



# Doña Ana County Historical Society

## Newsletter

March 2008

### PRESIDENT'S CORNER

**March 8, 1823** — The short-lived Mexican empire of Augustine Iturbide ends primarily because of insufficient funds to pay the army. By the time news reached New Mexico, Iturbide had been executed.

**March 11, 1925** — With the signature of Gov. Arthur Hannett, New Mexico adopts the current state flag — a red Zia symbol on a field of yellow that replaced the original flag and symbolized the Spanish royal colors.

Well, we managed to squeeze an extra day out of February this year again, as we do every four years. Hard to believe such a short month is so important. What with Groundhog day; (he must have seen his shadow here in New Mexico), then Presidents day, National Pet Dental Health Month. The list goes on and on.

Our February program was well received with a large audience for Leon Metz, George has a nice line-up of programs for the rest of this spring semester.

We purchased a lapel microphone to use for programs as it seems the one at Good Sam's can be a little erratic at times.

Next years Banquet will be on January 17<sup>th</sup> **2009**, mark your calendar. We have once again reserved the Encanto. Spread the word among your friends that Membership is not a requirement to attend. There was much discussion of possibly trying another venue but it seems the Encanto is still the most attractive.

The New Mexico Historical Conference is April 24<sup>th</sup>-26<sup>th</sup> in Deming, Registration and other information is on their website. Very convenient for just a day trip from Las Cruces.

Keep April 19<sup>th</sup> open for our spring field trip, George Helfrich has more information on that.

I want to say a word about the Mary and J. Paul Taylor Scholarship Endowment fund. The board is meeting with the Community Foundation of Southern New Mexico to possibly find a home for our endowment funds. Many firms allow for a company match of contributions to qualified charities. Many also carry this perk on into retirement years. I believe your Human Resource department from your past employer might have that information. Some firms have retiree websites that might also have that info. Just one more way for you to help a history student out at NMSU.

*Roger Rothenmaier*

### Calendar

Thursday, March 20, 7pm  
Paula Moore: *"The Cricket Coogler Murder"*.

Thursday, April 17, 7pm  
Kathryn Flynn: *"New Deal Art and Architecture in NM"*

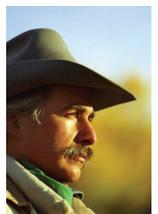
Thursday, May 15, 7pm  
Donna Eichstaedt: *"Silver City's Bear Mountain Lodge: The Untold Story"*

*All DACHS meetings are held at Stucky Auditorium, University Terrace, Good Samaritan Village, 3011 Buena Vista Circle, Las Cruces.*

Saturday, April 19, at 10am, 2008. Field Trip to the WSMR Museum and Missile Park and the Desert Ship at Launch Complex 35. Details to be announced in the next newsletter.

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**Attention:** Please watch for more announcements concerning the 2008 New Mexico History Conference presented by the Historical Society of New Mexico and the Luna County Historical Society.

### **March Meeting**

At the March 20 regular meeting of the Doña Ana County Historical Society, Las Cruces author Paula Moore will talk about the subject of her new book, *Cricket in the Web: The 1949 Unsolved Murder That Unraveled New Mexico Politics*. Mrs. Moore, who has lived in Doña Ana County since 1972, retired from NMSU as Executive Assistant to the President. She has published short stories and poetry in literary journals. Her interest in local history drew her to research the story of Ovida "Cricket" Coogler, who was last seen alive in downtown Las Cruces on March 31, 1949. The discovery of her body 17 days later launched a series of court inquiries and trials that would reshape the direction New Mexico politics. She will speak immediately after a very brief business meeting that begins at 7:00 p.m. All members of DACHS and all interested persons are welcome to attend this event, which will take place in Good Samaritan Village's Stucky Auditorium (downstairs in the main activities building at 3011 Buena Vida Circle.)



### **Field Trip**

The Dona Ana County Historical Society will conduct a Field Trip to White Sands Missile Range on Saturday, 19 April 2008.

