

A Brief History of the Village of Cimarron to 1900

Oklahoma Territory. In 1878, the law judicially attaching Colfax to Taos County was repealed and Governor Axtell's tenure of "corruption, fraud and murder" was replaced with the honest one of Governor Lew Wallace (the author of *Ben Hur*). Peace had come at last to Colfax County. The Grant was surveyed once more in 1879 and declared to embrace a total of 1,714,764.93 acres (2679 sq. mi.). Seven years later the United States Circuit Court upheld the validity of the Grant and the Supreme Court confirmed that ruling the following year. Nonetheless McMains persisted in his fight of the poor against the rich until he died at his home in Stonewall, Colorado, in 1899 at the age of sixty.

To this day the murders of Tolby, Vega and Cardenas are officially listed as unsolved.

Endnote

The history of the Cimarron area is both varied and vague. Everything that happened somewhere in the West also happened in Cimarron: gold mining took place amid Indian conflicts and range wars; stage coaches passed by sheep herders and cattle drives; deadly gunplay interrupted the casual conversations of Indians, Hispanics and Anglos. All this took place against a tapestry woven with the ethics and morals of an *Everyman* play.

The description of events that occurred was first spread by word-of-mouth and the particular individuals who were involved, while known at the time, were often forgotten. New Mexico in the 19th century was just becoming settled and it was more important to get things done than to document what needed doing or what had been done. A contract to Lucien Maxwell was a nod and a firm handshake. Whether a particular building was built in 1854 or 1858 is often difficult to determine. The people who built them are no longer alive and dated photographs of the area before 1900 are rare. Even a general consensus has often not been reached, this source providing one date, that source another. The dates given here are best guesses obtained from a variety of sources with no guarantee for their truthfulness.

The fourteen historical markers of the companion pamphlet "A Walking Tour of Old Town" are roughly arranged in chronological order and approximately follow a circular path. While reading each description, look around and imagine the events that took place 150 years ago. Despite some buildings having burnt and others having been built, with large private ranches hemming in the town and with limited opportunities for work, the population of Cimarron has remained almost constant. All-in-all, little has changed since Lucien Maxwell moved north from Rayado and built his mansion beside the Cimarron River.

After talking the Walking Tour make a visit to the old cemetery. From there look up toward the mountain peaks and follow the Cimarron River out from the canyon, through town and down across the plains. Remember all that has happened in this tiny northern New Mexican village and you will understand why it is so quiet and peaceful today:

History is just taking a *siesta*!

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Early History of the Area

8,000 B.C.-1821

Ten thousand years ago northeastern New Mexico looked much like it does today. Fields of grass waved in the breeze as bison moved leisurely along, grazing then sitting only to get up and graze again. This slow routine was interrupted by local nomadic tribes hunting the animals for food and clothing. Recognized only by the distinctive style of their stone artifacts, these early men went unknown until the early 1900s when a cowboy discovered extinct bison bones with embedded spear points near the present town of Folsom, New Mexico. Folsom Man, as he is called, traveled from Asia through Alaska to America during the last Ice Age. As the Ice Age ended, the climate in New Mexico changed, becoming hotter and drier. Folsom Man followed the bison and other game to the Great Plains leaving behind a void that was filled by other migrations from the west.

These new peoples were more sedentary, at first living in caves and later building dwellings and tilling the land. These "Ancient Ones," or Anasazi to the Navajo who were aware of their ruins, developed into a vast, civilized culture stretching from northern Mexico to southern Colorado. They built large villages of pit houses with roads connecting them. They cultivated corn, squash and beans along the fertile river valleys and made baskets and sandals and pottery. And they literally left their mark on countless canyon walls throughout the Southwest in the form of petroglyphs and pictographs, images painted or scratched on stone and termed "rock art." While their culture thrived in northwestern New Mexico from 700 to 1300, ruins and signs can be seen at numerous sites along the rivers draining the Sangre de Cristo highlands. However, by 1500 another migration had occurred, probably due to prolonged drought conditions, to regions with a more predictable water supply like the Rio Grande Valley, along the Pecos River and the present-day Zuni and Acoma lands of west-central New Mexico.

