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# FORT FILLMORE, N.M., 1861: PUBLIC DISGRACE AND PRIVATE DISASTER

*by*

A. BLAKE BROPHY

**The author, a native Arizonan and a former journalist, became interested in the story of the surrender of Fort Fillmore while doing graduate work at Arizona State University. He received his master's degree this past autumn.**

LYDIA SPENCER LANE was a seasoned "trooper" in 1856, although she had been married only two years to her lieutenant of U.S. Mounted Rifles.* The daughter of an army officer, she had grown up in army posts of all sorts, but when she got her first look at Fort Fillmore, N.M., she remembered that it was "such a dreary-looking place [as] I have seldom seen."[1] Located about forty miles north of El Paso on the east side of the Rio Grande,[2] the sand-hill fort, established in 1851 against Indian depredations, appears to have been as Mrs. Lane remembered, even if possibly the recollection was tainted by subsequent events there. The best description by a contemporary was given by J. C. McKee, who served at the post as a civilian surgeon in the fateful summer of 1861:

*This article is a slightly revised version of a paper delivered at the Ninth Annual Arizona Historical Convention, at Tempe, on April 20, 1968.

[1] Lydia Spencer Lane, *I Married a Soldier: Old Days in the Old Army* (Philadelphia: J. B. Lippincott Co., 1893; republished by Horn & Wallace, Publishers, Inc., Albuquerque, 1964), 45–46. Cited hereafter as Lane, with page citations to the 1964 edition.

[2] M. L. Crimmins, "Fort Fillmore," *New Mexico Historical Review,* Vol. 6 (October, 1931), 327. Cited hereafter as Crimmins.



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In 1861 the post was composed of square adobe houses, with the usual flat dirt roofs, the walls extending up all around, forming a parapet. The officers [*sic*] quarters on one side, and the soldiers [*sic*] barracks on two others, formed a quadrangle, inclosing about three acres of ground. The side next the river was open. The houses were not connected by palisades or earthworks, and were generally twenty or thirty feet apart. The space, about half a mile wide, between the post and the river was partially occupied by a *bosque* or grove of cottonwoods, in the bottom land, near the river. The country on all other sides of the fort was open and rolling, the [Organ] mountains, fifteen miles to the eastward, were approached by a gentle slope. . . . The Rio Grande was fordable in the neighborhood of the fort at three places, one a mile below, another a mile and a half above, and the third two miles above this.[3]

The post was established to furnish protection against Apache raids into the Mesilla Valley, which mission it performed without notable success. In 1861, however, the trouble came from about four miles across the river at Mesilla, New Mexico's

[3]James Cooper McKee, *Narrative of the Surrender of a Command of U.S. Forces at Fort Fillmore, New Mexico in July, A.D., 1861* (Privately printed 1878, 1881, 1886; republished by Stagecoach Press, Houston, 1960), 4–5. Cited hereafter as McKee, with page citations to the 1960 edition.



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second largest settlement, whose non-Mexican inhabitants liked to call themselves Arizonians. After the guns of Sumter, many called themselves Confederates.[4]

Surgeon McKee noted the change in names when he was assigned to Fort Fillmore in 1861, following six months of campaigning against Indians to the north. When he visited Mesilla, he realized that President Lincoln's election had changed everything, and that "Southern men and Secessionists now looked upon their army friends as their enemies."[5] A Unionist resident of the area wrote to a friend that Mesilla was "as much in the possession of the enemy as Charleston is," but further observed that the Mexican population had not forgotten previous troubles with Texans and were less than enchanted with the South.[6] The Arizonians or Confederates had even put their feelings on record, having called a "convention of the people of Arizona" at Mesilla on March 16, 1861, attaching the so-called Gadsden Strip to the Confederacy. A commander of Fort Fillmore at that time reporting on the affair wrote to his superiors at Santa Fe that he "considered the whole transaction as a farce," but he felt it important enough to mention that Southern agents were trying to induce desertion among his troops.[7]

This officer's concern, however, appears to have been misdirected, since one of the outstanding aspects of those uncertain

[4] William A. Keleher, *Turmoil in New Mexico, 1846–1868* (Santa Fe: The Rydal Press, 1952), 196. The population of Mesilla was 2,240 in 1860. Joseph C. G. Kennedy (Comp.), *Population of the United States in 1860; compiled from the Original Returns of the Eighth Census, Under the Direction of the Secretary of the Interior* (Washington, 1864), 569.

[5] McKee, 7.

[6] *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington: 1880–1901) Ser. I, Vol. 4, 56. Cited hereafter as *O. R.*, with series, volume, and page.

[7] *Ibid.*, 39. For further comment on the political atmosphere, see Martin H. Hall, "The Mesilla Times, a Journal of Confederate Arizona," *Arizona and the West*, Vol. 5 (Winter, 1963), 343–47; B. Sacks, *Be It Enacted: The Creation of the Territory of Arizona* (Phoenix: Arizona Historical Foundation, 1964), 57–61 (cited hereafter as *Be It Enacted);* Paul Horgan, *Great River: The Rio Grande in North American History* (2 Vols., New York: Rinehart & Company, Inc., 1954), II, 821; P. M. Baldwin, "A Short History of the Mesilla Valley," *New Mexico Historical Review*, Vol. 13 (July, 1938), 319.



