C.

Rencher’s suit against him for the recovery of one-third interest in 606 acres of coal lands near Santa Fe, N.M., in the New York supreme court yesterday.

Under direct examination Senator Elkins had denied that Mr. Rencher had acquired an interest in the lands. He had sworn that he had merely given to Mr. Rencher an option to buy a one third interest at the same price as he had paid for it – \$1.25 an acre. Mr. Rencher, he had testified, had assigned the option to Thomas B. Catron, who purchased the one-third interest.

Senator Elkins was in a hurry to get to Washington, and betrayed much impatience when Austin G. Fox, attorney for the plaintiff, arose with great deliberation and prepared leisurely to cross-examine him. In answer to Lawyer Fox’s questions he testified that he had been admitted to the bar in 1864. His office was in Santa Fe. He evaded all of Lawyer Fox’s efforts to find out what salary he drew as counsel of the mining company.

“Senator, when you bought those lands from the government for \$1.25 an acre,” said Lawyer Fox, “didn’t you know that they were coal lands, and therefore worth at least \$20 an acre?”

The senator replied that his knowledge on that point was

very indefinite. His memory of his own private matters of that period (1871) as exploited by his answers to Lawyer Fox's queries was so bad that the attorney expressed his dissatisfaction, saying:

"I ask your honor to apply the strict rules of evidence to the witness, even if he is a United States senator."

Justice Patterson directed Senator Elkins to give clear explanations, so far as he could, of all the points covered by the questions. Lawyer Fox continued his cross-examination, and finally implied that Senator Elkins was not adhering strictly to the truth.

Senator Elkins became red in the face, and he seemed about to retort angrily, when Justice Patterson interposed. His honor again warned the senator that he must give direct answers to the attorney's questions, but the statesman's testimony continued to be unsatisfactory to Lawyer Fox, who told him so plainly.

Then it was that Senator Elkins lost his temper. Planting both hands on his knees, which he gripped as if to hold himself down, and looking squarely at the lawyer, he said, with an ominous ring in his voice:

"If you and I could have a talk outside, at the proper time, I might answer you."

That did not daunt Lawyer Fox. He finished painfully, but there was not a tremor in his tones as he met the senator's threatening glances and retorted:

"I might meet you – at the proper time."

Justice Patterson pounded the desk with his gavel and said, sternly: "Gentlemen, you must both come in order im-me-diately!"

After the trial Lawyer Fox was asked if he regarded Senator Elkins' remark as a challenge. Mr. Fox laughed heartily and said he didn't think there would be any duel, but added:

"I guess I rattled the senator."

Senator Elkins was interviewed as he was rushing through City Hall park on his way to Washington.

"Did you intend to challenge Mr. Fox, senator?"

"Oh, no, not at all!" he exclaimed. "All that business was only a little bit of by-play on the part of Mr. Fox, a little trick of the profession. I'm up to those things. I'm something of a lawyer myself!"

Mr. Rencher's testimony during the early part of yesterday's session was to the effect that he had located certain coal lands in 1871, and that Senator Elkins had said to him:

"I must have some of these."

Senator Elkins told him, he said, that if he would find more coal lands he would buy them, and would give one-third interest

in them to him. Mr. Rencher found the lands and Senator Elkins bought them. Then Senator Elkins executed the paper, saying that Mr. Rencher was entitled to a one-third interest therein. Mr. Rencher said his suspicion was aroused by the insertion of the qualifying clause, "he (Rencher) owing me \$1.25 for the same."

He told Senator Elkins, he testified, that in his opinion that phrase weakened the document, but the senator said that was all right.

The plaintiff swore that he had never given up his right to the one-third interest.

Lawyer Fox offered in evidence the release, purporting to assign Mr. Rencher's right to Adolph Staab and Henry G. Prost, and pointed out a clause which provided that nothing in the lease should in any way effect Mr. Rencher's interest in or claim to the land which he and Senator Elkins had bought.

Justice Patterson reserved decision. – New York Journal.

[SFDNM November 26, 1895]

Justice Patterson later found in this case for the defendant, Elkins, but that didn't settle things.

The Cerrillos Townsite Company ownership contest is as twisted and clouded as the worst of the New Mexico Land Grant debacles of the era, which is saying something. Into the early twentieth century Catron was still selling lots, and Elkins and Rencher – Rencher died in 1901 – were still at odds over ownership, neither disposed to settle the matter. [EP 1363, February 1900]

### **Cerrillos Land Company**

In addition to the Cerrillos Townsite Company there was an unrelated real estate company, the Cerrillos Land Company, incorporated in February 1884 by N.B. Laughlin, Samuel W. Bonner, W.A. McKenzie, all of whom were at one time residents of Carbonateville, and Chief Justice L. Bradford Prince of Santa Fe.

The object of the Cerrillos Land Company was buying, selling and improvement of lands, primarily at and near the village of Cerrillos. [Weekly New Mexican Review March 6, 1884 p.4 c.3]

The following month Laughlin obtained majority control in exchange for quit-claiming to the company 146.51 acres east of Cerrillos (in Otro Lado, on the south bank of the Galisteo River) and two lots in town. [Locations & Mining Deeds F#15410 March 13, 1884 p.689] The Cerrillos Land Company was still actively encouraging local investment as late as 1898. [SFNM February 12, 1898]

Tracts of land in territorial New Mexico were not only good investments, it was also possible, depending on your friends or

connections, to escape paying taxes on them. In late 1883 Editor Webb of the Golden Retort observed:

We see in the Review that there are 150,000 acres of patented lands, principally grants, in Santa Fe county unassessed. Even the 1,400 acres of Cerrillos agricultural lands, taking in the mountains and the mines, escape. Tom Catron's bean and chili patches, known as the Juana Lopez grant, extended so as to take in the coal fields near Cerrillos and comprising over 48,000 acres, are accommodatingly left out. The Ortiz, with its 68,000 acres of rich mineral mountains and placers, is significantly forgotten, and so on to the finish. ...The present assessor should be prosecuted for the non-performance of a sworn duty. [The Golden Retort. October 12, 1883, Vol.III No.22] [note; Tom Catron was not the only property-owning miscreant, but he was a local resident and thereby presented a larger target]

### **AT&SF**

At the end of December 1878 the Atchison, Topeka & Santa Fe Rail Road, under the guise of the New Mexico & Southern Pacific [note; The NM&SP RR was incorporated in New Mexico February 6, 1878 specifically to avoid the heavy out-of-state railroad and telegraph companies tax that took effect one week earlier (February 2). Through much of its life the 'real' identity of the NM&SP was widely known and it was often and openly referred to as 'the Santa Fe Company'. The NM&SP was sold to the AT&SF in 1899, and completely absorbed by the parent company in 1906.] crossed Raton Pass and entered New Mexico territory. Seven months later, July 4, 1879, the line was open for operation all the way to Las Vegas.

From the end of the tracks in Las Vegas...

A short pause ensued while A.A. Robinson, the railroad's chief engineer, evaluated alternative routes to the Rio Grande valley. One alternative crossed Glorieta Pass, then followed the Rio Galisteo to its confluence with the Rio Grande. Among other factors, the availability of timber along that route, and the presence of the coal near Cerrillos, convinced Robinson to choose the Glorieta Pass alignment. ... J.M. Robinson, a mining engineer, was hired to evaluate the several coal fields: Galisteo, Tuerto, Tijeras, and San Pedro. Working with him on the real estate issues was George T. Anthony, a former Kansas governor. They soon eliminated the Tuerto (now Hagen) and Tijeras fields as inadequate. [JPHereford, TheCerrillosCoalRailroad, February 8, 2008 draft]

Instead, the AT&SF filed entries (claims) on coal lands for lands adjacent to but outside, north and east of the Mesita de



Juana Lopez and Ortiz Mine Grants. [note; see the Anthracite & Bituminous Coal Company]

In the middle of all this change Catron saw his chance to make a financial coup by selling his Juana Lopez coal interest to the AT&SF. But George T. Anthony, former Kansas governor and now the AT&SF real estate expert, and William Barstow [note; Mr. Strong's mother's family name was Barstow, after which a railroad town in California's Mojave Desert was named.] Strong, the AT&SF General Manager, rejected Catron's offer. The price of \$100,000 for Catron's half interest in the Juana Lopez was unreasonably high, they thought, and even if Catron's supposed one-half undivided interest was what he said it was, buying into that grant would necessarily involve them with the Ortiz Mine Grant. Too much money for too many potential problems. The owner of the as-yet unconfirmed Socorro Grant, within the boundaries of which it was situated, proposed what they considered a reasonable offer for the San Pedro, or Carthage, coal field. [JPHereford, TheCerrillosCoalRailroad, February 8, 2008 draft]

Strong and Anthony countered with proposal. If Elkins and Catron could assure them they had clear titles to both land grants then they all might form a new corporation that would be owned 50-50 between Strong, Anthony, and the AT&SF on the one hand, and Elkins, the NMMC stockholders, and Catron on the other. Elkins and Catron initially agreed, but Elkins wrote Anthony that to convince the stockholders of the NMMC it might be necessary to assign as much as two-thirds of the proposed new corporation to the NMMC. Anthony and Strong insisted the AT&SF side should have nothing less than fifty percent ownership. The deal fell through. The AT&SF instead went to the Socorro Grant where they organized the San Pedro Coal & Coke Company and the mining camp of Carthage. [JPHer65 eford, TheCerrillosCoalRailroad, February 8, 2008 draft]

The eventual SPC&CC shutdown, which began in late 1891, came about because of several factors (among them disputed ownership), but from the AT&SF perspective the Carthage shutdown was possible because they were about to acquire a better coal resource, and the new town at those better coal deposits was to be named Madrid.

## **KEYSTONE COAL & COKE**

Miller and Alexander's Keystone Coal & Coke Company, in Miller Gulch, was one coal mining operation that possessed a valid lease.

In 1882 David L. Miller and Oliver W. Alexander were noted

for the production of some of the first coke in NM, from Miller gulch coal. [JHereford 2009] Five years later Miller and Alexander were providing the San Pedro smelter with fully half of the ten tons per day of coke it required for operation. [SFWNM September 15, 1887] A year later the firm was employing 25 men and producing 500 tons of coke per month, most of it for the San Pedro smelter, but some being shipped to Socorro. [SFWNM April 26, 1888]

November 5, 1889; A vast quantity of coke is being hauled from Cerrillos to San Pedro and stored for the use of the copper works. [SFDNM]

## COKE



Waldo coke ovens

Beehive coking ovens were once a fairly common sight in southern Santa Fe County. They are now all but gone. The ovens – stone, brick or adobe dome-shaped structures – were used to produce a fuel called coke. Coke burns hot and clean, which puts it in high demand for certain metallurgical operations, such as smelting, as well as for the production of steel.

Beehive ovens are a simple, labor-intensive means of producing coke. In the United States all beehive ovens were replaced in the early 20th century by cheaper, more mechanized processes. The last U.S. beehive coking ovens were built in Bretz, West Virginia, in 1903, by the Elkins Coal & Coke Company. This particular factoid is of interest to New Mexicans because this is the same Stephen B. Elkins who had been the New Mexico Territorial representative in Congress, and who was also the first kingpin of the notorious Santa Fe Ring. In 1903 Elkins was the U.S. Senator from West Virginia.

Back in 1891 Senator Elkins had sold a portion of his Ortiz Mining Grant in Santa Fe County to the AT&SF Railroad. Those coal-rich lands that he sold had been called the Cerrillos

Coal Bank, but in the sale the parcel was redesignated the Madrid Tract. Starting in 1892 the AT&SF, through some subsidiary companies, developed the coal mines of the Madrid Tract, and built the town of Madrid. In the middle 1890s they constructed 50 beehive coking ovens at Waldo to produce fuel for their affiliated steel-making plants in Pueblo, Colorado, and El Paso, Texas. Coke is to coal what charcoal is to wood.

The natural fuel is partially burned in an enclosed, oxygen poor environment – a beehive oven – so that the volatile and undesirable components, such as naturally-occurring sulfur in the coal, are driven off. The resultant product, coke, is light and porous, and when later on used as fuel in an oxygen-rich environment, it burns rapidly, at high temperature, and very cleanly.

The Bessemer process for the manufacture of steel requires coke, and air blown into the Bessemer furnace to facilitate combustion is why it is called a blast furnace. The Bessemer process for making steel requires lots of coke.

The glory days of the Waldo coke ovens were 1895 to 1906, the years when the Colorado Fuel & Iron Company controlled all the mining at Madrid. By mid-1895 one hundred railway cars of coke per month were coming out of the Waldo coke ovens.

This represented nearly a quarter of the total production of bituminous coal at Madrid. (Coke is made from bituminous coal.)

An article in the New Mexican of January 25, 1900, states that thirty men were regularly at work at the ovens at Waldo, all drawing good wages. Ramon Sandoval was in charge, and Jose S. Gonzales was his assistant. The output was three car loads of coke daily. The men worked under the task system, and generally finished their tasks in six or seven hours, when they knocked off and got pay for a full day's work. The article does not mention that the work – coal shoveled in, coke shoveled out – was noxious, backbreaking and extremely dirty.

That level of production at Waldo didn't last. Other, closer, cheaper sources, coupled with general industry strife (at Ludlow, Colorado, for example) led, in the first years of the 20th century, to the abandonment of all coking operations at Waldo.

The Waldo coke ovens sat derelict until the late 1930s, when a Madrid miner by the name of Chago and the young Bill Henderson, under a contract with Oscar Huber, tore them down to salvage the bricks. Many of those bricks were then used by Mr. Huber to construct the Huber Motor Company building in Madrid, now the Johnson's of Madrid gallery. Some of the bricks also went into the construction of the garages behind that motor company.

The Big Copper smelter at San Pedro, two miles southeast of

Golden, was an early and constant consumer of Cerrillos Coal Banks coke. Many years before the AT&SF Railroad arrived, and before the town of Madrid even existed, local entrepreneurs were coking coal at Rogersville and Cerrillos Coal Bank, and transporting the coke by wagon to the San Pedro smelter. When Colorado Fuel & Iron gained control of Madrid they monopolized all of the production, leaving others users to scramble. The demands for coke at San Pedro encouraged the development of the coal deposits at Omara, east of the Ortiz Mountains, and at Hagan, in Sandoval County. Beehive coking ovens were built and operated at San Pedro, and some of those structures survived intact there until the 1950s.

Lamy Junction got into the act as well. Though more famous for its lime kilns, brick kilns, charcoal ovens, and stone quarries, coke was produced in beehive ovens at Lamy too, with most of the raw coal coming from Omara. In contrast to the masonry ovens at Waldo and San Pedro, the evidence indicates the Lamy ovens were built largely of adobe. Today they are long gone.

A hundred years ago beehive coking ovens might have been a fairly common sight in this part of New Mexico. Of those once numerous domes we have now some crumbling foundations, old albums of yellowed photographs, and a few faded memories.

Miller and Alexander, whose not-insignificant Keystone Coal & Coke Company was situated wholly on the Mesita de Juana Lopez Grant, north of the Ortiz Mine Grant. In a letter dated July 5, 1892 from Ferdinand Risque to Richard Kerens, president of the CI&CC, Risque says “D.L. Miller, one of the lessees, had an arbitration on his mine improvements, tools, houses, etc. at \$1,650 and he retains possession until paid.” [EP 808] Oliver Alexander, who had ownership and interests in many dozens of mines in the region – enough for any three men – appears to have left the negotiations for the buyout of the Keystone Coal & Coke Co. to his partner, Dave Miller.

The payment to Miller was almost certainly made, but after the compilation of the May 9, 1892 list of buy-outs

Neither Miller’s nor Alexander’s names appear on the May 9 list. [note; Alexander was later one of the founders of the Cerrillos Natural Gas & Oil Company (May 1893), and in March of 1909 he opened a dealership and garage at 310 San Francisco Street in Santa Fe for Mitchell, Moline, McIntyre and Zimmerman brand automobiles.]

### **CC&IC; 1884 to the Dec 1891 sale**

The land of the Ortiz Mine Grant – owned since 1854 by the New Mexican Mining Company, and then its successor the New

Mexico Mining Company – was validated for 69,458.33 acres by a Special Act of Congress on March 1, 1861. [note; GOM p.77] The next step was to obtain a patent on it, which could only be issued by the same Federal body. The requirement for a patent was, in part, a spotlessly clean title. There could be no outstanding claim on any part of the proposed patent.

But Elkins and his predecessors had been so preoccupied with other matters that they had frequently allowed the NMMC run itself, and the Company's condition was a mess. Most efforts had been focused on Cunningham Gulch [note; aka Arroyo Viejo] and the placer gold lands around Dolores. But the Company had been selling leases and making deals as the opportunities occurred. Those opportunistic leases had helped to keep the company afloat, and the income they generated was a balm of sorts for the NMMC stockholders who had expected somewhat greater returns than they had been getting, but the uncertainties surrounding who had what allowed the entrepreneurs to move in. Over the years, leasers, sub-leasers and wildcat operators had gained operational possession of different mines within the Grant, some by way of proper agreements, contracts and subcontracts, others by simply working their lode for years, and yet others by bluff and bravado; claiming to have a lease or sublease they didn't really have. Elkins and the NMMC were confronted with an assortment of operators, a number of whom did not appear in company records, which records might be incomplete, and whose presence on the Ortiz Grant were a serious hindrance to issuance of the letter of patent.

The patent on the Ortiz Mine Grant was finally issued by Congress on October 2, 1889, and then only because eight most contentious disputes were voluntarily 'excepted' from the patent application. [note; the eight OMG exceptions were: The Ortiz Mine Grant is located within Townships 12, 13, & 14 N and Ranges 7 & 8 E.

Exception #1; So much of the US Mineral Surveys Nos. 1214 (Colorado Placer), 400 (Tennessee claim) and 1361 (Oro Quay Group) as may be in conflict with the Ortiz Mine Grant Surveys, this exception covering 48.55 acres.

Exception #2; A tract of land in the southwesterly portion of Ortiz Mine Grant described upon a blueprint plat filed in the office of the County Clerk of Santa Fe co., surveyed by J.D. Sena, Jr., in Aug & Sept 1941... containing 1044.34 acres.

Exception #3; Three certain tracts of land the Black Prince Lode, the Ohio Lode and the Illinois Lode more particularly described in a certain deed from NMMC to James M. Lucas and A.B. Renchan, book J-1 deeds page 314, and a certain other tract

the Lucas Mill Site, book K-M Deeds page 602, the combined area of the four tracts is 54.555 acres.

Exception #4; So much of the Excelsior Placer Mining Claim and Cora PMC as may be within the public domain.

Exception #5; Such areas as are occupied by rights-of-way of Public Highways and the AT&SF R.w.

Exception #6; The townsite of Golden

Exception #7; The Canon del Agua Grant as patented 15 Oct 1896.

Exception #8; Mineral Surveys Nos. 901 & 902. (Julia A & Livingstone claims; 17.83 acres)

The foregoing described tract of land, after deducting therefrom the exceptions, contains 57,267.04 acres.

This list of exceptions, taken from "Abstract of Title Supplemental No.3456, v.IV, 30 Sep 1983", W. Henderson archives.

Let's go back to the year 1884, which was in many ways pivotal.

This was the year the mining boom in the Cerrillos Hills began its decline. The northside mining frenzy that had begun back in January 1879 had inspired dreams of riches and had become the backbone of the region's economy. The Cerrillos Hills boom had lasted longer than might have been expected, sustained by the arrival of the railroad – it was the railroad that lured eastern prospectors and investors, and made bulk ore transport economical. But most of all, the boom, especially between 1882 and 1884, persisted because of speculators.

In Elkins' world of 1884 the Ortiz Grant was suffering from neglect. A few years later (1887), bowing to reality, the NMCC started selling openly gold leases on the Grant.

The AT&SF had rejected the Cerrillos Coal Bank in favor of obtaining the coal fuel they needed from the Carthage mines.

There were hundreds of men at Coal Bank digging furiously, many of them with dubious rights or no rights to do so.

And the Cerrillos Town Company, though briskly selling lots at the new Cerrillos Station, was ever more deeply embroiled in the courts. Elkins' money making projects in this part of New Mexico had not gone well.

Eighteen eighty-four was the year Stephen B. Elkins, along with Jerome Chaffee's as the other NMCC trustee, separated out the northwest corner of the Ortiz Grant, the Coal Bank, and the year Elkins, Catron and Kerens (conspicuously not Chaffee) created the Cerrillos Coal & Iron Company (CC&IC) (March 1884). The separation of the property took place by way of a quit claim deed, dated April 4, 1884, executed by Stephen B. Elkins of Santa Fe and Jerome B. Chaffee of Denver, whereby they turned over 15,026.06 acres more or less [note; It is a curiosity of legal

terminology that acreage measured to the nearest hundredth of an acre should also need to be identified as an approximation. But that phrase protected them in case there was an error in measurement.] to the newly created Cerrillos Coal & Iron Company.

The remaining 54,000 acres of the Ortiz Mine Grant was deeded back to the original owner of the entire Grant, the New Mexico Mining Company. For this the holders of both the Ortiz Mine Grant and the Cerrillos Coal & Iron Company, effectively Elkins and Chaffee, received a token fee of ten dollars. [Book.N Deeds, p.36]

From this time onward the CC&IC represented as the legal and proper owner of the 15,000 acres of land that comprised Cerrillos Coal Bank.

The purpose of the CC&IC was to consolidate the interests of the several owners and stockholders in the two grants (Ortiz and Juana Lopez), and then to raise funds to develop the property for the profit of those same stockholders.

In one of its initial actions the CC&IC purchased the Anthracite & Bituminous Coal Company and all its improvements.

The transfer of that land to the new CC&IC, however, did not take into consideration the Mesita de Juana Lopez Grant, the owners of which were to be included in the more detailed CC&IC organizational resolution advanced early in the following year.

Whereas, a conflict of title has existed between the owners of the Ortiz Mine Grant... and the owners of the Mesita Juana Lopez Grant... the several owners of said properties have formed a joint stock Company known as the Cerrillos Coal And Iron Company, with a capital stock of One million dollars. [1885draft of CC&IC organization resolution]

The million dollar stock valuation was broken down as \$400,000 for the approximately 14,000 acres of the Ortiz Mine Grant, and \$600,000 for the approximately 20,000 acres of the Mesita Juana Lopez Grant.

### **A Little Sleight of Hand and the Company Books**

The following is taken from an early copy of the organizational resolution of the CC&IC dated 1885 found among the Elkins Papers. [note; because of the subject this document was more likely written very early in 1884, probably sometime before April 4 when the Coal Bank portion of the Ortiz Mine Grant was officially sold to the CC&IC] This document is the birth certificate of what would become the Madrid Tract; the coal-bearing portions of the Ortiz Mine Grant and of the Mesita de Juana Lopez Grant.

Whereas, a conflict of title has existed between the owners of the Ortiz Mine Grant... and the owners of the Mesita Juana Lopez Grant... the several owners of said properties have formed a joint stock Company known as the Cerrillos Coal And Iron Company, with a capital stock of One million dollars.

The document divides the lands dedicated to the CC&IC as about fourteen thousand acres coming from the Ortiz Mine Grant and about twenty thousand acres from the Mesita de Juana Lopez Grant. In consequence the million dollars of capital stock was assigned thusly; \$400,000 to the Ortiz Grant parties (the NMMC stockholders) and \$600,000 to the Juana Lopez parties (Elkins, Catron and Ortiz y Salazar).

And Whereas, it has been agreed that Stephen B. Elkins, Thomas B. Catron and Antonio Ortiz y Salazar, as representing the ownership of said Mesita de Juana Lopez Grant, will own, the said Elkins \$160,000, the said Catron \$160,000, Antonio Ortiz y Salazar \$40,000 of the capital stock remaining after deducting said \$400,000...

Which, the document goes on to say, translates into CC&IC shares as Elkins, 1600 shares, Catron, 1600 shares, and Ortiz y Salazar, 400 shares.

[note; based on this valuation par value was \$166 2/3 per share.