Meanwhile, the Apachean tribes had moved down from Canada with the semi-nomadic Jicarilla Apaches settling in northeastern New Mexico. By 1850, sizable camps had been established in Cimarron, Ute Park, and along the Vermejo, Ponil and Cimarron Rivers. The Jicarillas hunted buffalo and antelope in the plains and mountain sheep, elk

and deer in the mountains. Smaller animals such as beaver, rabbit, turkey and eagles were killed either for their meat or for utilitarian or ceremonial reasons. In 1851 the Jicarilla Apaches signed a treaty with the United States but misinterpretation, or rather a lack of interpretation, by the government provoked a number of skirmishes between the Apaches and Whites. A second treaty was signed in 1855 but its ratification by Congress was defeated the following year, in part due to actions by Judge Charles Beaubien of Taos. In 1874, 1880, and 1883, the U. S. Government proposed three different reservations sites, the last to be used jointly with the Mescalero Apaches in southern New Mexico. Finally, in 1886, the Jicarilla Apaches were assigned to their own reservation in the northwestern part of the state, without hope of ever returning to their beloved Cimarron homeland.

According to Ute legend, the Ute Indians have always lived in the area. Rock art from Utah and Colorado certainly suggests a long history of this nomadic tribe hunting and gathering among the Rocky Mountains. While their forays into northern New Mexico were less extensive, the Utes often banded with the Comanches of the Great Plains in raiding neighboring tribes like the Jicarillas as well as attacking settlers and soldiers in the area. Not until the treaty of 1868, which forced some Ute bands onto reservations in southwestern Colorado, and the "Washington Treaty" of 1880, which set aside land in eastern Utah, did peaceful relations exist between the Utes and their neighbors.

Throughout the 17th century Spain tried to set up permanent settlements along the Rio Grande Valley with only moderate success. Attempts at subjugation followed by hollow promises to the Pueblo tribes living there led to continued frustration and hostility between the settlers and the Indians. The area had been discovered and partially explored by the Spanish during expeditions from New Spain (Mexico) during the latter half of the 16th century but the object of their search, the Seven Cities of Cibola, was never found. The desire to spread Christianity and establish permanent settlements replaced the quest for wealth but the task proved more difficult than originally thought. By the end of the 17th century other countries such as Britain and France were starting to make serious inroads into the interior of North America and it became necessary for Spain to restate her claim. In 1693 an expedition under the command of Don Diego de Vargas managed to retake the land along the Rio Grande as far north as the Espanola Valley. By the end of the following century the few hundred soldiers and family members who had accompanied de Vargas had grown to more than 10,000 and the trail from Mexico City to Santa Fe had become *El Camino Real*, the "Royal Road."

As new settlements grew into towns, these towns sent out their own expeditions into the surrounding territories. Contact with Ute, Apache and other Indian tribes soon led to exchanges of goods between the Europeans and the Indians. *El Camino Real*, along which men and materiel moved north to support the new towns, now became a conduit for furs and hides heading south for export back to Spain. For some New Mexicans it proved more economical to simply hunt for antelope skins, beaver pelts and buffalo hides than to trade for them.

The greatest competition to the Spanish fur trade initially came from French trappers and traders whose primary interest in North America was in obtaining furs. But after the Louisiana Purchase of 1803 explorers soon opened up trails and mapped new lands that shifted the fur trade into American hands. In 1804 Lewis and Clark set out to explore the Great Northwest. Two years later Zebulon

Pike roamed the Rocky Mountains of Colorado and New Mexico. Three members of Stephen Long's expedition first scaled Pike's Peak in 1819. Other men like John Colter and Manuel Lisa traveled from Wyoming south to New Mexico to set up new trade routes. By the time William Becknell started his historic journey from Missouri to Santa Fe in 1821, St. Louis and Taos had become two ends of a rich and lucrative fur trade throughout the West.

The Santa Fe Trail

1821-1880

1821 had been a bad year for William Becknell. Becknell was a merchant who made his living by selling goods in the western outpost of Franklin, Missouri. But times were tough and by fall he was already heavily in debt to friends and suppliers. What Becknell needed was a new market and to find it he looked to the west.

Since 1540, when Francisco Vasquez de Coronado left his home in one of the western provinces of Mexico to search for the golden cities of Cibola, New Mexico had been under the dominion of Spain. However, the relationship had been a tenuous one for the governmental reach between Santa Fe and Mexico City was a long one and the distance to Spain longer still. Santa Fe was a border town of the Spanish Empire but to protect encroachment by the expanding American nation, trade with the East was forbidden. Those caught would be imprisoned, or worse. Despite this, word leaked out that Mexico was seeking its independence from Spain.