Arrangements are being made to visit the Missile Park, The WSMR Museum, The Army Blockhouse at Launch Complex 32 and the Navy Desert Ship at Launch Complex 35. The Navy has offered to cook beef brisket for us at the Navy launch area. The Army Blockhouse is listed on the National Register of Historic Sites and was where the V-2 launches were performed in the 1940s. We will meet at the NW corner of the K-Mart parking lot at 10:00am. It may be necessary to share rides to reduce the number of vehicles entering the Missile Range. Drivers will need proof of vehicle insurance and a valid drivers license and all passengers will need to have a picture ID. There will be a charge for lunch and reservations will required with details provided in the next newsletter.

### **February Meeting with Leon Metz**

It was a pleasure to have our neighbor and fellow member, Leon Metz, share his stories again with us concerning Pat Garrett. Our attendance was just shy of 200, with many visitors attending for the first time. Thanks to Mike Beckett of COAS Books, most of Leon's books were available giving many a chance to pick up an autographed copy.

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Please consider making a donation to the DACHS Scholarship Endowment Fund for the Mary and J. Paul Taylor Scholarship. Make checks out to the DACHS Endowment Fund and mail to DACHS, Box 16045, Las Cruces NM 88004. To discuss creating a memorial or estate gift, please contact George Helfrich at 522-3477

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### **Membership Dues**

DACHS membership is on an annual basis so if you have not renewed your membership, please do so by mailing it to DACHS, P.O.Box 16045, Las Cruces, NM 88004. Your membership entitles you to a free issue of the Southern New Mexico Historical Review.

Note that 2008 membership dues are \$20 for a single membership and \$25 for family. Please indicate if you are willing to receive your newsletter by e-mail.

If you have a red dot on your address label, it indicates that we have not received your renewal check. Please submit asap.



## Land, Cattle and Water The Business Dealings of Oliver Lee

(reprinted from Vol. IV, January 1997 SNMHR)

by Kenneth Faunce

Today the name of Oliver Lee carries more echoes of murder charges never proven than of money made and lost. Yet in his own time, Lee's prominence stemmed from his creation of several successful ranching enterprises and his unflagging attempts to develop a water-control system across Otero Mesa and the Tularosa Basin. Oliver Lee was born in Burnet County, Texas on November 8, 1865. His mother, Mary Altman Lee, was from Alabama, and his father Oliver Lee, was from New York. His 34-year-old mother and his 63-year-old father had each been married once before, and Mary Altman had four children from her first marriage: Amanda, Robert (Perry), Bertha, and Mary. Oliver Lee's father died in 1878, and the family moved to Taylor County, Texas in 1880.<sup>1</sup> Lee, even though he was only fifteen, and his half-brother Robert Perry Altman listed their occupations as stock raisers by this time.

Oliver Lee and Perry Altman first came to the Tularosa Basin in 1884 after a severe blizzard hit Taylor County in March of that year. Lee and Altman arrived in the area with three African-American men: Daniel Sauls (21 years old), Edward King (15 years old), and Ephraim King (17 years old), who had worked for the family in Taylor County, and a herd of livestock with Lee's Double S horse brand and the Circle Cross Brand.<sup>2</sup> They settled in a location 7 miles west of La Luz, New Mexico, in late April or early May of 1885, and by December 1885 the rest of the family had moved to the Tularosa Basin. In 1886, Lee established a ranch, which became known as Lee Well, at the base of the Sacramento Mountains, five miles west of Dog Canyon. He quickly became involved with several other ranchers in the area and formed the Sacramento Cattle Company. Lee quickly realized that water was an important commodity in this area, and the new cattle company started working on water systems immediately. In May, 1886, they built a large acequia in the Sacramento Mountains to irrigate land for alfalfa. Next, they gained control over the stock tanks at Grapevine Horse Camp, which was located in Grapevine Canyon in the Sacramento Mountains. Lee wanted the property because of the ditches running from the Sacramento River to the camp that had been established by H.L. Lacy. In 1888, the Sacramento Cattle Company began to fail, and by the fall of 1889, they sold J.H. Nations about 3,625 cattle, 170 horses and some improvements for \$32,084.42.<sup>3</sup> Nations operated a large ranch in the area and a meat-packing plant in El Paso, and had a variety of business dealings with Lee and his partners.