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times was that it was not the rank and file who were dubious in their loyalties, but the officers. Officers had the privilege of resigning, but enlisted men had no such choice during their five-year hitches. A young Irish immigrant, who eventually soldiered his way to a lieutenant colonelcy, recalled that feelings ran high among the officers and that the tensions often erupted into altercations. And he was proud to note that efforts to lure the common soldier to the Southern cause mainly failed.[8] A bright young boy, who served as a kind of mascot-batman to officers of the Fifth Infantry at the time, later could recall six officers of his acquaintance who went over to the Confederacy.[9] The articulate Mrs. Lane, who was back at "dreary" Fort Fillmore in 1861, poignantly described the sad but electric atmosphere of old comrades of the frontier parting with ambivalent feelings of sorrow and distrust. "We knew not friend from foe," was her unhappy pronouncement.[10]

Into this situation marched the principal players of the drama that was soon to follow — Major Isaac Lynde of the Seventh U.S. Infantry and Lieutenant Colonel John R. Baylor of the Second Regiment, Texas Mounted Rifles. Major Lynde, a steady officer of thirty-four years service,[11] was described by one of the post doctors, later his severest critic, in this rather kindly fashion: "His hair and beard were gray, giving him a

[8] Charles Porter, *Charles Porter's Account of the Confederate Attempt to Seize Arizona and New Mexico*. Ed. by Alwyn Barr (Austin: The Pemberton Press, 1964), 4–5. Cited hereafter as Porter.

[9] James E. Farmer, *My Life with the Army in the West: Memoirs*, 1858–1898. Ed. by Dale F. Giese (Santa Fe: Stagecoach Press, 1967), *passim*. Cited hereafter as Farmer. Sacks, *Be It Enacted*, 61, lists nine officers who defected from the Department of New Mexico: Cols. William W. Loring and Thomas T. Fauntleroy; Lt. Cols. George B. Crittenden and John B. Grayson; Majors James Longstreet, R. B. Reynolds, and Henry H. Sibley; and Capts. Dabney H. Maury and Richard E. Ewell. In a letter of Sept. 23, 1968, Martin H. Hall supplements the list with the addition of Capts. Andrew J. Lindsay, John Stevenson, and Cadmus M. Wilcox; Lts. Joseph Wheeler and Lawrence S. Baker; and Asst. Surgeon Edward N. Covey.

[10] Lane, 105.

[11] George W. Cullum, *Biographical Register of the Officers and Graduates of the U.S. Military Academy, at West Point, N.Y., from its Establishment, March 16, 1802, to the Army Re-organization of 1866–67*. (2 Vols., New York: D. Van Nostrand, 1868), I, 321–22. Cited hereafter as Cullum, with volume and page.



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venerable appearance; he was quiet, reticent, and retired, giving the impression of wisdom and knowledge of his profession."[12] Arriving at Fillmore on July 4, 1861,[13] Lynde had been ordered with his troops from Fort McLane on June 16 by Lieutenant Colonel E. R. S. Canby, who assumed command of the Department of New Mexico following Colonel William W. Loring's unannounced defection to the Confederacy. The instructions allowed him broad discretionary powers: that he should secure the post and the southern flank of the department against any eventuality.[14] At this stage, Canby's objective was a holding action to permit the indrawing of Union forces and vast supplies from what is now southern Arizona and a consolidation of the command. The perimeter of the command was to be Fort Fillmore guarding the south, Stanton the east, and Union the north, although Fillmore was to be abandoned following the consolidation.[15] Canby wrote headquarters in Washington, D.C. on June 20 that these posts "are at remote and exposed points, and it will not be well to trust either entirely to new and undisciplined troops."[16]

There is little room for doubt that Canby at first considered Fillmore the key to his strategy. In a lengthy report to headquarters on the condition of his command on June 23, Canby gave Fillmore precedence and prominence.[17] On June 30 he was advising headquarters of the defection of Colonel Loring and the threat of invasion from Texas; on the same day he informed Lynde of these things and advised that he should be prepared. He also felt it necessary to instruct Lynde, in light of Southern sentiment in the Mesilla area and the defections

[12] McKee, 7.

[13] This is the date Lynde himself gave for taking up his new post. *O.R.*, I, 4, 58.

[14] *Ibid.*, 37–38.

[15] *Ibid.*, 64.

[16] *Ibid.*, 41.

[17] *Ibid.*, 44.



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of officers, that "no considerations of delicacy or of regard must be permitted to interfere when the honor of the country and the safety of your command are involved."[18]

Canby's premonitions that Confederate forces would invade from Texas and that Fort Fillmore would be the target were correct. Lieutenant Colonel John R. Baylor of Weatherford, Texas, a ruthless Indian fighter, a two-fisted politician-lawyer, and an intemperate disputant, had moved into El Paso with four companies of mounted rifles.[19] Even though Texas had been secured by secession to the Confederacy, it was too early in the war for the Richmond government to have formulated a thorough strategy for the West. Any plan it had was more a desire or a vague hope, but the Texas colonel with the cold, flashing eyes was going to set it in motion by marching up the Rio Grande on July 23 with three companies of his Texas "cowboys."[20]

The objective of the Confederacy was to capture the Territory of New Mexico, which still included Arizona, and hold it as a gateway to California.[21] In California there was gold for a sickly Southern treasury. The possession of the extensive California coast would preclude blockade and encirclement of the South. There were even plans for annexation of the Mexican states of Sonora, Chihuahua, and Baja California as outlets for slavery. General Latham Anderson, writing on this sector after the war and with knowledge of Southern aims or hopes, boldly stated that "the conflict in New Mexico should be regarded as one of the decisive campaigns of the war."[22]

[18] *Ibid.*, 50, 51, 67.

[19] The best source on Baylor (1822–94) is George Wythe Baylor, *John Robert Baylor, Confederate Governor of Arizona*. Ed. by Odie B. Faulk (Tucson: Arizona Pioneers' Historical Society, 1966).

[20] *O.R.*, I, 4, 17.

[21] A. A. Hayes, "The New Mexican Campaign of 1862." Ed. by Martha J. Lamb, *Magazine of American History with Notes and Queries*, Vol. 15 (February, 1886), 171. Cited hereafter as Hayes.