Gambling that Mexico would become independent and that the new regime would be more tolerant of trade with its northern neighbor, on September 1, Becknell loaded up his remaining goods and headed west. Three weeks into the journey Mexico was free of its Spanish rulers. His first trip took him across Kansas to the high plains of the Rocky Mountains in Colorado. From there he headed south, crossing through a small dip in the mountains at what is today Raton Pass. Traveling along the eastern edge of the Sangre de Cristo Mountains, he turned west around the southern end of the Rockies and reached Santa Fe in mid-November. His goods sold, he returned to Missouri with Mexican *pesos*. His future now clear, he went back to Santa Fe the next year. This time he chose to turn southwest along the Cimarron River in Kansas. This new route, later called the "Cimarron Cutoff," was not only shorter but avoided the difficult mountain crossing the "Mountain Branch" required. Unfortunately, the lack of water and the increased likelihood of Indian encounters along the trip still made the journey demanding.

It was not long before merchants and their families made the roundtrip from Missouri to Santa Fe a way of life and a highway was born. With travelers came services and with services came towns. American expansionism, our Manifest Destiny, pushed people west and the need to settle new lands arose. The commercial trail to Santa Fe brought about the emigrant trails to California (1833), Oregon (1842) and Utah (1847). For sixty years the Santa Fe Trail was THE road to opportunity and adventure.

But this inevitable and unstoppable westward development caused problems. The Indians who once roamed the Great Plains free and unhindered were pressured and herded onto reservations. Also, the increasing trade with Mexico continually brought new settlers into the trading towns of Santa Fe and Taos. A large influx of Easterners had brought independence to Texas in 1836 and Mexico became worried that New Mexico and California were next. In 1846, posturing and pretense culminated in the Mexican-American War and placed New Mexico,

Arizona and California firmly in American hands.

Mail and stage routes to the new western territories were laid out in 1850 and in their tracks followed the railroad (1863-1880). This in turn allowed Texas cattle to be driven further and further west, through the tall, grassy plains of eastern New Mexico and into the sheltered canyons of the front range of the Rockies on their way to railheads in western Kansas and Colorado. Charles Goodnight and Oliver Loving pioneered their route from West Texas to Colorado in the 1860s, selling some of the stock to soldiers and merchants who lived beside the Trail. Men who rode with them became familiar with the mild climate and the cool quick streams of the high plains, dreaming that one day they would return and settle down. In 1867, Manly Chase and his wife Teresa moved down from Colorado to settle along the Vermejo River. Five years later they moved closer to Cimarron on the Ponil River. They stayed for a time in the small cabin Kit Carson had used in 1854 while their own house, which is used today by Chase relatives, was being built. In the meantime Chase's friends John Dawson and Tom Stockton had also settled in the area, growing crops and running cattle. The hope of a house, some irrigated land and a few hundred head would lead many more to put down stakes near Cimarron.

Charles Beaubien and Lucien Maxwell 1841-1847

On January 8, 1841, Charles Beaubien and Guadalupe Miranda, two Mexican citizens living in Taos, petitioned the Mexican government for a large grant of land along the western foothills of the Sangre de Cristos Mountains neighboring the Santa Fe Trail. They wanted to raise sugar beets and "establish manufactories of cotton and wool, and raising stock of every description." Settling the land would also provide the Mexican Republic with a buffer against American encroachment. Three days later Governor Manuel Armijo replied with a brief message approving the request. In February 1843, having done little more than "pull up weeds," Beaubien and Miranda applied for title to the grant and were promised that it was forthcoming. However, their claim was contested by the curate of Taos, Father Antonio Jose Martinez, who charged that some of the lands had been given to the Pueblo Indians prior to the 1841 petition. Believing that land should be given to the poor and not the rich, Father Martinez would argue against awarding the grant until the Treaty of Guadalupe Hidalgo was signed in 1848 and the government of the United States formally recognized all legitimate Mexican land grants. For the next fifty years these same concerns would be echoed by another man of the cloth.

Beaubien intended to pass control of the Grant down to his son, Narciso, but Indians killed Beaubien's son during the Taos Revolt of 1847, so management and ultimately ownership of the Grant would pass down to his son-in-law, former trapper and explorer Lucien Maxwell.

Lucien Bonaparte Maxwell was born in Kaskaskia, Illinois, on September 14, 1818, the son of a well-to-do merchant. When Maxwell's father died in 1834, Lucien traveled west through Nebraska and Kansas to the Rocky Mountains of Colorado and New Mexico learning the fur trade from relatives. In May of 1842 he found himself in St. Louis, hired on as chief hunter for an expedition led by explorer John C. Fremont. This was the first of five major scientific expeditions Fremont would make to map and explore Indian lands west of the Mississippi River. Accompanying Fremont as guide was Kit Carson (1809-1868), a close friend of Maxwell. The two friends had met the previous winter in Taos and traveled together to St.

Louis. Leaving in June, Fremont and his men reached the Rocky Mountains of western Wyoming and returned to St. Louis four months later. For Carson and Fremont, the expedition would bring fame; for Maxwell, respect, admiration and the skills needed to build an empire.

