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REVOLUTIONARY ENTERPRISE: ARMS SMUGGLING DURING

THE OROZQUISTA REBELLION, 1912 - 1914

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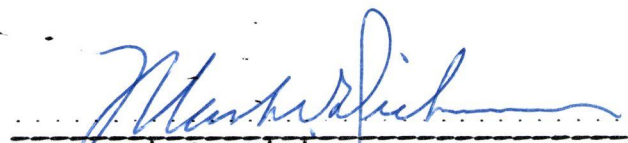
THE UNIVERSITY OF CALGARY

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## ABSTRACT

The Madero Revolution of 1910 against President Porfirio Díaz concluded in 1911. A test of Francisco Madero's leadership followed as several dissatisfied factions attempted remove him from his tenuous hold on power. One such group, the Red Flaggers of General Pascual Orozco, offered the strongest threat. The Orozquista movement had its roots in the social reforms of the Partido Liberal Mexicano, or the PLM led by the Ricardo and Enrique Flores Magón. Although the United States was concerned with the troubles in Mexico and the challenge to Díaz by Madero, Americans felt that their interests would best be served if they distanced themselves from internal Mexican conflicts by maintaining a policy of neutrality.

Orozco tested this position in March 1912 when he launched his rebellion and exposed the relationship between the Red Flaggers and the PLM. Because of its connections with the American socialist movement and fears that foreign investment established during the Porfiriato might be jeopardized, the United States actively persecuted the Flores Magón organization. In the hope that Orozco would give up the rebellion the Americans reacted to the insurgency by implementing an arms embargo upon munitions of war to Mexico. This was so successful that the Red

Flaggers were continually short of munitions throughout their campaign and this contributed to their defeat two years later.

The United States did outwardly project its neutrality but covertly did everything within its power to stop Orozco. This included the expansion of security forces and the granting of permission to the Mexican government to allow their Secret Service to operate on American soil. The cooperation experienced between agents of both countries made the acquisition and smuggling of munitions into Ciudad Juárez very difficult. It is obvious that the quantities delivered to Orozco were insufficient to fight the insurgency. Propaganda enhanced the campaign to defeat Orozco. The border press took up the task of disseminating United States political positions. Lobbyists in Washington called for armed intervention but did not succeed until 1916, when the United States was forced to respond militarily to actions by Francisco Villa.

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## INTRODUCTION



Between the years 1910-1924 a momentous event occurred in the history of the Republic of Mexico popularly referred to as La Revolución. Before it had ended, it claimed the lives of countless Mexican citizens and resulted in the destruction of millions of dollars of public and private property. The Revolution saw the rise of new fortunes, elites and leaders and the rapid decline of many traditional rulers. There was confusion, turmoil, hardship, misery and the making of heroes, martyrs and villains. The end result, however, was the painful birth of a nation which even today has yet to discover and exploit its true potential in the industrialized world. Mexico is a third world country that borders on the most powerful nation of the world, the United States. In the past as well as today, the United States shared vital interests with its southern neighbor.

Historians studying the Mexican Revolution expressed mixed feelings about the nature of the upheaval. Some claimed the Revolution was nothing more than a Rebellion. Others insisted the Revolution has not ended, that Mexico still needs to achieve many of the goals which were defined by the original revolutionists. And there are a few historians who suggest that the Revolution was not Mexico's at all, but merely an exercise involving the interests of American and European powers of the day. There was one outcome

of the Revolution influenced through the determination of a small, yet powerful group of individuals adopting a position contrary to that of their government. The present thesis will examine the question of United States neutrality regarding the internal affairs of Mexico, 1912-1913 through an examination of this and other peripheral groups and organizations. These were not strictly Mexican or American but enjoyed the participation and support of both.

The dictionary defines neutrality as "the quality, state, or character of being neutral -- the status or policy of a nation not participating in a war between other nations".<sup>1</sup> The official definition of this term endorsed by the U. S. State Department, applied to American neutrality laws is somewhat similar in nature. What seemed to be contradictory, however, was the application of the official policy vis a vis the March 12, 1912 Presidential Proclamation of William Taft, otherwise referred to as the Joint Resolution of Congress of March 14, 1912. The official policy of the Americans was succinctly outlined in early March 1912, in an exchange of correspondence between the Mexican ambassador to the United States, Gilberto Crespo y Martínez and Huntington Wilson, Acting Secretary of State. Ambassador

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<sup>1</sup> David B. Guralnik, ed. Webster's New World Dictionary of the American Language. (New York, 1977), p. 503.

Martínez attempted to persuade Secretary Wilson to prohibit the introduction of war materials through the port of El Paso for use by the rebel forces of Pascual Orozco. He cited a provision within the statutes governing the American definition of neutrality which stated, "...since the rebels are not belligerents, the introduction of arms and war materials ...would involve a violation of the neutrality laws of the United States."<sup>2</sup> Wilson's reply was polite but not very helpful to Ambassador Martínez. The United States government did not, under the existing definition of the laws, agree that the introduction of munitions constituted a violation. This was based upon the observation that since no recognized state of belligerency existed, the rules and laws governing warfare and the conduct of neutrals did not apply. As far as the Americans were concerned, a state of peace existed in Mexico and there could be no interdiction against commerce outside the jurisdiction of Mexico. It was incumbent on Mexico to enforce any laws contrary to her internal security within its own jurisdiction.

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<sup>2</sup> Martínez to Wilson, March 5, 1912. Records of the Department of State Relating to the Internal Affairs of Mexico, 1910-1929, herein after cited as RDS, National Archives Microfilm Publication, microcopy no. 274, RDS 812.00. Also, Knox to de la Barra, 24 January 1911. Gene Z. Hanrahan, ed. Documents on Mexican Revolution, Volume 1, Part 1, February 1910-April 1911. Salisbury, N. C. : Documentary Publications, pp. 126-128.

Secretary Wilson continued to explain that even if a state of recognized belligerency existed, commercial traffic in arms and ammunition would not be prohibited. This was substantiated in the provisions of the Hague Convention, Respecting the Rights and Duties of Neutral Powers and Persons in Case of War on Land. Article 7 provided that:

A neutral power is not called upon to prevent the export or transport, on behalf of one or another of the belligerents, of arms, munitions of war, or, in general, of anything which can be used by an army or a fleet.<sup>3</sup>

Wilson observed that even if a state of war existed, under the rules of international law the practice of furnishing munitions to one side or the other would not be a contravention. Wilson went on to say that the neutrality statutes which had been enacted by the United States government went beyond the provisions of international law and certain acts specified in the statutes could be considered illegal, even if no state of belligerency existed. All that was necessary was a recognition that hostile acts were being carried out against "an established government of a country with which this Government is at peace."<sup>4</sup> The American statutes were binding to their own government and citizens and

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<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

within their own jurisdiction. Therefore, under the principles of international law and the existing neutrality legislation, mere commercial sale of supplies in El Paso to Mexicans, rebel or otherwise was not illegal. What constituted a contravention was the transportation of munitions into Mexico and since the rebels were in possession of Ciudad Juárez, they enjoyed a great advantage.<sup>5</sup>

The exchange of messages prompted Secretary Wilson to think hard about the quantum sufficit of the present neutrality laws. The United States was in danger of being drawn into the Mexican conflict in a way that was contrary to her neutralist posture, and urgently needed to modify some of the statutes. But was the American government all that neutral? The Joint Resolution appeared to be demonstrative in the sense that munitions shipments for either side was prohibited. By vigorously enforcing the Amendment the United States caused the failure of the Orozco Rebellion, a situation not that disquieting to the Wilson Administration. In fact this amendment to the Neutrality Laws was designed and introduced for the sole purpose of forcing a negative outcome in the rebellion against the relatively new government of Francisco I. Madero. It was apparant in the months following the Madero Revolution that a feeling of American accep-

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<sup>5</sup> Ibid.

tance was present. What the United States government desired was the quick establishment of law and order so that American business interests in Mexico would not suffer further harm. To guarantee this, the Taft and later the Wilson Administrations tipped the balance in favour of Madero, through the implementation of revised Neutrality Law Statutes.