[22] Latham Anderson, "Canby's Services in the New Mexican Campaign," in Robert U. Johnson and Clarence C. Buel (Eds.), *Battles and Leaders of the Civil War* (4 Vols.,



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The action which then ensued was so confused that even such a celebrated chronicler as Horace Greeley can be excused for getting nearly everything wrong when he reported the event shortly after the war.[23] The following account will rely most heavily on that of Colonel Baylor, since he was the victor and presumably would have had less tendency for second thoughts, but it will be counterpointed with the reports and observations of others.[24]

In June, shortly before the arrival of Confederate troops at Fort Bliss, Colonel Baylor had sent a reconnoitering party from El Paso to Fort Fillmore. Besides reporting back that strategic position could be gained easily during the night, this party managed to run off with about forty of the Union forces' horses — which loss, incidentally, accounted for Mrs. Lane's getting out of the fort, since on July 24, a day before the action began, her husband led his now-dismounted rifles, a wagon train of supplies, and some women and children towards the security of Fort Craig.[25]

While Baylor was preparing through July to prevent the consolidation of Union forces in New Mexico, Major Lynde was having difficulty making up his mind if the post was defensible or worth defending. On July 7, he wrote to his superior complaining of the fort's location. It was surrounded by chaparral-clad sand hills, and he felt it was "indefensible against a force supplied with artillery." He concluded that "I do not think this post or the valley worth the exertion to hold it."[26]

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New York: The Century Company, 1887–88), IV, 698. See also Trevanion T. Teel, "Sibley's New Mexican Campaign: Its Objects and the Causes of its Failure," *ibid.*, II, 700; Hubert Howe Bancroft, *The History of Arizona and New Mexico,* Vol. 17 of *The Works of Hubert Howe Bancroft* (39 Vols., San Francisco, 1882–1890), 668; Porter, 3–4; Hayes, 184.

[23] Horace Greeley, *The American Conflict: A History of the Great Rebellion in the United States of America, 1860–'65* (2 Vols., 1st Ed. 1864–1866; 2nd Ed. 1867), II, 19–20. Cited hereafter as Greeley, with volume and page citations to the 2nd edition.

[24] *O.R.*, I, 4, 19–20.

[25] Crimmins, 330; Lane, 108.

[26] *O.R.*, I, 4, 58.



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But on the same date he wrote another letter, though whether it was written before or after the other cannot be determined. In this one he was decidedly more confident, stating that he felt secure with the fort and the troops he would have, and declaring that if the enemy attacked, "we shall give them a warm reception."[27]

Captain C. H. McNally of the Third U.S. Cavalry was more inclined to agree with the former view, that the fort was a bad spot, and he claimed that he tried to get Lynde to occupy Mesilla. Rejected on the grounds that such a move would "bring on a collision," he then tried to get Lynde to take up position at Doña Ana, up river, which McNally felt could be held by three hundred against three thousand.[28] This plan, too, was rejected. The captain obviously was in a fighting mood. Twice he reported he got Lynde to order the hauling down of the secessionist flag flying in Mesilla, and both times the order was rescinded.[29] Surgeon McKee also felt, in retrospect, that defense measures were inadequate—defensive construction was lacking and there were too few pickets and sentinels. He made fun of the major's order to mount a howitzer on his hospital kitchen roof, remarking that it was fortunate that the gun was not fired, since it would have crashed into the room.[30] But Lynde did send out a picket detail to Santo Tomás, down river, on July 18. Nevertheless, in spite of his opinion that "the town commands the road from El Paso to Mesilla," for some reason he pulled it back on the night of July 24.[31]

This was the night Colonel Baylor and his two hundred fifty or three hundred Texans arrived and took up positions near Fillmore on the same side of the the river. But for a deserter, Baylor claimed that the surprise to the Federals would have been complete. The pickets brought the deserter to Fillmore, but in their haste in quitting their positions, they left

[27] *Ibid.*, 59.
[28] *Ibid.*, 13.
[29] *Ibid.*, 14.
[30] McKee, 13.
[31] *O.R.*, I, 4, 60.



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seven men behind who were captured.[32] Still the game was up for Baylor, and the following day he crossed the river with impunity and occupied Mesilla, "as it was [a position] that would be easily held."[33] In the meantime, the Fillmore forces had stood at arms all night, and from nine the next morning, when the Texan maneuver to Mesilla was discovered, to around four in the afternoon, they remained in garrison.[34] At about this time, Lynde finally gave the order to move on Mesilla and the Texans.

About three hundred eighty Union regulars crossed the river. The force included six companies of infantry, one acting as the battery for four twelve-pound mountain howitzers, and two companies of mounted rifles. When they neared the town, Surgeon McKee accompanied Lieutenant Edward J. Brooks, the post adjutant, forward to demand its capitulation. The reply generally agreed upon was to the effect that, if the Federals wanted the town, they would have to come and get it.[35]

According to McKee, and his account in this respect appears more than probable, the Union skirmish line consisted of two of the howitzers on the road in the center and the infantry divided right and left. A cornfield was on the left, flanked by a large ditch, and two hundred yards in front were adobe houses filled with Texans who faced McNally's two companies of cavalry in the van.[36] When the cavalry advanced to within two hundred fifty yards, the Texans opened up, driving them back over their own infantry. McNally, who was shot in the chest by a Confederate ball, claimed that the infantry fired into the retreating cavalry, while McKee noted that the artillery was pinned down, after lobbing a couple of shots in the vicinity of a group of Mexicans looking on from a nearby hill.[37] With three men killed and two officers and four men wounded, Lynde

[32] *Ibid.*, 4.
[33] *Ibid.*, 17.
[34] *Ibid.*, 14.
[35] *Ibid.*, 4, 12, 17.
[36] McKee, 17.
[37] *Ibid; O.R.*, I, 4, 12, 14.