But Maxwell was not yet ready to settle down. He and Carson joined Fremont for (at least part of) the second and third expeditions to Oregon and California in 1843-44 and 1845-46, with Maxwell returning to Taos in 1844 long enough to marry Beaubien's daughter, Luz, and do a little farming near Cimarron. In late January of 1847, while waiting at Bent's Fort for a ride home, Maxwell got word of a terrible massacre in Taos a few days earlier. He hurried back to find that Beaubien's son had been killed along with the Governor and other officials. Luckily Beaubien had been away, presiding as judge in a nearby town. Maxwell was called for jury duty during the trial of those charged with starting the uprising. Later that fall Luz became pregnant with her first child, Peter, who was born the following April. With adventure behind him and raising a family before him, Maxwell accepted his father-in-law's offer to manage the Land Grant.

The Maxwell Land Grant 1848-1870

Interest in settling the Cimarron area had begun as early as the spring of 1844 when Beaubien and Miranda built a cabin on the Ponil River near the present day Chase Ranch. That same year Cornelio Vigil from Taos had started a small settlement along the Cimarron River near the site Maxwell would later choose to build his home. Kit Carson had spent some time along the Cimarron River in 1845 when he and Richard Owens had built some houses and cultivated about fifteen acres of land before they joined Fremont on his third expedition to California.

In March of 1848, Maxwell and a small group of men started over the mountains to Rayado from Taos. Snows had initially delayed the trip but the men finally arrived and set up temporary quarters. More supplies were needed so Maxwell and others left for Kansas to purchase them. On the return trip Indians ambushed the party in Raton Pass and Maxwell was seriously wounded. He spent the rest of the year recuperating in Taos while working for his father-in-law. In April of 1849, Maxwell convinced Carson to join him at Rayado. Maxwell knew that the time would come when soldiers would be needed to safeguard travelers along the Santa Fe Trail and if a fort were to be built what better site than at Rayado, the junction between a trail to Taos and the main road to Santa Fe.

Thus Maxwell and Carson crossed the mountains to Rayado to begin life anew. To Lucien, Rayado was the perfect site to build a home. There was plenty of water for irrigation, the climate was one of the best in New Mexico, being neither too cold in winter nor too hot in summer, the area was relatively free from Indians and the views were impressive. The Santa Fe Trail would guarantee a steady supply of goods and visitors. Maxwell built a large house and several smaller outbuildings with Carson adding a much smaller adobe hut to the complex. By July the inhabitants of Rayado numbered over forty.

However, as life prospered and grew so did Indian troubles. By the late spring of 1850, military officials had agreed to create a "Post at Rayado." Quarters were soon built and Maxwell entered into an agreement with the Army whereby he would be paid for providing food, lodging and supplies to the troops. However, by the following year the Indians were on the defensive and a more judicious placement of troops along the Santa Fe Trail was considered. The

army decided that a small post about ten miles north of Rayado in Cimarron as well as a larger fort some thirty miles south on the Mora River would better serve the area. Some of the Rayado troops then moved south to begin construction of Fort Union at the junction of the Mountain and Cimarron Cutoff branches of the Trail. The restless atmosphere that developed at Rayado due to Indian raids prompted Maxwell and Carson to leave for extended periods to Wyoming and California. In 1854, after a number of serious Indian attacks near Rayado, a temporary camp for troops was set up, only to be removed two months later when nothing further developed.

By 1857 relatively few Indians remained in the area. Most of the money Maxwell had earned in the preceding years had gone to his father-in-law so Maxwell decided to strike out on his own. Eleven miles to the north on the banks of the Cimarron River a settlement was prospering. The river was larger than the Rayado, the broad river valley more fertile and the surrounding mesas afforded better protection from Indian attacks. After selling his interest in Rayado to Jose Pley, who in turn sold out to Maxwell's brother-in-law, Jesus Abreu, Lucien bought some of the remaining shares of the Land Grant from his relatives. At the end of 1858, feeling in complete control for the first time, Maxwell moved his family to Cimarron where he was appointed Postmaster and Indian Agent.