Neutrality does not imply that a nation is indifferent to the outcome of a war or insurgent disturbance, but rather that it should not interfere in its outcome. In Mexico, however, the government of the United States was concerned about which faction would prevail. On the surface the Americans demonstrated their insistence that the Revolution should not be influenced in any way by anyone who was not a Mexican. This included interest groups found within the European community as well as in the United States. To this end the United States Government reminded the world that the Monroe Doctrine was still in force. On a local scale, there was a necessity to increase security along the United States-Mexican border. The main causes of concern involved the illegal shipments of munitions of war to Mexico and the recruitment of combatants for either side, rebels or Federales. As it turned out, the implementation of policies to control these activities, required the expenditure of large sums of money to pay for the increase in the secu-

rity forces demanded to enforce the amended Neutrality Laws.

To best illustrate the difficulties faced by the United States during the early part of the Mexican Revolution, this study will focus on the El Paso, Texas area for 1912-1913. The selection of this region is obvious because of the intensity of illegal activities resulting in the implementation of extraordinary counter measures. The period included the unsuccessful attempt of Pascual Orozco and his Red Flag faction in Northern Mexico to overthrow the government of Francisco I. Madero, the man who had ended the dictatorship of Don Porfirio Díaz. Although it was in some ways unique, the Orozco Rebellion was illustrative of the near anarchy which was characteristic of the Mexican Revolution during its infancy.

During the course of the Orozquista Rebellion, there emerged another compelling dilemma for the United States. This was the conflict of interest between the State Department and the private commercial sector. What developed was a powerful lobby advocating U. S. military intervention into Mexico for the purpose of protecting American lives and property. Unfortunately for the State Department, there were serious incidents in Mexico that made it increasingly difficult to justify a position of neutrality. The pressures which were placed on the State Department

authorities were tested successfully until 1916, when the U. S. Government was forced to concede to the interventionist lobby and launch the Pershing Punitive Expedition.

The commercial sector concerned with Mexican events was restricted to the big business interests such as those controlled by William Randolph Hearst and the Guggenheim family. The large capitalists did have a sizeable investment in Mexico and stood to lose enormous sums of money if the revolutionaries seized their holdings. American investors had absorbed plantations and ranches and purchased interests in cotton, sugar and livestock. In the later field, the Americans had developed haciendas that were the most profitable agricultural enterprise in the country.<sup>6</sup> The Guggenheims and the U. S. Smelting Company which dominated the mines, held over ninety per cent of Mexico's most important industry. Americans controlled railroads as well, and Standard Oil was in fierce competition with the Dutch Shell-Eagle Oil combine headed by Lord Cowdry.<sup>7</sup> In fact the value of American Holdings in Mexico by 1910

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<sup>6</sup> Anita Brenner and George R. Leighton. The Wind That Swept Mexico: The History of the Mexican Revolution of 1910-1942. (Austin & London, 1943, 1971), p. 17.

<sup>7</sup> Ibid.



totalled almost a billion and a half dollars, triple the 1902 total of \$500,000,000.<sup>8</sup>

Along the border, especially in the El Paso area, the events in Mexico caused great concern among local businessmen. There were two major companies in El Paso, Krakauer Zork and Moye, and Shelton-Payne Arms Company. Both experienced a dramatic increase in their business during the early part of the Revolution.<sup>9</sup> Apart from selling the usual types of hardware supplies such as kerosene lamps and corn grinders, they were also an important source of munitions. Although businesses attempted to comply with the numerous statutes included within the Neutrality Laws, both companies and their officers were brought to trial on smuggling charges. These were eventually withdrawn.<sup>10</sup>

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<sup>8</sup> Ibid.

<sup>9</sup> An example of the increase in munitions sales is revealed in the 1908-1915 ledger of Krakauer, Zork and Moye's Sucs., Inc. Although they do not identify the purchasers the records indicate that a large percentage of the firm's sales were arms and ammunition, of the Remington and Winchester variety. Zork Hardware Collection: Papers and Records of the Zork Hardware Company, 1827-1967. Special Collections and Archives, University of Texas at El Paso.

<sup>10</sup> See U. S. v. Shelton-Payne Arms Co., Douglas Hardware Co., et al., Case No. C-676; U. S. v. L. D. McCartney, Shelton-Payne Arms Co., et al., Case No. C-677; U. S. v. Krakauer, Zork and Moye, Julius Krakauer, L. D. McCartney, Case no. C-679, all of the U. S. District Court, Phoenix, Arizona. Records are

The United States District Court and U. S. Commissioners Court were kept busy during the period of the Orozco rebellion. Largely due to the unrelenting efforts of the various security forces there was a dramatic increase in the successful prosecution of cases involving Neutrality Law violations. During the April 1912 session of the U. S. District Court, the presiding judge, Walter T. Burns, established a record for the disposition of cases. In just two days Judge Burns' court convicted seventeen defendants, with no acquittals. It was reported in that this judicial feat instilled an "uneasy feeling within the law-breakers of the city", at least until Judge Burns left town.<sup>11</sup> Newspaper reports indicated that it did not take all that long for the police forces to fill up the jail cells vacated by those convicted and sentenced to the Federal Penitentiary at Leavenworth. Those who chose to engage in smuggling activities appear to have suffered considerable risks and disadvantages. Monitoring their activities were the Texas Rangers, the United States Army, the U. S. Immigration Service Border Patrol, the Bureau of

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located at the Federal Records and Archives Center, Laguna Niguel, California. Dismissal of these cases was reported in the El Paso Morning Herald, 2 December 1913, p. 2.

<sup>11</sup> "Judge Burns Stands For No Delays", 11 April 1912, p. 6. "Law Breakers Have Uneasy Feeling", 12 April 1912, p. 12. El Paso Morning Times

Investigation, the Military Intelligence Division of the U. S. Army (MID), the United States Secret Service, various private detective agencies, and agents of the Madero Secret Service. Although on the surface it may appear that the surveillance business was fairly well covered, the agents provocateurs were also very active spying on each other.

All of this clandestine activity forced the smugglers to adopt innovative ways for delivering their goods to the Mexican purchasers. This in turn compelled the authorities to resort to methods of investigation which by today's standards would be considered illegal, or at the very least unethical. As the smuggling problem increased, so did the countermeasures designed to stop it increase. This resulted in the suffering of innocent civilians on the Mexican side, as the Americans imposed trade embargos. In March 1912, the United States denied the export of canned foodstuffs and clothing into Mexico as an attempt to starve out the rebels. In deference to the large outcry raised by American businessmen and their Mexican customers, this restriction was lifted a short time later. The United States cited humanitarian grounds. In order to appreciate the impact of revolutionary activities on the United States side of the border, it is important to examine the motives of the violators, as well as their status within the revolutionary organizations. The court records indicate that even

though the majority of those charged were not the leaders or policy makers of the Revolution, several indictments were brought against the rebel leadership and prominent members of El Paso society. If there was an advantage for the smugglers, it lay in the fact that there were too many enforcement agencies at work to stop them. The adage "too many chiefs and not enough Indians" was evident in the competition between the federal agencies dealing with violations. Two of the federal agencies, the MID and the Bureau of Investigation, engaged in quarrels over the course of the Revolutionary period which eventually spread into World War I. This came to a head in 1918 during the Witzke Affair when the struggle became defined over which agency would assume the responsibility for domestic security.<sup>12</sup>

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<sup>12</sup> Lieutenant Lothar Witzke was a German Naval Intelligence agent who was tried, convicted and condemned to death for his part in the German attempt to create a major disturbance along the Mexico-Arizona border during 1917-18. An informative account of this may be found in the article "The Witzke Affair: German Intrigue on the Mexican Border, 1917-1918", by Charles H. Harris III and Louis R. Sadler, Military Review. February, 1979, pp. 36-49.

## CHAPTER ONE

### BACKGROUND TO THE MADERO REVOLUTION

At 9:00 P. M. Friday April 5th, a large report was heard in El Paso, followed in about a minute by a second large report or detonation. Both were plainly heard by me in my house on Montana Street and sounded as though they originated in Mexico. In about 15 minutes the custom guard at the Santa Fe Street Bridge called me by telephone and said both reports were caused by an attempt to destroy our International Bridge, but that as far as they could see no serious damage was done, and that the bridge was not set on fire...<sup>1</sup>

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<sup>1</sup> H. C. Ferris to H. I. Miller, vice-president, Mexico Northwestern Railway, Company, 7 April 1912. Mexico Northwestern Railway Correspondence, April to September, 1912, Box 10. Archives and Special Collections Department, University of Texas at El Paso.