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ordered a withdrawal. His reasons were that night was coming on, that the howitzers were useless in the sand, and that the fields and houses on both sides were filled with enemy.[38] There had been no Confederate casualties, and that night Baylor was joined by Captain George Frazer and forty of the then-organizing Arizona Rangers.[39]

The not-so-proud soldiers arrived back in camp about ten o'clock that night, unmolested, since Baylor had thought their retreat had to be a ruse.[40] That night and into the next day, July 26, Lynde put his troops to setting up defense works, but Surgeon McKee didn't think much of the effort, and neither, apparently, did Lynde. At 2:00 P.M. he gave the order to destroy all medical stores, and one hour later a further order was relayed to prepare for evacuation at 10:00 that night.[41] In anticipation of the Texans receiving reinforcements and artillery and feeling that the fort was indefensible, Lynde hurriedly moved his command out at about 1:00 A.M. on July 27 for San Augustine Springs, fifteen miles east in the Organ Mountains. With all accoutrement which could be transported, he was retreating to Fort Stanton over a route he admittedly did not know.[42]

If Major Lynde thought he was simply going to steal silently away, he overlooked one thing: his dust. Early that morning, Baylor's sentinels reported that the fort had been evacuated, and, climbing atop a house, Baylor observed the column's dust in the distance. The Texan commander immediately sent a detachment to secure the fort, and he led the main body of mounted rifles in pursuit. Nearing the mountains, the Texans began finding stragglers, whom they rounded up with ease.

[38] *Ibid.*, 4.

[39] *Mesilla* [New Mexico] *Times*, July 27, 1861.

[40] *O.R.*, I, 4, 18.

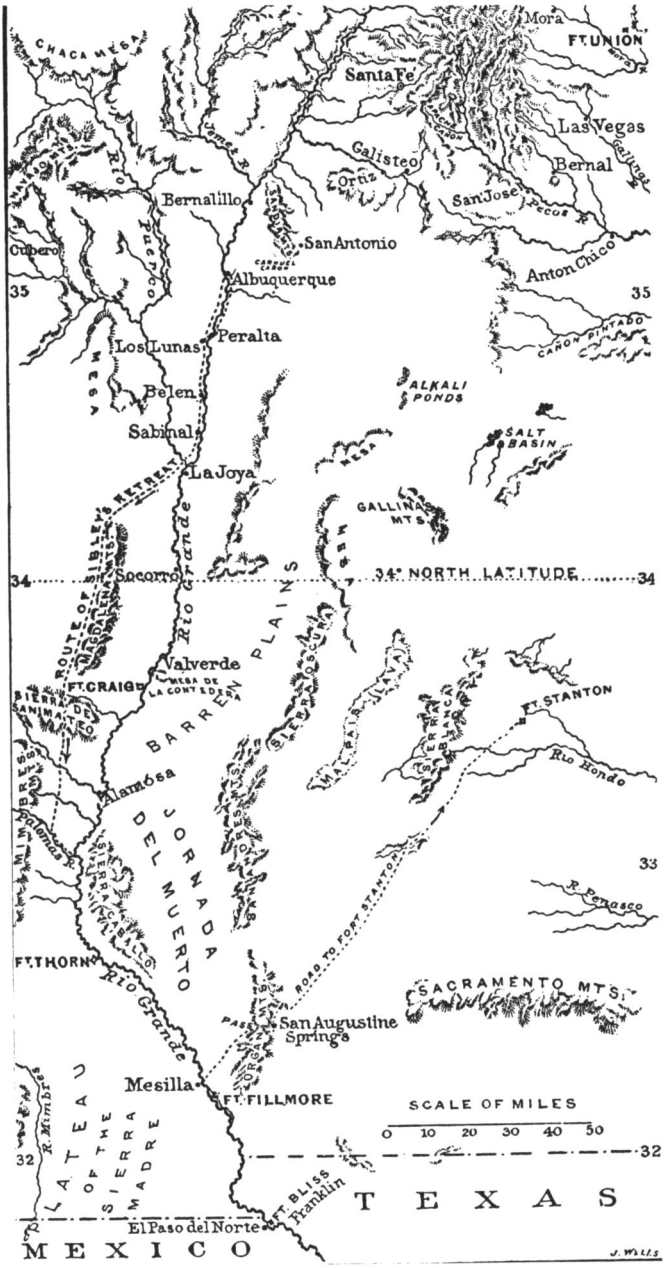
[41] *Ibid.*, 12. There are discrepancies in reporting the times of these orders, but this chronology seems the most reliable. McKee, 21–23, moves up the time for destroying the liquor to about 9:00 A.M.

[42] *O.R.*, I, 4, 5.



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## *Fort Fillmore, N.M., 1861*




**Western New Mexico during the Civil War. From *Battles and Leaders of the Civil War,* Vol. II.**



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"The road for five miles was lined with the fainting, famished soldiers, who threw down their arms as we passed and begged for water." Knowing of another spring, he watered the prisoners and his men and then circled round the mountain to move in on Lynde's main force at San Augustine Springs.[43]

Mrs. Lane and her lieutenant, who had gone north previously with the wagon train, had met Captain Alfred Gibbs of the Third U.S. Cavalry with a detachment driving one hundred beeves from Fort Craig to Fillmore. Forewarned of the Texan's presence in Mesilla, Gibbs had circled to the east to reach Fillmore by way of the Ft. Stanton road, only to arrive at San Augustine just in time to act as rear guard for Lynde's strung-out troops. A difficulty in carrying out this assignment, Gibbs complained, was that "four of Major Lynde's baggage wagons, filled with stores, and women and children, completely blocked up the road."[44] Doubly difficult, the howitzers were attached to these wagons and there was no ammunition for them. Gibbs did manage a successful delaying action by feinting skirmish lines, but he lost the howitzers.[45] Lynde, who had reached the spring by noon with the van of his troops and had found the water insufficient, now complained that he had "become so much exhausted that I could not sit upon my horse," and he abandoned trying personally to conduct the rest of his troops to the spring.[46]

Exactly what now occurred is indecipherable from the imprecise and conflicting reports, but McKee some years later gave the impression that Lynde still had an effective fighting force to stand off the Texans, less than three hundred in number.[47] In any event, when word came down that Major Lynde intended surrendering the entire command, many of the offi-

[43] *Ibid.*, 18.