Whereas the following own the Ortiz Mine Grant: Jerome B. Chaffee 90/375; Leonidas M. Lawson 80/375; Larz Anderson 72.5/375; Stephen B. Elkins 54/375; Joseph Larocque 25/375; M.P. Bush 22/375; Richard C. Kerens 20/375; Alfred J. Wolf, Trustee, 3.5/375; M.F. Hunt 3/375; Matthew Addy 2.5/375; Nicholas L. Anderson 2.5/375... are entitled to receive the following stock [in the CC&IC]: Chaffee 576 shares; Lawson 512 shares; L. Anderson 464 shares; Elkins 345 shares; Larocque 160 shares; Bush 140 shares; Kerens 128 shares; Wolf, Trustee, 23 shares; Hunt 19 shares; Addy 16 shares; N.L. Anderson 17 shares. <note; the 2,400 total shares here computes to a par of \$166 2/3 per share, in agreement with the Juana Lopez valuation.]

The Draft further proposes two trustees, one in New York City and one in Santa Fe.

...appoint Augustus Ebert of New York City and Frank W. Clancy of Santa Fe as trustees...

It is easy to see Elkins' hand in this. He understated the size and undervalued the Ortiz Mine Grant, where he shared his minority ownership [note; because of his practice of relying on other people's money to finance his enterprises, Elkins' Ortiz-Grant share of the CC&IC amounted to slightly less than 15% of the company] with many other stockholders, and he overstated and overvalued the Mesita de Juana Lopez Grant acreage, in which



his interest was large.

The best of the coal was situated in the 15,000 acres covered by both grants. The rest of the Juana Lopez acreage, north of the boundary lines of the Ortiz Mine Grant and south of the Galisteo River, contained some notable bituminous coal deposits – a portion of those deposits were being worked by the A&BCC – but their extent and potential were largely unknown.

And Whereas, it has been agreed that Stephen B. Elkins, Thomas B. Catron and Antonio Ortiz y Salazar, as representing the ownership of said Mesita Juana Lopez Grant, will own, the said Elkins \$160,000, the said Catron \$160,000, Antonio Ortiz y Salazar \$40,000 of the capital stock remaining after deducting said \$400,000... [1885draft of CC&IC organization resolution]

The hand of Stephen B. Elkins looms large in this document. The document overstated the Mesita de Juana Lopez Grant's contribution – the junior grant, but where Elkins held, along with Catron, the dominant interest – and it over allocated Juana Lopez acres – already-developed Cerrillos Station might have been the more logical main line railroad junction, but Waldo, on Juana Lopez Grant land, would significantly increase the value of that grant.

At the same time this plan minimized the Ortiz Grant's contribution (which was in fact a bit over 15,000 acres, not 14,000).

The NMMC at this time was composed of eleven stockholders, three of whom held more shares than Elkins. Combine Elkins' fractional interest in the Ortiz Grant, where Catron possesses no stock, together with his major interest in the Juana Lopez Grant, and Elkins emerges as the dominant stockholder in the CC&IC. In effect, for consideration of their interest in the Juana Lopez Grant Elkins was assigned 1,600 shares of par value \$10, Catron 1,600 shares, and Ortiz y Salazar 400 shares in the CC&IC, for a total of 3,600 shares, which represented 60% of the new CC&IC. The NMMC stockholders' interest in the CC&IC was a total of 2,400 shares.

Whereas the following own the Ortiz Mine Grant: Jerome B. Chaffee 90/375; Leonidas M. Lawson 80/375; Larz Anderson 72.5/375; Stephen B. Elkins 54/375; Joseph Larocque 25/375; M.P. Bush 22/375; Richard C. Kerens 20/375; Alfred J. Wolf, Trustee, 3.5/375; M.F. Hunt 3/375; Matthew Addy 2.5/375; Nicholas L. Anderson 2.5/375... [and] are entitled to receive the following stock [in the CC&IC]: Chaffee 576 shares; Lawson 512 shares; L. Anderson 464 shares; Elkins 345 shares; Larocque 160 shares; Bush 140 shares; Kerens 128 shares; Wolf, Trustee, 23 shares; Hunt 19 shares; Addy 16 shares; N.L. Anderson 17 shares. [2,400 shares total, representing 40% of the new company]

[The owners]...appoint Augustus Ebert of NYC and Frank W. Clancy of StaFe as trustees... [1885draft of CC&IC organization resolution]

The end result was that by early 1885 Elkins had holdings in the CC&IC, by way of manipulations of his various interests, amounting to nearly 40% of that company. Less than seven years later when the CC&IC and the former Cerrillos Coal Bank were sold to the AT&SF, he and Kerens represented to the railroad that the two of them owned it all.

By late 1891 Elkins had a million dollar deal with the Atchison, Topeka and Santa Fe Railroad, on Coal Bank, ready to close. All the AT&SF needed was a guarantee that the CC&IC's title to the Cerrillos Coal Bank was clear.

In the laissez faire financial world of the late 19th century there were winners and losers. There were lots of losers. Elkins was a winner. His influential personal and political contacts and his manipulative talents augured there would be more winnings. Elkins' scheme in 1884 had been to build up at minimal cost to himself the CC&IC and use that company to bring order to Coal Bank, and ultimately to make that property suitable for sale to the railroad.

R. Kearnes [Kerens], a noted star route [postal delivery contract] thief, is a great [J.G.] Blaine man. He is also, as is the Plumed Knight, interested with Steve Elkins in his land steals in New Mexico. – With Elkins Secretary of the Interior, Dick Kearnes as Land Commissioner, Atkinson Surveyor General, Max Frost Land Register, Ortiz y Salazar Receiver of public moneys, Tom Catron United States Attorney, Axtell Chief Justice and Morrison Marshal, [note; prominent members of anyone's rogue's gallery of this era] what rapid strides New Mexico would take in point of permanent prosperity! Elect Blaine and the above is about the size of it so far as this Territory is concerned. – Vast sums in placer gold are being taken out of ground claimed by the Ortiz grant fraud. Why does not Elkins collect royalty? Waiting till after November, probably. [The Golden Retort. 1884 August 22; Vol.V No.5]

Will "our Steve" be able to send us any money from the national campaign fund? is the query that goes up from the ring just now. [The Golden Retort. 1884 August 29; Vol.V No.6] Cleveland won the election over Blaine. But the CC&IC got off to a slow start.

With the CC&IC inactive, trespass mining increased, though the scale remained small. In 1888, for example, five bituminous and two anthracite mines extracted a total of 25,200 tons of coal. By comparison, that year some 300,000 tons were mined at Gallup

NM, on the Atlantic & Pacific Railroad; 227,427 tons by the Raton Coal & Coke Company at Raton, and, at Carthage, the San Pedro Coal & Coke Company produced 62,038 tons. CC&IC took no effort to stem the misappropriation of its resource. The company's officers were spread across the nation; Richard C. Kerens, president, residing in Missouri, alone could initiate action to assert the company's ownership of the coal. For some reason, he declined even to convene a meeting of the directors. [JPHereford, TheCerrillosCoalRailroad, 8Feb2008 draft]

By 1891, as the secret AT&SF deal began to look like a sure thing, Elkins began to buy back the outstanding shares in the CC&IC. Elkins had by then already acquired some of Chaffee's holdings in the Ortiz Grant, but he needed to get the rest of the CC&IC stock before those investors got wind of the coming deal.

### **AT THE DAWN OF MADRID**

In 1891 Cerrillos was ascendant. Cerrillos was situated astride the second transcontinental railroad line, and so blessed with resources and so centrally located that it would inevitably overtake Las Vegas and that upstart village Albuquerque, and just as inevitably supplant Santa Fe as the capital of New Mexico. How could it be otherwise? The Cerrillos region's mineral riches – gold, silver, copper, iron – were augmented at the nearby Coal Bank, by an inexhaustible supply of coal, both bituminous and anthracite. Only a fool could not see that Cerrillos, widely promoted by its boosters as “the Little Pittsburg”, was destined to be the great metropolis of New Mexico, the center of industry and wealth and population.

Less than two months after Santa Fe City first incorporated [note; William T. Thornton was elected July 2, 1891 the first mayor of Santa Fe, and subsequently became Territorial Governor] Cerrillos incorporated as well (W.E. Dame was Cerrillos' first chairman of the board of town trustees). These were heady times. Who knew what fortunes tomorrow might bring? The only thing sure was that good times had arrived and it was going to get better.

The first event to interrupt Cerrillos' path to prosperity and glory happened in the summer of 1892 when the disorganized Cerrillos Coal Bank rather quickly morphed into the new company-run coal operation centered on the new town of Madrid. At the time few recognized the implications.

## **R.C. Kerens**



Richard C. Kerens 1842-1916

In 1885 Elkins enlisted as president of the Cerrillos Coal & Iron Company his fellow Missourian and law school classmate, the force behind the Texas & St. Louis Railway, Republican Party stalwart – member of the Republican National Committee from 1892 to 1902 – and close personal friend of New Mexico's current Archbishop Salpointe, Richard C. Kerens. For his services Kerens received fully half interest in the CC&IC, the other half (once all the existing stockholders had been bought out) being held by Elkins.

Richard C. Kerens was responsible for the town of Madrid. The concurrence of Stephen B. Elkins was necessary, but Kerens approved the location and issued the instructions. Kerens' superintendent, Ferdinand W. Risque, was the man on the ground who platted the streets and built the first houses, but the individual directly responsible for the building of Madrid was Richard C. Kerens.

## **F.W. Risque**

Elkins and Kerens settled on F.W. Risque, an accountant from St. Louis, as their superintendent of the Cerrillos Coal & Iron Company, designating him as such just two months before the big sale.

Risque was charged with bringing the numbers of wildcat coal miners, who had been digging and selling Coal Bank coal without permission, under control. This he did through gentle

persuasion for those who could be swayed, and by the imposition of temporary leases (that could be later rescinded). For those who were not amenable he used strong-arm threats and suits of ejectment. In addition to this Risque was charged with getting the Cerrillos Coal & Iron Co.'s proposed town platted and constructed.

1891December25; It is understood that a suit has been commenced by the Cerrillos Coal & Iron Co., against those of the coal operators who refused to lease and the railroad company as receiver, for royalty on 800,000 tons of coal claimed to have been mined and shipped. The suit is evidently intended to bring matters to a final issue. As most of the operators have made leases, it is presumed that any litigation resulting will not interfere with the ability of the banks under lease to supply the market with Cerrillos coal. [The Rustler, v.IV no.34]

F.W. Risque, though a resident of St. Louis, was not unfamiliar with New Mexico. His father, Ferdinand W. Risque, of Washington D.C., was one of the original (1854) stockholders in the New Mexico Mining Company, and F.W.'s brother was John P. Risque, a lawyer and mining investor in Silver City.

In a letter dated December 11, 1891, Kerens relayed to Elkins that Risque recommended that the mining camp and company store be built at the place (site B) at Coal Bank where one of the more active and troublesome trespassers, a man named William Keesee, had a house. "...in a beautiful valley where the principal coal measures are now operated." Business Town Site A, he recommended, should be at the mouth of Keystone Gulch, "our only outlet to the railroad from that portion of the property at Waldo Station, where the side tracks would come in from the coking region." [Elkins papers 740] [note; This is further evidence that coal was being coked well before the advent of the Company. ]

The following day Kerens wrote another letter to Elkins, this time enclosing Risque's hand-drawn map.

1891December12; (R.C. Kerens to S.B. Elkins) Risque has selected a splendid town site on the Cerrillos property, as per enclosed memorandum. When these coal fields are properly opened and the smelters moved there, as they will be on account of the coal and coke and iron for flux; also lime-stone, there will be a City of eight or ten thousand people, and a half million dollars is not a large estimate (sic.) to realize from a town-site. ...

You know they [the AT&SF] agreed when we were in New York before, to give us a one-half interest, and allow us to manage the town site. I wish you would at once telegraph McCook about this, as I propose to bring it up in Chicago. ...We must be in

on this town site, + McCook could be taken care of through us.  
[Elkins papers 742]

Elkins, and Kerens and Allen Manvel, president of the AT&SF, all agreed with F.W. Risque's recommendation. A mining camp was built in Coal Gulch, at the center of the Cerrillos Coal Bank, at the end of a new spur rail line. That mining camp was the town of Madrid.

Kerens, for his part, continued to serve as president of the Cerrillos Coal & Iron Company and Risque as superintendent, after it was acquired by the AT&SF, but a month after December 10, 1891 all of the CC&IC's assets and most of its functions were assumed by the Cerrillos Coal Railroad Company. The CCRC was incorporated on January 9, 1892 and was the successor to the CC&IC even though the CC&IC continued as an entity until 1901.

### **AT&SF sidebar**

The original charter was written by Cyrus K. Holliday in January 1859, and was approved by the Kansas Territorial Governor on February 11, 1859, as the Atchison and Topeka Railroad Company. On May 3, 1863 it became Atchison, Topeka and Santa Fe Railroad, and on October 30, 1868 started construction westward from Topeka.

The result of conflict with Denver & Rio Grande led on February 2, 1880 to the Treaty of Boston; D&RG got the railroad rights to Royal Gorge, Leadville and Denver, paying an estimated \$1.4 million to the AT&SF for work it had already done, and the D&RG agreed not to extend its tracks to Santa Fe.

W.B. Strong, of the AT&SF, learned that the Southern Pacific Railroad, building eastward from California, had introduced legislation to block the AT&SF's entry into New Mexico, so he obtained a charter for the New Mexico and Southern Pacific Railroad Company.

First train crossed over Raton pass on December 7, 1878. In the late 1880s George C. Magoun, who had worked his way up to become Chairman of the Board of Directors of the AT&SF, was in worsening health. On news of Magoun's health the railroad's stock fell in 1889 from nearly \$140 per share to around \$20 per share. Magoun finally died on December 20, 1893 and the Santa Fe entered receivership three days later, an event associated with the Panic of 1893.

J. W. Reinhart, John J. McCook and Joseph C. Wilson were appointed as receivers for the railroad. [wikipedia 2013]

A little over a hundred tumultuous years later, December 31, 1996, the AT&SF officially ceased operations when it merged

with the Burlington Northern Railroad to form the Burlington Northern and Santa Fe Railway or BNSF Railway.

### **THE BIG DEAL December 10 1891**

Elkins' coup; the million dollar deal. Several ingredients went into this transaction, one of the most interesting being the complete separation of Tom Catron from the proceedings. Catron arguably held nearly as much sway over the properties as Elkins. Catron's interest stemmed entirely from his 4/9ths of the Mesita de Juana Lopez and the CC&IC stock that that represented.

1891 October 2; It is currently reported that Mr. Catron has sold his interests in the Cerrillos coal fields to Elkins and Kern.

[The Rustler v.IV n.22]

The following day the New Mexican repeated the Rustler item, this time spelling Kerens' name correctly.

1891 October 3; It is currently reported that Mr. Catron has sold his interests in the Cerrillos coal fields to Elkins and Kerens.

[SFDNM]

The details of this reported sale are unknown, but if true they explain why Catron was reduced to little more than a gadfly in all that followed.

A little over two months later, on the tenth of December 1891, the same month that Elkins joined President Cleveland's cabinet as Secretary of War, Elkins (and Kerens) secretly sold the Cerrillos Coal & Iron Company to the A.,T.&S.F. railroad for a million dollars.

1891 December 10; copy of memorandum that shows S.B. Elkins has sold and that the AT&SF Railroad Company has bought from the first named party, for \$1,000,000 ...all the capital stock of the Cerrillos Coal and Iron Company, being 10k shares at \$100 each. The said CC&IC being the owner of about 26,000 acres of land lying on the S side of the Galisteo River; 15,026.06 acres within the Ortiz Mine Grant, and conveyed by Jerome B. Chaffee and Stephen B. Elkins to the CC&IC by deed dated April 4, 1884 b. Deeds N p.34. The portion of the Ortiz Mine Grant hereby conveyed 15,026.06 acres ...embracing that part of the Mesita Juana de Lopez Grant in conflict with the Ortiz Mine Grant. Also all that part of the Mesita de Juana Lopez Grant lying south of the Galisteo River and extending to the north boundary of the Ortiz Mine Grant, estimated to contain about 11,000 acres, conveyed by Thomas B. Catron and Julia A., his wife, to the CC&IC on July 1, 1885, b. Deeds N p.222. The AT&SF agrees to pay for the stock as follows \$300,000 on the surrender of CC&IC stock on Tuesday December 22, 1891, and not later. Upon it appearing that the CC&IC has a good and perfect

title to the lands, except that portion of the San Domingo Pueblo Grant in conflict with the Mesita de Juana Lopez Grant, and that the said lands are free and unencumbered except as to the leases hereinafter mentioned, and that the CC&IC has no indebtedness, the AT&SF will make a further payment of \$700,000 par value of the first mortgage sinking fund 4% bonds, of an issue of \$1,000,000 of like bonds. 30 days to back out. Signed in NY December 10, 1891; S.B. Elkins; The AT&SF R Co, J.W. Reinhart, President. In the presence of Geo F. Crane. [Elkins papers] [note; There is one signature for the seller and one for the buyer on this million-dollar agreement; S. B. Elkins, the owner (but not President) of the CC&IC, and J. W. Reinhard, President of the AT&SF. Geo. F. Crane is the sole witness.] 1891 December 11; (R.C. Kerens to S.B. Elkins) Cunningham tells R.C. Kerens that Manvel and Waldo have repeatedly told the squatters that they charged the extraordinary freight rates they do, to cover the royalty, which they expected, when title was settled, the railway Company would have to pay. Cunningham says there has been an average of 200 tons per day shipped from Cerrillos for the past 5 years. ...the royalty at 50 cents per ton... would amount to nearly \$200,000. Their freight rates are simply awful; \$2.50 per ton for 50 miles. Judge Waldo in his decision about title, has given character and dignity to Thornton, Webb and Folsom's claims. I believe Waldo is in with both Thornton and Webb, and feel sure that Thornton will give Waldo \$2,500 of the \$5,000 he got from us. Same with Webb. I have good reasons for this belief. AT&SF bond offers 4% vs.6%. Catron threatens if we buy Webb out suit will be brought to maintain title for others. He says they are "men in the moon". [Elkins papers 740]

### **Cerrillos Coal Railroad Company**

**1892**

On January 9, 1892 the Cerrillos Coal Railroad Company was incorporated to build and operate a branch line into the coal field. The coal mines and the spur railroad were to be owned and operated by the same company. On May 16, 1892, in return for the CCRC's capital stock and one million dollars in bonds, CC&IC leased its property to the CCRC for 99 years. Payment of principal and interest on the bonds was guaranteed by the AT&SF. [JHereford 2009]

Once the bonds were retired through income from mining coal, expected to take a dozen years, the AT&SF would own the Cerrillos coal field "together with the railroad and mining properties thereon and connected therewith free from debt or incumbrance of any kind." [JHereford 2009]



The original directors of the Cerrillos Coal Railway Co. were R.J. Palen, president of the First National Bank of Santa Fe, R.C. Kerens, on behalf of himself and Elkins, F.W. Risque, and three absentee capitalists of St. Louis.

Taking advantage of an A.,T.&S.F. project to upgrade the main line between Lamy and Cerrillos with heavier rails, the CCRC bought from the A.,T.&S.F. (effectively a subsidiary company buying second-hand materials from the parent company) some of the old lighter rails, and used them to construct the 6.25-mile long standard gauge spur from Waldo to Coal Bank. CCRC work on the rail spur began promptly; 4 3/8 mi up the main canyon, 1 3/8 mi into Waldo Gulch. Four mines were opened; one in Waldo Gulch opened December 1892 on a 42-inch vein, one in Miller Gulch opened June 1893 also on a 42-inch vein, two in Coal Gulch. Two camps were built; Madrid and Rogers (in Miller Gulch). At Waldo Junction a bank of 50 coke ovens was built. CCRC owned no equipment; it rented from AT&SF and used AT&SF personnel, the rental being paid by a 10 cent per ton charge assessed by CCRC on coal moving over its track. [JHereford 2009]

The CCRC drove its last spike in late August 1892. The new spur ended in a wide and relatively level part of Coal Gulch next to William Keesee's house, which Keesee had built a short time before. On an early sketch map the end of the spur at Keesee's house was labeled "Madrid Siding." That scribble remains the oldest known written reference the town of Madrid.

The construction of Madrid town began immediately, but local resources – existing houses (Keeseeville and others), carpenters, and materials – were insufficient to meet the needs of the rapidly growing workforce. In consequence pre-fabricated houses were brought in by rail. Some miner's houses came from the recently abandoned A.,T.&S.F. coal camp at Carthage, east of Socorro, and more pre-fabs were constructed in Kansas, commonly at the A.,T.&S.F. headquarters town of Topeka, and brought in sections by rail to Madrid.

Madrid Siding would grow quickly, and within seven years surpassed 1,000 in population.

When you visit Madrid, look for the vertical line at the center of some of the old buildings, where they had been cut in two, sometimes three pieces, so as to fit on a railroad car.

One of the first industrial structures built at Madrid was the breaker, at the south end of town, which was used to sort coal by size. Since the breaker worked anthracite coal and whereas the historical records show little if any anthracite produced during the first two years, this reference is somewhat apocryphal.

The tippie, at the north end of town, was employed to clean and sort bituminous coal. Over time the wooden breaker building grew and grew, eventually becoming an impressive seven stories tall. Unfortunately, the foundations (or lack thereof) of the early structure were not designed for the building that was to come, and the saga of the Madrid breaker is one of constant patching and shoring to slow its slide down the hillside. Some decades ago, in the process of terminal collapse, it was sold for salvage, and scavenged.



1892 January 11; (Thornton to Elkins) Waldo had asked him to act for CC&I on perfecting the Juana Lopez title. Suggest buying claims of original heirs before some speculator does as sale of the grant is in the news. Suggests giving titles to Cerrillos lots and he [Thornton] is satisfied with sale of his interest in [CC&IC] Company but would like cash. [Elkins papers 755]  
1892 January 12; (Kerens to Elkins) re Catron's claim for \$1750 for defending the south boundary of the Juana Lopez grant with Knaebel. "I never knew that anyone had employed him or Knaebel to protect the boundaries of the Juana Lopez Grant. Could this have been before it was deeded to the Cerrillos Company? [CC&IC]" This should be settled quickly. Catron is real hard up for money. "You might say to Catron in your letter that the proceeds from sale of town lots at Cerrillos ought to pay all those expenses. This would be a gently reminder that he sold these lots without accounting to you." [Elkins papers 758] <note; one of the more revelatory documents. That Catron is 'real hard up for money' and had sold some Cerrillos lots without reporting it to Elkins and is pressing for \$1750 for legal services still outstanding might explain why a few month earlier he, apparently unexpectedly, sold his Juana Lopez interest to Elkins and Kerens. He was desperate to raise cash.]  
1892 February 17; (McCook to Elkins) Minutes of last meeting

of Cerrillos Coal & RR Co. of December 11th show Risque resigned as Treasurer and C.H. Smith was elected Sec & Treas. Whose signature do you want on the bonds? [Elkins papers 785] <note; McCook, General Counsel of the AT&SF, is here asking Elkins, who, together with Kerens, is to receive all the bonds issued by the CCRC, who should sign those certificates? Risque resigned as an officer of the nascent CCRC before its incorporation had been accomplished.]

