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THE CASE OF MAJOR ISAAC LYNDE

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ON January 27, 1861, at San Augustine Springs, New Mexico Territory, Major Isaac Lynde, 7th U.S. Infantry, surrendered his entire command to an inferior force of Confederate troops led by Lieutenant-Colonel John R. Baylor, Mounted Rifles, C.S.A.

Reports filed by both sides at the time agree that Lynde surrendered to an inferior force. They agree on the date and place. They disagree somewhat on the size and composition of Lynde's command and the Confederate command. They disagree widely on the causes for Lynde's surrender.

I propose to draw on all the material that contributes to a picture of Major Lynde, his action and its causes, and to arrange this into a cohesive whole, hoping the truth may emerge more clearly than it has heretofore without such correlation. My primary sources are the official military correspondence related to Lynde's surrender, and papers concerning him in the National Archives at Washington. Secondary sources are the published narratives of two participants, the published remarks of a civilian observer, and contemporary accounts from a local newspaper. In working toward a true perspective on Lynde's surrender, I shall occasionally note, not as sources but merely for appraisal, the remarks of various historians who have treated this event briefly in a context of larger happenings, making use of no primary material beyond that cited here.

The general military situation which reached a crisis in the surrender at San Augustine Springs appears in the Army

dispatches of the Department of New Mexico during the early months of 1861.

Colonel E. R. S. Canby,¹ directing the Department from Santa Fe, faced a particularly difficult problem. His superiors had begun to withdraw his regular troops for service in the East, expecting him to replace these with volunteers recruited by the territorial authorities. Many of his officers, meanwhile, were resigning to join the Confederacy. Further, he had information that forces for the invasion of his department were assembling in Texas, and that their probable route would be northward through the Mesilla Valley of the Rio Grande, above El Paso.

Canby moved to meet this complex situation by pressing New Mexico's governor in his slow recruiting of volunteers,² by alerting his own loyal officers to the consequence of disloyalty among their former colleagues who either had not yet openly resigned or, if they had, were still in the department, and by reshuffling among the territory's scattered posts the few units of regulars left to him.

Fort Fillmore,³ forty miles north of El Paso and six miles from the secessionist town of Mesilla,⁴ figured as the pivot of Canby's strategy against the invasion. This post controlled the stage road along which U.S. detachments of regulars were about to withdraw eastward from Arizona. Its position made it the first objective for a Confederate advance into New Mexico. Moreover, Fort Fillmore was the jumping-off place for Canby's resigning officers: it was the last fort on their most direct routes from all corners of the Department to Confederate territory, and hence most subject to their under-

1. Edward Richard Sprigg Canby graduated from the U.S. Military academy in 1839, was brevetted to his captaincy after his Mexican War service, and was commissioned Colonel of the 19th Infantry in May, 1861, taking over the command of the Department of New Mexico after the resignation of Colonel William Wing Loring. Just before the end of the Civil War he was raised to Major General. He was murdered by Modoc Indians near Van Bremmer's ranch, California, while attempting peace negotiations in 1873.

2. *Official Records of the War of the Rebellion* (hereafter designated OR), series I, V. 4, pp. 35-61.

3. Established Sept. 23, 1851, according to its first "Post Return" record in the National Archives.

4. Then the largest town within the Gadsden Purchase, and site of its treaty's signing in 1853. A stage depot on the Butterfield Overland Mail until it ended with Texas' secession early in 1861.

mining efforts to win additional Union officers and enlisted men for the Southern cause.

In mid-June, Canby ordered Major Isaac Lynde, 7th Infantry, to abandon Fort McLane,⁵ and take over the command of Fort Fillmore. He warned Lynde of the possible invasion from Texas, of the disaffection of the Mesilla Valley's civilian population, and of the suspected presence of rebel sympathizers within Fort Fillmore itself. Canby placed all responsibility for the Mesilla area with Lynde, including the ultimate decisions to attack or ignore Fort Bliss at El Paso, then held by the secessionist Texans, and to defend or abandon Fort Fillmore. Canby also delegated to Lynde the recruiting of volunteers in the neighborhood. He pointed out Fort Fillmore's value as cover for the troops pulling out of Arizona. He made clear to Lynde that he had no intention of drawing off regulars from Lynde's command. Instead, he promised reinforcements, and some were actually put in motion toward Fort Fillmore.⁶

Lynde was given full freedom to act in any way he saw fit, once he reached his new post. "Colonel Canby desires," wrote Canby's aide, "that you will not consider yourself trammelled by instructions, but will do whatever in your judgment will best secure the interest of the United States and maintain the honor of its flag, and he wishes you to feel assured that you will be supported by every means in his power."⁷

A civilian observer has recorded conditions at Fort Fillmore as he saw them just before Lynde's arrival and for a short time thereafter. William Wallace Mills⁸ had been a

5. Near the Santa Rita copper mines and the headwaters of the Mimbres River, about 85 miles west-northwest of Fort Fillmore.

6. *Anderson to Lynde*, June 30, 1861. OR I, 4, p. 51, mentions reinforcements from Fort Buchanan ordered to abandon that post and report to Lynde at Fort Fillmore. A. L. Anderson, 2nd Lieutenant, 5th Infantry, as acting Assistant Adjutant General in Santa Fe, personally transmitted many of Canby's instructions to commanders at the different posts.

7. *Anderson to Lynde*, June 16, 1861. OR I, 4, p. 38.

8. The author of *Forty Years at El Pason, 1858-1898*: Chicago, Press of W. B. Conkey Co., 1901—from which this account is taken. Mills wrote his book while United States Consul at Chihuahua (from 1897 to 1907). He was 25 when he met Lynde at Fort Fillmore. He quotes an extract from a letter Lynde wrote him in 1871, in which Lynde said he remembered talking to Mills ten years before and telling Mills that he did not then believe that "my junior officers would act toward me as they did." I have not been able to locate this letter or anyone among Mills' descendants who might have it.

clerk for nearly a year in the sutler's store at Fort Fillmore, but had gotten another job in El Paso just before the war started. Hearing neighborhood rumors that the fort might be abandoned before Lynde got there, and more rumors of disloyalty among the officers, Mills visited Fort Fillmore on the 1st of July, three days before Lynde came.

Mills talked over the situation, or tried to, with the post's surgeon, James Cooper McKee. The surgeon showed resentment when Mills questioned the loyalty of various officers. However, McKee's assistant, Dr. Alden, concurred with Mills' suspicions, and gave him a note of warning about the disquieting state of affairs at the fort, for Mills to take to Canby in Santa Fe. Mills started north by stage.

A rider overtook the stage with a message from Mesilla which said that secessionists planned to intercept it on a desolate stretch known as the Jornada del Muerto,⁹ to remove Union sympathizers. But at Point of Rocks, the supposed place of interception, Mills noted a detachment of U.S. Mounted Rifles, under Lieutenant C. H. McNally, encamped nearby. Their presence no doubt discouraged the raid that had been planned on the coach.

When Mills reached Santa Fe and saw Canby, that officer told Mills he was then in process of removing the current commander of Fort Fillmore, Captain Lane, and had ordered Lynde to take over. Canby gave Mills dispatches to take back to Lynde. When Mills got back to Fort Fillmore, Lynde had arrived there eleven days before.

The secessionist Mesilla *Times* had let the situation at the fort be known to the whole valley. The entire neighborhood knew of Lynde's expected appearance to the approximate day. The *Times* reported planned troop movements to and from the fort, and even the exact date when a dispatch for reinforcements had been sent to another post, with the number of wagons sent to transport them. Secessionists in Mesilla knew exactly how large a garrison was projected. They knew

9. A 90-mile stretch of desert, without wells in those days, but heavily travelled since the time of the Conquistadores. It was a short cut, leaving the Rio Grande about 20 miles north of Fort Fillmore, to meet it again near Fort Craig. Despite its dangers from Indians and thirst, travellers preferred it, rather than follow the river, which curved widely and made a much longer route.

the probable state of the enlisted men's morale and their payroll troubles. The *Times* told of a rifle company refusing to be paid twelve months' arrears in drafts, holding out for cash. Morale must have dropped even lower when the men read that Union troops at another fort not far away had been paid in full the week before.¹⁰

Major Lynde reached Fort Fillmore in the first week of July. He found the cavalry section nearly dismounted, for local secessionists had run off with most of the horses. He acknowledged dispatches from Canby naming specific officers to suspect and watch on their way through Fort Fillmore to Texas, but said he had no cause to question the sympathies of the personnel then stationed at the post. He told Canby how poorly he thought the fort was situated for defense, and that it was not worth the exertion to hold it; yet he saw little reason to expect an attack since he felt he now had enough troops to intimidate the Texans, despite his pessimism about being able to raise local volunteers.¹¹ It is probably fair to say that Lynde's messages to Canby during the first three weeks of July show an inadequate estimate of the danger, and a divided mind on nearly every issue.