It is difficult to determine exactly when the Mexican Revolution began but it is generally agreed that the first serious military challenge to the government of President Porfirio Díaz occurred on 21 November, 1910. Revolutionaries commanded by Pascual Orozco fought a battle with troops of the Third Cavalry Regiment led by Captain Salvador Ormachea in Ciudad Guerrero, Chihuahua.<sup>2</sup> As a result of this action, the Mexican government was forced to dispatch 160 reinforcements to the garrison.<sup>3</sup> The individual responsible for this attack was Abraham Gonzalez, who, with Francisco I. Madero, was one of the leaders of the revolution in Northern Mexico. His principal followers were Pascual Orozco and Francisco "Pancho" Villa. In the following months there were several military engagements fought between the Federal forces and the Revolutionaries under the command of Orozco and Villa which resulted in victories for the rebels. Despite the occasional defeat, momentum for the insurgents grew as more people rallied to the revolutionary cause. On 21 May 1911, a peace treaty was concluded at the Peace Grove, on the outskirts of

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<sup>2</sup> Luis M. Garfias. The Mexican Revolution: a Historic Politico-Military Compendium Ediciones Lara, S. A., Mexico, 1979. p 27.

<sup>3</sup> Charles C. Cumberland. Mexican Revolution: Genesis Under Madero. Austin and London: University of Texas Press, 1952, pp. 149-50.

Ciudad Juárez just across the river from El Paso, Texas.<sup>4</sup>

Just fourteen days before, on 7 May, President Díaz announced his intention to resign in a manifesto issued to the Mexican people, thus ending thirty four years of authoritarian rule. The Díaz regime was a study in classic tactics of effective dictatorship as practiced in the politics of divide and conquer with the military, the Church, and foreign powers such as the United States and Great Britain. President Díaz added to the security of his regime by influencing the appointments of state governors, control of the courts, subsidizing the press, cultivating support of the Church, and controlling the military.<sup>5</sup> In his determination to curb the Mexican tradition of anarchy, Díaz took for his political and economic creed the positivist slogan "Order And Progress" and stressed economic development and modernization.<sup>6</sup>

The solid material progress which ensued in the commercial, industrial and mining sectors during the Porfiriato was possible through the unrelenting efforts of Díaz to virtually eliminate banditry and political opposition. Property

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<sup>4</sup> Ibid., p. 34.

<sup>5</sup> W. Dirk Raat, ed. Mexico: From Independence to Revolution, 1810-1910. Lincoln & London: University of Nebraska Press, 1982. p. 189.

<sup>6</sup> Ibid.



and investment capital of the large landholders and foreigners was secure and Mexico's international credit rating soared.<sup>7</sup> Notwithstanding its international reputation, the Díaz regime ultimately provoked the Mexican Revolution. In the political realm, Díaz gave lip service to the liberal, federalist constitution of 1857, while building a highly authoritarian state. Much of the campesino population were forced to accept debt peonage and involuntary servitude, because the alternative was death at the hands of Díaz' mounted police, the Rurales. Freedom of the press, assembly and speech were doctrines "unsuited to Mexican political life", as were regionalism, localism and judicial review.<sup>8</sup>

The economic and technological change that occurred in Mexico during the last decade of the nineteenth century and the beginning of the twentieth, did little to contribute to the well-being of the majority of Mexico's citizens. The Secretary of the Treasury, José Yves Limantour, was the chairman of a select group of men named the Circle of Friends of Porfirio Díaz. Close to Limantour was an associate group, consisting chiefly of foreigners,

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<sup>7</sup> James W. Wilkie & Albert L. Michaels. Revolution in Mexico: Years of Upheaval, 1910-1940. New York: Alfred A. Knopf, 1969. p. 17.

<sup>8</sup> Ibid., p. 17.

nicknamed by the Americans as the Full Car.<sup>9</sup> The Limantour clique, known as Los Científicos had a doctrine, "Let us be scientific, let us be realistic". When time should forclose on Díaz, their "Science" would inherit full control. Democracy, their philosophy recited, was an utopian dream, an anachronism. Mexico, after all, was a land where not even fifteen percent of the population could read. The clique contended: "...how absurd to spend money on elections! How visionary among a people more than ninety percent mixed breed, dominantly Indian, racially inferior".<sup>10</sup> Such beings, the Científicos claimed, could never participate in acts of government due to their degenerate, treacherous and apathetic nature. "The government must be an aristocracy, an aristocracy of brains, technicians, wise and upright elders, (and) scientists"<sup>11</sup> This philosophy needed to be demonstrated not only to the citizens of Mexico, but also to the rest of the world so as to attract foreign investment.

What Díaz and his supporters desired for Mexico was technological and industrial growth. The most efficient way to accomplish this was through the injection of foreign capital, and Díaz set out to make his country attractive for poten-

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<sup>9</sup> Anita Brenner & George R. Leighton, p. 8.

<sup>10</sup> Ibid., p. 10.

<sup>11</sup> Ibid.

tial investors. One way of doing this was to utilize the Rurales, a national mounted police force, to ensure that an unlimited supply of cheap labour was available. Although this was not a published policy, it was an accepted practice in the rural areas of Mexico for the campesinos who had committed an offence, real or imagined, against the state or a landowner, to be conscripted by the Rurales for a modest fee. Thus many disadvantaged citizens of Mexico, including Indians and criminals were systematically rounded up and transported to work on the large haciendas, in the silver mines, and in the construction of railways and roads. Once a labour force was obtained it was necessary to ensure that it would remain on the job and control was exercised in the form of an armed force and economic imprisonment as evident in the debt peonage owed to the tienda de raya (hacienda store).<sup>12</sup>

The importance of this repression was manifest in the quick conclusion of the Madero revolution. Once it became clear that there was a possibility of winning the rebellion, Madero was inundated with supporters culminating in the collapse of the Díaz regime. Later revolutionary leaders saw the potential in appealing to the oppressed in

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<sup>12</sup> Paul J. Vanderwood, Disorder and Progress: Bandits, Police and Mexican Development. Lincoln & Nebraska: University of Nebraska Press, 1981, p. 132.

their challenge to the ruling elite, for they saw that it would be a relatively simple matter to transform the campesinos from impoverished workers to equally impoverished soldiers. All that was necessary was to define the social and economic problems which the poor faced daily, define the group responsible for their misery, and then offer a solution. Pascual Orozco recognized this when he launched his rebellion in Chihuahua against President Madero and allied himself with a powerful and highly visible socialist movement which was present on both sides of the border. The importance of the Rurales in this area was that during the Madero Revolution they were an ineffective force against the rebels. Later they proved to be even more detrimental when Pascual Orozco was named as their commander by Madero. This was because Orozco used them as the basis for his army of insurgents when he revolted against the Mexican government in March, 1912. Some of the soldiers fighting under Orozco's Red Flag had received their military training as Rurales.

The Rurales of Mexico were organized by Mexico's Reform Liberals in 1857, when they realized that their intention to modernize the country depended upon public peace. Although the force under Díaz was never large, given the extent of the territory and number of people for which it was responsible, the Rurales did become the mainstay of

Porfirian rule.<sup>13</sup> Their public image, however, was more impressive than their performance. Those who joined the rural police were, for the most part, unemployed or under-employed men representative of both the urban and rural districts of Mexico. Some joined for the steady employment the organization offered, others only to acquire a free horse, rifle and other equipment. Then they deserted.<sup>14</sup> Their official mandate was public security, and this they performed fairly effectively. Ley Fuga (shot while attempting to escape) was quite common, as many prisoners met their end on the trail on the way to the courthouse. "Their court dockets were never crowded", thanks in part to the excellent marksmanship of the rural policeman, who rarely allowed the accused the opportunity to have his case go to trial.<sup>15</sup>

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<sup>13</sup> Paul J. Vanderwood, "Mexico's Rurales: Image of a Society in Transition", Hispanic American Historical Review, Vol. 61, No. 1, February 1981, p. 52.