1892February29; (McCook to Elkins) Just got letter from Waldo on the delays in getting the balance of title papers to the Cerrillos Coal fields. Please impress on him the need to complete this so mortgage and bonds can be issued. [Elkins papers 790]

1892March9; (McCook to Elkins) Just received your letter of March 7th on the difficulties in perfecting title to the Cerrillos Tract. <note; the designation 'Madrid Tract' had not yet fully taken hold] Regret Judge Waldo's sons accident and his being so technical on the title. It was not our intent to be unreasonable. After the bonds were engraved I learned that A.G. Taylor was listed as Treasurer in the articles of Association so the name on the bonds had to be changed. [Elkins papers 791]

1892 March 11; (McCook to Elkins) "I hoped to see Mr. Kerens here this week to arrange to complete the details of organizing the railroad company [CCRC], executing the mortgage and signing the bonds, but I have not seen him." Please have him contact me. [Elkins papers 792]

1892 March 25; (Kerens to Elkins) Mr. Devlin was there and they had a CC&I Co meeting and have adopted all the proceedings mapped out by McCook. Develin will allow all expenses for purchase of mines, machinery, etc. but they must be approved by Manvel before payment to us. The only remaining interest to acquire is Romero-Flores at Las Vegas. Catron has not gotten the interest even though he has an option on it. Please send money. [Elkins papers 794]

1892 March 29; (John J. McCook, General Counsel to AT&SF, to Elkins) Met with Kerens; we agree on exact procedure for the meeting of CC&IC directors in Saint Louis and the transfer to new company [CCRC] of all property. At the Directors' Meeting of the Coal Company in St. Louis, resolutions will be passed transferring the coal lands and property of every description to the Railroad Company, and Mr. Kerens and Mr. Smith will execute the conveyances as President and Secretary of the Coal Company [CC&IC], so that the property will be vested in the Railroad Company, and be covered by the mortgage, which has also been prepared, as heretofore reported to you, and the

execution of which will be authorized at the organization meeting of the Railroad Company. Kerens & Smith will then go to New Mexico to meet with Palen and Risque and form the new Cerrillos Coal Railroad Co., with C.H. Smith as Sec. Please deliver the deed Mr. Manvel sent you for you and your wife to sign to the land between the railroad and the Galisteo River. Have Mr. & Mrs. Catron execute the deed for their interest in the same property? [Elkins papers 795]

Unresolved and undocumented claims continued to plague Risque. In December 1891 Elkins and Kerens had assured the AT&SF regarding the buyer's precondition of a clean title, assuring them that the CC&IC title was complete and clear. It was not. The unresolved claims were the primary reason why the sale back in December had to be kept secret.

1892 April 21; [Risque to Kerens] Title. I have deeds here for everything except [fractional ownership] 15/1890, in name of W.W. Griffith, Seattle for which deed has been forwarded by Folsom, and daily report expected; cost, \$1,000.

1/105, Seven Baca heirs, Bernalillo Co: all but one having signed, and Notary gone for seventh; cost, Int. 500. And expenses of Notary (?)

1/1134, D. Romero, Las Vegas, cost (?)

3/1134, Flores, Las Vegas to have technicality corrected; these last two by Catron.

Thornton has passed on title, and Waldo examined all the papers and has assured me that the evidence is satisfactory and all regular except these exceptions just noted, and that he sent Mr. Peck his certificate April 11th, and wrote Mr. Elkins on the subject the same night.

I could not get Antonio Ortiz Salazar stock less than par, and Catron I thought had better not be approached on the subject, but let him rest until he wanted to sell.

Catron would not dismiss his suit for fee, and Bartlett said he thought a compromise would be the only course since he (Catron) could substantiate his case in Court, prove by his Co-Directors his services, and we could only set up a general denial with no specific proof, etc. I think later you might defeat him by calling for bill of particulars and make him prove it. F.W. Clancy, a former Director, and his late partner, is at outs with him and would be glad to get even I think, and help him as little as possible. I think every title should be in within next ten days. [Elkins Papers 797]

[Post script to the above] –PS I wish you would send me \$10,000. For Cerrillos every draft paid lately + there are many have had to borrow the money – the money advanced for the

(Santa Fe RRd) is about \$9000 – after accounting to them for Royally about \$3000 of the amt due is for expenses ordered by Mr Devlin and \$6000 for mine machinery + improvements. – love to all Truly RCK. [EP 797-B]

1892 April 30; (Risque to Elkins) Mr. Devlin is here to attend to CC [Cerrillos Coal] Inventory... he seems anxious to begin operating at Cerrillos in large scale, build Coke ovens, put up Crusher, etc. In fact he wants the property turned over. We are not ready for this yet – The D.? Romero, Las Vegas interest is still out. I am worried about it. I am afraid Catron has ? the ? and it would be a terrible blow to have the game flushed not. Catron must be [bought off?] at once – I am at the end of my rope with him for speedy work – You or Mr. Kerens must come to the rescue. ...He or you could handle Catron, which I cannot. [Elkins papers]

1892 April 30; (Kerens to Elkins) Mr. Devlin was there and they had a CC&I Company meeting and have adopted all the proceedings mapped out by McCook. Develin will allow all expenses for purchase of mines, machinery, etc. but they must be approved by Manvel before payment to us. The only remaining interest to acquire is Romero-Flores at Las Vegas. Catron has not gotten the interest even though he has an option on it. Please send me money. [Elkins papers 798]

1892 May 10; Romero, \$400. – paid by CC&IC to clean title. [Elkins papers 820]

1892 June 14; (Risque to Elkins) accounting – Total is \$73,273.55 of expenses. Heirs Directly = 3,298.10; Webb = 7,500; Folsom original & purchase 24,465; Thornton = 5,000; H.S Clancy thru Catron = 20,000; D. Romero = 400. Total 70,663.10. Expenses: Thornton fee 2500; R?? = 50.45; Bz?? = 60.00; total = 2,600.45. [Elkins papers 802]

1892 July 5; (Risque to Kerens, Pres CC&IC) current status: Only Flores minor heirs interest outstanding. Keesee claims about 20 acres under title from Folsom and is now selling lots [Madrid]. Keesee wants \$3,000 to buy him out including his improvement. D.L. Miller had an arbitration on his mine improvements, tools, houses, etc. at \$1,650 and he retains possession until paid. A coal location was made by E.E. Sluder and Chas Lyon a few days ago [based on resurvey of Ortiz Mine Grant north boundary by Surveyor General, which resurvey never happened] only 1600 feet east of three main mines of new Company. Risque feels railroad blames him for delays and reminds Kerens that he wired his resignation from Wagon Mound on July 1st. [Elkins papers 808]

## Coal Bank Camp

Going back to the middle of 1890 and probably up to a decade earlier, there was a dispersed, de facto, coal mining camp scattered over the gulches of the Cerrillos Coal Bank; almost like a little city. Numerous miner's shacks and lots of coal "gopher holes" being worked by independent miners.



Coal Bank miners

A decade before, while the Cerrillos Hills mining boom (1879-1884) was still in full swing, the railroad had brought forth the new town of Cerrillos Station (1880). But now, in 1890, the business of digging metal ores in the Cerrillos Hills had been superseded by the more prosaic and more lucrative business of digging coal out of the gulches a mile or two south of the Station. In 1890 business in the Cerrillos Hills mines was a shadow of its former self, but business at Cerrillos Coal Bank was thriving. Some miners at Coal Bank had leases from the NMMC, and some claimed they had rights of their own, or that the title to their mines came from the Juana Lopez Grant, which overlapped the Ortiz Mine Grant at Coal Bank. Adding to the trouble were several ongoing disputes over the location of supposedly established Spanish or Mexican grant lines. In one case the location of a surveyed Ortiz Mine Grant line was presented as evidence even though it had been demonstrated to be incorrect. Coal Bank was a freeform mess. The oft-repeated phrase was that there was "want of harmony" among the various Coal Bank land owners, mine owners and mine operators.

Tom Catron, the Santa Fe lawyer, who was thought to have a share in everything in New Mexico and who had had a major interest in the CC&IC, had advised the Coal Bank miners in early 1892 it was OK to continue digging coal there. Was he not one of the major CC&IC owners? [note; In the eyes of Elkins,

Kerens and the AT&SF Catron had disposed of the last of his interest at Coal Bank in late 1891. He was paid \$21,000 for this in January following, but he didn't act like it. And the advice he offered was exactly what the independent operators there wanted to hear. Furthermore, Catron had been hired by the CC&IC as legal counsel for a term of one year starting September 15, 1891, with a compensation of \$5,000, and two weeks later he finalized the sale of his Juana Lopez interest to the Company.] Catron told the miners they could simply ignore the CC&IC's demands. The coal lands beckoned those of entrepreneurial spirit, and bluff and posturing determined proprietorship.



Coal Bank miners

The economy of Cerrillos Station was, by 1891, dependent upon Coal Bank. In truth a few Cerrillos residents had jobs with the railroad and a few more were still mining in the Cerrillos Hills, but most Cerrillos businessmen, teamsters and miners were involved in one way or another with coal.

Some took orders and then delivered coal by the wagon load. Many used wagons to shuttle the coal from the mines to the rail cars at Cerrillos, from whence it was transported to more distant places. Some – the Keystone Coal Company of Cerrillos – coked coal from Keystone Gulch (later known as Waldo Gulch) and transported the coke by wagon south, to the Big Copper Smelter at San Pedro. The Colorado Fuel Company, which would soon become, through merger, the Colorado Fuel & Iron Company, had its own separate contract with one of the larger Coal Bank miners, James Lucas, to supply coal for delivery by rail to Pueblo, Colorado.

During the second half of 1891, when F. W. Risque and W. P. Cunningham began to close down the wildcat and dubious coal claims, they were opposed at Coal Bank by nearly two dozen

coal mine operators, some more energetically and some less. In addition to the active coal diggings, Risque and Cunningham inventoried 44 abandoned coal shafts and adits [note; a relatively horizontal tunnel leading into the mine] that were significant enough to warrant the use of dynamite to seal them.

If every coal mine required two or more men (a solo miner was soon a dead miner) it is likely that there were, in the late 1880s into 1891, well over 100 men directly involved in producing coal at the Cerrillos Coal Bank. Many miners lived at their diggings, or in nearby shanties, or in proto-communities such as White Ash, Rogersville or Keeseville. But for all these miners Cerrillos Station was the big city, where food, drink, entertainment, church services and, often enough, family were to be found.

The town of Cerrillos reached its pinnacle of importance and activity during these small-operator free-for-all coal days. The beginning of the decline of Cerrillos can be traced to the creation of the company town of Madrid and a succession of the powerful coal companies.

As the AT&SF was waiting in the wings with quantities of money, Elkins and Kerens could not and would not tolerate the long court proceedings that might be required in order to invalidate all the claims and eject all the trespassers. Instead, Elkins' and Kerens' strategy was to reason, threaten and harass the trespassers into leaving Coal Bank, or into signing short term leases which the company could thereafter terminate. If that didn't work Elkins' ultimate recourse was to buy them out. In some instances, when their asking price was deemed excessive, arbitration was resorted to.

In all cases Elkins and Kerens wanted to clear out all the trespass miners as quickly as possible and as cheaply as possible. The million-dollar deal was waiting on it.

This was also the perfect time to buy out all the remaining CC&IC shareholders, before they got wind of the coming sale. This process of shareholder and squatter buyouts was detailed in a revelatory account penned by Kerens to Elkins on May 9, 1892. In his letter, Kerens itemized all his expenses incurred in the process of clearing trespassers out Coal Bank, and he listed all the people who as of May 9th were paid to turn in their CC&IC stock as well as those whom he paid to quit claims or simply go away. {EP 820}

This account does not include people who did not resist eviction or who did not receive payment – they left on their own accord – nor did it include the large number of working miners; non-owners; salaried or paid-for-production laborers.

To understand the worth of the dollars mentioned below,



keep in mind that a mine laborer during this era, based on his ethnicity and assignment, could expect to be paid between \$1.75 and \$3 per 10-hour day. A year's more-or-less steady employment might earn you between \$300 and \$750.

The following people, according to Kerens, were the remaining impediments to clear title to and full possession of the lands at Coal Bank. They are listed in the order they appear on Kerens' list. As mentioned above, there were in addition to these active operators and owners, 44 large abandoned shafts and adits, many of which had presumably been the mines of men who had been pushed out of Coal Bank over the previous months.

William C. Rogers, of Carbonateville and Cerrillos, a pioneer miner in the late 1870s in the Cerrillos Hills, had by the late 1880s accumulated interests in many of the Coal Bank mines. He is mentioned at the White Ash, and is credited with one of the first references to the Cook & White mine, as well as being the eponymous founder of the coal camp of Rogersville. Risque listed Rogers, along with James Lucas, as the chief agitators among the miners at Coal Bank. Finally, in May of 1892 Rogers sold all his various improvements at and around Coal Bank to Risque and the CC&IC for \$1,313.67. From 1894 to 1897 Rogers served as a Santa Fe County Commissioner (one of three commissioners at that time), and remained an important and prosperous businessman in Cerrillos into the 20th century.

William Keesee, was one of the earliest (about 1886) coal entrepreneurs, the founder of the Keesee Coal Company, who was touted as the discoverer of anthracite coal at Coal Bank. He told everyone he had acquired an interest in the Juana Lopez Grant and used that interest to assert his right to the coal lands. June 25, 1887, he sold for \$2,175 all his interest to S.M. Folsom, of Albuquerque, except for twenty acres in the main coal gulch, which he platted as the town of Keeseeville. When in mid-1892 the rail spur approached Keeseeville, the sales of his lots took off. In the month of July fully twenty-five frame houses and cabins were built in Keeseeville. Clearly, the basis of Keesee's claim was based on prior possession, preemption, and as it turn out posturing. On August 10th William Keesee was said to be in Cerrillos, under arrest for having confronted the Cerrillos Coal Railroad Company track-layers with a force of armed men. The CC&IC (owned by the AT&SF) and R.C. Kerens, its president, had filed a suit of ejectment against Keesee, but Keesee, who began the court process, left the country before the matter could come to judgment, abandoning both his case and his town. In the preliminary filings Keesee asserted that his evidence of ownership was the quit claim deed he had given Folsom when Folsom

bought some of the land from him back in 1887. He had no documents from the NMMC and apparently did not even have any documents supporting his original purchase of an interest in the Mesita de Juana Lopez Grant. Keesee was all bluff.

Richard P. Green, of Cerrillos, was the energetic proprietor of the Black Diamond Mines (Lucas vein; anthracite), and along with C.L. Gould, Ross Griffith and John Lewis, the White Ash Mines (bituminous) at Cerrillos Coal Bank since 1887. Green was also the builder and subsequent proprietor of the Palace Hotel in Cerrillos starting in 1888-89. Green was also the proprietor of the only wagon scales in Cerrillos (until James Lucas erected another set of scales in August of 1889). The Cerrillos Rustler newspaper boasted on November 30, 1888 that the Green Mine at Coal Bank had had an output of 105 cars [mine cars] of coal the day before. And in early 1889 C.L. Gould, Green's sales agent, complained to the AT&SF about how poorly positioned railroad coal cars on the siding at Cerrillos made loading coal into them difficult. In August of '89 the Green Mine was credited with 30 of the 70 total railroad cars of coal shipped in the last month from Cerrillos. As well, Richard Green's hauling agency was contracted to carry 50 to 60 tons of copper and gold ore per day from the big smelter at San Pedro to the rail cars at Cerrillos. On May 25, 1892, Richard Green sold all his improvements at Coal Bank to the CC&IC for the token sum of \$446.36, and eventually relocated his coal business in its entirety to the O'Mara diggings, ten miles east southeast of Cerrillos and five miles south of Galisteo town. Risque called him "a staunch friend of the Company". Richard Green remained a whirlwind of enterprise in south Santa Fe County until felled by a stroke in 1902. He died in Cerrillos four years later.

James M. Lucas, of Cerrillos, was one of the earlier (1887) and most energetic mining men in the area. His anthracite mine, south of Keeseville, where he built a breaker for sorting coal, is still known as the Lucas Mine. He also had interests, with Ross Griffith, John Elder, and later Richard Green, in the White Ash Mine. James Lucas had been paid \$6,500 by the Colorado Fuel Company to deliver coal, and that funding allowed him to resist all efforts by Risque to buy him out or get him to sign a CC&IC lease. When in 1892 the Colorado Fuel Company was absorbed into Colorado Fuel & Iron Company, Lucas lost his ally. But he continued to pursue his case in the courts, eventually being ejected from the Madrid Tract in December 1897. He was also fined \$25 and court costs. His countersuit was thrown out exactly a year later, finally ending it. Lucas was the CC&IC's most enduring adversary and biggest headache. Historical note; According

to the 1900 census, this James M. Lucas was born in KY in 1850, living in Cerrillos with his wife, Lucille since 1887. They had no children. There is at this time a second, unrelated James M. Lucas, a gold mine owner based mostly in Golden, for whom Lucas (or Lukas) Canyon in the Ortiz Mountains is named. This James M. Lucas was born in PA in 1839 and came to NM before 1881 and was a widower. At the time of the 1880 census he was living alone in Dolores.

William Sanborn, formerly a cook at the Palace Hotel in Cerrillos, opened a boarding house in Keeseville in October 1891. He apparently did not contest the CC&IC. In subsequent records he appears as a hotel man in Cerrillos.

William P. Cunningham, a merchant of San Pedro and Cerrillos, who had also mining interests at Coal Bank, was convinced by Risque early on (October 1891) to turn over his interests and come to work for the CC&IC. He turned out to be invaluable to Risque in dealing with the Coal Bank miners. With the title of Sales Agent, Cunningham was paid \$2,400 per year, which was quickly raised by Risque to \$2,700. In May was additionally compensated \$335 for out-of-pocket expenses. One of the first acts in 1893 of New Mexico Governor Thornton (formerly Mayor of Santa Fe) was to appoint W.P. Cunningham Sheriff of Santa Fe County, an office he held for four years.

Alfred J. Wolf, employed for a time by Elkins as the operator of the gold mill at Dolores, was paid \$575 to redeem his shares in the CC&IC in October 1891, two months before the secret sale. Wolf's insider's view of the manipulations would later appear in the New Mexican.

M. Abby was paid \$400 for his shares in the CC&IC, October 1891.

L. M. Lawson, of New York, President of the Ortiz Mining Company, in November 1891 was paid \$6,600 for his shares of CC&IC stock. But \$1,200 of that sum he eventually transferred to others.

Harry S. Clancy, a Santa Fe lawyer, was paid \$20,000 in November 1891 for rights to a title that he had bought earlier from Tom Catron. That Catron, a lawyer, had those rights in the first place was debatable, and it was unlikely Clancy paid more than a fraction of the \$20,000 mentioned, but Clancy was fully capable of dragging things out in the courts, so the CC&IC bought him off. In light of subsequent revelations Clancy probably regretted selling out so cheaply.

Frank W. Clancy, also a Santa Fe lawyer, the older brother of Henry Clancy, was paid \$1,250 for his 50 shares of CC&IC stock in December 1891.

Richard W. Webb, the muck-raking editor of the Golden Retort newspaper, in December 1891 was paid \$2,500 to quit-claim his interest at Coal Bank. In March of '92 he was paid another \$7,000 to abandon an alleged title. In April he received from the CC&IC \$8,000 for a mortgage he held on property there. Webb, Catron, Harry Clancy, Thornton and Folsom were regarded by Elkins and Kerens as the impediments capable of doing the most damage to their enterprise.

H. B. Denman, January '92, was paid \$600 out of the Lawson payment, probably for stock.

L. Moore, Jr., January '92, was paid \$600 out of the Lawson payment, probably for stock.

M. F. Hunt on December 22, 1891 rendered 19 shares of CC&IC directly to Stephen Elkins, who forwarded the certificates to trustees George Magoun and John Cook. It is not reported what Mr. Hunt received in exchange for his shares.

Thomas B. Catron, Elkins' sometimes protégé, who was regarded as potentially very dangerous to the enterprise, and kept largely in the dark about it. It is unclear why Elkins and Kerens, both friends of Catron since their youth in Missouri, manipulated Catron out of this potentially lucrative business deal. Catron had been a major early partner in the CC&IC. In both January and December of 1892 Catron was paid legal retainers by the CC&IC of \$1,250 each. In January he received over \$21,000 in exchange for all of his CC&IC stock. He was also paid another \$2,400 in September by the CC&IC to keep him mollified. Catron presented himself as a sympathizer of the squatters, and as late as January of 1892, just days before the CC&IC purchased his stock, he advised the squatters to ignore the company and continue with their mining. It would be out of character to attribute Catron's motivation to be for the good of the miners. More likely it was a ploy intended to maximize the value of his stock, and to extort other payments from the CC&IC. For the rest of his life Elkins continued to rely upon Catron in New Mexico, but that long and close friendship apparently did not extend to Catron's participation in this enterprise.

William T. Thornton, Mayor of Santa Fe, soon to be Territorial Governor (1893-1897) under President Cleveland (his cousin), was paid in January 1892 \$2,500 for his title at Coal Bank. Then in February another \$2,500 for title. And \$1,250 in March for legal services. And another \$1,250 in June for legal services. Governor Thornton was obsessed with mining and buying and selling mines his entire life.

C. H. Smith, who was Kerens' private secretary and also Secretary of Cerrillos Coal Railway Company, on January 11, 1892

was paid \$2,000 for his CC&IC stock.

F. W. Schaurte, of St. Louis, one of the incorporators of the Cerrillos Coal Railway Company, was on January 11, 1892 paid \$1,000 for his CC&IC stock.

S. M. Folsom, an attorney of Albuquerque, who had acquired most of Keesee's alleged rights, was paid in February 1892 \$19,000 against that title, in March another payment of \$4,425, and in April the \$5,040 balance. Court costs paid by the CC&IC on the Folsom case amounted to another \$21.70. Folsom was the president of the Albuquerque National Bank, his role in the demise of which resulted in him being sentenced in 1894 to serve 35 years in the penitentiary for embezzlement. He fled the state a step ahead of the marshal, and from Arizona parlayed his connections with Territorial politicians to have the sentence reduced to 5 years, and finally, in 1899, to have the judgment against him dismissed.

Jonathan Lewis, of Cerrillos, a friend of John Elder, was compensated \$212.44 in February 1892, for the improvements he had made on his works at Coal Bank.

Ross Griffith, of Cerrillos, was also paid \$212.44 by CC&IC in February 1892 for improvements to the White Ash mine. [note; Griffith's mine is the location of one of the few mining accidents documented during this period. Barney Flannigan arrived from Gallup and went to work for Griffith on October 23, 1891, and was killed the same day by a rock fall in the mine. His burial the next day at the Cerrillos cemetery was attended by all the Coal Bank miners.] In early June, after arbitration, Griffith received another \$492.64. In late December Griffith arranged to turn over his remaining mining fixtures to Risque, choosing to operate a saloon at Coal Bank instead. He moved his saloon to Cerrillos in 1895, shortly before the Colorado Fuel & Iron Company began to impose its grip on Madrid.

Ernest Huhn, until recently the manager of the Cash Entry mine in the Cerrillos Hills, was paid by the CC&IC in March of 1892 \$1,200 to vacate his mining lease at Coal Bank.

John W. Akers, of Santa Fe, another mining-obsessed Santa Fe businessman, who was often associated with Thornton in various mine deals, was paid \$250 for his title in March 1892, and another \$250 in April.

Fannie C. Grant, Jerome Chaffee's daughter, who had married the son of President Ulysses S. Grant, was paid \$10,000 for her CC&IC stock in March 1892. This probably represents Chaffee's residual interest in the NMMC, the Coal Bank portion, which he had passed on to his daughter. Chaffee had earlier disposed of his larger interest in the NMMC to his fellow trustee,

Stephen B. Elkins.

F. Delgado (probably Francisco B. Delgado) was paid \$500 in March to relinquish title, and another \$500 in April of 1892.

F. Delgado also received in late June an attorney's fee of \$16.80, and in August another \$29.35.

Fred J. Otero, of Albuquerque, son of Mariano S. Otero, was paid \$598.10 by the CC&IC in April 1892.

Domingo Romero, of Las Vegas, a descendant of an earlier Domingo Romero and an heir to the Juana Lopez Grant, received in May of 1892 \$1,313.67 from the CC&IC for his interest in that grant.

A man named Calhoun, otherwise unidentified, was paid \$1,000 in May 1892 for his interest at Coal Bank. He probably held some CC&IC stock.

John Elder, along with Charley Mills and David Jones, received a shared settlement of \$564.26 in May 1892 for their operations at Coal Bank. Elder was also a partner with James Lucas and John Griffith in the White Ash mine. In addition, John Elder was noted as the victim of Lee White, the "black sheep" son of Sam C. White of Golden, who on February 18, 1890, robbed Elder, who was carrying the payroll for his mine, on the road between Cerrillos and Coal Bank. White performed some other holdups before he was caught, locked up in the State Pen, and subsequently escaped, never to be heard from again. Elder remained in business in Cerrillos, until the start of the Spanish American War in 1898, when he enlisted and was detailed to the Philippines.