Even though the cattle company was dissolving, Lee continued to work on his ranching enterprise and expand his control of the water in the area. In 1890, Lee made an agreement with

Francois "Frenchy" Jean Rochas, a semi-hermit who lived in Dog Canyon. Lee and Frenchy built several ditches from the Sacramento River to Frenchy's homestead, and Lee planned on diverting this water out of the canyon to use for livestock, and orchards. Also in 1890, Nations, Charles Hilton, Andrew McDonald, William A. Irvin, and Orlando C. Irvin formed Hilton and Company. These men were initially on good terms with Lee and his partners; however this soon changed as the ranchers became direct competitors for the same resources. Throughout 1890, Lee, and his partners, Fitzgerald Moor and E.C. Shackelford, continued to sell Sacramento Cattle Company livestock to Nations and his partners.<sup>4</sup> Grapevine Horse Camp was controlled by Lee, however. Hilton and Company believed that the water rights had been sold to them, one more in a series of transactions between the two parties marked by conflicts and legal battles.

Both Hilton and Company and the Sacramento Cattle Company used Grapevine Horse Camp and made improvements to the property. In 1891, William McNew filed a homestead application, on the camp for Oliver Lee in order to keep the property in their possession.<sup>5</sup> On February 18, 1892, the water at the site became exhausted and Hilton and Company moved from the site temporarily. Lee used this to his advantage and on July 3, 1892, took possession of the camp. He fenced the site and refused to let Nations and his associates use the water. In August, 1892, Hilton and Company sought an injunction against Lee to have him removed from the property. They believed that Moor had sold the rights to the property to Nations in 1890. A.B. Fall arranged to dissolve the injunction against Lee to have him removed from the property. They believed that Moor had sold the rights to the property to Nations in 1890. The loss of the site intensified the animosity between Lee and Hilton and Company. The early 1890s were dry years, and Grapevine Horse Camp became a valuable location due to the ditches running from the Sacramento River. Also, Lee began to consolidate and expand on his water control systems due to the lack of surface water. In 1893, Lee moved from Lee Well and established a ranch in Dog Canyon near Frenchy's homestead. He expanded the ditches in Dog Canyon to 20 feet deep and 20 feet wide, and he also built several dirt reservoirs.<sup>6</sup> Lee would continue to expand his system across the basin, an action which allowed his operation to survive where others had failed.

Water could be a life and death issue in the West. In 1894 water rights were vacated as the direct result of two murders; Oliver Lee's operations benefitted directly. In 1894, Hilton was killed by James Smith, a small rancher in the area. Hilton was attempting to drive the small ranchers and homesteaders out of the area in order to control their range. Smith claimed that Hilton was trying to take his land, which is why he killed him; however, this defense was not successful and Smith was convicted of murder. Lee quickly acquired the water rights that Hilton had controlled on the Sacramento River, which allowed him to expand the water control system he was establishing. On November 3, 1894, Lee, William McNew, and W.W. Cox began an 11-mile ditch to bring water from the Sacramento River onto the basin floor.<sup>7</sup> McNew and several other hired

**Welcome New Members:**

Mary & Thomas Albers                      Hal Ware  
Martha Ware                      Emmith & Elizabeth Brook  
Bob & Elizabeth Riley                      David & Martha Gose  
Wally & Sue Hill                      Margaret Lindsey  
Richard Cauble

Thanks to Contributing Members

Glennis Adam  
Bob & Xandy Church  
Walter & Bettie Hines  
Robert & Jo Mitchell  
Morris & Lorraine Southward  
Barbara Stevens

**The Society wishes to thank its  
Corporate Sponsors:**

**Bank of the Rio Grande**

**Double Eagle  
Restaurant**

**Insta-Copy**

**Membership Form**

Please renew/enroll my/.our membership in the Doña Ana County Historical Society. My check for \$\_\_\_\_\_ is inclosed.

Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ E-Mail \_\_\_\_\_

Please indicate if you wish to receive our newsletter via E-mail \_\_\_\_\_

**Membership Fees**

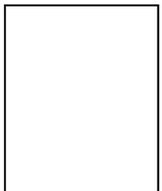
Individual    \$ 20    Student    \$ 8    Benefactor    \$ 150  
Family        \$ 25    Contributor \$ 40    Life Member \$ 300

Memberships are active for the calendar year of enrollment.  
Membership in the Society is deductible within legal limits for Federal and State income tax purposes. If you are unsure of your status, please check with Membership Chairperson  
Xandy Church at 526-9774

**Doña Ana County Historical Society**

**2008 Board Members**

President: Roger Rothenmaier  
Past President: Chuck Murrell  
Vice President: George Helfrich  
Secretary: Donna Eichstaedt  
Treasurer: Xandy Church  
Historian: Karen George  
At Large Board Members:  
Marcie Palmer, Awards Committee  
C.W.(Buddy) Ritter  
Frank Parrish  
Felix Pfaeffle, Newsletter Editor  
Richard Majestic, Audio/Visual  
Leslie Bergloff, Education Committee  
Lorraine Southward, Publicity  
Rich Hendricks, SNMHR Editor  
Garland Courts, Branigan Cultural Center  
MaryLou Pendergrass, Webmaster



hands built Upper Juniper Reservoir and Lower Juniper Reservoir in Grapevine Canyon and incorporated them into the ditch system running to Grapevine Horse Camp. Lee then constructed a ditch from Grapevine Horse Camp to Old Ditch Camp on the basin floor. The water was used for livestock and irrigation of fields around Old Ditch Camp. Ed King, the African-American man who had come to the area with Lee and Altman, later settled at Old Ditch Camp with his wife Ella, and they ran this section of Lee's range for close to thirty years.

On December 28, 1894, Frenchy Rochas was murdered. Three years later in December 1897 Oliver Lee claimed all the ditches in Dog Canyon that had been constructed by Rochas.

Lee continued to expand his ranching operation during this period, and the fact that he was wanted for the Fountain murders did not stop him from conducting business. In 1897, he completed his ditch from the Sacramento River to the basin floor and filed a claim to the water. This provided his ranching operations with a more dependable water source. The tanks and reservoirs that Lee had constructed were built using six-horse teams that pulled a large railroad style plow. However, a large amount of work was done with pick and shovel by Lee's hired hands Carmen Baca, Ed King, Sixto Garcia, and others. Lee used the water for his stock, for the irrigation of his fields, and to grow grapes at Grapevine Horse Camp for fruit and wine.<sup>8</sup> Another drought hit the area in 1898 and 1899, which Lee and his associates were able to withstand due to the water control system, although the dry conditions did affect their operations. The amount of rainfall slowly began to increase in 1900, but even though the amount of rainfall was increasing, Lee and Moor were still being affected by the lack of water. In 1902, Lee and Moor had to sell the Wildy Well Ranch, including all improvements, to William Fleck, another rancher in the area. Lee and Moor had acquired the ranch in 1895 after the original owner, Jonathan Wildy, left the area. Several portions of their holdings were mortgaged, and Moor was forced to leave the cattle business. He moved to El Paso and opened a livery stable.<sup>9</sup> On April 22, 1903; Lee sold his interest in the ditches and reservoirs to his brother-in-law, W. W. Cox, included were engines, tanks, pipelines, troughs, machinery, corrals, fences, buildings, and the improvements at Old Ditch Camp. It is obvious that Lee needed extra money in order to run his ranching operation. However, by 1904 the amount of rainfall rose, and Lee started to recover. In 1904, Lee purchased back the interest he had sold in his water control system from the new owners, W.E. Porter and his wife. The ditches had gone through several owners as Cox had sold the rights to Edwin Pennebaker, who sold them to the Turquoise Cattle Company, who sold them to Porter. Lee purchased the rights back for \$6,000.00, which was a substantial increase over his selling price. The amount of water in the ditches had increased, and between 1904 and 1918 Lee irrigated around 1,000 acres of land at Old Ditch Camp where he grew corn and wheat.<sup>10</sup>

On January 7, 1905, Lee purchased the remaining water rights in the ditch system from Joshua B. and Mary A. Wright. Wright and his wife, homesteaders in the Sacramento Mountains, had

earlier purchased McNew's share of the water rights. On August 19, 1905, Oliver and Winnie Lee sold the rights in the ditch and reservoirs to the Southwest Smelting and Refining Company for \$25,000, except for 50,000 gallons a day, which he kept for the use of his ranching operation. A mining boom had begun in the Jarilia Mountains, and water was desperately needed for the mines. The smelting company built a pipeline along Lee's ditches, incorporating the two reservoirs, and extended the line to Orogrande, New Mexico. The pipeline provided water for the mines and the town of Orogrande, and it is still in use today.