Charles Beaubien died on February 10, 1864, and Beaubien's partner, Guadeloupe Miranda, had earlier fled south after the Taos Revolt. Within two years of his father-in-law's death Maxwell had managed to purchase additional deeds to that part of the Grant he had not inherited. It was starting to get crowded in Cimarron. With the Civil War over, ex-soldiers with nothing to do drifted west. In 1865, former guide and trapper "Uncle Dick" Wooten (also spelled Wooton) constructed a smooth toll road over Raton Pass. This made the mountains so much easier to cross that the Mountain Branch of the Santa Fe Trail became the preferred route of travel. But something even more important happened. To supplement what little rations the government meted out, the local Utes and Jicarilla Apaches had been scouring the ground around Baldy Mountain, picking up pretty copper-colored rocks and selling them in town. In October of 1866, when word got out that a copper mine was someone's for the asking, three men traveled to Moreno Valley and began to investigate a promising stream flowing down from Baldy Mountain. What they found was not copper but gold! Within weeks everyone in the area knew about the find and by spring the rush was on. Settlements like Baldy Town, Elizabethtown and Virginia City sprouted like mushrooms. Some prospectors made over \$1000 a day. Maxwell became rich by leasing out land to miners. When Colfax became a county in 1869, Elizabethtown was made the County Seat and Maxwell was elected probate judge.

But all this excitement and activity was not for Lucien. He had succeeded in settling the Grant: land had been cultivated, towns had been built, Indians had been subdued. Now that gold had been found and he was in firm control of the land, perhaps the Grant could be sold. Maxwell had the land surveyed and soon found buyers. On January 28, 1870, Maxwell sold almost 2,000,000 acres of land to a group of Colorado investors fronting for an English company for \$1,350,000.

In October, with the weight of the Grant off his shoulders, Maxwell bought and moved into the buildings of the former military post at Fort Sumner, New Mexico. Aside from organizing the First National Bank of Santa Fe, Maxwell's business ventures did not fare well. He soon slipped into semi-retirement and turned over most of his

business affairs to his son, Peter. His health began to fail and on July 25, 1875, Lucien B. Maxwell died at the age of fifty-six, his body buried in the cemetery at Fort Sumner.

The Colfax County War

1875

The word "Cimarron" in Spanish means "wild" or "unruly," as a horse. In 1875, as would so many other towns throughout the West, Cimarron gained a reputation for lawlessness. The Grant had been sold to a group of speculators five years earlier. Suggestions to get rich ranged from exploiting the gold mines to lumber cutting to land sales to obtaining a railroad line. First on the agenda, however, was the removal of all the Indians and squatters who had moved onto private Grant land during the past thirty years. In an effort to displace settlers, Grant officials, in league with a group of lawyers, politicians and businessmen known as the Santa Fe Ring, began making false allegations against locals. A Grant-supported law had been passed attaching Colfax to Taos County for judicial purposes, thus forcing any accused to attend court in Taos fifty miles away. Though they were quickly acquitted, the trip was a hardship and cost time and money.

Reverend F. J. Tolby, one of two Methodist ministers holding services in Elizabethtown and Cimarron, was particularly outspoken about the situation and announced in public that he would do what he could to break up the gang. Soon thereafter, on Sept. 14, 1875, his body was discovered in Cimarron Canyon near Clear Creek (mile marker 292). Robbery was clearly not a motive as the preacher's horse, saddle and personal belongings were untouched. Local citizens immediately blamed Grant men and politicians "in their pockets." After several interviews, Tolby's close friend, Minister O. P. McMains, felt that the new Cimarron Constable Cruz Vega was involved. During the night of September 30, a masked mob confronted Vega at a nearby farm. While denying his own guilt, the frightened sheriff hinted that Manuel Cardenas might know something. The next morning Cruz Vega was found hanging from a telegraph pole one mile north of town.

On November 1, local bad guy Francisco "Pancho" Griego started threatening certain townfolk because of Vega's death. Griego was a relative of Vega and wandered into the St. James Hotel looking for trouble. He found it. Confronting gunslinger Clay Allison, who happened to be in the saloon at the time, Griego accused him of complicity in the crime against Vega. Distracting Allison by fanning himself with his hat, Griego drew his gun, but Allison was not fooled. Two bullets fired "in self-defense" laid the matter, and Griego, to rest. According to local accounts, the most unfortunate aspect of the whole incident was the closing of the bar until an inquiry was held the following morning.

Ten days later Cardenas was apprehended and during a hearing confessed to Vega's murder, implicating several Grant men, among them R. H. Longwill and M. W. Mills who immediately left town on fast horses. While being transferred from the hearing room to the jail, Cardenas was attacked by several armed men and killed. Ignoring the advice of his friends, Mills later returned to Cimarron and was confronted by a lynch mob. Fortunately for Mills, the mob was calmed down and a "trial" was begun. In the meantime, Governor Samuel B. Axtell was informed by telegraph and the cavalry dispatched from Fort Union. The troops arrived just in time to put an end to the proceedings and release Mills.

McMains continued his efforts to have the Grant Land declared open and available to settlers as was done with the