Charles Mills, who shot and seriously wounded George Tate at Coal Bank in November 1890, shared in the CC&IC payment of \$564.26 with partners John Elder and David Jones. Charley was still a resident of Cerrillos in mid-1892.

David J. Jones was in partnership with Edward Meagher at the White Ash deposit since at least 1888, but they were stymied by a stubborn fire that had started in the White Ash in late 1890 and despite all efforts was still burning in mid-1891. Meagher died at the end of 1891, after surgery in Santa Fe. Jones then partnered with John Elder and Charley Mills at Coal Bank. The three of them finally settled with CC&IC for \$564.26 in May 1892. In June he received another \$250.25 for his house at Coal Bank. But that was not the end of it. The Santa Fe New Mexican newspaper of April 14, 1896 noted that the ejectment suit of the CC&IC against Thomas Harris, Mrs. Morgan Jones, David Jones, James T. Williams, and the widow, Mrs. E. Meagher, was still in process in the district court. Three years later (1899), after being ejected, David Jones was back at work as a miner for the Madrid Mining

Company (CF&IC) at the Lucas anthracite mine.

Mr. Cook, possibly George W. Cook, an Ortiz Mine Grant gold mine investor, a cattleman, and New Mexico Adjutant General after the Civil War, was first in partnership at Coal Bank with John C. Hoar (who was also an early investor, along with P.D. Omara, in the Omara coal deposits south of Galisteo town), then in partnership at Coal Bank with a Mr. White [note; so far unidentified]. They operated what they called the Red Ash Mine as early as 1887. As the rail spur neared Coal Bank in June 1892 Cook and White received from the CC&IC for their facilities, after arbitration, a total of \$115.32. Soon after the Colorado Fuel & Iron Company took over Madrid (1896) the Cook & White coal seam, which extends from Coal Gulch far and deep into Waldo Gulch, became very important.

Jonathan Welch got in June 1892, after arbitration, \$175 for his two houses, which were probably located at Keeseeville. One of Welch's houses was a saloon, and was characterized by the Cerrillos Rustler newspaper as "his palace resort at the coal fields." Six years later Welch died at the gold camp of Bland, New Mexico.

George Speight received in June 1892 \$125 for his two houses, probably also at Keeseeville, after arbitration. He died in Cerrillos just over two years later.

June 23rd a Mr. Daly and others received \$50 for their house, which was probably at Keeseeville.

Someone named Goosman got \$37 on June 23rd for his house, which was probably one of those at Keeseeville. This person might be Adolph Guttman, a Santa Fe merchant who had mining interests in this region, or Herman Goodman who at this time ran the Goodman, Zeigler & Co. mercantile store at San Pedro. Or he may have been a so far unidentified person named Guzman.

L. H. Buckman, a lumber mill operator, on June 24th got \$40 for his two houses, which were also probably at Keeseeville.

A couple of years later Mr. Buckman set up a mill on the Rio Grande, west of Santa Fe, at the entrance to White Rock Canyon.

That location still carries his name.

James T. Williams, of Cerrillos, on June 25, 1892 received \$135 for his two houses, which were probably located at Keeseeville.

Despite this payment, nearly four years later the ejectment suit of the CC&IC against Thomas Harris, Mrs. Morgan Jones, David Jones, James T. Williams and Mrs. E. Meagher was still in the district court.



Coal

270

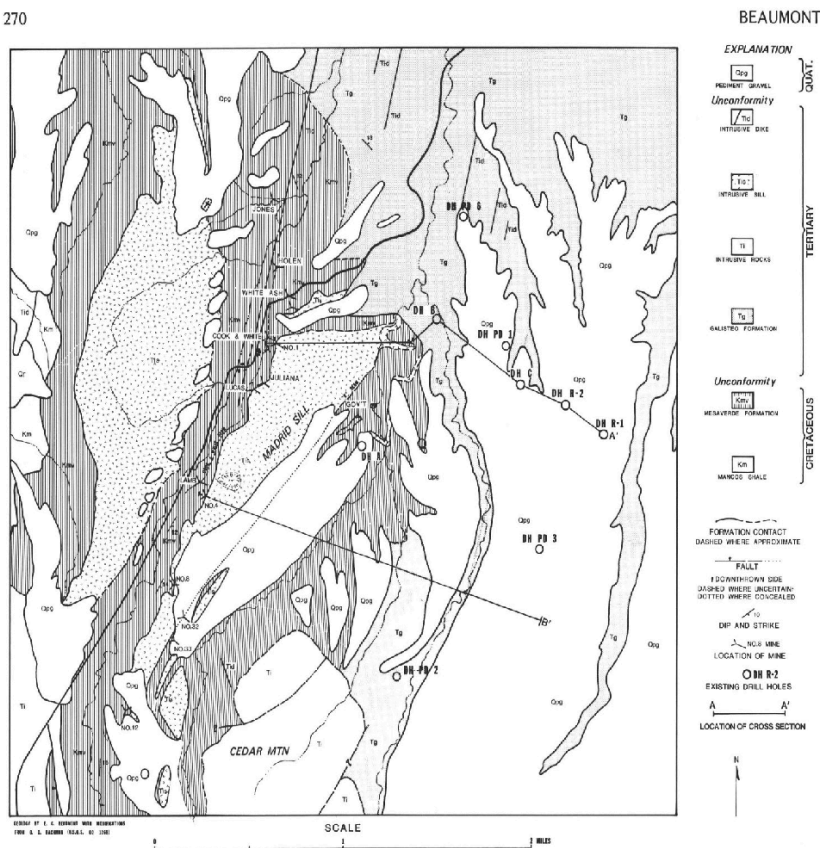


Figure 1. Geologic map of the Madrid area, Santa Fe County, New Mexico. Cross sections (A-A' and B-B') in Figure 2.

Location of Madrid's major coal mines

### CC&IC methods

One of the more remarkable and revealing documents in the Elkins Papers is the following letter written by Risque to Kerens, dated April 21, 1892. The orthography is original. [Bracketed comments are the author's]:

I also engaged at your instance, W.P. Cunningham as Sales Agent at a salary of \$200. per month, dating from December 17th, 1891, and can assure you that Cunningham proved himself almost invaluable during the troubles that we encountered. The



lease to White Ash Company was on 30 days, since they refused to lease longer when we closed leases, and on my return to New Mexico January 13th, 1892, they notified me that they wanted to close out and have us take their improvements. [There was a dispute on whether those improvements were worth \$3,000 or \$1,000.] This went on for 3 days, each night the same results pending preparation of suits and getting out papers, etc. During this time excitement was very high, and all the old threats were revived and the angry miners in crowds surrounded Cunningham and myself wherever we went up to the mines, which was daily. We never went alone, and always armed. One night Cunningham staid later than I did and came very near being caught in ambush, but succeeded in getting through after firing 4 shots at the ruffians. The White Ash litigation ended in our paying \$1,000. for 4/5 of all improvements and machinery, and leasing to R. Green, who held the other 1/5, and who is now running under lease and is a staunch friend of the Company. We closed in all mines or workings not under lease, amounting to about 44 holes. In several closings we found forcible resistance, but by persuasion got the men out of the slopes and blew in the tops, effectually closing them. This resulted in several ugly scenes, much talk and threats, but so far only a few broken bones, no deaths. On [March 12] I issued orders [against "pillar pulling" – removing the unmined parts of the seam that had been left behind for ceiling support]... This caused our first ill feeling, but it was in a day or two allayed. The orders were not fully observed, and since Rogers was formenting [sic] trouble, we thought it wise to close our eyes to some little pillar pulling. In meantime, as ordered by Mr. Devlin, we commenced preparations for closing all air feeding to old fire, and to make these stoppings were able to find an excuse to close Rogers on the six foot vein. Here the syndicate wanted Green's (old White Ash Co) for main workings, Union Company for air in-take, and Rogers for upcast [exhaust air]. We stopped all opening between Rogers and old fire and closed Rogers main cross entry, finally filling his mine with fire dump. This is what we wanted.

This closing of Rogers mine put him and his men in very bad humor and on Saturday night April 2nd, the White Ash Mine leased by Green was set on fire in three places. It was discovered Sunday morning April 3rd, accidentally, and by Monday night 10 o'clock was extinguished; Cunningham and Davis leading the men in the slopes. Knowing the feeling of Rogers and his men, we thought best to closely guard against repetition of fires, and have now 4 watchmen, 2 in main coal gulch, and 2 in Waldo or Keystone gulch about a mile West of main gulch. Our men have

been fired on several times during the night watches, but so far no one hit. I look for trouble between now and June 1st, as the "sore-heads" intend to get even before they move, provided they can cover up their tracks.

The Railroad Company are going to grade and lay the track very shortly under contract for the CC&I Company. They are anxious to get the work under way. {ep797}

On June 20, 1892 Risque paid off the four men he had hired to close the abandoned mines by destroying their entrances with dynamite; W.R. Brown, John Nash, Andy Byers and Nelson Hand. Of these men only Brown remained at Madrid to work for the company. On the same day the two watchmen, Roy Phillips and Z.M. "Zed" Crutchfield, were paid off. Phillips was among the miners who died in the White Ash disaster less than two years later. As for Zed Crutchfield, the trigger-happy constable of Cerrillos, a short time after he was paid off he shot (on July 5) and killed some rowdy locals in Cerrillos, which necessitated him high-tailing it from New Mexico to escape their vengeful relatives. Zed Crutchfield was never heard from again. His father and brother, both Methodist preachers, and several other relatives remained in New Mexico.

Claims and counterclaims came from all sides. Here Ed Sluder challenged the Ortiz Mine Grant boundary lines. The subsequent decision was that the patent issued by Congress trumped all disputes.

1892 July 8; The preliminary hearing as to whether the government should resurvey and reestablish the boundary lines of the Ortiz mine grant occupied the forenoon of yesterday at the surveyor's general's office. This hearing was first set for March 1, but was postponed for various reasons. Hon. T.B. Catron, attorney for the Cerrillos Coal & Iron company filed a protest in which he claimed that the grant as surveyed and monumented by the United States was conveyed by the U.S. patent to the New Mexico Mining company, who sold it to Chaffee and Elkins for about \$375,000, and that Chaffee and Elkins sold to the Cerrillos Coal & Iron company the portion of the grant which they held. Therefore the Cerrillos Coal & Iron company protested against any change or alteration in the northern boundary of the Ortiz mine grant as established by the survey made for patent and as it existed at the time of the issuance of the patent. The hearing was afterwards postponed by the commissioner of the general land office to July 6. At the hearing held yesterday the testimony of Ed. E. Sluder, of San Pedro, was taken. Mr. Sluder is the principal applicant for a recovery, having located coal lands on the edge of and lapping the grant as now surveyed and which, it is contended,

is really government land. His attorneys are Gildersleeve and Easley. Mr. Coons appeared yesterday on behalf of the firm of Catron & Coons, who are attorneys for the C.C.& I. company. Mr. Sluder testified that he knew the eastern boundary line as it exists at present to be 2,700 feet farther east than where the true boundary should be because he had found the monuments designating the eastern boundary as it should be. As to the north boundary his judgment was that it is 1,284 feet north of its proper position. In the lawful boundaries of the Ortiz grant, he said, there were 69,458 acres, whereas the area covered by the boundary lines as they now exist amount to 77,000 or about 8,000 acres in excess of what it should be. The witness said he had once called Hon. S.B. Elkins' attention to this discrepancy and that gentleman said if anybody wanted the land embraced within this strip in error they were perfectly welcome to it, but he did not care to be put to the expense of having the boundary readjusted, that that would have to be done by the government in an official manner. At the conclusion of Mr. Sluder's testimony the hearing was again postponed until August 3d. This postponement was obtained by Mr. Catron in Washington, from the commissioner, in order that he might be present at the hearing, the surveyor general being advised of it by wire from the general land office. [SFDNM]

By one accounting, between August 1891 and the end of 1892, the Cerrillos Coal & Iron Company expended at Coal Bank officially \$149,013.91 for attorneys, stock buybacks and claim buyouts and all the rest of it. The largest individual payouts went to Tom Catron, Harry Clancy, S.M. Folsom and Fannie Grant. {ep820}

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Another interim financial accounting, this one dated June 22, 1892, was sent from Kerens to Elkins. First Kerens wrote the good news. As agreed the two of them would divide the proceeds of 1689 shares of CC&IC stock, or \$21,112.50 each (\$25 per share), but Kerens also had to pay Elkins \$5,000 as part payment for the outlay he made in purchasing property in Cerrillos, and he had to pass on to Elkins half the value (amounting to \$3,000) of the lots sold during that period by Catron in the town of Cerrillos.

In review, Kerens wrote, Elkins had received \$300,000 in cash [from the AT&SF], and paid out \$111,775 to redeem outstanding CC&IC stock (other than the 1689 shares). The amount disbursed to date for adverse title proceedings, lawyers, etc. was \$47,500. There was \$52,500 yet to be paid, plus another estimated \$20,000 reserved to acquire a title not yet purchased.

Kerens then itemized further expenditures made from Elkins' account: \$500 to E. Chandler, \$4,000 to Laroque, \$25,000 to the attorney, \$5,000 to Lawson, \$500 to T. Moore Jr., \$500 to Henry L. Waldo, \$30,000 to the National Metropolitan Bank. From Kerens' account he said \$38,000 had been paid to B.F. Hobart, President of Kansas & Texas Coal Company, \$10,000 to C.H. Smith, \$6,000 to Schourtie [F.W. Schuarte], \$4,000 to R.B.L. [unidentified], \$100,000 had been disbursed for Kerens himself, \$475 to M.F. Hunt for his 19 shares, and \$15,000 to Hobart again.

The balance in Elkins' account was \$30,912.50.

Further, Kerens had paid \$2,500 to R.W. Webb, \$10,000 to Clancy, \$4,500 to Chandler, the lawyers got \$150, Wolf got \$875 for his 35 shares of CC&IC and \$400 for another 16 shares, \$6,600 to Lawson for his stock, Risque \$2,000 for wages, Catron \$1,250 for wages, \$1,250 to Clancy for his 50 shares; which left the balance (of the \$100,000 plus the \$21,112.50 for the stock) in Kerens' hands of \$49,668.50. [EP 803]

\*

The CC&IC took over production in the coal mines as they secured them from the squatters, "and not a day was lost in continuing the output of coal." The CC&IC records of production begin with coal they shipped in May of 1892. In June Kerens wrote to Elkins; "There are several hundred teams [horses and wagons] there which haul coal to the railroad at 60 cents a ton." {ep803}

But this massive army of teamsters, based in Cerrillos, was about to take a hit. The Waldo railroad spur that began operating in September delivered the same coal to the AT&SF main line at the rate of 10 cents per ton, one sixth the cost of transshipping it by wagon.

By September 1892 all the coal produced at Coal Bank was probably CC&IC coal, mined either by the company or by lessees. There were legal challenges yet to be resolved, but this marked the conclusion of the first phase of the story of coal digging at Coal Bank.

From here on there would be no more independent, improvised or private coal mines. Everything from this point forward was done by and for the Company.

### **The rest of OMG & Galisteo Company**

For the development of his Ortiz Mine Grant gold mines Elkins relied on his younger brother, Samuel H. Elkins, who divided his time between his home at Columbia, Missouri, and the mining town of Dolores, on the Grant, and who prepared the

way for the sale to the Hoyt Brother's Galisteo Company in 1897 and Thomas A. Edison's fiasco a few years later.

### **The name Madrid**

The story behind the choice of the name Madrid for the new tract remains unresolved, though it may be related to Roque de Madrid (ca. 1644-1696), the husband of Juana de Arvides López, the putative designate of the Juana Lopez Grant. Before the 1680 revolt Roque's estancia was said to have been located somewhere in this region. The problem is that there is another, somewhat better, candidate for Juana Lopez; Juana López de Villafuerte, the wife of Francisco de Anaya Almazán (d.1662). Francisco de Anaya Almazán held the Pueblo of Ciénega, adjacent to the Juana Lopez Grant, as an encomienda (an estate granted by the King).

With historical hindsight it appears more likely that the original Juana Lopez Grant was named for Francisco de Anaya Almazán's wife, not after Roque de Madrid's. But the name may have other sources. Until Elkins speaks to us from the grave the details surrounding the choice of the name Madrid remain unresolved.

The people who in the late 19th century first came to Madrid were English speakers and recent immigrants in the process of learning English. They came from the Midwest, and being exposed to such places as New Madrid, Missouri (New MADdrid) and Madrid, Iowa (also MADdrid), the name of the New Mexico town since its founding has been pronounced MADdrid by most of the people who built it and by most of the people who lived there. To be sure the Spanish place name and family name are pronounced ma-DREED. But unless you are speaking Spanish to say ma-DREED is to mark yourself an outsider, unfamiliar with local usage.

The story for the name Waldo, probably apocryphal but too good not to repeat, goes that the junction on the AT&SF main line was named as a gentle joke on Judge Henry L. Waldo. Judge Waldo and R.E. Twitchell, the story goes, were both passengers on a train passing through the under-construction junction, when Waldo espied a rough sign designating the crude settlement as "Twitchell" and laughingly suggested that it was a most appropriate name for such a forlorn place. Waldo was the ex-Chief Justice of the NM Supreme Court and at the time of this story (1892), and he was the lead solicitor in NM for the AT&SF. Ralph Emerson Twitchell was comparably well connected, being the District Attorney for Santa Fe, Rio Arriba and San Juan counties, and the following year (1893) becoming the Mayor of Santa Fe. Twitchell used his considerable contacts to arrange

that the name of the junction be changed to 'honor' instead his friend Judge Waldo.

Waldo Junction was an appendage of the town of Madrid.

When Madrid sneezed Waldo Junction came down with pneumonia.

Waldo Station's sole function was to transship Madrid coal and water, and for a short time just before the turn of the century, to process on an industrial scale Madrid soft coal into coke.

No buildings and few foundations of Waldo exist today, but portions of the old beehive coking ovens remain. The missing parts of the coking ovens have gone for construction purposes and for use as rail bed ballast.

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The following is a December 7, 1895 summary of a twenty page evaluation of the economics of the Cerrillos Coal Field Operation since the AT&SF took it over in 1892. The evaluation was tendered by Robert Moore to the Chairman of the Joint Reorganization Committee of the AT&SF Railroad Company Edward King.

The area is operated by Cerrillos Coal Railroad Company and AT&SF owns essentially all the stock in it and Elkins and Kerens own the bonds. The CCRC had not made a lot of money but Moore recommends a new lease agreement as it is an investment the AT&SF has already made. "The fee of this land remains vested in the lessor, the Cerrillos Coal and Iron Co." The document contains a list of all the property: 26,000 acres, 4 coal mines with more than one portal each, and fifty coke ovens at Waldo Station. Waldo and Miller Gulch mines were closed in 1894 but 30 or more buildings are still at Waldo and should be moved.

The White Ash (bituminous) and Lucas (anthracite) Mines in Coal Arroyo are working. "Around them has grown up a collection of houses, all but one or two being owned by the Company, known as Madrid." [NMSU Folder # 2/16] [note; As late as 1895 it was known as the 'Cerrillos Coal Field' and 'Coal Arroyo'; only the collection of houses was known as Madrid]

Between the \$300,000 cash component of the original sale (December 10, 1891) and the likely subsequent bond redemptions [note; It is inferred from the relative absence of comment in the Elkins papers that payments were made regularly and on time.], Over time Elkins and Kerens received between them the greater part of the ostensible \$1 million selling price of the Madrid Tract.

### **The three significant companies to this point**

(1) The Atchison, Topeka & Santa Fe railroad (A.,T.&S.F.), which ran from Atchison, Kansas, on the Missouri River,

through Topeka, Kansas, the headquarters of the company, all the way (almost) to the City of Santa Fe.

The railroad tracks passing through Cerrillos and Waldo, which extended from the New Mexico territorial boundary north of Raton to Albuquerque and beyond, were at this time the New Mexico & Southern Pacific Railroad, this line being the in-territory manifestation of the AT&SF, and one of its many subsidiaries.

Well before the tracks to Santa Fe were completed (the first train in Santa Fe was commemorated on February 9, 1880) the Company's attention was set on grander things. Initially, this meant extending the line westward from Galisteo (Lamy) junction to meet the new Southern Pacific railroad line at San Marcial, to form a second transcontinental railroad route (the first being the Union Pacific-Central Pacific, completed May 10, 1869).

Through a complicated sequence of business rivalries, ventures and failures, the AT&SF became the major interested party in the Atlantic & Pacific railroad, which ran from Isleta (south of Albuquerque) through Gallup, Flagstaff, Kingman and Barstow, to the Pacific coast. But that is a tale that, except for the development of large coal deposits at Gallup, bears little on our story.

(2) The Cerrillos Coal & Iron Company (CC&IC), created by Elkins and Kerens in 1884 and controlled by them. The CC&IC held the ownership (the rights under the patent) to the Coal Bank/Madrid Tract portion of the Ortiz Mine Grant. The remainder of the Ortiz Mine Grant, the larger part, had been in the hands since 1854 of the NMMC, and the NMMC still held it fee-simple. The CC&IC was the company that, pursuant to the deal in late 1891, sold the lease to the AT&SF. Finally...

(3) The Cerrillos Coal Railway Company (CCRC) was organized January 8 & 9, 1892 as a subsidiary of the AT&SF specifically to possess the lease on Coal Bank/Madrid Tract and build and operate the Waldo-Madrid spur railroad line. All people involved in the production of coal worked directly for the CCRC or one of its subcontractors.

The A.,T.&S.F. changed its corporate makeup many times over the years, and sold and resold the lease to work the coal, lastly, after George Kaseman's death, to Oscar Huber. The fee (underlying land ownership manifest by the patent) to the Madrid Tract was held by the CC&IC, but by 194? the AT&SF, which in the interim had acquired it, sold it as well to Huber. 1892 April 30; (Risque to Elkins) Mr. Devlin [note; Charles J. Devlin, manager of coal properties for the AT&SF cataloged the assets of the new Cerrillos Coal Railroad Company] is here

to attend to CC [Cerrillos Coal Railroad Company] Inventory... he seems anxious to begin operating at Cerrillos in large scale, build Coke ovens, put up Crusher, etc. In fact he wants the property turned over. We are not ready for this yet – The D. [illegible word] Romero, Las Vegas interest is still out. I am worried about it. I am afraid Catron has [illegible word] the [illegible word] and it would be a terrible blow to have the game flushed now. Catron must be [illegible word] at once – I am at the end of my rope with him for speedy work – You or Mr. Kerens must come to the rescue. ...He or you could handle Catron, which I cannot. [Elkins papers, unnumbered]

On the same day Kerens wrote to Elkins:

1892 April 30; (Kerens to Elkins) Mr. Devlin was there and they had a CC&I Company meeting and have adopted all the proceedings mapped out by McCook. Devlin will allow all expenses for purchase of mines, machinery, etc. but they must be approved by Manvel before payment to us. The only remaining interest to acquire is Romero-Flores at Las Vegas. Catron has not gotten the interest even though he has an option on it. Please send me money. [Elkins papers 798]

C.J. Devlin, Manager, paid \$320.13 by CC&IC Syndicate.

T.B. Catron paid \$2,083.33 by R.C. Kerens, Title &c. [Date unknown; after October 1, 1891 and before May 31, 1892, Elkins papers 820 & 803]

1892 June 14; (Risue to Elkins) accounting – Total is \$73,273.55 of expenses. Heirs Directly = 3,298.10; Webb = 7,500; Folsom original & purchase 24,465; Thornton = 5,000; H.S. Clancy thru Catron = 20,000; D. Romero = 400. Total 70,663.10. Expenses: Thornton fee 2500; R?? = 50.45; Bz?? = 60.00; total = 2,600.45. [Elkins papers 802]

### **1893 & RR reorganizations**

Building railroads required enormous capital. If you personally had capital sufficient to participate, railroads were a means to multiply your investment many times over. Or, to lose it all. How might you lose it? A common technique in this age of the robber barons was to mortgage real (or pretended) assets of a company, the insiders first masking and then siphoning off the borrowed funds, failing to pay on the loan, and then in the subsequent bankruptcy sale using the same diverted money to repurchase, sometimes at a large discount, the company. The insiders thus ended up with the unexpended portion of the original loan, if any, plus a new company free of its previous stockholders and free of all its previous debt.