<sup>14</sup> Paul J. Vanderwood, "Mexico's Rurales: Reputation Versus Reality", The Americas, Vol. 34, No. 1, July 1977, p. 108. A more comprehensive study of the personnel of the Rurales may be found in "Mexico's Rurales: Image of a Society in Transition", Paul J. Vanderwood, Hispanic American Historical Review, Vol. 61, No. 1, February 1981, pp. 52-83. The essay was compiled from more than 2000 legajos (unorganized bundles of documents) in the Ramo de Gobernacion of Mexico's Archivo General de la Nacion. The data was produced from a computerized sample from these records and provide the researcher with many useful statistics.

<sup>15</sup> Paul J. Vanderwood, Disorder and Progress: Bandits,

By the turn of the century Mexicans, especially intellectuals and journalists, became displeased with the Porfiriato, the Díaz dictatorship. Some resented the political limitations placed upon upper and middle class citizens. Others, including Ricardo Flores Magón, protested the basic inequities of the Mexican system, paying particular attention to the lack of opportunity for the poorer classes.<sup>16</sup> The protest took the form of a political party, the Partido Liberal Mexicano or PLM which was active between the years 1906-1910. In the United States Flores Magón and his associates within the PLM enjoyed the support of the IWW, International Workers of the World. Because of this association, President Theodore Roosevelt's administration cooperated with the Díaz government fully enabling a combined force of undercover agents and informants from both countries to harass the PLM membership. Thus, each revolution the PLM attempted met with failure, but the PLM did awaken many Mexicans living in the borderlands of Porfirian Mexico and hence contributed in a meaningful way to the unpopularity of the regime in the borderlands.<sup>17</sup> The PLM failed to overthrow Díaz between the years 1906-1910 for two impor-

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Police and Mexican Development, p. 108.

<sup>16</sup> Peter V. N. Henderson, Mexican Exiles in the Borderlands, El Paso: Texas Western Press, 1979. p. 6.

<sup>17</sup> Ibid.

tant reasons. The first was the overt assistance to Díaz by the United States government, and the second was that the PLM lacked significant popularity within the borderlands to garner recruits and supplies.<sup>18</sup>

Ricardo Flores Magón and the PLM best exemplify the Radical Community of Mexico in the decade preceeding the Madero Revolution of 1910. It was not unique to Mexico, for the radical ideology of Flores Magón was, to a great extent, also the radical thought of the socialistic, anarchistic or communistic community in the United States. It must be remembered that the border which physically separates Mexico from the United States could not separate the penetration of ideas in either direction and therefore, North American and Mexican radicalism was not a concurrent phenomenon, but was also a complimentary community of ideas.<sup>19</sup>

Ricardo Flores Magón and his older brother Jesus founded liberal opposition weekly newspaper Regeneración on 7 August 1900, which carried the motto "Independent Juridicial Newspaper".<sup>20</sup> Initially the paper reviewed the

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<sup>18</sup> Ibid.

<sup>19</sup> Robert E. Ireland, "The Radical Community, Mexico and American Radicalism, 1900-1910." Journal of Mexican American History, Vol. 2, No. 1, Fall 1971. p. 22.

<sup>20</sup> Thomas C. Langham, Border Trials: Ricardo Flores Magon and the Mexican Liberals, El Paso: Texas Western Press, 1981. p. 8.

administration of justice in Mexico, noting judicial abuse and suggesting reform, but the content soon expanded to offer criticisms of the government. No stranger to punitive action by Díaz, having been imprisoned in 1892 for opposing him, Ricardo Flores Magón was unable to resist governmental pressure which forced him to close his newspaper in early 1902. Flores Magón wasted no time in re-establishing Regeneración in a friendlier environment, San Antonio, Texas. But even in exile he was not safe and after narrowly avoiding an assassination attempt he relocated twice more within three years, first to Chicago in 1904, and finally to St. Louis in 1905.<sup>21</sup> This was a good example of the complicity of the U. S. authorities in allowing the harrassment of a political exile on their soil, by agents of the regime which he opposed.

Throughout all of this, the radicals within the PLM kept in close contact with each other through prolific letter writing, much of which was routinely intercepted by agents of the Mexican and American governments. During the Orozco rebellion the precedent of cooperation between the Mexican and United States authorities became much more obvious as the intelligence agencies for both worked together against those trying to smuggle munitions into Mexico illegal-

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<sup>21</sup> Robert E. Ireland, p. 23.



ly.<sup>22</sup> Perhaps the most active of the American radicals to assist the PLM junta was John Kenneth Turner and his wife Ethel Duffey Turner, who later became the editor of the English page in Regeneración. Eugene V. Debbs also contributed articles in support of the PLM junta, and their arrest in June of 1907 even became an election issue in the 1908 U. S. presidential election campaign.<sup>23</sup>

John Kenneth Turner, an American socialist, first became interested in the Organizing Junta of the Mexican Liberal Party in 1906 after its leadership, composed of Ricardo Flores Magón, Antonio I. Villareal, Librado Librado Rivera, and Manuel Sarabia were arrested on charges of violating the U. S. Neutrality Laws, in Los Angeles. Turner, a reporter for the Los Angeles Express arranged for an interview with the prisoners through their lawyer, Job Harriman. It was this interview which convinced Turner

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<sup>22</sup> Ibid., p. 24. see also the Investigative Files of the Old Mexicans From the Year 1909-1918, Federal Bureau of Investigation, U. S. Department of Justice, Reel No. 1. Case No. 232 herein after cited BI was, among other things, an investigation by the Bureau relating to obscene and indecent letters sent from Chicago to a Federal Judge, T. S. Maxey and of U. S. Attorney Boynton in March of 1909. During the course of the investigation it is apparant from these records that the mail of the U. S. and Mexican radicals was routinely intercepted and the contents reported. Physical surveillance of key individuals was also conducted in many cities throughout the United States.

<sup>23</sup> Robert E. Ireland, p. 24.

that "Díaz was a monster who should be driven from Mexico" and he immediately determined to expose him in the press.<sup>24</sup> In August 1908, Turner and Lázaro Gutiérrez de Lara left Los Angeles for a fact-finding trip to Mexico, financed by an affluent member of the Los Angeles Socialist Party, Elizabeth Darling Trowbridge.<sup>25</sup> The experiences of Turner and de Lara were the basis for Turner's book Barbarous Mexico.

Originally intended to be a series of articles to be published in the American Magazine of New York, Barbarous Mexico created a sensation in Mexico, the United States and England. Protests from Mexico were swift and critics claimed that the series was linked with the Madero Movement. The overall effect of the series was to create a flood of similar exposes focusing on the abuses of the Díaz regime. By 1910 Turner decided to publish his articles in book form, but had difficulty obtaining an American publisher. Eventually he found one in England, the firm of Cassel

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<sup>24</sup> John Kenneth Turner, Barbarous Mexico, Austin & London: University of Texas Press, 1969. pp. xii-xiii.

<sup>25</sup> Trowbridge, of Boston and a former Radcliffe student, had rebelled against upper-middle-class life and the unattractive possibility of middle-class marriage and joined the Socialist movement. Over the years she spent her entire fortune promoting humanitarian causes. In 1909 she married Manuel Sarabia, one of the PLM defendants and the two later fled to London in order to avoid prosecution by Díaz.

and Company.<sup>26</sup> While the Revolution was getting under way in late 1910 in Mexico, Barbarous Mexico came off the press, first in the United States and later in England to fairly good reviews. The first review appeared in February 1911. The Portland Telegram headed its review "The Book That Caused a Civil War" and called it an "epoch in Mexican History".<sup>27</sup>

Turner's book was important for it brought attention to the plight of the political refugees living in the United States as well as those who were struggling against the Díaz government in Mexico. It was also important in that it helped to influence Pascual Orozco in his quest for a socialist revolution against Madero who was attempting to install his own brand of socialism upon the Mexican nation. As the Orozco rebellion got under way, it became apparent from communications intercepted by the United States Secret Service and the Bureau of Investigation that there were some very strong links between Orozco and the socialist movement of the Flores Magón brothers and the American socialists. This was to prove very important in the decision by the United States Government to ensure the failure of the rebellion. Many Americans followed the events of the Revolution

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<sup>26</sup> Turner., p. xxii.