[44] *Ibid.*, 10.

[45] *Ibid.*, 7–10, 6.

[46] *Ibid.*, 6.

[47] McKee, 27–28.



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cers, including McNally, with his front all bloodied from the previous day's wound, went to their commander to protest.[48] And protest they did, with the mounted Texans lined up about three hundred yards away and Colonel Baylor and his second-in-command listening in. It must have been quite a scene, as Captain Gibbs found it worthy to report that when the protesting became incoherent the enemy commander had to step in and ask who was in charge.[49] Lynde, however, won the exchange, and he surrendered his entire command unconditionally, the only stipulation being that private property be respected.[50]

It was a gray day under a blazing sun for the Seventh Infantry, yet someone did manage to salvage a point of honor for the regulars by burning the colors to keep them from falling into enemy hands.[51] But in ignominy the men were marched back to Mesilla, where a few days later all but a few signed paroles, twenty-six enlisted men joining the Confederates. Colonel Baylor explained this action thus: "Being desirous, too, to afflict the enemy in every way, I considered that it was much better for them to bear the expense of finding the prisoners than for me to do so."[52] No doubt, their march north from Mesilla must have been harrowing, but Horace Greeley embellished it with a lurid flourish: "Their sufferings, on that forlorn march to Albuquerque and Fort Wise, were protracted and terrible; some becoming deranged from the agony of their thirst; some

[48] *O.R.*, I, 4, 12. The *Santa-Fe* [sic] *Gazette,* August 17, 1861, in a sympathetic account, reported that Lynde had 150 men on hand.

[49] *O.R.*, I, 4, 11.

[50] *Ibid.*, 18. Reporting of numbers of troops involved in this action varies absurdly. While Southern forces are generally estimated at 300–350, Lynde at one point numbered them at 700, and his own men at 380. *Ibid.*, 5–6. Though one estimate of Union strength was as high as 1,000, the commonly accepted figure is 700. Capt. J. H. Porter officially attested to the surrender of 492 officers and enlisted men. *Ibid.*, 15. Higher figures may have included teamsters, other civilian employees, and some men who did not surrender. Also turned over in the capitulation were federal drafts for $9,500, $4,500 of which Baylor got cashed in New York. *Ibid.*, 157. Martin H. Hall, in a letter of Oct. 15, 1967 to the author, quotes a newspaper clipping, probably from the *Mesilla Times,* containing a letter by surrendered Union officers thanking Baylor for good treatment.

[51] Farmer, 40; *O.R.*, I, 4, 19.

[52] *Ibid.*



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seeking to quench it by opening their veins, and drinking their own blood."[53] But, no matter, for the survivors it was the agony of the surrender without a fight that lingered longest, as "tears would come to their eyes, when recounting the disgraceful affair. Their voices would end in a whisper."[54]

Criticism was not long in coming for such a performance. In fact, it began as soon as critics could get pen in hand. Captain Gibbs, the only officer who truly made a military showing during the entire affair, preferred charges against Major Lynde as soon as he reached Fort Craig on parole, and by the time he had reached Jefferson Barracks, Missouri, on November 7, he was requesting a court of inquiry into the surrender.[55] Within twenty days of the surrender, Surgeon McKee was writing to the Surgeon General, "I am unable to express to you the deep grief, mortification, and pain I, with the other officers, have endured from this cowardly surrender of a brave and true command to an inferior force of the enemy, without having one word to say or firing a single shot."[56] Colonel Canby in his report to headquarters of the Western Department refrained from making any comments, because Lynde's conduct would be a matter for investigation, although he did refer to the surrender as "this disaster."[57]

Concern for Major Lynde's conduct was not confined

[53] Greeley, II, 20.

[54] Farmer, 40. On August 1 of 1861, Baylor issued a proclamation declaring Arizona a Confederate Territory and himself its governor. *O.R.*, I, 4, 20–22. In November of 1862, he was removed from this now meaningless office because of his impolitic Indian extermination policy. But at the beginning of that year, Brig. Gen. H. H. Sibley had invaded New Mexico, successfully driving north as far as Santa Fe. For this campaign, see Martin H. Hall, *Sibley's New Mexico Campaign* (Univ. of Texas Press, 1960). Almost a year after the surrender of Fillmore, the commander of Sibley's rear guard was writing from the same fort that "Something must be done, and that speedily, or the troops with me will be in a state of starvation." *O.R.*, I, 9, 721. The Texans abandoned the post on July 8 of 1862, completing a degrading defeat out of the Territory, and, by August 10, the Stars and Stripes were again flying over the dreary sand hills. *Ibid.*, 566.

[55] *O.R.*, I, 4, 9.

[56] *Ibid.*, 11.

[57] *Ibid.*, 64, 3.