On December 23, 1893, the A.,T.&S.F. Railroad Company



was placed into receivership and reorganization, a victim of the silver crisis. It happened again two years later, on December 12, 1895, the A.,T.&S.F. after foreclosure was again reconstituted as a new company, the AT&SF Railway Company.

1893; the repeal of the Sherman Silver Purchase Act kills silver mining, initiates a deep depression; AT&SF reorganized, receivers appointed 23 Dec 1893; emerged from bankruptcy in December 1895 as the Atchison, Topeka & Santa Fe Railway.

During receivership AT&SF hired consulting engineer Robert Moore to examine Cerrillos investments. [JHereford 2009]

By Nov 1895 the 2 northern mines had been closed: Waldo in October 1894 and Miller October 1895 (1,000 feet in the vein had pinched down to 18 inches). The Lucas mine had been idle for 18 of 34 months; the Waldo ovens were coking coal that had been shipped from Starkville CO. Coke production, estimated to sell for \$7 per ton, was a victim of the depression of '93; high valuation ca. \$4.10 per ton; by the third quarter of 1895 the price of coke fell to \$1.92 per ton. Moore found the White Ash production from late 1892 to end of Sep 1895 had generated profits of ca.50 cents a ton, before depreciation and bond interest. The Lucas between Jan 1893 opening and end of Sept 1895 had overall an operating loss of \$1.69 per ton. The AT&SF from May 1892 through Sept 1895 had \$866,000 revenue from transporting coal & products. Moore saw the future of Madrid as the White Ash, and estimated it might last 1.5 to 6 years before exhaustion. (It was abandoned 1897.) Moore recommended placing the property with another operator, not the AT&SF, via CCRC. [JHereford 2009]

A consequence of the 1895 reorganization was that the A.,T.&S.F. coke operations at Waldo, in production for barely three years, were deemed unprofitable and shut down.

It may be only coincidental that in February 1895, 24 men were killed in an explosion in the White Ash mine, one of the better producers of coal suitable for coking. Those deaths were the harbinger of many more deaths in the Madrid mines.

Then there was always the unexpected. For example, competing claims...

1893 June 12; (Jeffries & Earle, Attorneys at Law, Washington D.C., to President Cerillon Coal and Railroad Co.) We represent one of two claimant groups to the San Antonio de las Huertas Grant now before the Court of Private Land Claims (Gurule et al, No.90). Which though not yet confirmed has time precedence over the Ortiz and Mesita de Juana Lopez Grants and claims title to their lands, We intend to hold you responsible for all the coal mined. [Elkins Papers 831] [note; This land

grant when originally settled was for less than 100,000 acres around Placitas, but in proper land-lawyer form the attorney was extending the boundary almost to Santa Fe and was apparently ignorant of whom he was dealing with in trying to bluff Madrid's owners into paying royalties to him.] [HMilford]

...and another example; unpaid taxes:

1894 August 30; Last week Sheriff Cunningham levied upon and took possession of the property of the Cerrillos Coal & Iron company and the Juana Lopez grant for failure to pay taxes.

The Records in the office of the sheriff and collector of Santa Fe county show a very interesting, not to say peculiar, state of affairs relative to these properties. As far as these official records indicate there has never been a cent of taxes paid on the Juana Lopez grant. The Cerrillos Coal & Iron company's delinquent taxes for the years 1890 and 1891 amount to \$1,153. In former years this corporation was known and taxes assessed against it under the title of the Cerrillos Coal & Coke company, and for the years 1885, 1886 and 1888 the Cerrillos Coal & Coke company's delinquent taxes, as per The Official Figures, amount to \$2,029, the tax returns having been made by T.B. Catron. Thus, the delinquency on taxes by the Cerrillos Coal & Iron company amounts to a total of \$3,184 in addition to the 25 per cent penalty. For the year 1887 this corporation, through its agent, F.W. Risque, paid its taxes under the name of the Cerrillos Coal & Coke company: said taxes amounted to the enormous sum of \$309, and they were not paid until the 26th day of May, 1893, although they had been due for more than six years there was no penalty added, as the law requires, and the settlement took the nature of "a compromise" with the then district attorney, R.E. Twitchell. The delinquent taxes due by the Juana Lopez grant, on which the above corporations (if there are two of them) base their property title, amounts to \$1,289.85 for the years 1888, 1889, 1890, 1891, 1892 and 1893. It should be here noted that while the Juana Lopez grant was confirmed by congress in the year 1879 as the private property of S.B. Elkins, T.B. Catron and others, it has never paid, as above stated, a single penny of taxes, and it was never even assessed as private property (although it covers 42,000 acres of the most valuable land in the west) until the year 1888. Thus it appears that by an official system of finesse and Political Jugglery, through connivance with Santa Fe county officers of former administrations, the owners of this vast property have up to date enjoyed absolute immunity from all taxation. Yesterday afternoon the Cerrillos Coal & Iron company and the Cerrillos Coal Railroad company, through their attorneys, applied to and

obtained from Judge Laughlin a Writ Of Injunction temporarily restraining Sheriff Cunningham from longer holding the property under levy and an order for the sheriff to show cause on September 20 why such restraining order should not be made permanent. Cerrillos Coal & Iron company sets up that it has given a contract to the Cerrillos Coal Railroad Company to mine the coal on its property, erect buildings, coke ovens, etc., and that the sheriff has no right to levy upon the Cerrillos Coal Railroad company's property, as he has done, they allege, because under the law the property of new railroads is exempt from taxation for a period of six years. It is also contended that the assessment of the Juana Lopez is void for all these years because of uncertainty in descriptions on the county tax rolls, the same being listed simply as the "Juana Lopez grant" and not in the name of T.B. Catron, owner, or against unknown owners, and because also the Assessment Is Against The Grant as a whole and the property of the Cerrillos Coal & Iron company as a separate concern, which would amount to double taxation for the latter corporation. Sheriff Cunningham has retained the services of Judge H.L. Warren and Chas H. Gildersleeve to defend his action in the premises and Hon. Frank Springer will represent the corporations. The sheriff says this injunction will in no way retard his action in forcing the collection of taxes long overdue Santa Fe county, he being guided wholly by the official records in his office, his legal counsel and by what he deems his official duty to the long suffering tax payers of this community. [SFDNM]

Again, nothing serves the quest for the truth quite so well as your opponent's version of it. A.J. Wolf had been talked into selling his CC&IC shares to Elkins two months before the December 1891 million-dollar sale. It can be assumed from what follows that Mr. Wolf felt he had been misused in that transaction. 1894 October 28; To the editor of the New Mexican, Brooklyn, Oct. 15, 1894, 301 Hicks St. – Through the considerable kindness of a friend I am in receipt of the New Mexican of September 15, containing a long and interesting article on "tax dodging." Allow me to say your account of the affair does not begin to picture the cold blooded villany of Elkins and Catron in connection with the Ortiz and Mesita de Juana Lopez grants. If the story is interesting to your readers I shall be glad to have you publish my account of the formation of the Cerrillos Coal & Iron company. I was one of the principal, though innocent, actors to that nefarious business and am prepared to prove by irrefutable testimony every statement which I make. In 1880, or thereabouts, Stephen B. Elkins, then living in New York city, induced

a number of friends to join him in buying The Ortiz Mine Grant, the management and agency of which had been in his hands for many years. He assured them that the title was all right and at that time he did not utter a syllable about any conflict of title with the Juana Lopez grant. His friends, relying absolutely upon "Steve's" supposed integrity and upon his known familiarity with the property, invested \$375,000 in cash in the property. The title deed and stock of the original New Mexico Mining company were placed in the names of S.B. Elkins and J.B. Chaffee, as trustees, for all the purchasers. Afterwards the title was transferred to the New Mexico Mining company and the stock of the rehabilitated company was distributed pro rata among owners. Some time after the consummation of the purchase and while the syndicate were filled with joyful anticipations of huge and speedy returns on their investment, Catron, seeing A Chance To Hold Up the hands of this wealthy crowd, began to write Elkins letters threatening suit to compel a settlement of the pretended conflict of title. Then, for the first time, Elkins was forced to disclose the claim, made by his partner, Catron, for these worthies were co-partners in the Juana Lopez grant. Elkins affected at the time to treat Catron's threats lightly, and he re-assured his alarmed associates by saying that he "would take care of Catron." All who know the latter gentleman need no assurance from me that he was not to be put off with honeyed words and promises. He probably knew enough about the secrets of Steve's phenomenal prosperity in the territory to make his former law partner fear his disclosures. Elkins, finally made desperate by Catron's threats, changed his tone toward his still confiding associates and assured them that the prospects of Catron's successful prosecution of his suit were sufficiently serious to warrant a compromise. His associates Were Helpless And Acquiesced. As a result they were induced to deed to a new company, the C.C.& I.Co., the entire northwest corner of the Ortiz mine grant comprising about 15,000 acres of anthracite and bituminous coal land of great present and enormous prospective value. Elkins and Catron deeded to the new company their pretended interests in the Ortiz by virtue of the overlap, and 12,000 acres additional to the northward of the Ortiz grant. In dividing up the stock 60 per cent of the shares were assigned to The Joint Corporation. Elkins and Catron, and the sheared lambs were permitted to take the remaining 40 per cent. In English, the trapped innocents were "buncoed" into making a present of six-tenths of their magnificent property to a pair of sharpers who gave absolutely nothing in return. I am prepared to prove beyond the possibility of contradiction that Elkins and Catron as claimants

of the Mesita de Juana Lopez grant, had no more title to the part of the Ortiz grant which they claimed than if the latter were situated in the moon. Their Conspiracy To Defraud the people was exhaustively laid bare during the investigation conducted by Surveyor General Julian under my direction in 1886. Should you care to publish the story at some future time I shall be very happy to communicate it. Furthermore I shall be pleased to be allowed the opportunity of pointing out how and why just such transactions as the above retard the prosperity of the territory, and how... Alfred J. Wolf. [SFDNM]

### **CERRILLOS COAL RAILWAY COMPANY**

Robert T. Herrecke, of Topeka Kansas, was brought on as superintendent of the CCRC. During July and August of 1892 Mr. Herrecke was fully occupied with the organization of the coal camp and the mines. On July 11th the New Mexican noted he was registered at the Palace Hotel, the premier hotel in Santa Fe, along with W.P. Cunningham. [SFDNM July 11 1892]

Six weeks later his presence was noted again:

T.J. Merwin, of Topeka, general sales agent of the A.T.&S.F. coal department, Robt T. Hereke, superintendent of the Cerrillos Coal Railroad, now in progress of building out from Waldo, W.P. Cunningham, of the C.C.& I. general offices, W.H. Kennedy and David L. Miller arrived in Santa Fe last evening and have been in conference here all day. [SFDNM July 29, 1892]

And a week later Mr. Herrecke was in conference with H.L. Waldo, the AT&SF's legal agent in New Mexico.

Robt T. Herrcke, superintendent of the Cerrillos coal road, is in town to-day on business with Judge Waldo. [SFDNM August 8 1892]

By October the company's coal production was moving over 150 tons a day.

U.S. Inspector Spears' Report... I went to Cerrillos which is destined to be the Scranton of the southwest. There the mines are owned and operated by the C.C.& I. company, and they have four mines in operation at present. "No. 10 B" is known as the White Ash mine, and is located in what is known as Coal Arroyo, two and one-half miles south of Cerrillos. This is a semi anthracite vein, and is five feet thick; the mine employs twenty-six men, and is loading about 100 tons per day. "No. 3 S" is known as the White & Cook mine, and is only working two men at present repairing the air ways. The mine is two and one-half miles south of town, and contains excellent steam coal. "No. 4 C" is known as the Rogers Mine, located in Waldo arroyo, and two and one-half miles south of Cerrillos. It is working only three

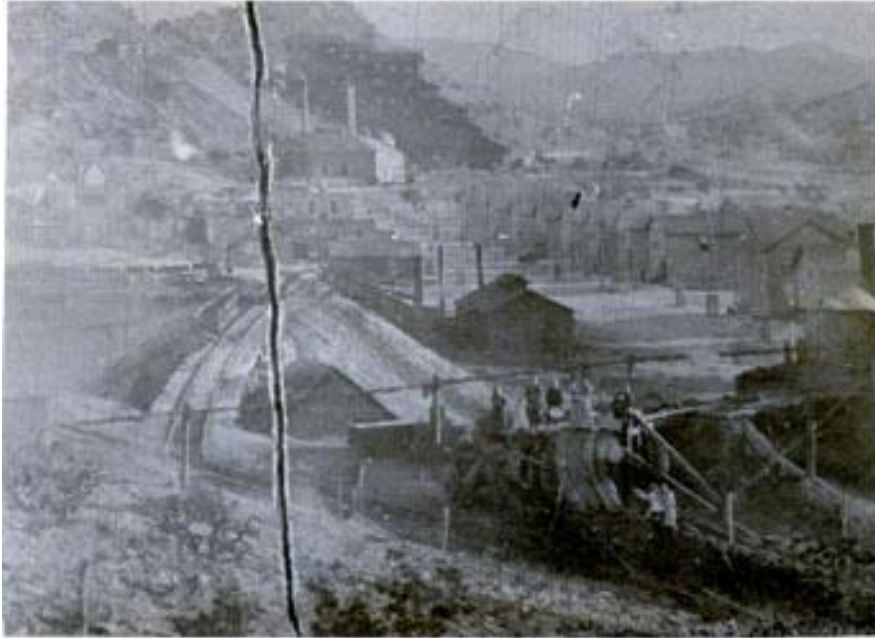
men at present, this vein is three feet seven inches thick. The new Waldo mine, coking coal, in the same arroyo, is working twenty eight men, and is loading fifty tons per day. This is an excellent coking coal. The C.C.& I. company have none but practical men [illegible words] superintendents and foremen [illegible word] their mines. The following is a list of managers: Robert T. Herricke, superintendent; John Bell, underground superintendent; Wm Brown, pit boss at No. 10 B; John Brown, pit boss at No. 3 S; James Kelley, pit boss at No. 12 A; H. Fletcher, pit boss at Waldo mine. [SFDNM October 4, 1892]

Organizing operations was only one of Herrecke's tasks. Maximizing profits was another.

Coal Miners Strike. There was another walk-out of coal miners at the Cerrillos pits yesterday. This time it is the men on the Waldo bituminous vein and in the anthracite pits that are dissatisfied. They have been at work by the day until night before last they were notified by Supt. Herrecke that they would be required to change to a tonnage basis. The men claim that the vein is too narrow for them to make wages at the tonnage rate offered, hence the strike. It is said many of the miners are preparing to leave the camp. Since the recent compromise the miners at work for the six foot, or "big vein" pits, are very well satisfied and they are working steadily. By this latest strike some seventy-five men are affected. [SFDNM December 1, 1892]

At Waldo Junction a town had sprung up, with a company store and the offices of the company. Six months after the spur line reached Madrid and the company offices there were not ready for occupation?

At the Waldo, or Rogers mine, forty-two neat cottages are already completed, and the company, under the supervision of Architect Joseph Marshall, of Topeka, Kas., is putting up a store building 80x100 feet with basement, the entire building of cut stone and brick. The temporary offices of the company are here, Superintendent Herrecke and Book-keeper Sweet occupying one of the conveniently located cottages, while Joe Rickhart, the company store-keeper, is at present domiciled at the miners' supply depot, a large building literally packed with supplies. [SFDNM January 23, 1893]



Madrid 1897

How quickly was the town of Madrid built out? A full year after the arrival of the spur tracks in Madrid and company superintendent Herrecke was still resident in Waldo. The company store was only now forming. But Risque's functional successor James Duggan, of Madrid, appears for the first time. Duggan was the second on the short list of Madrid superintendents. Oscar Huber was the last.

...[the following corporations have filed articles] The Madrid Mercantile Company [note; the Madrid Mining Company (the precursor of the Albuquerque & Cerrillos Coal Mining Company) and its subsidiary, the Madrid Mercantile Company first appear in 1893. Confirmable first use of 'Madrid' in a business name] – Incorporators; E. Wilder, J.F. Scott, H.L. Waldo, R.J. Palen, R.E. Twitchell, Capital stock \$50,000 – Directors Chas J. Devlin, A.A. Hurd, Edward Wilder, J.F. Scott, of Topeka; Robt. T. Herrecke and Louis Hansen, of Waldo; James Duggan, of Madrid, Santa Fe county. Principal places of business Santa Fe and Madrid. [SFDNM August 17, 1893]

The deluxe hotel in Santa Fe at this time was the Palace, on the east side of Washington Street just north of Marcy Street. The more reasonably priced Claire Hotel, on the northwest corner of San Francisco and Lincoln Streets, was next, followed probably by the Exchange Hotel a block east of the Claire, (whose current incarnation is La Fonda), which at that time had seen better days. There were cheaper lodgings in Santa Fe as well.

With the newly-hired Duggan in late 1893, Herrecke made a point of staying at the Claire when in Santa Fe. [SFDNM October

30; December 18] But when in town without Duggan, Herrecke saw fit to lodge at the Palace. After 1896, when Colorado Fuel & Iron Company (CF&IC) had taken over Madrid, all the bosses when in Santa Fe stayed at the Palace. [SFDNM January 28, February 6, 1896] Doubtless, it was done for the good of the company's image.

### **Madrid Mining Company**

The Madrid Mining Company, yet another corporation nested within a corporation nested within another corporation, was organized for the purpose of actually digging and marketing the CCRC's coal, around mid-1893.

At the same time, August 17, 1893, the Madrid Mercantile Company – mentioned above – (sometimes the Madrid Supply Company or the Company Store) filed articles of incorporation. The incorporators of the Mercantile Company were Edward Wilder, J.F. Scott, H.L. Waldo (yes, that one; the AT&SF's attorney for all of its New Mexico corporations {SFDNM 12May1893}), R.J. Palen (president of the CCRC and president of the First National Bank of Santa Fe) and R.E. Twitchell (mayor of Santa Fe 1893-1894). The directors were listed as Charles J. Devlin, A.A. Hurd, Edward Wilder and J.F. Scott, of Topeka Kansas (all AT&SF people), Robert T. Herrecke (superintendent of the CCRC {SFDNM 8Aug1892} and Louis Hansen of Waldo, and James Duggan of Madrid. {SFDNM 17Aug1893}

### **Founding and growing Madrid - 1894**

The by then 2 year-old town of Madrid was formally founded in 1894. By early the following year the White Ash mine, one of a half dozen still-operational mines at Madrid, was producing 37 carloads of bituminous coal per day. One hundred of those coal cars per month were processed into coke at Waldo, and the coke was then shipped to the smelters and foundries at Pueblo and El Paso and elsewhere.

By September 1895 White Ash production was up to 48 cars per day, and Superintendent James Duggan stated 250 men worked for the Company. And the White Ash had been equipped with electric bells and a telephone system connecting with the engine room, and there was talk of next year using those newfangled electric lights for illumination instead of coal gas or carbide open-flame lamps.

There were other growing pains, too. As one of their last acts the outgoing 1894 Santa Fe County commissioners created a new Precinct #20 for the camps of White Ash and Madrid. (In 1894 old Keeseville/new Madrid and White Ash, where the ball park



is now, were still regarded as separate localities.) The incoming commissioners, on January 10th reversed that ruling, returning the coal camps to the jurisdiction of Precinct #7, Cerrillos, and then, under pressure, reversed their reversal. Booming Madrid and White Ash became again, and finally, Precinct #20.

## **1895**

In June 1895 the Company commenced preliminary work to reopen the anthracite mines on the south side, and announced 200 new jobs would be created. At the same time the Company said “several hundred” men were toiling on preparations for the coming Fourth of July celebration, marking the first reference to Company sponsorship of such celebrations.

The story was repeated in the New Mexican in August, when Superintendent Duggan was quoted as saying there were 250 employed at the mines and coke ovens (which utilized bituminous coal) at Madrid, the product of which was shipped south and west, to points in New Mexico, Mexico, Arizona and California. The Company, he said, has just completed ten more dwellings for its employees and that when the anthracite mines were started up in about five weeks another 260 men would be employed. {SFDNM 9Aug1895}

Fame and fortune are not the exclusive preserve of the captains of industry. Mary Wayne Marsh was born in Madrid on November 9, 1895. Her family moved from Madrid to San Francisco, California, just in time to experience the great April 1906 earthquake, which calamity prompted them to move again, this time to southern California. In Los Angeles D.W. Griffith made Mary a movie star. Under the name of Mae Marsh (Griffith thought there were already too many actresses named Mary) she had leads in his epics Birth of a Nation and Intolerance. Her last movie role was a small part in 1941's How Green Was My Valley. For those of you old enough to remember the days of black and white TV, Jackie Gleason was famously smitten with “the ever lovin’ Mae Marsh.” The little girl from Madrid, New Mexico, truly made it big.

## **1896 AT&SF, Cerrillos Coal Company, and Colorado Fuel & Iron Company**

By the 1896 memorandum of agreement (MOA) below, between the AT&SF and the CCRC, the AT&SF was given six months to evaluate the coal property and decide whether or not to buy off its outstanding obligation (the bonds) so it could then at liberty to dispose of the company.

There is considerable corporate sleight-of-hand in this MOA

since the AT&SF owned all the stock in the CCRC, the owner of the lease, as well as all of the stock (though some shares were still threatened by or were in litigation) in the CC&IC, the owner of the land.

The only outsiders were the CCRC bondholders Elkins and Kerens, whose holdings had been steadily shrinking (“sinking”) over the preceding five years.

1896 March 26; Memorandum of Agreement between the Cerrillos Coal Railroad Co. and the Atchison, Topeka and Santa Fe Railway Co and the Bond Holders of the CCRC issued January 30, 1892. Whereas the AT&SF holds the equity in all or nearly all the stock of the CC&IC and it owns all the stock of the CCRC. Now, Therefore it is mutually agreed between the parties as follows:

1. AT&SF has six months to explore property at its expense.
2. AT&SF will pay to trustees [Elkins and Kerens] \$84,000 for sinking fund bond [note; A fund established by a business for the purpose of reducing debt by repaying or purchasing outstanding loans and securities held against that business. Sinking funds were a common in investment in the 1800s in the United States, especially with highly-invested markets like railroads. Wikipedia] redemption and the coupon due on the remainder of the bonds on July, 1, 1896 of \$14,960.
3. All net earnings in the meantime going to AT&SF from the CCRCo.
4. On or before Sept.1, 1896 the AT&SF shall notify trustees if it elects to surrender its interest in the CCRC and the property to the bondholders. If it elects to surrender it will transfer the property in good working order. If the AT&SF elects to retain its interest in the CCRC the sinking fund amount will be reduced to \$50,000 per year and extended to 1910.

Signed Aldace F. Walker, Chairman of Board [of AT&SF], and Aldace F. Walker, Director CCRC, and also by R.C. Kerens, \$255,000 bonds numbered... and S.B. Elkins \$250,000 bonds numbered... [NMSU Folder # 2/7]

It is inferred from the absence of evidence of complaints about missed payments that Elkins and Kerens, as holders of what was on January 30, 1892, \$700,000 in 4% sinking fund bonds issued by AT&SF, had through the first quarter of 1896 likely received around \$200,000. An additional \$98,960 was paid them for the remainder of 1896.

Five years later, in 1901, an A.,T.&S.F. reorganization terminated the unpaid portion of the cash obligation (amount unknown), and made whatever was left of those old A.,T.&S.F.-issued bonds worthless.

But getting back to 1896 and the evaluation of the coal properties, the AT&SF finally decided sell its Madrid operations (the lease to mine coal, and much of the existing infrastructure) to the Colorado Fuel & Iron Company (CF&IC).