<sup>27</sup> Ibid., p. xiii.

closely and helped to influence policies regarding the foreign relations between the two governments, ranging from material support for the rebels to the 1916 military intervention led by General John Pershing. Francisco I. Madero, the principal leader of the Revolution which overthrew Diaz credited the book and the efforts of Turner and his associates with contributing to the success of his struggle.<sup>28</sup>

Francisco I. Madero was just thirty-seven years old when he first confronted Porfirio Díaz. The son of the master of the Hacienda del Rosario, Madero was fortunate to have been born into a wealthy family, which permitted him to study at the Jesuit Colegio de San Juan in Saltillo. An excellent student, he went on to spend five years in France and eight months at the University of California at Berkeley.<sup>29</sup> It is somewhat ironic that Madero, the primary force behind the revolution against Díaz should be a member of the family which was very close to the institutions he opposed. His grandfather was an old friend of José I. Limantour. Some of his uncles were related through marriage to Enrique C. Creel, one of the kingpins of the

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<sup>28</sup> Ibid.

<sup>29</sup> Ramón Eduardo Ruiz, The Great Rebellion: Mexico, 1905-1924, New York & London: W. W. Norton & Co., 1980. p. 140.

Terrazas' empire in Chihuahua.<sup>30</sup> Both his grandfather and brother Gustavo served on the board of directors of the Casino de Monterrey.

Despite his strong links with the "Old Regime", Madero published a book in 1908 which was critical of the Díaz administration.<sup>31</sup> Not only did he attract the attention of President Díaz, who promptly imprisoned him, but also others who felt strongly against the re-election of Díaz. Emilio Vásquez Gómez, a lawyer, helped establish the Centro Antireeleccionista for "an evolutionary and not revolutionary movement" in order to avoid the pitfalls of revolution. Madero distrusted revolutionaries, and particularly he feared the Magonistas, the PLM and their IWW associates, as radicals who did not play by the rules.<sup>32</sup> After the failures of the Magonistas to launch revolution in the various attacks against Porfirian symbols in 1908, Madero observed that the "abortive military schemes demonstrate that the people no longer welcome revolution". To Madero, the Magonistas symbolized the violence he detested

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<sup>30</sup> Ibid., p. 141.

<sup>31</sup> The book was entitled, La Sucesión Presidencial en 1910, in which he strongly opposed the re-election of Díaz and his vice-presidential choice, Ramon Corral. Díaz himself was not evil, but rather the system which brought him to power: the reliance on an armed force, such as the Rurales, to achieve political ends.

<sup>32</sup> Ramón Eduardo Ruíz, pp. 143-144.

and, perhaps, the destruction of the right to private property, which was still important to him.<sup>33</sup>

During the last half of 1909, Madero toured Mexico to introduce the program of his Anti Re-electionist Party and test the political waters. Ironically this trip helped him to create a revolutionary infrastructure to which he would later appeal when he launched his revolution. Abraham González, a founder of the Anti Re-electionist Party, decided to nominate Madero for the presidency of the upcoming party convention in Mexico City to be held in April, 1910.<sup>34</sup> The philosophy of the Party came out gradually during the presidential campaign. All that Madero did was to expand upon the ideas contained in his book, for example, "political reform was predicated upon free and honest elections". The campaign ended in Monterrey when Madero was arrested following a scuffle between police and his supporters. Not surprising Madero was not alone in prison, for thousands of his party colleagues also languished behind bars during Election Day. Díaz and Corral were re-elected to another term and Madero

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<sup>33</sup> Ibid., p. 144.

<sup>34</sup> Michael C. Meyer & William L. Sherman, The Course of Mexican History, New York: Oxford University Press, 1979. p. 495.

was confined in the prison at San Luis Potosi.<sup>35</sup>

With the election over and political opposition seemingly subdued, Díaz 'allowed' Madero to escape to the United States. Díaz was more concerned with producing a nationwide extravaganza to celebrate both his eighteenth birthday and the centennial of Mexico's independence. The costs of the month long fiesta exceeded the entire educational budget for the year 1910,<sup>36</sup> and little notice was paid to the tens of thousands suffering from malnutrition, while the champagne flowed freely. As representatives of many nations of the world gathered in Mexico to participate in the festivities, supporters of the Anti-Re-electionists gathered around Francisco I. Madero in San Antonio, Texas. Their purpose was to plot the liberation of their nation through a well organized and violent revolution. All were in agreement that the tyranny of Porfirio Díaz and the Científicos must end. The movement was initiated with the drafting of a revolutionary manifesto titled the Plan de San Luis Potosí, authored by Madero. In part it read:

...I declare the last election illegal and accordingly the republic being without rulers, I assume the provisional presidency of the republic until the people designate their rulers pursuant to the law...

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<sup>35</sup> Ibid.

<sup>36</sup> Ibid., p. 496.

...I have designated Sunday, the 20th day of next November, for all the towns in the republic to rise in arms after 6 o'clock P. M....<sup>37</sup>

Although there were few references in the Plan de San Luis Potosí to Mexico's social problems, the boldness of the statement struck a responsive chord. Madero was not certain that anyone in Mexico would respond to his plea to commence a revolution on 20 November 1910. He was not despondent for long, as masses immediately rallied to the cry of 'Viva la Revolución!'. "But nowhere did the sparks fly as in Chihuahua", as town after town joined the Maderista Movement.<sup>38</sup> Northern Mexico was the natural theatre for staging the revolt against Díaz, and Chihuahua the ideal as the main battleground. There were in place several conditions which contributed to the suitability of the area: the proximity of the United States border, the presence of a frontier society, the remoteness of the Northern States from the centre of government, Mexico City. These factors and the importance of the main line railroads which traversed the north, all played a role in centering revolutionary activity in this area.<sup>39</sup>

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<sup>37</sup> Ibid., p. 499.

<sup>38</sup> Ibid., p. 500.

<sup>39</sup> Paige W. Christiansen, "Pascual Orozco: Chihuahua Rebel, (Episodes in Mexican Revolution, 1910-1915)", New Mexico Historical Review, Vol. 36, No. 2, April, 1961.



Initially, Madero was hopeful that the changes for Mexico could occur through peaceful means.<sup>40</sup> But when President Díaz made it clear that this would not be the case through the repression of political opposition, Madero and the revolutionary leadership then committed themselves to a violent alternative. Regardless of their social or political basis, revolutionary movements are characterized by an initial loss of geographic base for their political opposition.<sup>41</sup> In this instance, Madero was forced to flee to the United States in order to organize his opposition. Díaz was not satisfied with just the mere expulsion of the Anti Re-electionists, but was able to exert overt pressure on them through the activities of his own agents and by encouraging the United States government to show an interest in them. Unlike the Magonistas and the PLM/IWW,

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pp. 97-98.

<sup>40</sup> Madero did not then believe in armed revolution, at least not until democratic processes had been attempted, and he definitely did not favor a movement from outside the country. This was based on the unsuccessful attempt a Jiménez (1908) which he felt was a mistake resulting in useless shedding of Mexican blood. Charles C. Cumberland, "Mexican Revolutionary Movements from Texas, 1906-1912", Southwestern Historical Quarterly, Vol. 52, 1948-49. p. 303.

<sup>41</sup> Robert W. McColl, "The Insurgent State: Territorial Bases of Revolution", Annals of the Association of American Geographers, Vol. 59, No. 4, December 1969. p. 616.

Madero was never forced underground, but neither was he given a free hand.

Exile in San Antonio permitted the Maderistas to begin the territorial stage of the revolution in which they defined their purpose clearly, recruited followers and acquired materials. It was imperative that a territorial base within Mexico be established as a specific operational zone. Naturally the first choice was the capture and control of some key city or region, such as the capital.<sup>42</sup> Mexico City was out of the question for Madero owing to its distance away from the border. However, within the State of Chihuahua, its capital city and at the border, Ciudad Juárez just across the river from El Paso seemed to be suitable as starting points. If the rebels captured Ciudad Juárez then control of the state of Chihuahua would follow. It would also encourage those who had yet to commit themselves to the Revolution, to join with him and expand the insurgency into the neighboring border states. The pressure placed on the government could force the regime into negotiations that would ultimately lead to revolutionary victory. Control of Chihuahua would likely make capture of Ciudad Juárez easier since the defensive forces would find it more difficult to maintain an adequate garrison there.