Lynde's situation was complicated further by Apache raids on his livestock. The *Mesilla Times* of July 20th reported that Apaches attacked the hay camp at Fort Fillmore on July 17th, taking a boy prisoner and driving off mules; and that the next day they passed within a half mile of the fort, crossed the Rio Grande near Santo Tomas, a village just south of Mesilla and five miles from Lynde and his troops, to run off two thousand sheep and kill two herders. A company of infantry pursued the Apaches to the foothills, ". . . and returned without losing a man!"¹²

When Mills got back to Fort Fillmore with Canby's dispatches to Lynde, Captain Lane, the former commander, was still there. He accused Mills of carrying false tales to Canby. Captain Garland, for whom Lynde had vouched to Canby, ran

10. *Mesilla Times*, June 30, 1861. All *Times* reports, unless otherwise noted, are to be found in the so-called *Hayes Scrap* collection, Bancroft Library, University of California at Berkeley.

11. *Lynde to Canby*, July 7, 1861. OR I, 4.

12. *N.Y. Times* of August 8, 1861, reprinting *Mesilla Times* report of July 20, 1861.

off that same night to the rebels at Fort Bliss. Mills suspected that copies of the dispatches he had just delivered went with Garland.

Lynde called in his aide, Lieutenant Brooks, and let him read the dispatches. Mills says that Brooks showed little desire to shed blood for his country. Canby's orders to Lynde, according to Mills, were to take Fort Bliss and the stores there, and this Mills believed would have been easy. No such order, however, exists in Canby's recorded correspondence.

Mills says Lynde told him of the feeling against Mills among the Fort Fillmore staff, and of his opinion that Mills had acted unwisely to report his suspicions to Canby, even while Lynde confessed that some of his officers were of Southern sympathy. Mills then told Lynde that "treachery and ruin" were all around him. Lynde asked Mills to ascertain the size of the Confederate invading force, which Mills subsequently did, sending an outline of the exact strength opposing Lynde. Mills says Lynde "did not move" on this knowledge.

As will be shown further, Lynde seems to have been in the habit of inviting opinions and ideas not only from civilians, but from members of his command supposedly less qualified than he to plan his operations.

It is a question whether Isaac Lynde's career up to this time had fitted him for the high responsibility he now carried. While his father, Cornelius Lynde, had been looked upon as a military man in the small Vermont village of Williamstown, this reputation came from only a year of service ending in 1800. There is no record of Isaac's progress from his birth about 1805 to his recommendation by neighbors, in 1822, for appointment to the U.S. Military Academy. They described him as "an intelligent, sprightly lad," handsome, and well educated.¹³ He entered the Academy in July of 1823, and graduated four years later, thirty-second in a class of thirty-eight. He was sent immediately to a long succession of frontier posts, at first in the Old Northwest, later on the far plains

13. *Elijah Paine and Dudley Chace to Sec'y of War*, November 13, 1822. From Lynde's "Appointments, Commissions and Personal" file (L736-ACP-1866), in the National Archives.

and deserts. He rose by routine promotions through only three full grades in thirty-four years. Although he served in the Mexican War, his record includes no battles or distinction of any kind.¹⁴ As the posts of the Army moved west in the country's expansion, his place in the infantry gave him little chance for noteworthy action. Foot soldiers served as fixed garrisons, mainly, while the cavalry performed as the active arm. Perhaps Lynde lacked the experience or enough training in decision that events were soon to demand. His preparations for defense, recorded in his messages to Canby, show too little comprehension of his tactical problems at Fort Fillmore, or of the temper of his command and the civilian community around him.

We know that in the weeks before his disastrous surrender he was under many pressures. One came from the disloyalty of colleagues on their way through to Texas, plus the disloyalty among his immediate command. Other kinds of pressure came from the Apaches, from the secessionist civilians, and from the enemy gathering at El Paso. Add to these a lack of sufficient equipment, especially in mounts for his cavalry section; the grumbling among unpaid units of his troops; the fort's women and children whom he was reluctant to send away, weakly escorted, through hostile and waterless desert. These pressures and his poor means of communication with his superiors together might have worn down a leader bigger than Lynde.

In this situation arose an overbearing personality in the shape of McKee, the post surgeon—official, presumptuous, eternally right.

James Cooper McKee¹⁵ had been stationed once before at Fort Fillmore, and knew many inhabitants of the area. He

14. Cullum, Maj. Gen. George W., *Biographical Register of the officers and graduates of the U.S. Military Academy*: N.Y., D. Van Nostrand, 1868. Nearly every officer of Lynde's acquaintance, whether an Academy graduate or not, had received recognition for Mexican War service. Many had wounds in addition to their decorations and promotions. Colonel W. W. Loring had lost an arm in Mexico. Lynde's fellow West Pointers and many enlisted superiors and subordinates would seem to have experienced more action than he, and thereby could have been influenced somewhat in their attitudes toward him.

15. According to Francis B. Heitman's *Historical Register and Dictionary of the U.S. Army* (Gov't Printing Office, Wash., D.C. 1903), Post Surgeon McKee came from Pennsylvania and was appointed Assistant Surgeon in 1858. On parole after Lynde's

had returned under orders after Lynde took over the command. Immediately upon his arrival, McKee says,¹⁶ he sensed a coolness among old friends in Mesilla who had become secessionists.

McKee alone reports on Lynde's appearance: gray hair and beard, venerable, quiet, reticent, retiring, giving "... an impression of wisdom and knowledge of his profession."

After a short time McKee came to doubt the Major's efficiency and bravery. "I sadly saw no effort to put the command in fighting trim . . . no measures taken . . . against surprise."

He warned Lynde of the hampering effect of so many wives and children, probably a hundred persons altogether, but he saw no attempt by Lynde to get them out of the way to a safer place. He believed Lynde to be a man treacherous to the Union cause, deliberately exposing Fort Fillmore to capture through neglect of the sensible preparations any loyal commander would have made in those circumstances.

In telling of Lynde's actions and his own, McKee reveals an arrogance, and an eagerness to pre-empt the functions of others, that could well have been highly irritating to the Major. Although a medical man, he took it upon himself to organize various aspects of the defense, not only by drilling troops not assigned to him, but by tagging along with Lynde on rides over the surrounding terrain, to point out the best disposal of the troops at various points. One day he got Lynde to go with him in his buggy to Mesilla, and there he indicated what he judged the best store-rooms and houses for troops to occupy if the town were taken.

The reader of McKee's narrative begins to marvel at Lynde's endurance of so much meddling from one unschooled in military strategy and tactics, whose manner may too well have resembled his writing style. A tone of ponderous satire

surrender, he was for a time sent to Camp Butler, Illinois, where he took charge of a hospital for sick and wounded Confederate prisoners of war. His reports from there (OR II, 3, p. 647 ff.) indicate a marked concern for the prisoners' welfare. After parole, he served in the war, to be promoted to Major Surgeon in December, 1864, and brevetted to Lieutenant Colonel in 1865 for faithful and meritorious service. In 1887, he became a Lieutenant Colonel Surgeon. He retired in June, 1891, and died in December, 1897.

16. Unless otherwise indicated, the McKee material comes from his *Narrative of the surrender of a command of U.S. forces at Fort Fillmore, N.M. in July, A.D., 1861*: John A. Lowell Co., Boston, 1886, 3rd edition.

resounds in McKee's remarks. He is far from dispassionate, seemingly intent on erasing Lynde as a human being.

This is the man who became angry with Mills, whom McKee saw as a busybody stirring up the affairs of the fort. His failure to see himself in this role shows a convenient obtuseness. It is interesting that his anger arose over the question of loyalty among the officers. McKee is the sort of man who insists on his own wisdom so sharply that when he is wrong he is hopelessly wrong, committed to a fallacy forever. His denial that disloyalty existed goes against the facts which even Canby detected, analyzing reports three hundred miles away in Santa Fe.¹⁷

At the moment when Lynde's problems had reached their most tangled complication, his formal enemy, but by no means his worst, at last appeared.

On the night of July 24th, a body of Confederate troops under Lieutenant-Colonel John R. Baylor camped within six hundred yards of Fort Fillmore, intending to attack at daylight. A deserting rebel picket warned Lynde and spoiled the plan.¹⁸ On the following morning, Baylor moved across the Rio Grande to take the village of Santo Tomas. There he captured supplies and stragglers from a detail Lynde had sent a week previously to guard the road from El Paso to Mesilla. Then Baylor went north to Mesilla and billeted his command.