Simplifying it, CF&IC had been created by the merger of two (Colorado Coal & Iron Co. + Colorado Fuel Co.) Colorado based iron & steel companies in 1892, the same year Kerens and Risque first established the town of Madrid. The following year, 1893, CF&IC (in the guise of superintendent James Duggan and the Madrid Mining Company (MCC) were in managerial and operational control of Madrid. And then in 1896 the CF&IC came out of the closet and assumed, through purchase, open control of the Madrid Mining Company.

The spring and summer of 1896 saw a frenzy of corporate shuffling.

1896 August 27; New Coal Company. The Cerrillos Coal Mining company filed articles of incorporation to-day. The incorporators are R.J. Palen, H.L. Waldo, R.E. Twitchell; directors, E.P. Ripley, C.M. Higginson, Chicago; L.A. Hughes, R.J. Palen, Santa Fe; R.E. Twitchell, Las Vegas. A meeting of directors was held at the First National bank and E.P. Ripley was elected president, C.M. Higginson, vice-president, and Edward Wilder, secretary and treasurer. The capital stock is \$100,000. It will operate in south Santa Fe county and elsewhere throughout the territory as a sub-corporation of the A.,T.&S.F. company. [SFDNM]

The NMMC gave the Cerrillos Coal Mining Company permission to prospect for and mine coal on the balance of the Ortiz Mine Grant (now about 54,000 acres), and that agreement lent credibility to the CCMC and facilitated the foreclosure of the CCRC's mortgage without protracted litigation.

The Cerrillos Coal Mining Company might have been little more than a straw dog, but it persisted because it served the needs of the AT&SF, and the AT&SF had decided it needed to get out of the coal business.

1896 October 17; Cerrillos Cullings. C.J. Devlin, manager of the Santa Fe coal properties, has resigned, to take effect December 1. This action is supposed to foreshadow the complete divorce of the coal interest of the Santa Fe system. Under the management of President Ripley the company has striven to lop off the mining interests of the road, and, while outsiders have supposed the coal properties were paying well, the recent transfers which have been made indicate the contrary. – Cerrillos Rustler. [SFDNM]

Upon emerging from bankruptcy December 1895 the new AT&SF Railway had leased its Colorado properties to the CF&IC. In New Mexico the SPC&CC had been closed for some

years, leaving the AT&SF with half interest in the Raton Coal & Coke Company and indirect ownership of the CCRC. Even though the AT&SF had taken over the CCRC for \$500,000 – a sizable discount from the original investment – the CCRC on paper was in default of its mortgage agreement. By choosing foreclosure, the AT&SF was able to separate its subsidiary, the CCRC, from the mining property and distance itself from the coal operations. [JHereford 2009]

But H.L. Waldo, the AT&SF's chief solicitor in NM, convinced holding off until the territorial Supreme Court ruled on the White Ash-Deserant case. [JHereford 2009]. The litigation reached a point in August 1900 where the outcome was clearly in favor of the AT&SF, and the company then acted. But process, though hopeless, continued for another year.

### **Deserant 1895-1901**

It concerned the condition of the mines and safety of the miners. If the pit boss where you worked underground disagreed about the need for timber shoring or dust suppression or ventilation and methane dispersal, all of which cost the company money, then your choice was either to take your chances with the hazards or refuse to enter the mine. If you chose the second option it meant there was no more work for you in that mine. On February 27, 1895 at about 11 a.m. there was an explosion in the White Ash mine that killed 24 men, Madrid's worst mine disaster ever. Among the dead were the husband of Josephine Deserant and both of her sons.

The New Mexican of last evening gave all procurable particulars of the shocking and appalling disaster at the White Ash coal mine, three miles south of Cerrillos, a little before noon yesterday [Wed.27th]. Additional details secured by this paper during the night and day increase rather than diminish the magnitude of the horror. The following is the awful death toll. Mike Ryan, Alajandro Kelly. John Donahue. Marion Ellingsworth. Wm. Ellingsworth. Sam Hardesty. Sam James. J.T. McCart. Jules Deserant and two sons. August Leplat. George Spreight. Wm. Jones. John Eathorn. Roy Phillips. Richard Diro. Louis Beck. A. Rafetti. Tom White. Dan Sweeney. Steve Grugribic. John Flick. Henry Harron. Unknown. Fourteen of the dead men had families dependent upon them. [February 28, 1895, SFDNM]

...it is understood that Attorney R.E. Twitchell's motion for a new trial in the three cases of Josephine Deserant, administratrix, against the Cerrillos Coal Railroad company will be argued.

It will be remembered that these cases grew out of the White Ash coal mine disaster in February, 1893, and the jury brought in a

verdict in favor of the plaintiff, assessing her damages at \$25,000 on account of the loss of her husband and two sons. [May 20, 1896, SFDNM]

Following the explosion, numerous lawsuits had been filed against the CCR Company. All but three were settled before going to trial. Those three, consolidated into a single action, had been brought by Josephine Deserant, as administratrix for the estates of her husband and two sons, each of whom had perished in the disaster. A decision in her favor was appealed to the NM supreme court. That court remanded the case to the lower court for a new trial. At the second trial, the verdict was returned in CCR's favor. When that decision was upheld by the territorial supreme court, the case was appealed to the United States supreme court. The U.S. supreme court reversed the finding of the NM supreme court – but the decision was not rendered until August 1900. ... To that point, as Waldo had advised, the Santa Fe had refrained from foreclosing on the CCR's mortgage. After the U.S. supreme court's decision, though, a receiver was appointed. The Santa Fe's 1896 understanding with the bondholders, by which the mining property was to be conveyed to the Cerrillos Coal Mining Company, had given way to events and the passage of time. CCRC's property was sold at foreclosure on May 18, 1901. Two weeks later, on June 3, the mining property was conveyed to a longtime subsidiary, the Cherokee & Pittsburg Coal & Mining Company. [JPHereford, TheCerrillosCoalRailroad, 8Feb2008 draft]

The damage cases against the Cerrillos Coal Railroad Company, eight in number, resulting from the disaster in the White Ash mine at Cerrillos several years ago, were set for trial on the 25th of March. The Deserant case, which had been a test case, has been remanded by the United States supreme court for a new trial to the district court. [March 11, 1901, SFNM]

Though Josephine Deserant ultimately lost most of her case against the CCRC, she did receive \$5,000 for her husband's death. It is unknown how much was remaining after six years of legal expenses. Josephine did not remain in Madrid.

### **Duggan grows Madrid 1896-2**

James A. Duggan had been superintendent of the mines at Madrid since 1893, initially for the Madrid Mining Company. 1896 April 7; Mr. James Duggan, the faithful superintendent of the A.,T.&S.F. coal mines at Madrid, is a visitor here to-day. He says the company is doing well these days and has 300 men on the pay roll. Mr. Duggan is a moving spirit in the building up of the town of Madrid, and takes special pride in the fact that his

community supports the best public school in Santa Fe county.  
– At the Palace: J.M. Burdick, Jas Duggan, Madrid... [SFDNM]  
If half of the miners were married with families these figures suggest there were over 300 children living in Madrid in 1896. Thomas Harris, clerk of the school board of the Madrid precinct was quoted in the New Mexican that Superintendent Duggan was doing a praiseworthy job and he now employed about 400 men at the White Ash mine and the coke ovens at Madrid (the coke ovens were at Waldo, which was not far from the White Ash). He said that the anthracite mines were for the present shut down. Harris further reported that Mr. Norton and Miss Sullivan were giving satisfaction as teachers at the public school at Madrid, and that the district had no debt and between \$700 and \$800 in the treasury. Harris said as clerk he had collected \$336 in poll taxes [note; so called because they were a prerequisite to voting] last year. {SFDNM 18Feb1896}

The first Madrid post office began operation, after a false start [note; Joe Coleman, contrary to reliable rumors, was not appointed postmaster after all], in middle May 1896 in the Madrid Supply Company building, with Mrs. Thomas Harris, wife of the school board clerk, as postmaster. Austin L. Kendall, of Cerrillos, was charged with carrying the daily mail between Madrid and Cerrillos. {CerRustler, cited in SFDNM 16May1896}  
Madrid's post office later moved to the Madrid Coal Company office. Much, much later, in 1966, when Madrid's population was at its nadir and Cerrillos wasn't far behind, post office services were consolidated into the Cerrillos post office, where they are today.

Artesian Water Struck. The Cerrillos Rustler of Saturday printed big news as follows:

"For some time the Cerrillos Coal Railroad company has been prospecting with a diamond drill for coal, considerably outside the working limits of the mines. About two weeks ago while prosecuting this work on what is called the Williams' ranch, near the old Red Ash hard coal mine, two and one-fourth miles from town and one mile to the right of the Dolores road, water was struck at a depth of between 500 and 600 feet, which rises with a strong flow to the top of the ground, and has been running off ever since.

"The well is cased, six inches at the top and four inches at the bottom. Great importance is attached to the discovery from the fact the company expects to pipe the water to Madrid, thereby solving the water problem at that camp, which has heretofore been supplied by tank cars, a most unsatisfactory and expensive method. It also demonstrates that artesian water may be had at

a depth much less than in many other localities where a water supply is dependent upon such wells. The water is clear, very “soft?,” and in every way excellent for domestic and other needs.”

[reprinted April 27, 1896 in SFDNM]

The artesian well continued to pour water onto the surface for at least two days. The absence, however, of any additional references to this flowing well suggests it dried up soon thereafter.

Rafael Vega had his foot so badly crushed in a cave-in that it had to be amputated. {SFDNM 15May1896}

In late June there was another announcement of an increase in the workforce at Madrid, the Cook & White was planning on opening two or more new workings, and that work in the anthracite mines would be resumed in July rather than September or October as had been the practice. Also an additional blower [note; a fan which forced clean air into the mine and expelled methane and other hazardous gases.] was installed at the mouth of the White Ash. {CerRust in SFDNM 22Jun1896}

A special coach with fifty-five men arrived last night from Osage, Kas. They will be employed at the Madrid and Miller gulch coal mines. Fifty-five more will arrive to-night. This is a confirmation of the news printed in last week’s issue of the Rustler that the working force of those mines was to be largely increased. We understand the greater portion of the strangers are not with families. – Cerrillos Rustler. [reprinted SFDNM 27Jun1896]

The Cerrillos Rustler noted at the end of July 1896 that a brass band was being organized at Madrid. {CerRust in SFDNM 25Jul1896} But the coal mines were still being identified as those of the CCRC.

1896 June 12; Mr. Jas Duggan, superintendent of the Cerrillos Coal Railroad company’s mines, is in town to-day.

It wasn’t until 1897 that the mines were identified as those of the Madrid Coal Company.

1897 May 10; James Duggan, superintendent of the Madrid Coal company, was a guest at the Palace yesterday, registering from Madrid. [SFDNM]

The year had begun with 300 men employed. At the end of September the New Mexican reported that there were now 700 men employed, and that the previous Saturday’s pay day had been the largest in the history of the camp. {SFDNM 26Sep1896}

However, a few weeks later Capt. J.A. Burdick, a Madrid store keeper, said that reports that the hard coal mines had been closed were wrong, and that the number of employed in the mills and mines was 500, adding that everyone was prosperous and happy. {SFDNM 16Oct1896}

The miners of Madrid precinct all worked their road tax the first three days of this week [note; in lieu of collecting taxes for building and maintaining roads, all working men were obliged (virtually dragooned) to spend several days each year working on the roads themselves in the meantime the mines were closed down for lack of men. From the looks of things there is a big joke on some one, but we don't believe it was appreciated by the victims. {SFDNM 31Oct1896}

Workers living from payday to payday paid taxes with sweat and toil. The corporations and the rich men of Santa Fe, in this case the NMMC, often as not didn't pay theirs at all.

Legal Notice. Newton S. Finney, No.3766 vs. The New Mexico Mining Company et al. In the District Court, County of Santa Fe, ss. The said defendants, Shipman, Laroque and Choate, A.J. Wolf, Elkins National Bank of West Virginia, Richard C. Kerens, Lars Anderson, L.M. Lawton, Joseph Larocque, The Estate of M.P. Bush, S.H. Wolf, Harry W. Marks, Fanny C. Grant, Stephen B. Elkins, Charles L. Chambers, are hereby notified that a suit in equity has been commenced against you in the district court for the county of Santa Fe, territory of New Mexico, by said Newton S. Finney, that unless you enter your appearance in said suit on or before the first Monday, the 3rd day of August, 1896, decree pro confesso therein will be rendered against you. Geo L. Wyllys, Clerk. Matt G. Reynolds, Solicitor for Complainant. Santa Fe, N.M., May 26, 1896. [May 27, 1896 SFDNM] taxes arrears.

\*

In the spirit of 'an ounce of prevention is worth a pound of cure' the Company was always receptive opportunities to eliminate potential title problems. The \$115 below suggests John Donovan's claim on the Mesita de Juana Lopez Grant had some substance, but not much. Most likely it was that it was cheaper to buy him off than to go to the trouble to evict him.

John Donovan to Cerrillos Coal Railroad company, quit claim deed, Interest in the Juana Lopez grant; consideration, \$115. [November 16, 1897SFDNM]

### **Omara**

It is likely that Philip D. Omara of Cerrillos, who most often spelled his name that way even if others didn't, was the first person to engage in serious digging on the relatively small coal deposit ten miles east of the future site of Madrid. The limited quantity and marginal quality of bituminous coal was compensated by the fact the Omara deposit was not situated on the Ortiz Mine Grant, nor on any other recognized grant. It was there for the taking.



When the Colorado Fuel & Iron Company took over the operations at Madrid and redirected most of its output to Company facilities outside of New Mexico, as well as to AT&SF use, they created locally what was called a 'coal famine'. Local coal sellers supplying homes in Santa Fe and fuel for businesses ran out, and the production at Omara suddenly became an important alternative.

Samuel Elkins, the superintendent of the NMMC, recognized the opportunity at Omara and took an option, on behalf of himself and his brother Stephen Elkins, on part of the Omara deposit owned by William E. Dame [note; from misspellings it is clear his name was pronounced Day-me]. Dame and Richard Green and others would continue Omara coal operations well into the next century.

January 2, 1896; (John McCook to Elkins) On Cerrillos Coal Field: Moore's Report, Mr. Faulkner's and concern about Omara mine and its being tied up. [summary of Elkins papers, no #] [note; AT&SF archives have a letter on this. The name of the mine has varied to this day O Mara or O Mera, sometimes even Romero. It is located several miles south southwest of Galisteo, about half way between Lamy and Madrid. HE Milford]

January 13, 1896; Six month option from W.E. Dame to S.H. and S.B. Elkins for SW quarter of section 32 T13N R9E for \$3,000. [summary of Elkins papers # 958]

January 18, 1896; (Samuel H. Elkins to Steve) I have 6 month option on the OMera Mine... it is only 40 acres. I can file other claims and get up to 160 or 320 acres if you wish. I have kept the driver hauling coal and working on the Juanita. I will let off a man at the mine tonight that will only leave George at the mine. J.C. Bender still wants to lease the Candelaria mine. Have not gotten any money since Oct. need to pay off the men. Enclosed is Dec Pay roll. [Elkins papers 962]

### **Colorado Fuel & Iron Company & Madrid Coal Company**

**CF&IC** from 1901 to 1912 one of the DOW industrials

The New Coal Deal. South Santa Fe County Mines Sold to the A.,T.&S.F. for Half a Million Dollars.

Under a new deal the Colorado Fuel & Iron company has assumed control of all A.,T.&S.F. coal interests in Colorado and east of Raton mountains, and the A.,T.&S.F. coal department will henceforth confine its operations to New Mexico coal properties.

It is announced that the A.,T.&S.F. has finally acquired absolute title to the great coal measures near Cerrillos, in south Santa Fe county, purchasing from S.B. Elkins, R.C. Kerens and T.B. Catron for \$500,000. [August 29, 1896, SFDNM]

The evidence strongly suggests that Tom Catron's name should not appear on this list. He did not own stock in the NMMC, and four years earlier he had sold his interest in the CC&IC, which had come through his four-ninths interest in the Mesita de Juana Lopez Grant. The documentation of the AT&SF purchase of CCRC five months earlier (see the memorandum of agreement above) mentions only Elkins and Kerens.

However, Tom was resident in Santa Fe while the others were not, and he was arguably the largest of the larger-than-life personalities in the Territory. He was certainly familiar enough with the other personalities and their deals. Did the Santa Fe Daily New Mexican request a comment from him for this news item, or was Catron the source of it? Being identified as a party in a half-million dollar deal would not have hurt his reputation. CF&IC had been created by the merger of two Colorado iron & steel companies in 1892, the same year Kerens and Risque first established Madrid. The following year CF&IC (in the guise of Duggan and the Madrid Coal Company) had operational control of Madrid.

It is an instructive curiosity, examined below, that after the Colorado Fuel & Iron Company acquired the Madrid operations, they retained James Duggan, who had been the superintendent of the Madrid Mining Company since mid-1893.

Alex Snedden, a CF&IC manager from Engleville Colorado, was appointed general agent for the Cerrillos Coal Railroad Company, with complete responsibility for the coal from the moment it was loaded into railway cars. {SFNM 16Sept1896} Snedden's headquarters were in Cerrillos, not as one might expect, Waldo.

It is unclear how long the coking facility at Waldo was in operation, but it was probably not much more than five years. By early 1901 bituminous coal optimal for coke had run out and coke production at Madrid had become because of other suppliers and cost of transportation impractical.

There is not at the present time a single ton of coking coal to be obtained in the territory. The small vein at Madrid has entirely run out, and the extensive works of the Colorado Fuel and Iron Company at that place are operated by means of coal brought from Colorado. {SFNM 15 Feb 1901}

During the ten years of open C.F.&I.C. control that company often exported virtually all of the production of the Madrid mines, leaving the local New Mexico coal market to scramble to find other suppliers. This scarcity of supply led to the heyday of the Omara coal mines, and to the development of the Hagen field in Sandoval County, north of Placitas.

How interconnected were all these corporations? A quorum of directors for each of ten different New Mexico companies could be achieved with only ten people. Other attendees included Samuel H. Elkins and James Duggan.

#### Meeting Of Directors.

Local Members of Boards of Directors of Ten Corporations  
Held Regular Annual Meeting This Morning.

The local members of the boards of directors of the New Mexican Railroad company, the Rio Grande, Mexico & Pacific company; the New Mexico & Southern Pacific Railroad company; the Silver City, Deming & Pacific Railroad company, the Rio Grande Land company, the New Mexico Town company, the Cerrillos Coal & Iron company, the Cerrillos Coal Railroad company and the Madrid Mercantile company, held the regular annual meeting at the Palace hotel this morning. The members present were F.A. Manzanares, A.M. Blackwell, R.E. Twitchell and Geo B. Kilmer, Las Vegas; Max Schutz, Silver City; M.S. Otero, W.B. Childers and E.S. Stover, Albuquerque; Major Palen and Levi A. Hughes, Santa Fe. [December 8, 1897, SFDNM]

Elsewhere, in the same newspaper:

At the Palace: Mr. and Mrs. R.E. Twitchell, G.L. Kilmer, Las Vegas; A. Hart, St. Louis; A.M. Blackwell, F.A. Manzanares, Las Vegas; J.W. Cooper, Pecos; P.H. Leese, Espanola; Ed Ledwidge, C.H. Austin, Denver; S.H. Elkins, R.M. Foree, Dolores; M.S. Otero, E.T. Stover, Albuquerque; C.R. Dunn and wife, Cerrillos; Jas Duggan, Madrid; Max Schutz, Silver City. [December 8, 1897, SFDNM]

Some of the inner workings of these corporations were brought to light several years later. In mid-1899 the Denver papers broke the story that Andrew Carnegie, the Pittsburg steel and iron magnate, had managed to accumulate controlling interest in the CF&IC, and, the story said, it had been an open secret for years that CF&IC controlled of the coal mines in southern Santa Fe County. The story went on to speculate:

“Rumors which cannot be officially verified have it that great changes will be made very soon... and that about a million dollars will be spent on improvements next year.” {October 16, 1899 SFNM }

#### Litigation Concerning Coal Properties.

Ex-Governor L.B. Prince, as attorney for the plaintiffs, today commenced action in the district court in a suit entitled Mateo Sena et al. vs. Francisco Mondrago, Solomon Luna, Cerrillos Coal and Iron Company, Colorado Iron and Fuel Company et

al., for a partition of the Juana Lopez grant, south of the Galisteo river, in this county, and for an accounting of coal and other minerals heretofore sold from the grant. There are thirty-nine claimants to small portions of the grant who unite in bringing this suit. The coal mines of southern Santa Fe county that are being worked are situated on the grant. [November 2, 1899, SFNM]  
The evidence suggests that James Duggan's tenure as superintendent of the Madrid Coal Company, starting in mid-1893, coincided with the presence of CF&IC at Madrid. When in 1896 the CF&IC assumed open control of Madrid the company retained Duggan as superintendent. The year Duggan left Madrid, 1899, was the year Carnegie took over the Company. James Duggan, covertly or overtly, was pretty obviously the CF&IC's man at Madrid.

1899 Cochiti Gold Mining Co built a generating plant at Madrid but it was clear that the plant's water could not be supplied from Waldo. Instead a crib was built below the quicksand in the Galisteo River – which, despite the normal absence of surface water, had a significant flow of water three to four feet below the surface – from which a supply of 250k gallons/day could be secured. Between the river and the power plant, water moved in a 14,000 foot long 4-inch diameter pipeline. When the Cochiti company was liquidated a few years later the crib and pipeline were abandoned. [JHereford 2009]

### **Cherokee & Pittsburg Mining Company**

AT&SF president E.P. Ripley during Aug1899 offered a 10yr lease on the Cerrillos field to both CF&IC and the Maxwell Land Grant Co (which operated the Raton C&CC). Ripley found CF&IC's bid better; 10yrs from 5Oct1899, to include the CCRC property and the Waldo coke ovens and the RR spur line; CF&IC was to pay \$15,000 quarterly plus 40 cents per ton over 200k tons sold per year.

The AT&SF had refrained from foreclosing on the CCRC. After the Aug1900 favorable decision, though, a receiver was appointed. The AT&SF's 1896 understanding with the bondholders, by which the mining property was to be conveyed to the CCMC, had given way to events and the passage of time. CCRC's property was sold at foreclosure on 18May1901. On 3June the property was conveyed to a longtime subsidiary, the Cherokee & Pittsburg Coal & Mining Co. That same day Cher&Pitts reconveyed the railroad from Waldo to Madrid to the AT&SF, including the long-inactive spur to Rogers. Total trackage 6.51 miles. The Rogers spur was subsequently dismantled. [JHereford 2009]  
After Two Corporations. Solicitor General E.L. Bartlett Intends

to Make Them Comply with the Law.

Solicitor General E.L. Bartlett this forenoon brought quo warranto proceedings in the district court for Santa Fe county against the Colorado Supply Company, and also against the Colorado Fuel and Iron Company. ...The bill of complaint alleges that both concerns are doing business illegally in the territory, for neither has filed papers or charters of incorporation, nor notices of the appointment of a local agent in the office of the territorial secretary, as the statute requires. Both companies operate in the southern part of this county, the supply company conducting a general merchandise business at Madrid, and the fuel and iron company conducting coal mining operations near Cerrillos and Madrid. ...It is also alleged that the Colorado Supply Company is merely a branch of the Colorado Fuel and Iron Company, and is conducting a company store on a basis prohibited by the statutes of the territory. [December 28, 1899 SFNM]

## 1900

Carnegie's Colorado Fuel & Iron Company, incorporated under the laws of Colorado and with headquarters at Denver, in compliance with New Mexico law filed a copy of its incorporation papers in Santa Fe on January 9, 1900. It gave Madrid as its place of business in this territory, and listed Henry J. Elliott as its local agent. CF&IC also filed papers for its sub-corporation, the Colorado Supply Company, and named Daniel P. Jones of Denver its local agent. {SFNM 9Jan1900}

Law complied with The Colorado Fuel and Iron Company, incorporated under the laws of the state of Colorado in 1872 to-day filed a copy of incorporation papers at the office of territorial Secretary Wallace.