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<sup>42</sup> Ibid.

With Juárez in the hands of the rebels, access to munitions of war from the United States would be made easier. Of course, everything depended upon United States policy regarding exports of munitions. This was not only important to the outcome of the Madero revolution, but crucial in the Orozco rebellion. Madero had caught the Americans a little by surprise and was able to obtain necessary munitions before the United States implemented the neutrality laws prohibiting this activity. Orozco on the other hand was unpopular with the United States government, probably due in part to his association with the American Socialists, and the government wasted no time in shutting down his sources of munitions. The result was that he was forced to acquire his supplies through clandestine methods, and the subsequent activity in the El Paso-Juárez area kept the border authorities on both sides busy until the rebellion died out. This is because Ciudad Juárez was and still is a major port of entry into Mexico. All commerce would be under direct control of the rebels and with it the right to collect all customs revenues. Juárez was also an important rail head for lines leading to the other major centers in Northern Mexico.

The logic behind this did not escape Porfirio Díaz. He increased the number of federal troops in the military garrisons at Juárez and other important cities in the North and

intensified the patrols in the countryside with additional units of Rurales. Despite these precautions, the Maderistas managed to prepare for the upcoming fight by distributing arms and ammunition among their supporters living in Mexico, patiently awaiting the signal to begin Revolution.

The United States was also showing an interest in the Maderista's preparations. The State Department had been kept busy fielding complaints of Neutrality Law Violations<sup>43</sup> allegedly committed by the Maderistas. These were lodged by officials of the Díaz Government who were becoming increasingly alarmed at the activities of the Maderistas, particularly the purchases of munitions from commercial businesses in Texas. In the face of repeated requests from the Mexicans to institute legal proceedings against Madero, it became necessary for the United States government to make their position clear in exactly what constituted a neutrality law violation. Since Madero had done nothing more than talk, and since there had been no overt action against the Mexican government on American

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<sup>43</sup> Henry Campbell Black, Black's Law Dictionary, 5th ed., St. Paul Minn.: West Publishing Co, 1979. p. 939.

Definition:

Neutrality Laws: Acts of Congress which forbid the fitting out and equipping of armed vessels, or the enlisting of troops for the aid of either of two belligerent powers with which the United States is at peace.

soil, the United States was powerless to comply with the demands of the Mexicans. They were assured that should some concrete evidence surface, the Americans would intervene. The Mexicans were reminded that "the mere purchase of arms by private individuals did not constitute a breach of Neutrality Laws or Statutes, of the United States...".<sup>44</sup>

Officially the United States did not welcome Madero's presence in the San Antonio. However, since he came from a powerful family in Northern Mexico that possessed important connections with prominent Americans, they would tolerate him. Unofficially, he had the sympathy of a large number of Americans both inside and out of Texas due largely to the feeling of disgust with the Díaz regime. Even though it was becoming obvious by late October 1910 that Madero was ready to launch an armed movement, no effort was made to stop him.<sup>45</sup> Once the fighting began and in the face of continued protests by the Mexicans that arms were being taken into their country for use by the rebels, the Americans were compelled to initiate legal proceedings against Madero. It was pointed out that the mere trade in munitions and other con-

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<sup>44</sup> Charles C. Cumberland, pp. 308-09. Also letter from U. S. Secretary of State to Mexican Ambassador, 24 January 1911. This was in response to a request that Madero be arrested. Secretary P. C. Knox advised the ambassador, Francisco León de la Barra, that there was insufficient evidence. Hanrahan, p. 135.

<sup>45</sup> Charles C. Cumberland, p. 307.

traband was not in itself considered illegal, and that the only penalty that could be invoked was confiscation if caught.<sup>46</sup> What the Americans could not overlook was the recruitment of men to serve in the ranks of the insurgents.

The law provided that anyone who 'begins or sets foot' in a military expedition against a friendly power from the soil of the United States was guilty of violating the Neutrality Laws and subject to fines and imprisonment. Obviously, Madero had instituted operations against the Díaz government and in early February 1911 the proper orders were given for legal action against him. Aware of the warrant for his arrest, Madero entered Mexico after conducting a meeting with his staff officers at which he presented his campaign plan.<sup>47</sup>

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<sup>46</sup> Ibid., p. 311.

<sup>47</sup> Ibid., pp. 312-13. Francisco I. Madero was jointly charged with violation of the Neutrality Laws with Abraham Gonzalez, governor of the State of Chihuahua, 1910-12 and Martin Cosillas. Reference for this was found in the Docket of the U. S. Commissioners Papers filed at El Paso, for the U. S. District Court, Case No. 771. At this time the U. S. Commissioner was George B. Oliver and among the papers filed from his court on 20 March 1911 were Complaint Warrant, Subponeas, Temp. Commitment orders, Recognizance, Final Bond and Transcripts. This docket or ledger book is located at the Federal Records Center at Fort Worth, Texas. Unfortunately, the documents for this case were missing and therefore an accurate account of the legal proceedings against Madero, et al, is not possible.

In the village of San Isidro, on the evening of 19 November 1910, Pascual Orozco declared himself to be in a state of rebellion against the government of Porfirio Díaz. This declaration by Orozco was just one of many issued in Chihuahua on the night of November 19-20, in answer to the call to arms by Madero and in the name of the Plan de San Luis Potosí.<sup>48</sup> Sixteen months later, in March 1912, Orozco would once again announce his intention to rebel against the government. This time he was opposing Madero, his former ally. Under the leadership of Orozco and Albino Frias, the rebels were able to capture Ciudad Guerrero on 4 December 1910, signifying the first insurgent victory, against the federal forces. At this point Frias relinquished his leadership in favor of Orozco, enabling him to assume full command of the rebel army in the District of Guerrero. Orozco then issued a manifesto to the nation in which he dedicated himself and his men to the Madero cause. This was the first formal document issued by the revolutionary forces fighting the Federals and the Mexican police.<sup>49</sup>

Through a series of successful engagements against the Federal army Orozco was able to maintain his position in

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<sup>48</sup> Paige W. Christiansen, pp. 97-99.

<sup>49</sup> Ibid., p. 101.

Ciudad Guerrero. He accumulated an arsenal of munitions which filtered down from Madero's agents in the United States. By April 1911, Madero's forces had managed to isolate Ciudad Juárez from any hope of reinforcement and on the 19th, he demanded the surrender of the city. As the negotiations continued, Orozco and his rival Francisco 'Pancho' Villa, were beginning to show signs of impatience and were restrained from launching a direct attack on Juárez only through the persuasive abilities of Madero. It was the fear of international complications almost certain to arise out of a military action so close to the American border which Madero feared. Neither Villa nor Orozco shared this concern and on May 8, began the assault on the city. On May 10, the garrison commander, General Juan Navarro, surrendered.<sup>50</sup>

The capture of Ciudad Juárez proved to be the key victory in the revolt against Diaz, for it placed the federal troops at Ojinaga and Agua Prieta in a most difficult position, forcing them to surrender these border points to the rebels.<sup>51</sup> This was of extreme importance to the revolutionaries, for it gave them a customs house and the right to import supplies which their people badly

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<sup>50</sup> Ibid., p. 106.

<sup>51</sup> Ibid., p. 107.



needed. This was demonstrated with the ruling by President Taft that allowed the rebels the right to import anything without fearing United States action.<sup>52</sup> Although Taft recognized that the possession of Juárez by the Maderistas gave them a great advantage because they could set up a depot for supplies, he justified his decision on the basis that the United States was not responsible for the misfortunes of the Mexican government. "It does not change our duty or the right of persons in our jurisdiction to carry on legitimate trade"<sup>53</sup> It was becoming apparant that despite the desire of the Taft Administration to maintain their neutral stance, there were some in the government that believed the time of Díaz was over, and that they had better establish an amenable relationship with Madero. The statement of Taft certainly gave the appearance of complete support for the rebels and the desire to see the old guard fade away.