Lynde seems to have had full information on Baylor's approach. He reports¹⁹ that the deserting picket estimated the Confederates at three to four hundred. Lynde says he ordered the two outposted companies to return from Santo Tomas and kept his troops under arms until daylight, the night of the Confederates' proximity. It is apparent that he decided that

17. Knowledge of the danger had spread widely in the Department. Colonel Benjamin S. Roberts, commander at Fort Stanton in 1861, and Lynde's successor in charge of the southern New Mexico military district after Lynde's surrender, testified a year later to the damage done by "deserting" officers. He referred particularly to Fort Fillmore, saying it served as a rendezvous for such officers, that they tried "mightily" to get Lynde's command to desert, and that they so demoralized the Fort Fillmore troops that Lynde's surrender "was directly consequent upon that state of demoralization, as he had no confidence that his men would fight." (Roberts' testimony before the Committee on the Conduct of the War, 37th Congress, 3rd Session, Senate Reports 4, p. 366).

18. Mentioned by Lynde and Baylor in OR I, 4; Hank Smith in his *Memoirs* (full citation hereafter); the *Mesilla Times*, August 3, 1861.

19. *Lynde to Anderson*, July 26, 1861. OR I, 4, p. 4.

Baylor must be driven from Mesilla, for he took immediate action when Baylor reached it.

Leaving one company of infantry and the band to hold the fort, he set his troops in motion, shortly before noon on July 25th, to cross the intervening bottom land and river, toward the village six miles away. His attacking force was three hundred and eighty men. One of his infantry companies served as artillery, manning the howitzers. According to Lynde's estimate, the Confederates, augmented by belligerent citizens of Mesilla, numbered nearly six hundred men.²⁰

Two miles from the town, Lynde sent his aide, Lieutenant Brooks²¹, forward with a white flag, demanding surrender. Brooks was met by Major Waller, Baylor's second in command, and a Confederate colonel whose last name was Herbert. They said that if Lynde wanted Mesilla, he was to come and get it. Lynde then moved his howitzers forward and had them fire shells at long range. The shells burst short in the air. The command moved slowly toward the houses. Men hauled and pushed the howitzers through heavy sand.²² From a cornfield and house on the Union right, a heavy musket fire raked Lynde's troops, killing three men, wounding two officers and four men. Because the night was coming on, says Lynde, and because his howitzers were useless due to the sand, he withdrew across the river and returned to the fort.

Such was the whole extent of Lynde's attack on Baylor. He crossed a shallow river with three hundred and eighty men, advanced six miles, fired two howitzer shells, received one volley from the rebel muskets, and thereupon withdrew.

What happened to Lynde at Mesilla? Some have insisted he turned tail through cowardice. Others have called it

20. *Mesilla Times*, August 3, 1861, estimates Baylor's force at 253 effectives, plus ". . . a number of the citizens of Mesilla and El Paso . . .", bringing the total to "about 300 men."

21. Lynde does not mention McKee here in the official report (OR I, 4, p. 4), although McKee in his statement (*ibid.*, p. 12), says he accompanied Brooks. In his *Narrative*, McKee says Lynde asked him to go with Brooks because he knew many of the townspeople.

22. Ordinarily, 12-pound howitzers were serviced both in order of march and in battery by six men and three mules (Viele, Egbert L., *Handbook for active service*: N.Y., D. Van Nostrand, 1861). Mules at the fort may have been stolen, with the horses, a month previously as reported in the *Mesilla Times*, June 30, 1861.

treachery. Lynde himself shortly after reported it as strategy, dictated by the oncoming dark and the useless guns.

Canby was to offer, twelve months later, what might well be the most reasonable explanation, different from all others. But by the time Canby spoke, Lynde's action and the possible motives for it were blurred and lost, possibly forever, in the roar of less rational voices than Canby's, and in the thunder of an accelerated, bigger war. Lynde would add more reasons when appealing for justice a few month hence, but meanwhile his official statement written the following day was bare to the point of reticence. Others, however, saw, or thought they saw, more in the skirmish than did Lynde—at least more than he then put on paper. Their reports indicate a knottier tactical problem than Lynde outlined to Canby. The *Mesilla Times*, nine days after the skirmish, paints the richest picture of all:

About 5 o'clock the clouds of dust indicated the enemy were advancing for an attack towards the Southern part of the city. The whole force was moved to that point and every precaution made to give them the warmest of receptions. Several of the principal streets of Mesilla converge at the Southern end of the town, the houses forming an angle and are quite scattered, old corrals and the proximity of the cornfields make the position a very advantageous one for defense. The companies were stationed on the tops of the adobe houses and behind the corrals. Capt. Coopwoods company was mounted. The citizens posted themselves on the tops of the houses on the principal streets, prepared to render their assistance.²³

At that time, Mesilla's "citizens," if the *Times* means able-bodied men, would probably have numbered six or seven hundred, since the "city" had a total population of a little over two thousand men, women and children. The "principal streets" were—and still are—dirt roads. Mesilla was the rawest kind of frontier village. Hence, there must have been a disproportionate number of unattached males, and even the seven hundred count could be low.

The *Times* continues:

The enemy advanced to within 500 yards of our position and halted and formed the line of battle with two howitzers in

23. *Mesilla Times*, August 3, 1861.

the centre and the infantry and on the wings the cavalry, the whole force appearing to be about 500 men. A flag of truce was then sent to our position with the modest demand to surrender the town unconditionally, the reply was 'that if they wished the town to come and take it.' They unmasked their guns, and commenced firing bombs and grape into a town crowded with women and children, without having in accordance with an invariable rule of civilized warfare given notice to remove the women and children to a place of safety.

This exact language will be heard again, in the narrative McKee published seventeen years later. The town had five hours to dispose the noncombatants from the time Lynde was observed crossing the river. The watchers must have discovered his howitzers enroute. They must have guessed his intentions. Their own neglect of precautions for the safety of the women and children presents a riddle.

The *Times* goes on to describe the Union cavalry charge, its repulse by Confederate musket fire, and the killing of four troopers and the wounding of four, causing a retreat in confusion.

“. . . The order was given to charge four times to no purpose . . .”

Then, according to the *Times*, the Texans performed an ancient trick:

Capt. Coopwoods company had been continually employed in deploying among the houses and corrals, first appearing mounted and then on foot, and appearing in many different positions . . . succeeded in greatly deceiving the enemy as to our real force . . .

Perhaps the most striking feature of the *Times'* account is its openly partisan tone. The reporter speaks as if formally sworn to the military oath of the Confederacy.

McKee's first version of the Mesilla skirmish is included in a report to the Surgeon General dated three weeks after the event.²⁴ He says that when Lynde's force moved forward, the cavalry was in front, the artillery in the road. The howitzers fired into an enemy group on the right and scattered it.

24. OR I, 4, p. 11.

When the Confederate muskets answered, Private Lane of the Mounted Rifles and two men in Lieutenant Crilly's cavalry unit were killed. Lieutenant McNally of the Rifles was wounded. McKee says Lynde told him to prepare the wounded for retreat.

He embellished this brief account seventeen years after the incident from notes and memoranda he claims to have made at Fort Fillmore in those days. After telling of Lynde's demand for Mesilla's surrender, and Baylor's refusal, McKee says he offered to care for the Confederates soon to be wounded. This offer was rejected "abruptly." Less patient with him than Lynde, the Confederate officers were telling McKee, in effect, to mind his own business. They had their own surgeons, they said.

McKee's narrative agrees in substance with the *Mesilla Times*, in telling of Lynde's strange disposal of his force:

. . . he ordered Lieut. McNally²⁵ to deploy his column mounted in *front* of the infantry . . . conspicuous targets for the Texans lying . . . concealed in the adobe house . . . Lieut. McNally was shot through the apex of one of his lungs, four men killed and several wounded . . . [the cavalry] at this surprise retreated behind the infantry . . .

Here McKee repeats the language of the *Times* account almost verbatim:

. . . Lieut. Crilly²⁶ was ordered to fire shells into the town full of women and children; indeed, I heard Lynde order Crilly to fire a shell at a group of women, children, and unarmed men,

25. Christopher Hely McNally, born in England, came to the United States some time before December, 1848, at which time he became a sergeant in the Mounted Rifles. He is mentioned in General Orders No. 22, of 1858 (Senate Documents, 35th Congress, 2nd Session, Report of the Sec'y of War, p. 20) where he is reported to have taken part, as a 2nd Lieutenant, in a battle against the Mogollon Indians in the Gila River area, May 24, 1857. For his action at Mesilla, he was later brevetted to a captaincy. He served through the Civil War, after he recovered from his Mesilla wound and had been exchanged out of parole, and was raised to a major's rank in November, 1865, for meritorious service. Except for the date of his death in 1889, Heitman lists nothing further on him.