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merely to a few brother officers, as a young lieutenant who had been involved in the action found out. He wrote to his father on September 2 from Fort Union that the affair had become so notorious, and he had had to talk about it so much that he couldn't say any more, even to his own father.[58] On October 23, the Adjutant General at Washington, D.C. ordered that Major Lynde be detained under strict arrest at Jefferson Barracks and that the A.G.'s office be apprised that the order had been carried out.[59] Except for the Civil War growing highly active, the Fillmore affair doubtless would have become a *cause célèbre*. On December 4, the House of Representatives accepted a resolution from Delegate John S. Watts of New Mexico that it should be informed by the Secretary of War as to what action had been taken "to expose or punish such officers, now on parole, as were guilty of treason or cowardice in such surrender, and to relieve from suspicion such as were free from blame."[60] A few days later Watts got his answer: Major Isaac Lynde had been dropped by presidential order from the rolls of the Army on November 25, 1861.[61]

A more considered and interesting criticism than the charge of cowardice or treason was that Major Lynde had shown extremely poor judgment in keeping the families of officers and men with the command, when the situation demanded battle readiness. Captain Gibbs' loss of the howitzers, probably because they were attached to family wagons, was symptomatic. According to the best count, there were 103 women and children involved, and one can imagine what a deleterious effect they and all their appurtenances could have had, physically and psychologically, in a combat situation.[62]

58 *O.R.*, II, 3, 34.

59 *Ibid.*, 122.

60 *The Congressional Globe: The Debates and Proceedings of the 37th Congress, 2nd Session* (4 Vols., Washington, 1862), I, 16.

61 *O.R.*, I, 4, 16.

62 *Ibid.*, 13.



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McKee claimed in his report of August 16 that they paralyzed the command, and he suggested that their number and their presence be investigated.[63] One of the families was that of Major Lynde.[64] That the presence of women and children was a factor, even at the height of commotion, is born out by the fact that Colonel Baylor at San Augustine Springs offered Lynde a two-hour truce to remove them if he wanted to make a fight of it.[65]

A severe indictment of Lynde, even though it was made by McKee, a critic who became almost unbalanced on the subject, was that he kept a man such as Lieutenant E. J. Brooks as his adjutant. "I had then," wrote the doctor, "and have now, no doubt that he was a prime mover and adviser in preventing precautions in the way of pickets, in effecting our retreat and subsequent surrender; and as proof positive, he abandoned the service and disappeared into Texas immediately thereafter."[66] And Brooks most likely was not the only "arch traitor and conspirator." There is also the intriguing mention by Baylor of paying $500 from the $9,500 in "captured" federal drafts to a Lieutenant A. H. Plummer, former acting assistant quartermaster at Fillmore, which Plummer claimed as private funds.[67] Lieutenant Plummer apparently was the one responsible for the drafts getting into Confederate hands in the first place, since he later was accused by the acting chief of subsistence at Santa Fe of "criminal carelessness in allowing checks endorsed in blank to fall into the hands of the enemy."[68]

[63] *Ibid.*, 12.

[64] McKee, 8.

[65] *Ibid.*, 28; *Mesilla Times*, July 27, 1861.

[66] McKee, 10. Francis B. Heitman, *Historical Register and Dictionary of the United States Army, from its Organization, September 29, 1789, to March 2, 1903* (2 Vols., Washington, 1903; republished in facsimile by Univ. of Illinois Press, Urbana, 1965), I, 249, gives the date of Brooks' resignation as May 16 of 1861. Presumably he was still on duty more than two months later because of the slowness of communication between New Mexico and Washington. Porter, 8, concurs in McKee's appraisal of Brooks as a traitor.

[67] *O.R.*, I, 4, 57.

[68] Capt. J. P. Hatch to Maj. Gen. George Gibson, Santa Fe, N.M., August 25, 1861, in Consolidated File, Fort Fillmore, N.M., National Archives.



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Without doubt, the most captivating criticism to come out of the Fillmore surrender is one that did not have its origin with the military or with anyone involved in the action. Not surprisingly, the earliest mention of it is in Greeley's hastily written history of the Civil War:

> [Prior to retreat] the commissary was ordered to roll out the whiskey, from which the men were allowed to fill their canteens and drink at discretion. No water was furnished for the weary march before them, over a hot and thirsty desert. They started as ordered; but, before they had advanced ten miles, men were dropping out of the ranks, and falling to the earth exhausted or dead drunk.[69]

Obviously, this account has all the ingredients for a good folk tale, and it has been picked up time and again. Paul I. Wellman, a popular historical writer, believed and used it, and the story's metamorphosis is amusing:

> There is a fairly well substantiated story that Lynde's warlike followers on the way to Mesilla, by a brilliant maneuver "captured" a saloon and "confiscated" its whiskey supply, so that many of them were more convivial than bellicose when they encountered Baylor's Texans. A brief skirmish took place, with few casualties, although "dead soldiers" (empty bottles) lay thick upon the field. Major Lynde surrendered his men. They were at once paroled and sent marching back to Albuquerque by the Texans, who seemed to fear that they might assail the visible whiskey supply of Mesilla if they remained there.[70]

It is a shame to have to deflate so lovely a literary bubble, but there simply is no basis for such a story, unless one wants to put trust in the curbstone character, Hank Smith, or a sales-minded journalist who was demonstrably wrong in just about everything else he had to say about Fort Fillmore. The fact is

[69] Greeley, II, 20. Credit for the first mention of whiskey usually goes to Hank Smith, a highly unreliable source. Hattie M. Anderson (Ed.), "With the Confederates in New Mexico during the Civil War: Memoirs of Hank Smith," *Panhandle-Plains Historical Review*, Vol. 2 (1929), 65–97. See also *Notes on the Affair at Valverde and Glorieta in the Late War of the Rebellion by a Bugler Who Was There* (Albuquerque, 1882), reprinted in F. Stanley, *Fort Union* (Cleveland: The World Press, 1953), 153.