The first phase of the Mexican Revolution was nearing its conclusion, for within fifteen days of the collapse of his army in the North, Díaz resigned his presidency and was on his way to exile in Spain. Before he left, he set in

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<sup>52</sup> Charles C. Cumberland, p. 315.

<sup>53</sup> Taft to the Secretary of Treasury, 12 May 1911, Foreign Relations, 1911, pp. 482-83. Charles C. Cumberland, p. 315.

place an interim government under the leadership of Francisco León de la Barra. This contributed partly to the re-establishment of order, which was of concern to the Americans. Not everyone was content to accept the dramatic changes in Mexico, for there soon developed challenges to the Madero revolution.

During the late summer one of the old generals of Díaz's army, Bernardo Reyes, returned to Mexico and within a short time developed political aspirations by announcing his candidacy for president. Since he failed to earn any popular support, he decided to try his hand at revolution and on October 8, declared his intention.<sup>54</sup> Reyes and his co-conspirators plotted their revolution in San Antonio, as had Madero and with appart similar freedom. This was despite the fact that they were under almost constant surviellance by both American and Madero secret service agents.<sup>55</sup> By mid-November, 1911, the U. S. authorities decided to act and Reyes and his fellow plotters were indicted for Neutrality Law Violations.<sup>56</sup>

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<sup>54</sup> Charles C. Cumberland, p. 316.

<sup>55</sup> Charles H. Harris III and Louis R. Sadler, "The 1911 Reyes Conspiracy: The Texas Side", Southwestern Historical Quarterly, Vol. 83, No. 4, April 1980. p. 332.

<sup>56</sup> Ibid., p. 333.

The significance of this episode was not simply that Madero was facing his first challenge to his authority, but rather the involvement of the United States. During the time that Reyes plotted and acquired munitions, the governor of Texas, Oscar B. Colquitt, employed this situation to further his own political goals.<sup>57</sup> Governor Colquitt was most anxious to suppress the Madero revolution since it had contributed to unsettling the Mexican-American residents of his state, particularly in the border area. Not content with the existing federal neutrality laws, in February 1911, he had issued a neutrality proclamation of his own, which simply restated the existing statutes.<sup>58</sup> The Texas Rangers were given the task of enforcement and were also ordered to cooperate with the federal authorities. Colquitt was so determined to stop the revolution that he even suggested to President Taft that the Rangers be allowed to cross into Mexico to apprehend rebel leaders who had escaped from justice into Mexico.<sup>59</sup> Revolutionary activi-

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<sup>57</sup> A concise discussion on this matter may be found in the Harris and Sadler article, "The 1911 Reyes Conspiracy: The Texas Side" (previously cited). Although this thesis deals with U. S. - Mexican relations, the Reyes incident is offered only as an example of a much more complex involvement by the Americans in Mexican affairs, which was to follow.

<sup>58</sup> Harris and Sadler, p. 327.

<sup>59</sup> Ibid., p. 328. Also, Colquitt to Taft, 23 February 1911, RDS, 812.00/854. U. S. v Francisco I. Madero, et

ty along the border spilled over into El Paso in May 1911, when several people were killed by stray bullets during Madero's successful assault on Ciudad Juárez. "Colquitt exploded in outrage, lodging protests both with the Mexicans and with Washington"<sup>60</sup> The governor now needed the Rangers more than ever, but during his gubernatorial campaign of 1910, Colquitt had promised to reduce the Ranger complement because of their deserved bad publicity and ineffectiveness. This he did and by February 1911 the force consisted of only fourteen authorized members. Not wishing to offend his loyal electorate, Colquitt came upon a solution to his dilemma. In September 1911 he met with President Taft and persuaded him to have the federal government bear the cost of increasing the force. Ironically, this was perhaps the only case in United States history in which the federal government subsidized a state police force to aid in the defence of a national boundary.<sup>61</sup> After Madero concluded his revolution, there was every indication that Mexican plotting was continuing unabated, despite the governor's neutrality proclamation. During the summer of 1911 in San Antonio there was a gathering of anti-Madero con-

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al., U. S. Commissioners Papers, U. S. District Court at El Paso, case no. 771, FRC-FW.

<sup>60</sup> Sadler and Harris, p. 328.

<sup>61</sup> Ibid.

spirators and in October the arrival of Bernardo Reyes increased the level of the intrigue.<sup>62</sup> The reasons behind this are not that puzzling when it was revealed that two of Reyes's principal co-conspirators were influential political figures and supporters of Governor Colquitt.<sup>63</sup>

Francisco A. Chapa, a druggist in San Antonio was not only a leader of the Mexican community, but he was also the most influential Mexican-American politician in the state. This ethnic vote was crucial to Colquitt's political strategies. The other accused Reyista was Amador Sánchez, the political boss of Webb County. His influence was such that he used the Webb County Jail as the headquarters for the Laredo branch of the Reyista network.<sup>64</sup> When a federal grand jury began returning indictments after investigating the Reyes conspiracy, Colquitt intended to get the credit for smashing it. On November 17, he mobilized his Texas Rangers to the border and on November 19, he reiterated his neutrality proclamation. The governor went so far as to telegraph President Taft requesting permission to authorize the Rangers to enforce the immigration laws. The sudden burst of activity got Colquitt a great deal of publicity and

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<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> Ibid., p. 331.

enhanced his image as a no-nonsense governor. His posturing hardly endeared him to the federal authorities as his Rangers played a supporting role to them and merely assisted in a minor capacity. Between them, however, they did crush the Reyes conspiracy and Governor Colquitt salvaged much needed publicity which proved helpful in the next election campaign.<sup>65</sup> Throughout the revolutionary period there developed a close interaction between what was happening in Mexico and what occurred in Texas. Many Texans became involved in the Revolution for a variety of reasons, not the least of which was ideology. Friendship, local politics or simply because the Revolution was an excellent business opportunity, all contributed to the decision for American citizens living along the border to take an interest in the events in Mexico.<sup>66</sup> In some cases this interest took the form of active involvement as a number of Texans were convicted of arms smuggling and enlisting as mercenaries. Despite this, the local press continued to express the opinions which were shared by the majority of the border's citizens. This local interest which became extremely important to Texans ultimately affected the relations between the State of Texas and the government of the Unit-

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<sup>65</sup> Ibid., pp. 333-4.

<sup>66</sup> Harris and Sadler, p. 347.

ed States, as witnessed in the controversies which developed over local commerce and the Texas Rangers.

CHAPTER TWO

THE DIVISION IS CLEAR



During the first day of the battle (for Juárez) our own Jim Conklin...found himself with some men who were discussing the question as to whether or not most of the shells were not blank cartridges. He said, "Gentlemen, you are wrong. Those cartridges are loaded and I know it. As I was coming back from the river one of the bullets passed me and I heard it -- heard it twice -- the first time when it passed me and the second time when I passed it". Someone asked Jim how he got back from the river as the street cars were not running. Jim said, "I came on foot". Someone said, "Did you run Jim?". "No", he replied, "but I passed a lot of fellows who were running".<sup>1</sup>

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<sup>1</sup> From remarks given at a dinner honouring Francisco Madero at the Toltec Club in El Paso. McNeely Collection, Mexico Northwestern Railway and Madera Co. Correspondance, 1912-1913, Box 10, Archives and Special Collections Department, University of Texas at El Paso.

Although it has never been conclusively determined why Pascual Orozco entered into a revolution against his former 'Jefe', Francisco I. Madero, it is a fact that he formally attached himself to the rebel cause on 3 March 1912.<sup>2</sup> Historians studying the period are also divided as to the reasons behind his revolt. Some have suggested that he did it for money although an exact amount has never been specified. Michael Meyer has suggested that Madero failed to properly indemnify him for his financial outlay to the Revolution.<sup>3</sup>

Another popular theory is that Orozco was forced into rebellion because his father convinced him that he had been betrayed by Madero -- betrayed because he had not been appointed governor of Chihuahua.<sup>4</sup> Critics of Orozco claim that he was 'intoxicated by the vision of power' and would not be satisfied with a cabinet appointment less in importance than the Ministry of War or even the presidency itself.<sup>5</sup> Recent study by historians of this period has

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<sup>2</sup> Michael C. Meyer. Mexican Rebel :Pascual Orozco and the Mexican Revolution, 1910-1915, Lincoln: University of Nebraska Press, 1979, p. 60.