26. Francis J. Crilly, 2nd Lieutenant, 7th Infantry, was only two years out of West Point at this time. 1st Lieutenant Cressy, Mounted Rifles, another of Lynde's officers, had graduated the year before Crilly. Their classes contained less than thirty members each, so they must have known each other well at the Academy. Crilly was exchanged from parole and went back into the war the following year. At its close he was brevetted to Major and Lieutenant Colonel, served five more years and resigned from the Army in 1869.

on one of the sand-hills to our left front; a shell was so fired; luckily it fell short, and no harm was done. The frightened crowd dispersed rapidly. So, without having, in accordance with the humane rule of civilized warfare, given notice to remove the women and children to a place of safety, shells were thrown into different parts of the town, fortunately injuring no one. . .²⁷

It seems quite certain that McKee relied on the old newspaper to augment his "notes and memoranda taken at Fort Fillmore." If he did, one wonders how he got a copy of an issue dated nine days after the incident when he was far away from the area—or a copy seventeen years old when he sat down to write his *Narrative*.

At Lynde's order, McKee, apparently snorting like a war horse, departed from the field of withheld glory. He put the dead and wounded into his ambulance "reluctantly." Then he placed McNally on a litter and started for the river with the column.

McNally turned in his report of the action. It was included among the depositions sent by Canby in September to the Adjutant General's Office. It strengthens a conviction one gets from various remarks by McKee, that McNally and McKee were close friends. Before describing the attack on Mesilla, McNally tells how he and the surgeon ". . . insisted upon Lynde's sending away the women and children, 103 in number from the fort. He had an opportunity to send them away, but refused. After this [McNally and McKee] insisted upon his occupying Mesilla . . ." Either Lynde first appeared to this pair as putty, later disappointing them with his resistance to their meddling (which on McNally's part, at least, sounds like insubordination), or he invited their opinions out of weakness. One cannot be sure.

Later, McNally recounts, in the third person as was required for such a statement, that twice he induced Lynde to order the rebel flag hauled down in Mesilla.

. . . twice he gave the order; twice McNally was saddled up [to go to the town and haul down the flag] and twice he rescinded it. The second time his adjutant, Mr. Brooks, (who had

27. *Narrative*, p. 16.

previously resigned,)²⁸ came to McNally and told him that he had prevented his going to Mesilla, as he thought it best not to bring on a collision with the Texans. The first time he would have gone, but he (Brooks) prevented it.²⁹

The day after the rebel picket warned the fort, McNally's detachment scouted the valley, to keep track of Baylor's movements. Even this small mission felt the presence of Surgeon McKee. The doctor now had assumed a new duty as the eyes of the fort, in addition to organizing its garrison and planning its defense.

In describing the skirmish at Mesilla, McNally records confusion in several new aspects:

. . . [Lynde] ordered McNally to form and go ahead . . . got within 60 or 70 yards . . . Halted, and reported in person that they were there in the jacals and corn fields . . . McNally dismounted and fired at random. They fired another volley. Remounted, not being supported. Sent to Major Lynde, who could not be found, and not being supported by infantry or artillery, ordered his men to retreat. In retreating, the Seventh Infantry fired into us . . .²⁹

Baylor's report, written two months later, says that the Union horsemen ". . . retreated hastily, running over the infantry . . ." In a few moments he saw Lynde's command marching back to Fort Fillmore:

. . . but supposing it to be a feint, intended to draw me from my position, I did not pursue them, but kept my position until next morning, the 26th, expecting that they would attack us under cover of night.

The enemy not appearing, I sent my spies to reconnoiter, and discover, if possible, their movements. The spies reported the enemy at work at the fort making breastworks . . . I sent an express to Fort Bliss, ordering up the artillery . . .³⁰

In Lynde's report to Canby, dated the day following his action at Mesilla, he says he is ". . . hourly expecting attack,"

28. This is the only reference to Brooks' resignation in any of the statements and reports, although Heitman lists his resignation as dated May 16, 1861. No explanation of his subsequent presence in Lynde's command has come to light.

29. OR I, 4, p. 14.

30. *Baylor to T. A. Washington*, September 21, 1861. OR I, 4, pp. 17-20.

and tells of spending the day fortifying the fort with sand-bags.³¹

His tardiness in this procedure is cause for wonder. Fort Fillmore's plan was peculiarly innocent of the basic provisions for defense, standing as it did like a square-bottomed U, its open end facing the river and the road from El Paso. It stood at the edge of a most inviting sweep of level land for attacking cavalry. As Lynde had reported on arrival, the fort was not in position to withstand a siege:

. . . It is placed in a basin, surrounded by sand hills . . . and they are covered by a dense growth of chaparral. These sand hills completely command the post, and render it indefensible against a force supplied with artillery. A force of a thousand men could approach within 500 yards under perfect cover . . .

Now, in the skirmish report, Lynde tells Canby that he is sending an express to a Captain Gibbs, apparently on his way from Fort Craig southward toward Fort Fillmore with a cavalry detachment, telling Gibbs to turn and go back. Lynde adds that orders will go out to the troops coming in from Arizona, alerting them to the dangerous situation at Fort Fillmore, and directing them to turn short of the post and proceed by the nearest route northward to Fort Craig.

The tone throughout this report is that of a man who has made an orderly withdrawal to a position which, although it had not previously been prepared, can now effectively be defended. He does not say that he is thinking of abandoning the fort, or that he has decided to abandon it, or that he is in the process of doing so. He is building up its defenses while he awaits an attack by Baylor.

It must have shocked Canby, therefore, when he opened Lynde's next dispatch, dated August 7th, not from Fort Fillmore, but from Fort Craig:

Sir: On the 26th of July I had the honor to report the fact of an unsuccessful attempt to dislodge the Texan troops from the town of Mesilla, since which events of the greatest consequence to my command have occurred. They are now prisoners of war . . .³²

31. *Lynde to Canby*, July 7, 1861. OR I, 4, p. 4.

32. *Lynde to Anderson*, August 7, 1861. OR I, 4, pp. 5-6.

The day of his sandbag message, Lynde had heard that the enemy would get artillery during the night. If he went to intercept it, Baylor could have attacked the fort in his absence. If he sat tight, he felt, as we know, that the fort could not stand a siege. It was overtopped by the sand hills, and water would have to be carried from the Rio Grande, a mile and a half to west.

. . . Other officers, with myself, became convinced that we must be eventually compelled to surrender if we remained . . . that our only hope of saving the command from capture was in reaching some other military post. I therefore ordered the fort to be evacuated, and such public property as could not be transported . . . to be destroyed as far as time would allow, and at 1 o'clock A.M. on the 27th of July I took up the line of march for Fort Stanton . . .³²

The *Mesilla Times* for August 3rd, 1861, reports the destruction:

. . . much valuable property and munitions of war . . . muskets, clothing, a blacksmith's shop, bakery and one of the Quartermaster's store rooms had been completely burned down. The majority of the buildings were uninjured, and can be immediately occupied by the Confederate forces. The Hospital stores, medicines and furniture were most completely broken up, and nearly all the arms and a great quantity of ammunition destroyed . . .³³

Lynde had no personal knowledge of the road to Fort Stanton, but it was reported to him that the first day's march of twenty miles would bring the command to abundant water, just over a pass through the mountains to the east, at San Augustine Springs.

His report continues with a description of the march, saying the command had no difficulty until daylight. Then the

33. Lydia Spencer Lane found Fort Fillmore almost obliterated, a pile of adobe dust, when she passed the site in 1869 (*I married a soldier*: Phila., J. B. Lippincott, 1893). Today irrigation has extended cotton fields into a portion of the post's original area, and bulldozers, in setting up a levee, have exposed old foundations and have brought broken floor tiles to the surface. Much broken china in one quarter betrays the location of the mess hall and kitchen, and horseshoes, nails and ashes indicate where the blacksmith shop once stood. Local "fort-hunters" have found innumerable pre-1861 military buttons, howitzer fuses, infantry and cavalry hat ornaments, minie bullets, and other fascinating debris.

sun started to burn cruelly. Men and teams began to tire. The distance turned out to be greater "than had been represented." By the time they reached the pass, men were falling everywhere from heat and thirst. Lynde now faced a decision that has torn commanders ever since the first book on tactics. He would have to get water swiftly, and yet this meant splitting his command.

... Up to this time there was no indication of pursuit. I now determined to push forward with the mounted force to the Springs, and return with water for the suffering men in the rear. When I had nearly reached the Springs word was brought to me that a mounted force was approaching ... believed to be Captain Gibbs ... that supposition was confirmed by another express ...

... I found the supply of water so small as to be insufficient for my command. After procuring all the water that could be transported by the men with me I started back to the main body. After riding some distance I became so much exhausted that I could not sit upon my horse, and the command proceeded without me ... I returned to the Springs ...³⁴

Then word came to Lynde that a large force of Confederates was approaching his rear guard. To meet this new crisis, he found that no more than a hundred of his infantry remained fit for combat, the rest having collapsed, "totally overpowered by the intense heat."