[70] Paul I. Wellman, *Glory, God and Gold: A Narrative History* (Garden City, N.Y.: Doubleday & Company, Inc., 1954), 308.



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that not one of the military, nor any of its records dealing with Lynde and Fort Fillmore, nor any other person close to the affair, ever made mention of whiskey or alcohol being involved.

To give the whiskey bubble its final prick, Surgeon McKee recounted how, in compliance with written orders from Lieutenant Brooks, he and his steward, whom he did not trust and who later defected, lined up all the hospital's brandy, whiskey and wine in the "placita" of the hospital. "On the rows being ready, I took off my coat, and made him do the same; armed each with a tent pole we went through and through that pile, leaving none unscathed or untouched."[71] A resident of Mesilla, Mrs. J. Paul Taylor, has stated that she has walked the grounds of old Fort Fillmore and has been impressed by the considerable quantities of broken glass bottles found there.[72]

But pricking a bubble does not explain why or how seasoned infantrymen should fall by the way on a fifteen-mile march, most of which was attempted in the cool early morning hours. Perhaps Major Lynde himself gave the reason in his official report of the surrender, when he remarked that "the only supply of water [was] at the distance of one and a half miles [from the fort]."[73] It seems incredible, but in the confusion and precipitancy of the retreat, it appears that Lynde's forces, at least the foot soldiers, were not properly supplied with water for the march. The extent of the confusion and haste of retreat are evidenced in the fact that Fort Fillmore was evacuated with the flag left flying. A Mesilla resident had to retrieve it next day.[74] If whiskey was not the problem, an inadequate water supply had to be the cause of the troops dropping out of the march. Captain Gibbs remarked that when he and his men joined up with Lynde they had been on the trail for twenty-

[71] McKee, 23.

[72] Martin H. Hall to author, Oct. 15, 1967. The *Mesilla Times*, July 27, 1861, states that the "Hospital stores, medicines and furniture were most completely broken up..."

[73] *O.R.*, I, 4, 5.

[74] Crimmins, 333.



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four hours since their last water stop, and yet they were ready for a fight.[75] And a contemporary description of infantry marches of that time indicates that a fifteen-mile march, most of it in the coolness of morning, was not an extreme challenge:

> The infantry while marching carried guns, cartridge box, bayonet, canteen, and haversack; they were dressed in uniform trousers and white flannel shirts, blouses with light felt hats. . . . The first two hours in the early morning, they would make four miles per hour, slacking to three miles after that.[76]

Major Lynde, however, showed himself to be a good soldier in one respect. He knew how to keep his mouth shut. Practically nothing is known of him following his being cashiered, although there is in the *Official Records* a letter of his to the Adjutant General requesting that he be considered for prisoner exchange, in order to "enable me to use my personal efforts for the Government."[77] And earlier, on January 10, 1862, he had petitioned for a court-martial or court of inquiry, both of which apparently were refused.[78] In his hometown of Williamstown, Vt., where his family have been founding fathers, leading citizens, and benefactors, today "none of the descendants of the Lynde family here [Williamstown] now knows such a person ever existed."[79]

Although he seems to have suffered well in silence, Lynde was determined to salvage a particle of pride. On January 1, 1866, he requested of the Adjutant General that his case be investigated with a view to his reinstatement.[80] Three days later,

[75] *O.R.*, I, 4, 7.

[76] Farmer, 18–19.

[77] *O.R.*, I, 3, 292.

[78] *O.R.*, II, 3, 189–90.

[79] Ruth B. Whitney, Williamstown, Vt. to author, Nov. 3, 1967. Cited hereafter as Whitney.

[80] In A.G.O. opinion, dated May 23, 1882, concerning McKee's letter of May 18 of the same year, contending that President Johnson's reinstatement of Lynde was illegal, and requesting that his name be removed from the Army register. The letter is quoted in McKee, 35–36; the A.G.O. opinion is in the National Archives, File No. L736 CB 1866.



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the Judge Advocate General, following an investigation by the Bureau of Military Justice, rendered the following opinions: (1) abandonment of Fillmore may have been an error in judgment, but not dereliction of duty; (2) his precautions beforehand were not reasonably prudent, vigilant and competent; (3) the precipitancy of the retreat tended to demoralize the troops; (4) the retreat was unsoldierly and culpable; (5) the surrender without firing a shot was "without excuse, and fully deserving of the rebuke with which it was visited."[81] The opinion ended, however, with the recommendation that the matter be submitted to a soldier's professional judgment, rather than being decided on principles of jurisprudence.

Accordingly, Lynde's former commanding officer, E. R. S. Canby, then a major general and commanding the Department of Louisiana at New Orleans, was contacted and he replied to the Adjutant General's Office on March 16, 1866. Canby's reply is a remarkably human document and doubtless required much effort, both mental and emotional, to write. The old soldier started right off stating emphatically that, while he never doubted Lynde's loyalty, he did feel that he could have acted differently. Canby then went into considerations he felt worthy of judgment: (1) due to the defection of the paymaster (Major James Longstreet, later General, C.S.A.) Lynde's troops had not been paid for ten months; (2) defecting officers undermined the morale of his men by offering them inducements to desert, including payments in gold; (3) the ranking officer of the Department, Colonel Loring, had been found to be in collusion with the rebels; (4) two of Lynde's officers and several of his men had deserted just prior to his arrival at Fillmore, and he had learned about Loring soon after; and (5) during the skirmish at Mesilla, Lynde felt that his own men had fired on him. In conclusion, Canby wrote, "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, and to

[81] Dr. B. Sacks to author, Oct. 9, 1967, quoting from the J.A.G.'s opinion.