The capital of the company is given at \$25,000,000, and its principal place of business at Denver. It designates Madrid as its place of business in this territory, and Henry J. Elliott as local agent. The fee paid to Secretary Wallace for the territory by the company is \$1,270.

The Colorado Supply Company, a sub-corporation of the fuel and iron company, incorporated under the laws of Colorado, also filed incorporation papers at the office of the territorial secretary. The capital stock is \$200,000. The directors are John C. Osgood, Dennis Sullivan, Samuel N. Wood, Julian A. Kebler and David C. Bowman. Madrid is designated as the place of business of the company in this territory, and Daniel P. Jones its local agent. The incorporation fee paid Secretary Wallace by the company for the territory is \$86. [January 9, 1900 SFNM] Elliott replaced James Duggan, Jones replaced Burkick, and

the Colorado Supply Company replaced the Madrid Supply Company.

Actually, the manager of the Madrid Supply Company, J.G. Burdick, had resigned two months before, but he was reported in the New Mexican as being succeeded by Daniel P. Jones. {SFNM 27 Oct 1899} Between the going and coming of companies and all their employees and agents the wonder is that the records are as complete as they are.

H.J. Elliott seems not to have lasted long as superintendent of the CF&IC mines at Madrid. The last south Santa Fe County reference to him is a year and a half later, and it is for the registration of his, along with D.W. King and Gus Johnson, Blue Bell claim in the San Pedro Mining District.

Andrew Carnegie acquired the CF&IC in 1899, and held it for no more than four years.

John D. Rockefeller began to buy CR&IC stocks and bonds, in 1902 buying \$6 million worth. The following year Rockefeller acquired even more, and “accepted” the resignation of John C. Osgood. By the end of the year the CF&IC was in the hands of Rockefeller and other Easterners.

From 1901 to 1912 CF&IC was one of the Dow Jones Industrials, one of the 50 largest industrial companies in the United States. {en.wikipedia.org/wiki/Colorado\_Fuel\_and\_Iron}

In another item of note, in 1903 the Atlantic & Pacific RR became part of the AT&SF's Coast Lines. [JHereford 2009]

After thirteen years, and under a series of owners culminating with John D. Rockefeller, the CF&IC exited Madrid (1906), selling its lease to George Kaseman of Albuquerque.

C.F.&I.C.'s 13 years in charge at Madrid – 3 covert and 3 public years under superintendent Duggan, 2 years under Henry J. Elliott, and 5 years under his successor(s), including Mr. Lamb – set the character of the town, a legacy of tight company control. It was carried forward by George Kaseman and Oscar Huber.

For the workers at Madrid the changes didn't matter all that much. You were employed by the direction of Mr. Duggan or his successor, and you worked for the Madrid Coal Company and its successor. You lived in Madrid Coal Company housing, and you were encouraged to obtain all your needs from the Madrid Mercantile Company store.

George Bowen, Esq., general manager of the Colorado Fuel & Iron Company, is in the capital and called on Governor Otero while here, having letters of introduction to the governor. – J.F. Welborn of Denver, general sales agent of the Colorado Fuel & Iron Company, and Joseph Chilberg, agent of the company at El

Paso, were in the capital today and left for the south on the afternoon train. They are making arrangements to supply the Mexican Central railroad with coal. About 1,000 tons a day is to be furnished, part of the supply to go from Cerrillos. The Mexican Central is unable to get the Capitan Coal from Lincoln county, the Southern Pacific having a few days ago contracted for the entire output, whatever it may be. The Mexican Central is now getting coal via Tampico from West Virginia, and is also using wood. The local market at El Paso has been supplied with Capitan coal almost exclusively, of late, no Cerrillos coal being on sale there and Gallup furnishing but 10 per cent of the quantity El Paso used. The Southern Pacific has recently been buying coal at Pittsburg, floating it down the rivers to reach the guld[?] terminal. [January 26, 1900 SFNM]



This monopoly of employment and commerce at Madrid marked the beginning of the end of the prosperity of the town of Cerrillos. Instead of being THE focus of the local coal-based economy, as it had been, Cerrillos became an adjunct, a watering hole and bedroom community for people who were employed at Madrid. The personnel needs of the A.,T.&S.F. at Cerrillos Station were minimal and Waldo had taken from Cerrillos all the transshipment business on the rail line. The only unique advantage Cerrillos had left was that it was beyond the jurisdiction of the Madrid Coal Company, a place where people who had been black-balled or driven out by the Company could continue to operate.

Reflecting a certain innocence and myopia for its impact on Cerrillos, the New Mexican commented thusly in January 1900 on the growth of Madrid:

A whole lot of new people are assembled about Madrid since the Colorado Fuel and Iron Company took hold. Cerrillos' citizens are much pleased with them as neighbors, and extend to them the glad hand. {SFNM January 22, 1900}

Eleven years after the creation of the Madrid Coal Company, things in Cerrillos had gone so far downhill that the town trustees voted overwhelmingly, on February 10, 1904, to disincorporate.

The coming of the Madrid Coal Company extinguished whatever pretensions the people of Cerrillos had to becoming a major metropolis, let alone the new capital of New Mexico.

A detailed description of Cerrillos in 1905 comes from the following request for a pension for Maud Green, wife of Richard Green. The author, the Special Examiner, was supposed to be objective and unbiased, but one wonders.

June 12, 1905; [to Commissioner of Pensions, Washington DC] ...property of Richard Green; Lots 1&2, block 18, Los Cerrillos.

Lots 6&7, block 12; Lots 3&4, block 18; ...I made inquiry as to this when at Los Cerrillos, and from several persons from time to time since I was there some weeks ago and all agree that the town is practically dead and abandoned, as a result of the closing of the smelter and diverting the business of what mines are yet in operation from that place. All of the mines near there are closed. Formerly some of the coal mines at San Pedro, about 20 miles distant, transacted most of the business in Los Cerrillos, but a few years ago this property came into the possession of a company, the Col. Iron and Fuel Co., I believe, a rail road was constructed in that vicinity, and commissary stores established, and now no benefit whatever accrues there from to Los Cerrillos. The town never had any reason for existence save as a result of these mining operations. It is in a practically barren country as relates to agricultural pursuits. I walked all over the town and looked at it good, and noted the condition of business houses and affairs generally. The business houses and resident houses indicate that formerly it was rather a flourishing little town, but now it is practically deserted, and on every hand are vacant buildings of each kind and there is very little business in progress. There is no longer even a drug store in the place. There are a few stores, and saloons, and a livery stable owned by the son-in-law of this claimant. There is a large hotel building closed. Formerly there were other boarding establishments, but they are closed. This claimant now conducts the only boarding place there that I could learn of. She has a few regular boarders,



amongst them the saloon men, and now and then a traveling man appears. These are the chief sources of her patronage. I stopped at her hotel, and did not make my business known until after dinner, and she was hard at work in the kitchen doing the cooking. That building, "The Palace Hotel", referred to in the assessment record as lots 1 and 2, block 18, is a two story, stone building, containing 34 rooms. It is furnished in a comparatively comfortable manner for a hotel in such a place. Originally it cost not less than \$5000.00. It was worth that amount when the town was flourishing, but now unless one should desire it for a residence, it would appear to be a bad investment for \$1000.00. I saw the other two houses. They are small frame buildings, and both were vacant. I have no doubt the claimant stated the truth as to the mail contract. She states that she turned it over last Nov. to her son-in-law, the only consideration being that he should buy her stock and wagons, which he did for the sum of \$400.00. I saw him and he corroborated her statement. As to a reasonable income from her property, it is doubtful whether she could rent it for any consideration, because there are so many vacant houses there upon which insurance can not be had because not occupied, that the few people who may care to occupy a house there may do so for practically nothing, in order that insurance may be had on the property, and as to the hotel, there is not sufficient business there to offer any inducement to one to attempt that pursuit. ...I saw her husband, and he is an invalid, and practically unable to walk about, though he was up and hobbling about with a stick. I understand he is a constant source of expense. He is certainly not able to do any business. ...W.A. Pless, Special Examiner. [per T.Lewis, Green papers, October 2010]

## **1897**

With hordes of new workers and a new post office, the new lease holder, the Madrid Coal Company, decided to reduce the Cook & White bituminous miner's pay per ton, at the same time that it doubled the cost of company housing, from \$1 to \$2 per month.

This precipitated, on February 4, 1897, Madrid's first serious strike. The drivers, rope drivers, engineers, miners and helpers affected by the changes declared they could not make living wages under the new scale, and quit work in a body. The White Ash and anthracite coal miners then went out on a sympathy strike, which involved some 450 workmen. {SFDNM February 4, 1897} Most of the men, the married ones, returned to work five days later but many of the unmarried men refused to do so and

left town. {SFDNM February 9, 1897}

For the next half-century work stoppages continued to haunt the news from Madrid, along with the all-too-common news of mine accidents.

New Mexico's "Pluck-me" Store Bill, New Mexico House Bill No.8, was passed by the legislature and took effect in 1897. It provided that the payment of wages of workingmen employed in the mines in the territory of New Mexico be made in lawful U.S. currency.

...The business of the small coal mining towns has almost been ruined by the "pluck-me" stores since they have been in operation and practically driven out competition. These stores have caused great suffering among the miners and deprived them of the liberty of spending their earnings where they desired. The miners have been compelled to patronize the company stores. In many instances the company stores had our wagons watched while delivering goods, and the people to whom goods were taken were notified not to trade at any place other than the company's store.

In Cerrillos and Madrid there is much rejoicing over the passage of the bill and its approval by the governor. {SFDNM February 20, 1897}

The Company's response appeared a few days later.

...The local officials of the coal company at Madrid express themselves as believing the "pluck-me" store bill will be harder on the working men than on the company, or on the company store.

They say that the miners, many of them at least, are not forehanded and that under the provisions of the law, the company cannot secure boarding house keepers for board bills and hold it out of the men's wages, nor can the company advance tools, powder, etc. nor groceries to the men if the law is as the outside merchants seem to think it is. As a consequence the men who have been in the habit of spending their earnings as fast as they are made will be likely to have a hard time of it. The law is not generally interpreted to mean that the coal company cannot issue coupons to their men if they stand ready to cash them for face value when presented for payment. {SFDNM February 26, 1897}

Notwithstanding the patronizing attitude of the Company, the practice evolved so that those workmen who did not have an outstanding debt to the Company store could be paid in cash, and those with a Company store tab would be paid in scrip. When used in Cerrillos, Company scrip was normally discounted 10% or more, and it was not commonly accepted anywhere

beyond Cerrillos.

The Cerrillos Coal & Iron Company issued a quit claim deed in November 1897 to a tract of land south of Madrid, to the Methodist Episcopal Church. {SFDNM November 16, 1897} At the time the Cerrillos Methodist church had been functioning for 13 years, but now another one was to be built at Madrid. Two years later it was noted that Madrid, among its other amenities, could boast of two churches, the other senior church being St. Anne's Catholic. {SFNM September 4, 1899}

The New Mexican reported at the end of 1897 that both anthracite and bituminous coal from Madrid were in high and growing demand in Kansas City. {SFDNM December 15, 1897} It is probably fair to point out that in December coal was in high demand everywhere.

## **1898**

In early April the number of miners employed at Madrid was given as about 465 {SFNM April 7, 1898} [note; 1898, SFWNM merged with SFDNM = SFNM], this even though the anthracite coal mines were not then in operation. {SFNM May 5, 1898}

The anthracite pits didn't start up until October, for the winter season, when the number of miners employed rose to 500.

Production that fall was 1,000 tons per day and the bulk of it was shipped to El Paso and Old Mexico. {SFNM October 25, 1898}

## **Rough Riders**

Also in April a number of miners and other men from Madrid, Cerrillos and Bland were recruited for Troop E, First New Mexico cavalry (Rough Riders), under Maj. Frederick Muller (until the previous year the principal owner of the coal deposits at Omara), and would soon see action in the coming Spanish-American War. The Troop had reached its quota by the end of that month. {SFNM April 25, 1898}

Those enlisted in Capt. Muller's Troop E from the greater Madrid region: Ed Bennett (Bland); Hiram T. Brown (Golden); William Cloud (Cerrillos); Irad Cochran Jr., who died of meningitis (Cerrillos); William E. Dame First Sgt., eventually rising to Capt.(Cerrillos); Patrick Downey (Cerrillos); John Elder (Cerrillos); Henry Clay Green, son of Richard Green, killed in action at San Juan Hill (Cerrillos); William S.E. Howell (Cerrillos); John Hullskotter (Cerrillos); John S. Langston, First Sgt. (Cerrillos); Samuel McKinnon (Madrid); Charles E. McKinley, wounded in the head at San Juan Hill (Cerrillos); Lloyd L. Mahan (Cerrillos); Henry D. Martin (Cerrillos); James E. Merchant (Cerrillos); John S. Miller, died in Cuba of yellow fever (Cerrillos);

William J. Moran (Cerrillos); John Mullen, wounded in Cuba (Cerrillos); Adolph F. Nettleblade (Cerrillos); Thomas Roberts (Golden); Edward Scanlon (Cerrillos); William W. Wagner (Bland); Thomas C. Williams (Bland); George Wright (Madrid) {bartleby.com; The History of New Mexico, 1907 p.150-152}  
Of the 25 recruits from this region only two are identified as being residents of Madrid. The housing crunch at Madrid, however, forced many of the Madrid miners to live in Cerrillos, so some of those 18 Cerrillos recruits might otherwise be counted for Madrid.

And at the end of April Madrid experienced a measles outbreak. {SFNM April 26, 1898} The outbreak must have passed because a couple of weeks later the Madrid Knights of Pythias Lodge and the Odd Fellows Lodge gave a joint ball {SFNM May 18, 1898}

In late May twenty-five miners arrived at Madrid from Hutchison Kansas to work in the coal mines. It was understood that their arrival had something to do with Madrid providing some of the coal the government required for its coming operations in the Philippine Islands. {SFNM May 23 & May 30, 1898}

The export of coal production at Madrid continued to impact the local market, and by November it was said there was a local “coal famine”. The Denver & Rio Grande Railroad, the narrow gauge competition of the AT&SF, brought in a “double header”, two loads of Colorado coal, to the end of their rail line at Española, so it might be brought on to Santa Fe by wagon. {SFNM November 14, 1898}

Coal wasn’t the only commodity in short supply. Southern Santa Fe County. Water was a scarce article last week in Madrid, and the village hydrant was constantly surrounded by scores of people with buckets waiting for the agua to run out. {SFNM November 16, 1898}

Community activities consisted of drinking, church and baseball, probably in that order. At this time in America any town that could assemble a baseball team did, and by 1898 Madrid fielded the Madrid Blues. The work days were long and filled with chores, but time was found for entertainment.

The big event at Madrid for December 13, 1898, was a one night performance by a traveling Uncle Tom’s Cabin troupe.

## **1899**

On April 21, 1899, five men were killed in the Cook & White mine.

The cause of the gas explosion... is assumed to have been a shot [a powder detonation]. It is known that black powder often

throws a flame outward and in this case it encountered gas which exploded.

About 175 men were working in the mine at the time, but the explosion was confined to the third left entry in which five persons were working and who were all killed. The names of two Polish miners who were killed are not known. The other three unfortunates were miners Fred Alro and John Piva and driver Edward Watts.

Young Watts was a bright lad of 16 whose parents, until the last few days, resided in Cerrillos. His funeral will be held here, from the Methodist church tomorrow afternoon. {SFNM April 22, 1899}

Life in company-ruled Madrid had its rules, not all of them written down. Consider this story as it appeared in the Santa Fe New Mexican on June 20, 1899.

“Mob At Madrid. Miners Go to a Boarding House and Shoot a Man for Working. Special to the New Mexican. Cerrillos, N.M., June 20. – At 8:30 o’clock last night the Robert McKinley boarding house at Madrid was surrounded by men with Winchesters, three of whom entered the house and proceeded to a room occupied by John and Henry Holdenhurst. John Holdenhurst was shot in the right shoulder with a 44-caliber revolver, the ball ranging back and coming out below the shoulder blade, inflicting a dangerous wound, from which he may die. The Holdenhurst brothers were working an entry in one of the coal mines after two other miners had given it up, saying they could not make money at the price paid, and had been warned to leave town. At least seven men implicated are known, and warrants are out for their arrest.” {SFNM June 20, 1899}

Five Madrid miners, James Hicks, Ed Norton, Nelson True, Thomas Donnely and A. McManus, were shortly arrested, but no one at Madrid could be found willing to testify against them. The Holdenhurst brothers (John survived) quickly and quietly left town. The five suspects were released and the case was dropped.

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December 15, 1899; NM&SP rebrands as AT&SF Railway.  
[JHereford 2009]

### **Cochiti GMC power plant**

Perhaps the most noteworthy and unusual enterprise ever undertaken at Madrid appeared during the second half of 1899 when the Cochiti Gold Mining Company of Albemarle, located on the far side of the Rio Grande 35 miles west of Madrid, built a large steam-driven electric power plant at Madrid. The electric

plant was situated next to the CCRC tracks just west of the ballpark, and was constructed for the purpose of supplying electrical power to the Albemarle mine and the Cochiti Gold Mining Company's milling plant in Colla canyon. {SFNM July 3, July 13, October 18, 1899}

The construction of this electric plant coincides with the peak of Thomas Edison's activities in New Mexico, which were centered around his Dolores gold-extraction mill, not four miles southeast of the CGMC power plant. Edison was a fierce proponent of direct current electricity, and the CGMC plant was to use the system of his chief rival, George Westinghouse; alternating current.

The people behind this project were J.A. Coram of Boston, who was president of the CGMC, and O.P. Posey of Albemarle. {SFNM July 3, 1899} E.A. Powers was designated the superintendent of construction. {SFNM May 26, 1899} A. Smith was contracted to provide the 1,800 poles needed for the electric line to Albemarle. By October the ground had been prepared and the laying of foundations commenced. As the power was to be generated by coal-fired steam engines, two wells were bored at the plant site. The wells proved unsatisfactory, either from insufficient flow or the minerals in the water, so a pipe was laid to bring water from wells at the Galisteo River at Cerrillos to the plant instead. {SFNM October 18, 1899}

A flurry of excitement was generated when the CGMC wells on the Galisteo showed traces of crude petroleum in the water. That, together with an earlier (1880) well showing natural gas, led the New Mexican to crow...

Undoubtedly both natural gas and oil are among the probabilities of natural wealth which nature with so lavish a hand has grouped about Cerrillos. {SFNM January 20, 1900}

The same article continued:

The electric light and power plant, with a capacity of 1,800 horse-power, will be in operation in sixty days. The Cerrillos merchants are all to put in this illuminant. Along the thirty three miles of poles which will convey this powerful industrial agent to the Albemarle mine and to the water pumping station at Cerrillos is also to be strung a telephone and telegraph line, which will connect the Albemarle and Bland with Madrid and Cerrillos (and Santa Fe over the existing wires), and a branch telephone line is also to be run from the main line, two and a half miles south, to Thornton station, so that these several towns and camps will all be brought into more neighborly relations. {SFNM January 20, 1900}

On one unexpectedly balmy Sunday in late January the citizenry

came out to inspect the progress on the electric plant. The builders were hard at work under the direction of Consulting Engineer and Chief Electrician Hart, of Denver, notwithstanding it was Sunday. They found a growing edifice, a sheet-metal and asbestos building 75' by 145' by 45' tall, and a smokestack that would be 145' tall. {SFNM January 22, 1900}

Two months later:

Lucius L. Wightman, assistant electrician for the Cochiti Gold Mining Company, rests his force of electric wire stringers to-night at a point in Colla canyon, two miles below the Albemarle mill. Three No.4 copper wires for power purposes and two telephone wires are being strung, and in a very few days more the electricians will be making connections with the powerful machinery now practically all in place at the mill. At Madrid Chief Electrician Hart expected to start the fires in the 800 horse-power plant to-day for a trial run. The pumping station at Cerrillos will be the first piece of machinery to be set in motion by the current from these works at Madrid. The pump house is receiving its finishing touches. The well in the Galisteo river is 450 feet deep, and provides plenty of water. A Gould pump is used to lift the water from the well into tanks, whence it is taken up by two force pumps and conveyed through a 4-inch pipe to the power plant. These three pumps are operated by electricity conveyed from Madrid to Cerrillos over a branch power line three miles in length. The last of the machinery for the converters and the motors was hauled up Colla canyon from Thornton to-day. {SFNM March 22, 1900}

A week and a half later, on Sunday April 1, the CGMC electric plant was set in motion when Mrs. Hart, the wife of the manager, pushed a button. That night the streets and houses of both Bland and Albemarle were lit by electric lights, and it was supposed that the excess power would become available for local use on reasonable terms. {SFNM April 4, 1900}

Cerrillos got its first CGMC-powered electric lights at the beginning of 1901. A canvas of the town just before Christmas 1900 resulted in subscriptions for 175 individual lights of 25 candle-power each. They began to appear in January, followed sometime later by street lighting. {SFNM December 24, 1900}

At the Madrid coal mines, near Cerrillos, on the Santa Fe railroad, is the electric power plant of the Cochiti Gold Mining Company, enclosed by a steel building, with asbestos lining. The 600 K.W. three-phase generator is driven by an 800 horse-power direct-connecting Corliss steam engine, the fuel used being screenings from the coal yards. At this power plant the 600 volts are transformed to 20,000 for line transmission to the substation

at the Albemarle mine, thirty-one miles distant. Here step-down transformers reduce the voltage back to 550, which is the voltage used on the motors. The pole line is of three No.4 wires for current transmission, and two No.12 wires for telephone work. The transmission circuit is transposed every half mile, and the telephone circuit every five poles. The poles are 28 feet long, set 5 ½ feet deep, 30 per cent of the number being in solid rock. {Mining & Scientific Press May1900}

The CGMC's power plant project was so impressive that it spawned a rumor that negotiations were under way to transfer all of the Madrid mines to them! {SFNM April 20, 1900}

The success of the CGMC electrification project was followed by a series of stock-selling tours in the States and in Europe. {SFNM August 21, 1900} CGMC's par value per share was listed as \$10 and it had been sold for as much as \$13. {SFNM April 18, 1900} But the burden of debt together with the depletion of the Cochiti gold deposits all but doomed the company. {SFNM February 11, 1902} Within three years the Cochiti Gold Mining Company and its sister company, the Navajo Gold Mining Company, had become penny stocks, nearly worthless. {SFNM February 26, 1902}

The company owns and operates a large store. The miners all live and dress well; and buy the best the market affords. The houses at Madrid are owned by the company and rented to employees. They are well built, kept in good repair, and well suited to the needs of the coal miner and his family. Several hundred shade trees have been set out in the town within the last three years, and are growing nicely. The town supports a hall, an excellent school and two churches. It is at a disadvantage for a water supply, and all water is shipped to the town in tanks. The company is now sinking a well in the hope of striking an artesian flow, and the indications are that Madrid will soon have an abundant and unfailing supply of pure water. ...The company practically owns the little town of Madrid of 1,200 inhabitants, which is situated at the mines on a short branch line of the Santa Fe railroad. Taken altogether, the town is one of the most attractive and interesting coal camps in the west. ...Owing to the nature of the formation in the mines at Madrid a greater portion of roof has to be supported by timbers where the coal has been taken out. It would doubtless surprise one not acquainted with the workings of a coal mine to see how many car loads of timber is used in the mine each month.