The *Mesilla Times* included details that Lynde was too far forward to have known about:

... the way to the Springs had the appearance of a complete rout ... lined with guns, cartridge boxes, etc., thrown away by the fugitives. Men were lying by the roadside almost dying from fatigue and thirst ... friend and foe suffered most intensely ... men were taken prisoners and disarmed in squads ...³⁵

The memoirs of a private soldier on the Confederate side contain a sidelight on the retreat unnoticed by anyone else. Nevertheless it has attracted more attention from historians than has Lynde's purported shelling of Mesilla's women and

34. *Lynde to Anderson*, op. cit.

35. *Mesilla Times*, August 3, 1861.

children. For that reason, if for no other, it deserves discussion here.

Hank Smith makes the interesting statement that he found the Union soldiers drunk.³⁶

Smith had been a member of an Arizona surveying party recruited *en masse* a few days before Lynde marched on Mesilla. While Smith calls Lynde "Lyons," there is no mistaking that in spite of his misspellings, he has heard most of the names in the engagement. His account sketches homely vignettes that other writers overlooked or did not know about, such as the Union infantry's feast on "roasting ears" in the fields around Mesilla while waiting for the action to start. These sketches commend Smith's eye for detail, but his sense of the time interval between the Mesilla skirmish and the surrender at the Springs is less exact—probably distorted by an excursion in which he shared, procuring horses up and down the valley for the Confederate cavalry. To Smith, this took about five days to accomplish, although less than forty-eight hours passed, actually, between the skirmish and the surrender.

Smith makes other contributions plausible in the general picture, such as Lynde's placing cottonwood pickets across the open end of Fort Fillmore's parade ground to render the post less vulnerable. But Smith puts this operation between the hour of Lynde's return from Mesilla and the hour of his retreat toward the Springs, an insufficient period for so large a job. Lynde's report of the sandbag project seems more admissible. Smith also talks about Union reinforcements arriving from Fort Stanton. These do not figure in the official reports, and no record exists of their having been dispatched.

On the whole, one can believe that Smith was present during a large part of the action, or at least in the neighborhood, and that he heard rumors about any events he did not actually witness. But in looking back, he has been unable to separate memories from hearsay.

Hank Smith's most striking contribution to the general legend—which he alone makes, and which has been somewhat

36. "Memoirs of Hank Smith," *Panhandle-Plains Historical Review*, Vol. I, No. 1 (1928), p. 78.

carelessly perpetuated by historians³⁷—is his recollection of drunkenness among Lynde's retreating troops.

... we began to overtake the infantry scattered along the road in little bunches . . . We would stack the guns and take all the ammunition. We found some of the guns loaded with whiskey and a good portion of the soldiers drunk and begging for water . . .

If this were true, it is understandable that Union officers omitted it from their reports. However, Baylor could have included it, but did not. The *Mesilla Times* is oddly silent if the incident really happened, considering its satirical treatment of Fort Fillmore's garrison on other occasions.

The *Times* had the entire Confederate command as a source for material unflattering to the Union. If anyone at all, either from the group that pursued Lynde or from the town and valley, had known of liquor in the Union muskets, it is difficult to imagine the *Times* withholding such a morsel from a gossip-hungry countryside. One feels forced to conclude that no one, not even Smith, had the wit to invent this

37. More than careless, in my opinion, and even slanderous, is William A. Keleher's treatment of this supposed incident, in his *Turmoil in New Mexico*, p. 150. The extent of Keleher's embroidery can be indicated only through reprinting his vivid description in full. Sounding like an eyewitness with his wealth of detail, he writes as follows:

"Word was whispered about the barracks that boxes of hospital brandy, and kegs of medicinal whiskey, in goodly number, were to be abandoned. As the soldiers appraised the situation, abandonment of a military post under orders was one thing, but abandonment of high class liquor was a much more serious matter, one that required consideration and reflection. The soldiers met the situation sensibly, and in the beginning, with discretion. First one trooper, then another, and then many, took a moderate swig of the soon-to-be-abandoned liquor, then each helped himself to a drink that seemed more appropriate to the occasion. One sergeant of the "old army" decided that a drop of brandy, or perhaps two or more, on the road to Fort Stanton might be eminently fitting under the circumstances. Pouring the water out of his canteen, he replaced it with liquor. Others, recognizing the sergeant's commendable conduct, substituted liquor for water in their canteens. But on the cross country march from Fort Fillmore to San Augustine Springs, soldiers with liquor in their canteens instead of water suffered severely from thirst."

As his source, Keleher cites the *Las Vegas Gazette* for August 25, 1877. He does not say whether he means Las Vegas, Nevada, or Las Vegas, New Mexico. In either case, he devotes the better part of a page to adapting a story that appeared in a newspaper hundreds of miles from the scene and sixteen years after the event.

H. H. Bancroft, while less lyrical than Keleher, nevertheless adds the support of his reputation to this legend, although he shows nothing to confirm his remarks. He says: ". . . as is stated, the men had been given all the whiskey they wanted, and were mostly drunk. . ." As is stated by whom? The men were given whiskey by whom? (*History of Arizona and New Mexico*, San Francisco, The History Company, 1889, p. 699, n. 14). As far as I have been able to discover, the original responsibility for this story still rests with Hank Smith and his *Memoirs*.

story at the time of the surrender. Smith reserved, or manufactured, the story for his memoirs. Perhaps it arose from some other of his adventures, at another place, another time. Of his experiences in the Mesilla Valley, we cannot be wholly certain as to what he really saw there.

For lack of corroborating witnesses, Hank Smith's story must be shelved, although the surgeon, McKee, by his omission of it, prevents its final burial. McKee made much of his destruction of hospital stores as ordered by Lynde.³⁸ He describes this destruction as total, even though his commander stipulated that no fire be used. He cites the *Mesilla Times*, to prove his own efficiency, for the *Times* compared the hospital wreckage with the small damage throughout the rest of the fort. Certainly in all that glass-breaking (signs of which remain to this day), the medicinal whiskey, rum and wine must have perished. If Hank Smith is accepted as a truthful reporter, then McKee, at the very least, is either a forgetful man in this instance, or a protector of "as good and true a set of soldiers as ever fired a musket,"³⁹ whom he felt had been betrayed by Lynde. On the other hand, he could be masking by silence his own neglect, or even his disobedience, if he let the liquor get into the hands of the troops.⁴⁰

Drunk or not, Major Lynde's command had fallen into helpless disorganization. Lynde sensed this, although probably not completely, as he rested at the Springs.

Now appeared a new actor in the Major's personal tragedy: a man who was to cause him more anguish in later years than the pursuing rebels would cause in the next half hour.

Captain Alfred Gibbs of the Mounted Rifles had been herding beef cattle southward from Fort Craig to Fort Fill-

38. In the *Narrative*, p. 18, McKee says he refused to accept the verbal order which Lieutenant Brooks relayed to him from Lynde, because he would have to report to the Surgeon General the disposition of the stores. Brooks thereupon sat down in McKee's quarters and wrote the order out.

39. *Narrative*, p. 17.

40. This is only a possibility, and even suggesting it may be unfair to McKee, considering his creditable service with the Army up to his Fort Fillmore assignment, and after it for the balance of the war. But however thin, the possibility is there and I cannot ignore it entirely. McKee's extravagance in praising the troops, and stressing his own efficiency in all matters, measured beside his further extravagance in his abuse of Lynde, should convince any careful reader that McKee is not telling the whole story. There appears to be a disturbed current of emotion underrunning the facts as McKee saw them—emotion whose cause does not appear in the facts as observed by others.

more. Lynde had sent Gibbs warning to stay away, after the Mesilla skirmish.⁴¹

Disregarding this message, Gibbs had swung widely to approach Fort Fillmore from the side opposite to the one that faced Mesilla, hoping to get in unobserved. Meanwhile, Lynde had begun his retreat. Gibbs' detachment suddenly came upon the middle of Lynde's exhausted column, as it straggled toward the pass. As McKee describes this encounter, Gibbs "unfortunately joined us at this time, fell into the trap, and was compelled to accept our fate. . . ."

That Gibbs fell into a trap is doubtful because of his record.⁴² He was a brave, professional cavalry leader with enough field experience to read the signs at once. He dashed boldly into the trap and, by his own account and McKee's, put

41. Gibbs reached Point of Rocks, on the Jornada del Muerto, on the night of the 23rd. On the morning of the 26th, he encountered Captain Lane of the Mounted Rifles, conducting a wagon train from Fort Fillmore north to Fort Craig, accompanied by Dr. Steck, the Indian agent. They warned Gibbs of the proximity of the Texans, for they had left Fort Fillmore on the 24th, at which time the Texans had been discovered marching to Mesilla from El Paso.