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have experienced a mental paralysis that rendered him incapable of acting with judgment or energy. . . ."[82]

By the time the investigation probably had been completed, Secretary of War Edwin M. Stanton received a short letter from the "Head Quarters Armies of the United States." It was dated September 18, 1866, and was signed by General U. S. Grant. The letter recommended that Major Isaac Lynde be appointed colonel, a rank he would have achieved had he remained in service. The general pointed out that Lynde had been dismissed without trial or investigation and that following his new appointment, since he had reached the age of 62, he could qualify for retirement.[83] General Grant's interest in the matter may be explained in part by the fact that the honored and dishonored soldiers were connected by marriage: Lynde's daughter, Lou, was married to General Frederick Dent, whose sister, Julia, was General Grant's wife.[84] At any rate, under General Orders, No. 94, November 27, 1866, by direction of the President of the United States, Major Isaac Lynde was restored to his commission and retired at grade the same day.[85]

The old soldier had managed to regain membership in the Army, but nothing would wipe out what had happened exactly five years and four months before. Yet it is doubtful that Lynde deserved the searing scorn that was heaped upon him. Surgeon McKee seems to have set the pattern and tone, when he accused Lynde of being "an imbecile if not a traitor."

> Mental incompetency and obliquity of moral vision, may relieve him from the last charge. Charity may be so extended as to allow that he had not brains enough to be a traitor. Lapse of time has not diminished the deep mortification of that retreat and that day, and now, after many years have rolled by, I get so excited and even tremulous with indignation, that I can scarcely command my pen to make this record.[86]

[82] *Ibid.*, quoting from Canby's letter.

[83] Grant's letter is in the National Archives, File No. L736 CB 1866.

[84] Whitney.

[85] A copy of these orders is in the National Archives, File No. L736 CB 1866.

[86] McKee, 26.



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Even the gentle Mrs. Lane picked up the innuendo of treason when she wrote, "There could not have been a better man in command to help the Southern cause, nor a worse for the government, than Major Lynde."[87] Considering the temper of the time at that particular spot, it is not difficult to envision how such a terrible suspicion could have arisen. In fact, a month before the disaster, William W. Mills, a Unionist citizen of El Paso, wrote, "All the officers at Fort Fillmore, except two are avowedly with the South, and are only holding on to their commissions . . . at the proper time to turn over everything to the South. . . ."[88]

Mr. Mills was indulging in hyperbole, for there were, of course, many more than two loyal officers at Fort Fillmore. Mills was probably closer to the heart of the matter, when he observed later in the letter, "If Colonel [Benjamin S.] Roberts, from Stanton, or any other faithful officer, would come here and take command, all would be right in three days."[89] Instead, eleven days later, Fort Fillmore got Major Isaac Lynde. He was a faithful officer, but not the man to set things right. Implicit in this statement is the allegation that perhaps the person ultimately responsible for what happened at Fillmore was the superior officer who assigned Lynde there: Colonel Canby. And in pursuing this line, the overriding question is the one Canby may or may not have asked himself in the summer of 1861 when he assigned him: just who or what was Major Isaac Lynde?

From the evidence available, Major Lynde was an unspectacular officer in an unspectacular system. Even his beginning was inauspicious, graduating thirty-second in a class of thirty-seven in 1827 from the U.S. Military Academy. For the next thirty-four years he did nothing of note, except to accept routine promotions when offered. During most of the war with Mexico,

[87] Lane, 112.

[88] *O.R.*, I, 4, 56.

[89] *Ibid.*



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when officers had an opportunity to hone their combat skills, Lynde was on recruiting duty. From the record, it would be safe to say that Lynde, prior to the action at Mesilla, probably never faced a shot fired in anger. Garrison duty and escorting wagon trains were more his *forte*.[90]

Lynde was called superannuated and unfit for service, and that probably was true.[91] Why that was so is moot, but it definitely was the Army's fault that such a man was in a position of responsibility. A bombastic Colorado volunteer, who later contributed to the Confederate defeat in New Mexico, just may have reflected a reasonably accurate observation of Lynde's Army when he wrote: "They [the Texans] say they had nothing to fear from the regulars, and if they had known they would have to meet a regiment of volunteers they never would have come to New Mexico."[92] An officer, who went on to distinguished service, looked back at the Fillmore fiasco and pointed his finger of blame directly at a system that gave superior rank solely for longer service, a system which put Fort Fillmore in the command of an officer who "was well Known [*sic*] to be unfit for any duties where energy, good sense, and sound judgment were needed."[93]

It is interesting to speculate on General Canby as he wrote his lengthy appraisal of his former subordinate's actions in the Mesilla Valley. Did he wince from time to time at the knowledge that it was he who had thrust a worn and timid old man into a situation where the odds were stacked against him and highly in favor of his submitting to the soldier's ultimate humilation, the surrender of his command and the loss of respect of his fellow officers?[94]

[90] Cullum, I, 321–22.

[91] *O.R.*, I, 50, 639.

[92] Ovando J. Hollister, *Boldly They Rode: A History of the First Colorado Regiment of Volunteers*. (Originally published 1863; republished by the Golden Press, Lakewood, Colo., 1949), 84.

[93] Porter, 7–8, 10.

[94] Porter, 10, states that "He was refused recognition by officers of the 5th Infty. who



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And for the author in search of a tragic hero in the dramatic events of Fort Fillmore, there is only disappointment. What happened on the barren, hot sands of southern New Mexico during July 25–27, 1861, was pathetic, not tragic.



had served with him for 30 years." Lynde died at Picolata, Fla. April 11, 1886, at the age of 82. His son, F. Marcy Lynde, advised the A.G.O. of the fact, in order that his father's records should be in order. Documents in the National Archives, File No. L736 CB 1866.



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