Lee became involved in other aspects of the new mining industry. Also, he helped establish the Smelting and Merchants Bank on September 6, 1906.<sup>11</sup>

Water continued to be the overwhelming concern in the Tularosa Basin, where surface water was lacking, and finding good well water was difficult. Many wells were over 800 feet in depth, and several wells produced poor, hot, or sulphur water. On January 25, 1907, Lee along with R.M. Nichols, Matt Gleason, O.A. Thompson, and B.O. Thayer Jr. incorporated the Sacramento Valley irrigation Company. Lee turned over control of his 50,000 gallons a day to this new corporation." Lee and his partners in the Sacramento Valley Irrigation Company planned on using the pipelines to encourage farmers and immigrants to settle in the basin.

One of the largest ventures the irrigation company attempted was Sacramento City; Sacramento City is located on the basin floor twenty-two miles north of Orogrande, New Mexico. Lee and his partners planned on building another pipeline to Sacramento City, so that they could turn the land between Orogrande and the Sacramento Mountains into farmland. They urged investors to purchase town lots immediately, because prices would double in 90 days, and they used Lee's Old Ditch Camp as proof that the basin could be turned to farmland. They quickly established the streets and lots, and prepared the town for construction.

On August 27, 1907 the Alamogordo Cement and Plaster Company announced the construction of a mill in Sacramento City. The mill was to contain four kettles and have the capacity of ten train car loads of finished material a day. By September the town had enough residents to petition for a post office. However, Sacramento City did not last much longer. The pipeline was never built. (In October of 1929, R.M. Nichols confessed that he committed fraud in the development of Sacramento City and that their company never owned the land they were selling. He claimed that he had sold the same lots to different people and that prospective buyers were not allowed to speak to anyone in the area, in case they found out that there was no water in the Tularosa Basin.)

The Sacramento Valley Irrigation Company was not Oliver Lee's only concern during 1907. He sold his Dog Canyon Ranch and moved to a location on the Sacramento River. Also, Lee ran

another pipeline from the Sacramento River through Rim Tank to Mesa Horse Camp on Otero Mesa. The pipeline was 9 1/2 miles in length, and Lee's partners in the venture were Joe Morgan and Albert Fall.<sup>13</sup> The pipeline was desperately needed as water was a severe problem on Otero Mesa, and well depths of 1000 to 1500 feet were common. On the heels of Sacramento City's failure, Oliver Lee attempted to irrigate the Tularosa Basin through a new corporation, Otero County Irrigation Company, established on March 24, 1908.<sup>14</sup>

By March 12, 1912, The Sacramento Valley irrigation Company was out of business, and Lee acquired the property, along with the water rights the company had obtained, part of which he had turned over to the company earlier.<sup>15</sup> Lee continued to expand his ranch holdings and became very involved in various other business activities. By 1916, Lee had an elaborate water system from the Sacramento Mountains to Orogrande, and out across Otero Mesa. Lee's use of stock tanks, wells, and the pipelines was extremely efficient; this allowed him to survive the droughts and dry conditions that forced other cattlemen off the range. The control of the water resources in the area gave him control over the land. While Lee owned only a portion of the land he used in the Tularosa Basin, since he controlled the water he controlled the land. Also, around 1916, Lee began his association with powerful and successful banker, James G. McNary, and the First National Bank of El Paso.