These mines are well equipped for the rapid and safe handling of coal. Electric bell signals are used throughout the workings. Compressed air furnishes the power inside of the mines



and steam outside. [September 4, 1899 SFNM]

## 1900

The handsome sum of \$1,000,000 is the price at which the Colorado Fuel and Iron Company recently acquired from the Atchison, Topeka & Santa Fe company the coal mine and plant at Madrid, three miles from Cerrillos. The buyer assumed control October 5 last, and installed H.J. Elliott, an old and faithful employee from Colorado, as manager. Besides increasing the output of coal each month, Mr. Elliott has been engaged in making many improvements at the plant. Old buildings have been torn away and new ones erected; obsolete machinery cast aside for larger and more up-to-date patterns and the great steam hoists, air compressors, etc., have been concentrated nearer the Cook & White and anthracite pits. At the former mine mule power is to be entirely done away with, and instead of hauling up hundreds of feet of incline trains of eight coal cars each, as at present, the "picks" will be "snaked out" by steam twenty at a time. Somewhat similar improvements are going on at the anthracite mine near at hand. It is [1or2 lines missing] to see the train loads of black diamonds from this mine glide along the mountain hundreds of feet above you, going from the mouth of the pit to the breaker, nestling against the mountain side, to the height of eight stories. Dumped in at the top, the coal drops from story to story, passing through ponderous crushers, and finally slides into the freight cars of the Atchison, Topeka & Santa Fe on the track far below, coming out in the shape of nut, egg or any size required. Since taking hold Manager Elliott has increased the output by over 2,000 tons per month, and is now shipping 12,000 tons monthly. ...Madrid is a typical modern coal village, neatly and compactly built up of one and two story frame dwellings; has two churches, Catholic and Methodist; a good school; and a population of 800. Upward of 350 men are at work in and about the mines. [January 29, 1900 SFNM]

An item on page 1 of the April 14, 1900, Santa Fe New Mexican:  
A Lockout At Madrid. All the Coal Mines Closed Down  
Yesterday Owing to a Threatened Strike.

The Colorado Fuel and Iron Company closed down all the coal mines at Madrid yesterday and posted notices directing the men to bring out all their tools. The miners had decided to strike to-day for higher wages, and the lockout on the part of the company is in the nature of a first blow in the fight. It is not thought the mines will be closed for a great length of time, though the posted notices state that the suspension is indefinite. About 250 men are thrown out.

Riches In Coal. ...At the Madrid coal banks and O'Mara, in south Santa Fe county; at Blossburg (Gardiner) and Gallup, the operators could not fill more than two-thirds of the orders received, partly on account of not having the mines developed, but chiefly because of the scarcity of miners. ...More interesting, the bituminous vein lies directly under the anthracite, so that the whole field that has been worked out in the anthracite vein has also been worked out in the bituminous vein 150 feet beneath. More interesting yet, the northern end of the anthracite seam was bituminous coal. The coal measures in this field are 3 ½ to 4 ½ feet in thickness. ...At the Gardiner and Waldo ovens the annual coke production is over 30,000 tons. [June 5, 1900SFNM]

James H. Lewis died at St. Vincent hospital this morning from the effects of an electric shock. On the 21st of May last he was employed as a carpenter at the Madrid electric plant of the Cochiti Gold Mining Company. The wires about this plant are insulated, and no danger results from contact with them. Mr. Lewis was at work on a scaffold fixing a switchboard, lost his footing and fell against the building, which is constructed entirely of steel and iron. At that moment, the current being cut off from the wires, the iron walls were fully charged with electricity, and a current of 20,000 volts passed through his body. The right side of his face, his ear, right arm and leg were burned to a crisp, although the contact with the wall was only for an instant. The suffering man was brought here to the hospital, with little hopes that he would live even a few days. He was very strong physically, and rallied for a time. His right leg was amputated and the wound, as well as the burns, began to heal up nicely, but then commenced a gradual and steady wasting away of Lewis' whole system. The electric shock seems to have resulted in shrinking his whole body, and to have sapped the life out of his nerves and muscles – burned them out, apparently. Every sort of nourishing food was administered but the wasting process could not be checked, and death came in the nature of a relief, for the patient had suffered intensely, and no wonder, when it is considered that 1,700 volts constitutes the current under which criminals in New York are electrocuted, whereas Lewis had been shocked by a voltage of 20,000 volts. He died of the shock rather than of the wounds.

The deceased was a native of Nebraska, and a citizen of Raton, where he has long resided with his wife and two children...

[July 28, 1900SFNM]

By the end of 1900 Thomas Edison's gold extraction project in the nearby Ortiz Mountains was an abject failure, but the electric power plant Edison built at Madrid had a lasting impact.

Built in 1899 for the Cochiti Gold Mining Company, across the Rio Grande and 30 miles to the west of Madrid, the plant was the source of early electrification in the region. Not only did it supply power to the Madrid mines, but to Edison's own short-lived mill in the Ortiz Mountains.

Cerrillos, too, was beginning to see the light (electric).

By the late 1920s Madrid could boast that every one of its many homes was wired for electricity. Even the town's baseball park was lighted, the first lighted ballpark in the West.

Cerrillos Notes. A Deep Water Pump for the Baird Mine: A Wedding. Special Cor. New Mexican. Cerrillos, N.M., December 28., The dance at Madrid on Christmas night was well attended, and all report a good time. Cerrillos was well represented. [December 28, 1900SFNM]

The census of 1900 put Madrid's population at 422. Some of the miners, however, lived in Waldo or Cerrillos and commuted to Madrid, riding the Waldo water train to work or simply walking the two or three miles to Madrid.

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On June 3, 1901 the A.,T.&S.F. was reorganized yet again. In this reinvention of the company they managed to shed their remaining obligations to Elkins and Kerens.

The Cerrillos Coal & Iron Company had been Elkins' and Kerens' creation, and now both of them were conspicuous by their absence.

The Cerrillos Coal & Iron Company Elected Officers Today. A stockholders meeting of the Cerrillos Coal & Iron company was held at the First National bank in this city. The property of the company was leased to the Colorado Fuel & Iron company. The following directors were elected: E.P. Ripley, O.B. Jenssen, E. Wilder, R.E. Twitchell, F.C. Fox and R.J. Palen. The following officers were elected: President, E.P. Ripley; vice president, O.B. Jenssen; secretary and treasurer, E. Wilder. [August 12, 1901 SFNM]

## 1901

In 1901 Professor Arthur Lakes, of the Colorado School of Mines, gave a detailed report of Madrid, entitled THE CERRILLOS ANTHRACITE MINES, for the publication MINES AND MINERALS.

...there are two classes of coal worked near one another.

One a four foot six inches seam of bituminous coal and another, some 50 to 75 feet below, of three feet six inches to four feet of anthracite overlain by a thick intrusive sheet of eruptive porphyrites. Before visiting the mine we examined the plant.

In the engine room was a Corliss engine of 240 H. P. with a 16 ft. diameter fly wheel. This engine was for haulage up the slope of the bituminous mine. The ventilating exhaust fans for the bituminous mine were in an adjoining building. At the anthracite mine a Murphy 9 foot fan is used. A duplicate of the haulage engine is used at the anthracite mine.

The bituminous mine is opened by an incline shaft sloping twelve degrees into the hill; the haulage is by a tail rope system. Mules haul the coal from the side entries to the main slope, then the tail rope takes it up to the outside and the coal is dropped down to the tippie by gravity and by a switchback. The grade is 5 per cent. for 150 ft., and 3 per cent. for the rest.

In the anthracite mine whose opening is some distance from the bituminous mine the inclined shaft is 2,700 ft. long. The shaft enters the coal seam around a curve, the sides of the curve being protected by a steel fender. The inclination of the incline shaft follows that of the coal seam from 13 to 16 degrees. Near the bottom of the mine the seam is nearly flat. Towards the lower 800 ft. of the mine the coal, though anthracitic is not so firm and hard as in the upper portion.

...Climbing the hill above the mine we find ourselves on a country sloping gently eastward. This country is underlaid by a wide and thick intrusive sheet of eruptive porphyrite lava. In some places this lava appears to be above the coal, in others under it at a common distance from the coal of about 25 ft. The lowest part of this sloping hill is some 300 ft. above the coal worked in the mine slope, but shows distinct outcrops of the lava.

The lava is supposed to have come up from a dike and sent out an intrusive sheet between the bituminous seam above, and the now anthracitic seam below, and by its heat influences to have metamorphosed the coal to which it approached nearest into anthracite.

The bituminous seam proper is upwards of 50 to 75 ft. above the anthracite seam; the bituminous coal is unchanged when it is at a distance from the lava, but rapidly becomes anthracite as it approaches the once molten rock.

...The anthracite from this mine which has been worked for several years has mostly been shipped to California and the western coast. Upwards of 200 men are employed in the mine. {Mines and Minerals, March 1901 p.341-42}

Night life in Madrid appears to have been somewhat freer under CF&IC than it was later under A&CCC. One example is the saloon and gambling hall in Madrid run by the three Welch brothers. We know about the Welch saloon because of Frank Welch's unusual death. He accidentally killed himself in the outhouse

behind the saloon on September 2, 1901, at about 11 p.m.

While he was in the outhouse, his clothing loose, his revolver apparently fell onto the floor and discharged with fatal results.

Three months later Rolandt and Dresi bought the establishment from the remaining Welch brothers for \$500. Once the A&CCC gained control of Madrid, in 1906, such independent enterprises were pushed off of company property and relegated to Cerrillos and other places beyond the pale.

1901 January 9; Miners At Madrid Go Out. A Sympathy Strike With the Union Strikers at Gallup. The men working in the coal mines of the Colorado Fuel and Iron Company at Madrid, in this county, quit work last night without having received orders from Organizer Gehr to go out. It is believed the order will be given today. There is nothing new in the strike situation at Gallup. The miners of the American Fuel Company remain out and in all other mines the men are working as usual. [SFNM]

1901 January 15; The Coal Strike A Fizzle. The Miners at Madrid Refused to Go Out Last Week. All danger of a general strike among the coal miners of the territory seems to be over. Organizer Gehr met a cold reception at Madrid. The miners of the Colorado Fuel and Iron Company there are making from \$100 to \$125 a month, and considered they had no grievances. Gehr has gone to the coal camps in the northern part of the territory, hoping for different results, but in the meantime word comes from Gallup that the American Fuel company mines have resumed with a partial force of men and that at a miner's meeting, held yesterday, the workmen of the mines refused to support a sympathetic strike. Their employers recognize organized labor, and they have no grievances. It looks as though the men who went out had lost, and must go elsewhere for employment. The Canavan mine near Gallup was closed Saturday and the men called out. A mass meeting is in favor of calling out the Clark and Caledonia mines, but no decision is arrived at. The men are awaiting instructions from President Mitchell on several points. Gallup is very quiet, and the men are sober and cheerful. Telegrams are pouring in from California and Arizona points calling for coal, but not a pound can go through, as the railroad confiscates everything to its own use. – Thirty-eight men have arrived at Madrid from the west to work in the coal mines. [SFNM]

1901 January 16; Cerrillos Notes. There was some talk of a strike in the Colorado Fuel and Iron Company's mines at Madrid last week, but the men concluded the wiser plan was to stick to their work for the present, as nothing would be gained by a strike at this time. [SFNM]

1901 February 4; Special Cor. New Mexican. Cerrillos, N.M., February 1, 1901. – An attempt was made to burglarize a house in Madrid last night, which was successful to the extent of gaining an entrance, when a dog which was kept in the house induced the burglar to depart, leaving a sample of his clothing with the dog. [SFNM]

1901 February 15; An official of the Colorado Fuel and Iron Company announces that the results of the company's search for coal near San Antonio, Socorro county, have been eminently satisfactory. Drilling has been going on for some time, and the investigators are satisfied that coal exists in sufficient quantities to warrant the establishment of extensive works. ...There is not at the present time a single ton of coking coal to be obtained in the territory. The small vein at Madrid has entirely run out, and the extensive works of the Colorado Fuel and Iron Company at that place are operated by means of coal brought from Colorado. [SFNM]

1901 February 20; Special Cor. New Mexican. Cerrillos, N.M., February 18. – The Colorado Fuel and Iron Company has commenced today a pipe line from their works at Madrid to the new hard coal mine one mile away, to supply compressed air as motive power for the hoisting and other machinery. This is an experiment, which, if successful, will obviate the necessity of a battery of steam boilers at the mine. A large force of men are at work in the mine and on the railway, which is being built to carry the coal to the breaker. During the pay day celebration here Saturday night two miners from Madrid got into a dispute, which ended by one of them shooting the other in the leg, inflicting a slight flesh wound and a good scare. [SFNM]

1901 March 5; The "Steam Laundry Company," which was to hold the boards at the opera house last evening, failed to put in its appearance. The company had played Sunday and Monday evenings at Madrid, and wired Manager Dettlebach that sickness prevented them from coming to Santa Fe. The advance sale for the performance last evening was the largest in the history of the opera house. [SFNM]

1901 April 4; The electric power plant at Madrid will hereafter be managed from the Albemarle end of the line, retaining at Madrid only a corps of engineers and assistants sufficient to handle the mechanical and manual work. The change results in a concentration at Albemarle of all the New Mexico executive officials connected with the Cochiti Gold Mining Company. [SFNM]

1901 May 18; Sold For \$460,000. The Property of the Cerrillos Coal Railroad Company Goes to a New Corporation.

The master's sale of the property of the Cerrillos Coal Railroad company took place this noon at the court house by Special Master W.C. Reid of Las Vegas. The Cherokee & Pittsburg Coal and Mining company of Topeka, Kas., was the only bidder and bid in the property for \$460,000. The sale took place under a judgment and execution in the foreclosure suit of Walter E. Hodges, as trustee, vs. The Cerrillos Coal Railroad company. The judgment was for \$813,696.54. The property of the company is situated in southern Santa Fe county and consists of a spur of railroad 6.51 miles long, from the main line of the Santa Fe line to the coal mines of the company at Madrid. The coal lands and mineral lands of the company cover about 52,000 acres.

The sale also includes all the mining machinery, buildings; etc., of the Cerrillos Coal Railroad company.

The purchasers, the Cherokee & Pittsburg company, recently incorporated with \$500,000 capital. Its directors are Edward Wilder, G.F. Parmelee, A.S. Johnson, J.P. Griswold and J.R. Mulvane of Topeka; and W.B. Strong, I.T. Burr, G.L. Goodman, O.A. Glazier, George O. Manchester and C.A. Higgins, of Boston. Colonel R.E. Twitchell was appointed New Mexico agent and Las Vegas, New Mexico, was designated as headquarters of the new company in New Mexico. The names of the directors indicated that the new company will be in entire harmony with the Santa Fe Railroad company and the Colorado Fuel & Iron company which has leased the coal mines, will continue to operate the property. [SFNM]

1901May29; The Cochiti Gold Mining Company. (Boston Journal.) The Cochiti Gold Mining Company, an illustrative of mining conditions generally in New Mexico, owns, as is well understood by many Boston people, four valuable claims formerly known as the Albemarle, the Pamlico, the Huron and the Ontario. These properties were brought to the attention of Boston people some three or four years ago as a result of the investigation of O.P. Posey, who, at the present time, is the general manager of the property. Mr. Posey is an old Denver man, of large mining experience, well known throughout the west, and a man who has, in all his mining ventures, been remarkably successful. He, in association with Joseph A. Coram, the Lowell millionaire, and a man who has in the past been closely identified with many of the Bigelow properties of Montana, launched this corporation when its development was relatively primitive, and the facilities for handling the ore extremely limited. ...The mining town of Bland is over 18 miles from the Atchison road, and the transportation charges from that point to the mine were extremely high, the rate being no less than 65 cents for every 100

pounds. ...In due time a steam plant was established in the mill and this required an average of 500 cords of wood per month. It did not take long at this rate to strip the surrounding hills of their timber and it soon became evident that other power must be obtained. ...the nearest practicable point for obtaining power was at Madrid, 34 miles from the mine. At this point are located extensive coal mines, and the cheap fuel that could be obtained there, together with the railroad facilities close at hand, made it a practicable and desirable place for the establishment of a plant which should generate electric power to be transferred to the mine so far away. By this course of procedure, power was obtained at a cost of only 30 cents per ton of rock. The engine in the plant at Madrid is of 800 horse power, directly connected with the generators, and the transmission of power was with a voltage of 20,000 of the three-phase system. This voltage was transferred to 600 volts for the indirect motors used at the mine.

This plant has now been in actual operation for something over six months, although it was started up several months earlier than that. Annoyances and difficulties that were most exasperating were encountered at the start, but with characteristic patience and persistence these were all in due time remedied, and thereby, with an electric plant well established and in successful operation, one of the earliest and most serious problems was solved. ...At the present time it has about 160 men, 80 of whom are miners, while 70 are at work in the mill. [SFNM]

1901 July 1; Yesterday the Santa Fe Browns played the Madrid nine on the Madrid grounds. The game was quite an exciting one from the first to the finish, the game closing with a score of 10 to 6 in favor of the coal miners. There were about 400 people on the grounds to witness the game. Twenty Santa Fe sports accompanied the Browns to Madrid. The Browns have received and accepted an invitation to play the Cerrillos boys on their ground on the Fourth. [SFNM]

1901 July 8; The Cavalry Colts baseball team of this city was defeated yesterday at Madrid by the Madrid team by a score of 11 to 6. [SFNM]

1901 July 15; At Albuquerque yesterday the Albuquerque baseball team defeated the strong Madrid team by a score of 15 to 3. [SFNM]

1901 July 26; News was brought to the city last evening that an Italian committed suicide in the coal mines at Madrid. A blast had just been fired and every miner left the place excepting the Italian who, despite threats and coaxing remained where the blast was ready to explode. After the explosions his remains were picked up and prepared for burial. [SFNM]



1901 August 12; The Cerrillos Coal & Iron Company Elected Officers Today. A stockholders meeting of the Cerrillos Coal & Iron company was held at the First National bank in this city. The property of the company was leased to the Colorado Fuel & Iron company. The following directors were elected: E.P. Ripley, O.B. Jenssen, E. Wilder, R.E. Twitchell, F.C. Fox and R.J. Palen. The following officers were elected: President, E.P. Ripley; vice president, O.B. Jenssen; secretary and treasurer, E. Wilder. [SFNM]

1901 October 22; One of the local business houses is burning coal from the local coal prospects northeast of the city two or three miles. [SFNM]

1901 November 8; There was a report about town this afternoon that a mine explosion had occurred at Madrid in this county, in which several persons had been hurt. Telegraphic inquiry at Cerrillos brought the reply that no explosion occurred at Madrid and that the rumor was started by a message summoning a Santa Fe physician to Madrid to attend a sick man. [SFNM]

## **1902**

1902 January 11; Superintendent of County Schools J.V. Conway returned yesterday... At Madrid not 50 per cent of the orders for coal can be filled and more miners are wanted. [SFNM]

1902 January 16; Cerrillos Notes. J.H. Cook, in charge of the electric power plant of the Cochiti Gold Mining Company at Madrid, southern Santa Fe county, has resigned to take effect February 1, and will be succeeded by Charles Rose. Mr. Cook made a continuous run of 1,752 hours, closing down for a few hours upon orders from the mine upon Christmas even at midnight. The engine of the plant is an 800-horse power Corliss. The three phase system is used, delivering from 400 to 600 horse power at the Albemarle mine in the Cochiti district, 35 miles away. [SFNM]

1902 January 11; Superintendent of County Schools J.V. Conway returned yesterday... At Cerrillos, 93 pupils are enrolled under the Misses Rogers and Cavanaugh. At Madrid, Mr. and Mrs. A.B. Sunday have a fine school of 96 pupils. Zenon Sandoval is in charge at Waldo and is doing well. At Golden, Miss Gutterman gives entire satisfaction as does also Miss Mae Sullivan at San Pedro, where 60 pupils are enrolled. At Glorieta, Miss Elizabeth Cross is conducting the largest school ever held there. She has an enrollment of some thirty odd pupils with an average attendance of 27. [SFNM]

1902 February 5; May Cause Coal Famine If the Burning Mine at Madrid Long Remains Closed. Fans To Start Tomorrow But If They Revive the Flames the Flooding Process Will Have to be Resumed Which Will Damage the Mine Considerably. Special to the New Mexican. Cerrillos, Feb. 5. – There are no new developments regarding the Cook and White coal mine fire at Madrid. The principal operating officials of the Colorado Iron and Fuel Company and the territorial mine inspector were on the ground Monday and Tuesday, but most of them left last night.

The fans are to be started up slowly tomorrow morning and at night men will go down the main slope and into the entries as far as possible to ascertain the condition of the mine. If, however, the starting of the fans gives evidence of starting up the fire again, as can be determined by watching the air shafts for smoke the mine will be closed again and the process of flooding and smothering will be resumed.

The Cook and White mine furnishes all the Cerrillos soft coal shipped from this district and if it is closed for any length of time it may have the effect of causing a coal famine in many places dependent upon that product for fuel. This is not likely to happen, however, as it is believed the accident will cause only a few days longer delay, though it will, of course, throw the company considerably behind with its orders. It is not supposed the two unfortunate miners who were imprisoned in the mine can be reached for several days. They were between 3,000 and 4,000 feet from the main slope and in what is now the most dangerous part of the mine. [SFNM]

The Cook & White was operated by CF&IC as the Cerrillos Bituminous Mine; 65 men underground. By 1902 3 slopes had been driven on a 15 degree incline 2,930 feet into coal. 2Feb1903 fire killed 2 and closed part of mine, restricting production. Another fire 23Dec1905. Attempt to reopen in Mar 1906 showed still on fire. At the Lucas anthracite mine a dike was encountered. [JHereford 2009]

### 1903

Madrid, which at the last census had 422 people. A large electric power plant has been erected at Madrid. Excellent building stone is quarried near the town. [Report of the Governor of New Mexico to the Secretary of the Interior 1903, p.202]

1903; ...found isolated areas of an excellent quality of anthracite coal, much of it equal to the best Pennsylvania anthracite.

These are sometimes of considerable extent, as at Madrid, where the Lucas mine, now known as the Cerrillos Anthracite,

has been producing steadily for fifteen years; the product of this mine during the past fiscal year being 35,621 tons. At a depth of 2,600 feet in the slope the near approach of the igneous sheet, together with the action of the thermal waters, rendered the coal worthless; but a half mile farther east a drill hole has discovered what is in all probability a continuation of the same anthracite seam, the coal being of excellent quality and a thickness of 50 inches. [Report of the Governor of New Mexico to the Secretary of the Interior 1903, p.383]

1903 May 25; John W. Sullivan, engineer of the plant of the Colorado Fuel and Iron Company at Madrid, was in the city yesterday. [SFNM]

#### **1904**

At present three of the mines are being worked, on as many different seams. They are known as the Cerrillos Bituminous No.27 (formerly Cook and White), the Cerrillos Anthracite A No.28 (formerly Lucas), and the Cerrillos Anthracite B No.33 recently opened). The first of these mines is located at the town of Madrid, on a seam three and a half feet in thickness, and is opened by triple slopes driven downward along the easterly dip of 15 degrees, to a depth of 2,930 feet. An excellent quality of bituminous coal is produced. The Cerrillos Anthracite A No.28 is located near the former, but on a seam some 200 feet higher. This seam is three feet thick, dips 15° east, and is opened by a slope 2,600 feet in depth. The best of true anthracite coal is produced. Just above this seam, and separated from it by only a few feet of sandstone, is one of the sills of andesite 130-160 feet thick. Above this easterly dipping sill, and separated from it by a thick stratum of sandstone, but half a mile east of Madrid and consequently at a lower altitude than the former mine, is a four-foot seam of good anthracite in which the Anthracite B. No.33 mine has been recently opened. – In the White Ash (bituminous) mine, now abandoned... [The Geology of the Cerrillos Hills, New Mexico, Douglas Wilson Johnson, 1904, p.71, 84]  
1905-06 Colorado Fuel & Iron Co., coal mines @ Madrid – supt. Lamb [Business Directory, The Gazetteer Pub.Co.]  
Lamb Hotel burned down in the winter of 1946-47. [per BHenderson 2010]

1904-1905 coal famine; mines in Gallup, Raton and CO supplied established customers only. [JHereford 2009]

In August of 1906 the A.,T.&S.F. completed acquisition of the Cerrillos Coal Railway Co. (a bookkeeping formality), promising to pay a cumulative \$505,000 in cash and issuing bonds ostensibly worth even more, to S.B. Elkins, R.C. Kerens,

and T.B. Catron. By this purchase the A.,T.&S.F. became the sole and complete owner of the Madrid Tract, holding “absolute title” {SFDNM 29Aug1896}.

Catron, though listed in the newspaper article as one of the owners, was by this time dissociated from the property and the deal. By this August 1906 transaction Elkins and Kerens begin to fade from our story.