The wagon train here is the "commissary train" Lynde was to mention as the core of his strategy in attacking Mesilla, stated in his petition to President Lincoln on Christmas Eve. See p. 28.

Lydia Spencer Lane, Captain Lane's wife, reports (*op. cit.*) the meeting with Gibbs, after telling how she and her husband had sold their furniture and china before starting north along the desolate Jornada to his new post. Her most startling statement is that a letter she wrote to an Andrew Porter, which Porter telegraphed to Washington, was the "first intimation" the War Department received of Lynde's surrender.

At Lane's request, Gibbs stayed by him all day of the 26th, to protect him from possible Confederate attack, and then started at sunset toward Fort Fillmore.

42. According to Cullum, Gibbs went from West Point to the Mounted Rifles, serving first at Jefferson Barracks in 1846. From there he proceeded directly to the Mexican War and was wounded at the battle of Cerro Gordo in April, 1847. He was immediately promoted to Brevet 2nd Lieutenant for gallant and meritorious conduct. By August, 1847, he was back in the fighting, and took part in the engagements at Contreras, Churubusco (in Kearny's charge on the San Antonio Garita), Chapultepec, and in the capture of Mexico City. After the war he served in the Pacific Division, the Department of Texas, at Fort Fillmore (1856-57), scouting against the Apaches (by whom he was severely wounded), and other frontier duties. He achieved his captaincy in May, 1861, and was assigned to the commissary department, on which duty he had served less than two months when he started down to Fort Fillmore with the beef cattle for Lynde's garrison.

General Dabney Herndon Maury records (in *Recollections of a Virginian*: N.Y., Chas. Scribner's Sons, 1894, p. 118) that Gibbs, pursuing Apaches, was ". . . desperately wounded . . . at the conclusion of a most energetic pursuit and action which had been a complete success . . ." The details of Gibbs' career, and the tone of his dispatches, indicate energy and action throughout. The contrast in temperaments and performances of Gibbs and Lynde are striking indeed. The dashing young cavalry captain, battle-scarred and in a rush toward further war, must have felt scant sympathy for the older, less imaginative infantry major.

all his energies into keeping it from closing on the collapsing Fort Fillmore command. Taking his cavalry rapidly along the line of march, he caught up with Lynde at the Springs. His report of the day's subsequent action, added to Lynde's, gives a vivid picture of the retreat's last stages.

... Reported to Major Lynde and asked for orders. He told me that there were two companies of the Seventh Infantry in rear guard, and that they, with the Rifles, would protect the rear. Filled my canteen at the Springs; rejoined Major Lynde about 2 miles from it, returning to the front . . . He told me to protect the rear . . . as long as I saw fit, and then return to the camp at the Springs. Rejoined the mounted force . . . formed at the foot of the hill in front of the enemy . . . infantry rear guard was completely broken down . . . I had nothing but the mounted force to rely upon . . .⁴³

Gibbs found the road blocked by baggage wagons filled with stores, women and children. Howitzers were fastened behind these wagons. Gibbs sent men to get the howitzers into action, but no ammunition could be found for them. His seventy men, lightly armed, faced three hundred, and Gibbs saw the terrain as favorable for no more than a single charge.

... In order to gain time, I kept deploying into line, and by rapid formations gaining ground by our superior drill, to allow the main force now approaching the Springs . . . to form before I reached them. I then rode rapidly to the front, and reported to Major Lynde with my command that the enemy were about 2 miles in the rear and rapidly advancing. I asked him where I should take my position. He told me that I might water my command and horses . . . while I was doing so, Major Lynde sent me an order not to move . . . sent me word later that I could leave for Fort Stanton if I chose. Before I could mount I received another order not to move from camp. I went towards him . . . saw him in conversation with two mounted officers, whom I did not know . . . I heard Major Lynde say, 'I agree to these terms' . . . Nearly every officer protested earnestly, and even violently, against this base surrender . . .⁴⁴

Then Gibbs describes the "altercation by Major Lynde's subordinates" becoming so strenuous that the Confederate

43. OR I, 4, p. 10.

44. OR I, 4, pp. 10-11.

commander, Baylor, asked who was in charge. McKee took part in this altercation, according to his official statement:

. . . I, among other officers, entered my solemn protest against the surrender, but were peremptorily told by Major Lynde that he was the commanding officer . . .

McKee cannot resist anticipating his later role as chronicler of melodrama, even in a supposedly factual report to an exclusively military audience. He continues:

. . . To see old soldiers and strong men weep like children, men who had faced the battle's storm of the Mexican war, is a sight that I hope I may never again be present at. A braver and truer command could not be found than that which has in this case been made a victim of cowardice and imbecility . . .⁴⁵

Seventeen years later, in his published narrative, he was even more struck by the splendor of the boys in blue at their last stand. He remembered, or found in his notes, quite different men from the victims of heat and thirst that Gibbs saw lying under bushes, unable to rise; that Baylor reported unfit for combat; that Hank Smith found loaded with whiskey. To McKee, ". . . at least five hundred infantry and cavalry, trained, disciplined and well-drilled . . ." contrasted strikingly with the ". . . badly armed . . . irregular command of Texans." As for his protests to Lynde with other officers, he remembers them as ". . . farcical and ludicrous in the extreme . . . too late . . . ought to have been done before . . ." ⁴⁶

In minute details of happenings before, during and after the two days of skirmish, retreat and surrender, the *Narrative* displays great certainty. But McKee questions his memory on the number of Union companies captured—one of those large, familiar facts that should easily be retained by one so close to the affair, so convinced of his own Napoleonic omniscience in military matters.

Lynde took a clearer, less emotional view, stating a simple case to Canby:

. . . Under the circumstances I considered our case hopeless; that it was worse than useless to resist; that honor did

45. *McKee to the Surgeon General*, August 16, 1861. OR I, 4, p. 11.

46. *Narrative*, pp. 21-22.

not demand the sacrifice of blood after the terrible suffering that our troops had already undergone, and when that sacrifice would be totally useless . . .

The strength of my command at the time of surrender was, Mounted Rifles, 95 rank and file and 2 officers . . . seven companies of the Seventh Infantry, with 8 officers . . .⁴⁷

At this point, for the first and only time in his dispatches, Lynde's personality seems to appear momentarily from behind the formal, military report:

. . . Surrounded by open and secret enemies, no reliable information could be obtained, and disaffection prevailing in my own command, to what extent it was impossible to ascertain, but much increased, undoubtedly, by the conduct of officers who left their post without authority.⁴⁸ My position has been one of great difficulty, and has ended in the misfortune of surrendering my command to the enemy. The Texan troops acted with great kindness toward our men, exerting themselves in carrying water to the famishing ones in the rear; yet it was two days before the infantry could move from the camp, and then only with the assistance of their captors . . .

Lynde and his officers and men, except for a few who then and there either joined the Confederates or chose military imprisonment, were paroled out of the war. Baylor gave them enough rifles and food to get them north through Indian country to Canby's headquarters at Santa Fe. From there, Lynde's command broke up in scattered assignments to non-belligerent duties.

Lynde started the long journey eastward to meet certain punishment. Aged 55, he was not yet an old soldier, yet he had come through a long and uneventful career to within

47. OR I, 4, p. 6. Captain J. H. Potter's official recapitulation of the troops surrendered (OR I, 4, p. 15) lists 11 commissioned officers and 399 enlisted men including non-commissioned officers paroled; 16 taken by the Confederates as prisoners of war; 26 deserters; and "40 available for service, not paroled." This totals 492 men, somewhat less than the "700 effective men" referred to in the *Mesilla Times* (August 3, 1861), or the "between five and six hundred veterans" of McKee's *Narrative*, and somewhat more than the "three officers and 300 men" of Hank Smith's *Memoirs*.

48. Whether Lynde refers to officers who resigned and passed through his post on their way to the Confederacy, or to officers in his immediate command who forsook their duties without leave, is not evident in this writing. In Lynde's statement routed by President Lincoln to the Judge Advocate General on January 8, 1862, he names Captains Garland and Jones in the latter connection. As for the former possibility, see *Canby to Adjutant General*, March 16, 1866, summarized in this essay, beginning on page 25.

sight of honorable, pensioned retirement. But if he had counted on this, the dream had burned away in the desert on the road to San Augustine Springs. Now, even as the mesquite and wind-blasted hills sank behind him, the angry repetition of his name began sounding in every quarter.