On May 13, 1916, Lee formed the Sacramento River Cattle Company. Lee, J.W. Stockard, James G. McNary, and Charles M. Newman were the incorporators, and officers of the company included William Ashton Hawkins and Lee's son Oliver M. Lee Jr. Lee sold portions of his livestock and property to the company in three different transactions in May and November of 1916, including his rights to Cox's Well, the Sacramento River Ranch, Old Ditch Camp, and Grapevine Horse Camp.<sup>16</sup> Also, Lee sold several other parcels of land, his mesa pipeline and the water rights to the Sacramento River for \$70,000. This was an interesting business deal, as Lee was able to make money off his holdings, while still retaining control. The headquarters of the new company was located at Cox Well. In 1923 due to poor range conditions and financial difficulties at the First National Bank, the Sacramento Cattle Company collapsed; however, this did not stop Lee from continuing his operations. When the Sacramento River Cattle Company had difficulties, its creators were prepared and quickly incorporated the Circle Cross Cattle Company on June 5, 1923. Lee and McNary along with W.M. Cady, Robert L. Holliday, Tom B. Newman, W.L. Tooley, C.J. Maple, and W.W. Turney were the incorporators. The holdings of the Sacramento River Cattle Company were turned over to the new corporation, and the headquarters was also located at Cox Well. The company operated for six years and expanded its holdings when Tooley sold Nations' Hot Well to the company on January 7, 1924.<sup>17</sup> By February 14, 1929, the company also owned Gyp Tank and Gravel Tank.

In 1929, the Circle Cross Cattle Company began to have difficulties similar to those of its predecessor. The company was

having severe financial difficulty, and on February 14, 1929, the First Mortgage Company of El Paso bought the Circle Cross Cattle Company for \$250,000. The mortgage company acquired approximately 180,000 acres, not including state leases or live-stock. In 1930 James McNary and Oliver Lee formed the Otero Circle Cross Cattle Company. The Otero Investment Company quickly acquired control of the Circle Cross from the mortgage company, and it was obvious that Lee and McNary did not want to lose control of their property. The Otero Investment Company put the Circle Cross Cattle Company into receivership with Lee as the receiver. Lee was receiver of the Circle Cross until 1939, and from 1930 to 1939 he began to sell approximately 75,000 acres of the Circle Cross Cattle Company's land holdings. Also, the Otero Investment Company patented or purchased several pieces of property that Lee had established improvements on, but never owned, including Road Tanks on December 29, 1934, and Culp Tank on May 22, 1936. This entire business deal allowed Lee and McNary to continue to operate their personal holdings without losses. McNary used money that belonged to First National Bank investors to finance the Otero Investment Company's dealings, a direct conflict of interest since he was the President of the bank. Mrs. Tillie Jardina Carmen filed a petition for fraud against the First National Bank and James McNary in February of 1932.<sup>18</sup> Mrs. Carmen claimed that McNary invested her deceased husband's estate in the Otero Investment Company, which was insolvent from the beginning. The investment company purchased worthless notes on the Circle Cross Cattle Company with the estate's money. She claimed that the bank officials were fully aware of the situation and used her money to save themselves a major loss. Mrs. Carmen's suit failed, and all charges were dropped: however, this illegal use of bank funds did not save the Circle Cross. Because of the Depression and the poor range conditions most of the land holdings were sold and the Circle Cross ceased to exist. Lee and McNary did not lose on the deal, as most of the losses were suffered by the First National's investors.

Lee continued to expand his own holdings and to buy property under his own name while conducting these other business deals. In October 1937 he acquired Sand Tank, and on March 17, 1939, he acquired Pendejo Tank. After the Circle Cross went out of business, a large portion of the company's land holdings were sold to Lee's sons Don, Vincent, and Oliver Jr.<sup>19</sup> By the time Lee was 75, he had owned or controlled 300,000 acres of Otero County, been President of the New Mexico Cattle Growers Association, a state senator for New Mexico, and Director of the Federal Land Bank of New Mexico. Oliver Lee died in 1941, leaving a significant mark on the Tularosa Basin and the entire region. Lee's sons continued to operate ranches in the area, Oliver Jr. (Hop) at Mesa Horse Camp, Don in West McAfee Canyon and Vincent at various locations in the Sacramento Mountains, until the military acquired the area for the formation of the Fort Bliss military reservation in the early 1950s.

*Kenneth Faunce is the Historical Archaeologist for Fort Bliss, Texas. He holds master's degrees in anthropology and history from New Mexico State University. Currently he is working on several projects dealing with the history and archaeology of the Tularosa Basin.*