Sometime in October, the Reverend Doctor Cressy of Stapleton, Staten Island, got a letter from his son, Edward, two thousand miles away at Fort Craig. Edward described Lynde as surrendering in the "most disgraceful and cowardly manner." The young man added that he was "perfectly disgusted with the whole affair," and called Lynde "that infernal coward."⁴⁹

Bitterness threw out tentacles like a poisonous vine. The New York *Herald Tribune* for September 7th picked up an August 11th report from Santa Fe, which in turned picked up a dispatch just arrived from El Paso, signed "A. Deckarle." He says that if the surrender story he has heard is true, it is "the most shameful thing ever done by an officer of the United States army."

On September 21st, the *Herald Tribune* quoted another Santa Fe report, this one dated August 18th. "Major Lynde, I understand, was here yesterday. Why he has not been arrested and court-martialled on account of the shameful surrender of Fort Fillmore, I cannot understand. . . ." Then the New York paper reprints items from the Santa Fe *Gazette* of August 17th. One of these raises a lonely voice in Lynde's behalf: "It appears . . . that the conduct of Major Lynde was not so bad in this affair as it was at first represented. . . ." The *Gazette* blames him for a lack of military skill, and failure to prepare his troops sufficiently for the retreat from Fort Fillmore—as opposed, we must assume, to treachery or cowardice previously reported.

On September 27th, Secretary of War Cameron got a mes-

49. OR II, 3, pp. 33-34. Although he had been in a few Indian battles, the Mesilla skirmish was Edward F. Cressy's first taste of white man's war. He was graduated from West Point in 1858, nineteenth in his class of twenty-seven. He was made a 1st Lieutenant, Mounted Rifles, less than two months before the surrender. Paroled until late summer of 1862, he was exchanged and reentered the war as a captain in the 3rd Cavalry, and was brevetted at the close of the war to major's and lieutenant-colonel's rank. He served again in New Mexico, at Fort Bayard after 1866, and was honorably mustered out in 1871. He died in 1899.

sage from Fort Fauntleroy, New Mexico, containing these words: “. . . disgraceful surrender of old Lynde, superannuated and unfit for service, of a U. S. force of 750 men to 350 Arizona cut-throats. . . .”⁵⁰

On November 7th, the *New York Times* said that Captain Gibbs and Lieutenants McNally and Cressy had reached St. Louis with “. . . one hundred and three of the Seventh Regiment . . . whom Major Lynd [sic] so ingloriously surrendered.” The day this story appeared in New York, Gibbs filed a request in St. Louis for a court of inquiry into the surrender, in the name of all the officers of his own command, and particularly concerning his part in the proceedings.⁵¹

Two days later, Lynde’s name again appeared in the *New York Times*: “. . . surrendered his command so ingloriously . . . arrived at Hannibal under arrest. He was not ironed, as he deserved to have been.”⁵² What had begun as a snowflake in the storm of war had become a snowball, rolled by busy hands to a mountain top and about to flatten the Major.

The House of Representatives, on December 4th, adopted a resolution to request a report from the Secretary of War on what measures had been taken “. . . to expose and punish such of the officers now on parole as were guilty of treason or cowardice in that surrender, and relieve from suspicion such as were free from blame.”⁵³

In his answer, dated December 12th, the Secretary enclosed a report from the Adjutant General which said that Lynde had been dropped from the Army rolls on November 25th, and that no other officer was believed at fault.⁵⁴

In the closing days of 1861, the *New York Times* was still pointing to the forts “disgracefully surrendered,”⁵⁵ and specifically to Fort Fillmore, as “. . . that post . . . traitorously surrendered by Col. Lynde. . . .”⁵⁶ Promoted by a newspaper, but stripped of his honor, career and future security by his government, Lynde must have looked toward the

50. *Wm. Need to Cameron*, September 27, 1861. OR I, 50, Vol. 1, p. 639.

51. *Gibbs to Ass't. Adj. Gen.*, November 7, 1861. OR I, 4, p. 9.

52. *N. Y. Times*, November 9, 1861, p. 4.

53. OR I, 4, p. 15.

54. *Ibid.*

55. *N.Y. Times*, December 26, 1861, p.3.

56. *Op. Cit.*, December 28, 1861, p. 1, col. 1.

new year with deep despair. His judges had forgotten him in the press of war, but his accusers had not. Their anger would dog him through the early months of 1862.

Lynde's eastward progress had taken him, under arrest, to Jefferson Barracks, Missouri, by early December. On the 5th, he had written to the Hon. H. M. Rice in Washington, asking for help toward a fair trial "by my *peers*," and denying intention or action of treason toward his government. Lynde also denied having surrendered his command to an inferior force. "I have not served . . . the United States for over thirty four years and most of that time on the extremest frontier, to turn traitor at this late day. . . ." ⁵⁷

By December 24th, Lynde had gotten to Washington. On that day, writing with what appears to be either a sick or senile hand, he petitioned President Lincoln⁵⁸ for restoration to rank to enable him to be tried by a court of inquiry or court-martial,⁵⁹ ". . . confident of my ability to prove to any unprejudiced tribunal that I had authority to abandon that post. . . ." Lincoln transmitted Lynde's seven-page statement, apparently enclosed with the petition, to the Judge Advocate General, with a note requesting a review of the case. The statement is not significantly different from Lynde's official dispatches to Canby in its history of the New Mexico events surrounding him, except in one new detail. Lynde now was saying that when the Texans appeared in Mesilla, he heard that they intended to pursue a commissary train he had sent to Fort Craig several days before.⁶⁰ He thereupon decided to "make a demonstration in the direction of Mesilla," to prevent the pursuit of the train and to try the strength of the Texans. His ". . . calculations all proved true for I was afterwards informed that when I approached the town they were just starting a part of their command to pursue the train and their plan was, if they were driven from the town to make a dash upon the fort, which they might have done

57. *Lynde to H. M. Rice*, December 5, 1861. Consolidated file 107-1861, RG 153, Office of the Advocate General (National Archives).

58. *Lynde to the President* (File 107-1861).

59. According to Lynde's "Appointments, Commissions and Personal File" (L736-ACP-1866), National Archives, these were never granted.

60. See note 41.

as they were all mounted and I had but about 50 mounted men. As it was the train escaped. . . ."⁶¹

This puts a light on the whole Mesilla action that conceivably might have saved Lynde much anguish if he had advanced it earlier. His reevaluation of the Texan strength in this statement is probably less admissible, in view of his former official reports. He now thinks Baylor had about five hundred and fifty men to his own five hundred, and that they would have increased to eight hundred and fifty with reinforcements from El Paso. He says that Gibbs reported eight companies of mounted rebels to him at the Springs. A note by someone unidentified, at the end of Lynde's statement, says that Texan regiments were known to have one hundred men each.

Lynde's petition is mentioned in an opinion delivered in January, 1862, by the Judge Advocate, J. F. Lee. He says Lynde has alleged he had authority to abandon Fort Fillmore, that the circumstances justified it, that he did not surrender to an inferior force, and that he protests his loyalty. In Lee's view, the charges—including surrendering "disgracefully and shamefully," and "misbehavior before the enemy" because of retreating after demanding an unconditional surrender—are punishable with death; but he notes that the more lenient course of discharging Lynde has been taken. The Judge Advocate says his department is satisfied as to the facts and previous judgment, adding that Lynde may be restored by the President with the Senate's approval. He does not think the previous judgment is likely to be reversed.⁶²

Meanwhile, Lynde's surrender had put an irksome, even though temporary, curb on the careers of several young officers of his former command. Captain Alfred Gibbs, frettingly belligerent in the only manner possible because of his parole, poured his energies onto official paper to get himself back into the war. Shortly he would be exchanged and go off to Virginia, where the little depots with the great, bloody names would join the Mexican battles among his citations. He would move up rapidly, as he always had, to become a Brevet Major Gen-

61. *Lynde to the President*, op. cit.

62. OR II, 3, pp. 189-190.

eral by the time of Appomattox, go west again to frontier duty and die, still young, still fuming perhaps, in Kansas in 1868.⁶³ But now in February and March of 1862 he was pulling at every string to save himself, as he saw it, from unmerited disgrace.

Taking his case directly to the Secretary of War, he enclosed in his letter a list of his command, ". . . ignominiously surrendered by Maj. Isaac Lynde." He asked that he and his men be released from ". . . the ignominious position in which we have been placed by the cowardice of our commanding officer. . . ."⁶⁴ While Gibbs can hardly be blamed for continuing to stir this troublesome brew of anguish and accusation, his repetition of certain phrases seems to hammer them out in letters of iron. They leave their impress on the reports and letters of other people prodded by Gibbs. Even the newspapers pick them up. *Ignominious surrender*, for example, figures so frequently that coincidence begins to seem unlikely. It could be questioned whether Gibbs was reading the newspapers or the newspapers were reading Gibbs.

He sent a list of his paroled command to the Department of Missouri, and referred inevitably to the ". . . ignominious surrender of Maj. Isaac Lynde."⁶⁵ He applied to a congressman to aid him toward exchange,⁶⁶ again mentioning the ignominious surrender, and this note was sent along to Stanton with the comment: ". . . seems they were treacherously surrendered by Maj. Isaac Lynde. . . ."⁶⁷ A second enclosure was a letter from a man in Detroit, where Gibbs was stationed on parole. The letter calls Gibbs' command ". . . a portion of the force so shamefully surrendered by Colonel Lynde."⁶⁸ Friends who knew nothing of the surrender except what Gibbs had told them, obligingly contributed to the destruction of Lynde's name.

On November 27th, 1866, five years from the day he was dropped from the Army, Lynde was restored to his former rank by order of President Johnson, and retired.

63. Cullum, *Register*, p. 168.

64. *Gibbs to Stanton*, February 22, 1862. OR II, 3, pp. 298-99.

65. *Gibbs to N. H. McLean*, March 4, 1862. OR II, 3, pp. 346-7.

66. *Gibbs to Howard*, March 4, 1862. OR II, 3, p. 369.

67. *Howard to Stanton*, March 11, 1862. OR II, 3, p. 368.

68. *Wm. Gray to Howard*, March 5, 1862. OR II, 3, p. 369.

Lynde's old commander, Canby, had much to do with this. Apparently in answer to a request from the Adjutant General's Office, he listed what he thought were the extenuating circumstances of Lynde's surrender at San Augustine Springs, first giving his opinion that Lynde's force had been "sufficiently ample," and that Lynde should not have abandoned Fort Fillmore until the troops from Arizona had gotten safely out.

While he does not excuse Lynde, Canby points out certain factors that he feels had influence on Lynde's failure. First was the dissatisfaction among the troops. They had not been paid in ten months, ". . . in consequence of the desertion and defalcation of a paymaster." Canby next tells of the disloyalty around Lynde, and the effect of secessionist pressure on the soldiery. Deserting officers tried to demoralize the troops. A rebel judge in El Paso let his opinion be known that since the Union had been dissolved, no officers or men were bound to it by a former oath of allegiance. Then Canby goes on to emphasize the blow to the department caused by the discovery that Colonel W. W. Loring, its highest ranking officer from whom Canby took over the Department of New Mexico, had been in correspondence with the Confederates before his resignation.

Canby adds that two of Lynde's officers and several men deserted just before the engagement with the enemy at Mesilla. The effect upon Lynde's mind was still further increased, says Canby, by Lynde's suspicion that his own men had fired upon him.

. . . From that moment he appears to have lost all confidence in his officers and men:— to have suspected treachery of which he was to be the first victim . . . experienced a mental paralysis that rendered him incapable of judgment or energy . . .⁶⁹

Two months before this report from Canby, the Judge Advocate General had delivered another opinion—this time to the Secretary of War. He cited testimony from Captain Crilly

69. *Canby to Adj. Gen.*, Lynde's file (L736-ACP-1866), National Archives. It should here be recalled that 26 of his command later deserted to the enemy. (See note 47.)

and Surgeon Norris, Purveyor General of the New Mexico department. Crilly had said of Lynde's action that it ". . . should be attributed not to the disloyalty of Major Lynde but to his incapacity for the management of his command in such an emergency, he having become superannuated in service."⁷⁰ Norris felt that the ". . . loss of the command was caused by [a lack of?] foresight and precaution . . .," and that Lynde's loyalty was not questioned.

From this and Canby's testimony, the Judge Advocate General arrived at these conclusions:

. . . *first* . . . the abandonment . . . warranted by a fair construction of Col. Canby's orders, in a certain conjuncture which Major Lynde was justified in the circumstances in believing to have arrived . . . perhaps he fell into an error of judgment, cannot be properly held guilty of dereliction of duty:—*second* . . . precautions taken . . . for defense were not such as the situation called for, nor such as a reasonably prudent, vigilent [sic] and competent officer should have exercised.—*third* . . . undue precipitancy of the movement tended to demoralize the troops:—*fourth* . . . his mismanagement of the retreat . . . was unsoldierly and culpable:—and *fifth* . . . surrender to a probably inferior force, without firing a shot, though perhaps it finally became inevitable, was, nevertheless without excuse, and fully deserving of the rebuke with which it was visited."⁷¹

Eight months later, in September, 1866, someone persuaded the nation's foremost military hero to look into the whole matter. The name of that someone does not appear anywhere in the official files, but it should not be difficult to guess. It is still a matter of local knowledge in Lynde's home village of Williamstown that his daughter, "Lou," sometimes visited there, and that she was Mrs. Frederick Tracy Dent. According to Cullum's *Register*, her husband and Ulysses Grant were classmates at West Point. Somewhere out on the frontier, where Dent several times served on the same posts as Lynde, the young officer met and married the older officer's daughter. Dent's sister married, also. Her name was Julia,

70. See note 50. Crilly's "superannuated in service" is very close to "superannuated and unfit for service" of Need's letter to Cameron from Fort Fauntleroy. Although I have found no record of Crilly visiting Fort Fauntleroy after the surrender, he may possibly have done so and talked with Need there.

71. J. Holt, *Judge Advocate Gen'l to Sec'y of War*. Lynde's file (*op. cit.*).

and she later became Mrs. U. S. Grant. Another binding circumstance in this small net of relationships was Dent's double identity as Isaac Lynde's son-in-law on the one hand, and Grant's aide-de-camp on the other. The *Dictionary of American Biography* says of him, in part: ". . . Dent was not a brilliant soldier, and owed much to his relationship to General Grant. . . ." Probably the same might be said of Major Isaac Lynde.

In any case, Grant found that Lynde had been "summarily dismissed . . . without trial or investigation of his conduct." Grant recommended to Stanton that Lynde be appointed Colonel of Infantry and retired immediately on appropriate pay.⁷²

A memorandum from the Adjutant General's Office replied that Lynde could not, under the system then in force, be raised to Colonel, but that he could be restored to his Major's rank, with his pay retroactive. In obscure support of this view, it was pointed out that Lynde would have been a Colonel in 1864, had he stayed in the service, but that he had passed the age of sixty-two, the retirement age, only a month before Grant's recommendation.⁷³

The wheels of the Army began to turn, and after a suitable number of revolutions and two more long weeks for Lynde, on November 27th the War Department's General Order No. 94 came out of the huge machine. It announced that by President Johnson's direction the order dismissing Lynde back in 1861 had been revoked. His Major's rank was restored, and he was retired as of July 28, 1866.⁷⁴

* * * *

Major Isaac Lynde lived for another twenty years. His listing in Cullum closes with the curious fact that he served on court-martial duty on March 7, 1867—but this could have nothing to do with his own trouble, since by that time, of course, he was safely reinstated. Very little else is known about him. The old soldier who had shown so much promise as a boy in the Vermont hills, who must have felt that promise

72. *Grant to Stanton*, September 18, 1866, Lynde's file, *op. cit.*

73. *J. C. Kelton memorandum*, Lynde's file, *op. cit.*

74. Lynde's file, *op. cit.*

wearing away in his middle years on the western plains and the southwestern deserts, went neither east nor west nor southwest in his remaining days. Instead, he returned to scenes reminiscent of his first duty, as a young lieutenant, in the Old Northwest. He lived for a time in St. Paul, Minnesota.⁷⁵ Later, he moved to Florida, but when he left the one for the other is not clear.

On April 4, 1886, a telegram from St. Augustine, Florida, signed by an N. R. Fitzhugh, informed Mrs. T. F. Dent of Washington, D. C., that Major Lynde had died the preceding night, and that his body would be sent to Baltimore.⁷⁶ A few weeks later, Captain F. Marcy Lynde, retired, reported to the Adjutant General the cause of his father's death.⁷⁷ He termed it a "general breaking down of the system from advanced age." Army records show that the Major would have been 82 in that year. According to his West Point file, he would have been 80.

It is curious that Lynde died at Picolata, twenty miles from St. Augustine, roughly the same distance as from Fort Fillmore to St. Augustine Springs, New Mexico, over the route of his old retreat. In a way, it could be said that his body, shipped through St. Augustine on its way to Baltimore, retraced the pattern of his tragic last hours with his command.

Just three months before Major Lynde's death, James Cooper McKee—the doctor, the tactician, the champion of righteousness—republished his petition to the Army,⁷⁸ challenging the legality of President Johnson's order restoring Lynde, and demanding that the old Major's name be once more stricken from the rolls.

75. There he dated and filled out a form, sent to him by the Army in 1872, stating that he had "never served in any Volunteer Organization in any capacity." *Op. cit.*

76. *Ibid.*

77. *Ibid.*

78. *Narrative*, p. 27.

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