<sup>3</sup> Ibid., p. 54.

<sup>4</sup> Ibid.

<sup>5</sup> Adrián Aguirre Benavides. Madero el Immaculado, Mexico City: Editorial Diana, S. A. , 1962, p. 456. See also Meyer, pp 54-5.

achieved a general consensus that the causes of the Orozquista Revolt are varied. Michael Meyer wrote:

Orozquismo contained humanitarianism and misanthropy, benevolence and rancor, avid commitment and indifference. The fact that the leaders did not pursue a common end was a source of considerable strength -- it widened the base of support -- and also a weakness -- it was impossible to reconcile the discordant personal and ideological aims.<sup>6</sup>

The movement which promoted Orozco to commander-in-chief was the Vasquista, so named after its founder, Francisco Vázquez Gómez.<sup>7</sup> In assuming command, Orozco found himself reunited with five comrades-in-arms from the Madero Revolution, who were now leading officers in his revolt: General Emilio Campas, General José Inéz Salazar, Colonel Lino Ponce, Colonel Demetrio Ponce, Major Enrique Portillo.<sup>8</sup>

Two days later news of the Orozco defection was reported in the El Paso Morning Times. Orozco was described as having allied himself with the científicos, remnants of

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<sup>6</sup> Meyer, Mexican Rebel, p. 55.

<sup>7</sup> Francisco Vázquez Gómez was an unsuccessful choice for Madero's running-mate in the scheduled presidential election. In December 1911, Francisco and his brother Emilio began their revolution in Chihuahua but it suffered several defeats at the hands of troops commanded by the then loyal General Orozco. By the middle of January 1912, the Vasquista threat appeared to have been eliminated.

<sup>8</sup> Meyer, p. 60.

the clique that supported Porfirio Díaz during his years of dictatorship. The story accused Orozco of having "taken with him all the petty revolutionary chiefs, except (Francisco 'Pancho') Villa, in the State of Chihuahua".<sup>9</sup> According to the El Paso Morning Times it was the intention of this new revolutionary movement headed by Orozco to march south to Mexico City and expel Madero from the capital. If successful, Orozco would be installed as the provisional president until an election proclaiming Enrique Creel could be held.<sup>10</sup> This plan did not sit well with the new leadership of the revolution. Colonel Demetrio Ponce declared that he would not support Creel for any office and accused him of being "one of the men who is accountable for the deplorable condition of the masses".<sup>11</sup>

One of the most important features of the Orozquista movement was its relationship to Chihuahua conservatism. There has been a tendency to equate the conservative movement with "with Científicismo, the Mexican adaptation of the positivism of Aguste Comte, Herbert Spencer, and John

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<sup>9</sup> El Paso Morning Times "Details Of Científico Plot Are Unfolding", 5 March 1912, p. 1.

<sup>10</sup> Ibid. Enrique Creel at that time was the head of a major banking concern located in Mexico City. In the past he had been the governor of Chihuahua, ambassador to the United States and the Minister of Foreign Affairs.

<sup>11</sup> El Paso Morning Times, "Colonel Demetrio Ponce Denounces Enrique Creel", 7 March 1912, p. 1.

Stuart Mill".<sup>12</sup> The adherents of this theory were supporters of Porfirio Diaz during the two decades preceeding Madero's revolution. It was quite natural to assume that the científicos and the moneyed elite in Chihuahua were one in the same since they were usually oblivious to the needs of the Indians and Mestizos. In 1912, however, most of the Chihuahua wealthy were not científicos, but merely conservatives who had supported Diaz for slowing the pace of social and economic reforms.<sup>13</sup>

Many of these one time supporters of Diaz now lent support to Orozco and contributed to his movement. This evolved into a threat for Madero that was assessed as being more serious than the previous Reyista and Vasquista ones proved to be.<sup>14</sup> The conservative involvement helped explain why the Madero government failed to crush the Orozquista during its first year in rebellion. The interest which the conservatives afforded Orozco began in May 1911, when he first displayed his animosity toward Madero. The conservatives were soon reassured with Orozco when his popularity was demonstrated during his trips throughout the country and his prestige with the army and the

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<sup>12</sup> Meyer, p. 55.

<sup>13</sup> Ibid., pp. 55-56.

<sup>14</sup> Ibid.

Rurales under his command was enhanced by the ease with which he aborted the 3 February 1912 Vasquista uprising.<sup>15</sup>

Orozco's decision to ally himself with the conservatives and revolt against Madero might have been inspired by what he saw around him. In late February small pockets of rebellion had sprung up all over Chihuahua and some of his former officers from the Madero revolt, such as José Salazar, Emilio Campa and Demetrio Ponce, had already taken up arms. He may also have read more into the Plan de San Luis Potosí than Madero had intended, but the nepotism, indecision and corruption which he saw could not be denied.

Other questions were raised. Had not Díaz the defender of the status quo, merely been replaced by a regime of liberal inefficiency? Was not the presidency of Madero the enthronement of a new privileged class?...What had the peons been awarded for their participation? They had suffered the most and received the least from the Revolution.<sup>16</sup>

After Orozco committed himself to the rebellion he issued his Plan Orozquista. Issued on March 25, it was "...poorly written, repitive, violently anti-United States, ultra nationalistic ... almost to the point of absurdity."<sup>17</sup> Despite this, it contained several articles

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<sup>15</sup> Ibid., p. 56.

<sup>16</sup> Ibid., pp. 57-8.

<sup>17</sup> Ibid., p. 62.

which were later to influence the 1917 Constitution. The ideas which were contained in the Plan Orozquista were similar to the principles found in the manifesto of the Mexican Liberal Party headed by Ricardo and Enrique Flores Magón.<sup>18</sup> The conservatives, who provided some of the financial backing for Orozco shared mixed feelings about the Plan. Most of the political reforms could have been accepted by them, such as the proposal to abolish the office of vice-president or the provision calling for the effective autonomy of the municipalities.<sup>19</sup> The social and economic reforms were another matter. Suggesting that there be abolition of the tiendas de raya payment of all workers in legal tender, restrictions on child labour, improved working conditions, higher wages and the nationalization of the railroads were contrary to the privilege they enjoyed throughout the Porfiriato.<sup>20</sup> The basic principles of the Plan Orozquista did not cause Orozco's backers much worry because for them the Plan had nothing to do with their interpretation of the rebellion. On the contrary, the Chihuahua aristocracy encouraged the document in attempting to foster mass support and attract a capable leadership that would

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<sup>18</sup> Ibid., p. 65.

<sup>19</sup> Ibid., p. 63.

<sup>20</sup> Ibid., pp. 64-5.

give the movement respect.<sup>21</sup> The inclusions of anti-American statements proved to be embarrassing for the movement's leadership and for a week after the Plan was released, Orozco was called upon by the Chihuahua conservatives to repudiate these sections and to assure the "border press" that he was not catering a movement which fostered ant-United States sentiment. There would be numerous opportunities for this later.<sup>22</sup> "It is ironic that a plan born out in prevarication and nurtured in deceit should have a strong and positive influence on the program of social and economic reform that would be realized in Mexico within the next three decades".<sup>23</sup>

In early March 1912, Orozco was confident that he would be able to obtain all of the munitions of war that he would need through, El Paso. He assumed naively, as it turned out, that the United States would permit him to import these munitions "despite the example at hand afforded by the United States Government having smashed the Reyista conspiracy in Texas during the fall of 1911".<sup>24</sup> On

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<sup>21</sup> Ibid., pp. 65-6

<sup>22</sup> Ibid., pp. 62-3. Also, Letcher to Secretary of State, 4 April 1912, RDS 812.00/3526; Orozco to Taft, 5 April 1912, RDS 812.00/3538.

<sup>23</sup> Meyer, p. 66.

<sup>24</sup> Charles H. Harris III and Louis R. Sadler. "The Under-side of the Mexican Revolution: El Paso, 1912", The



March 3, Orozco ordered the confiscation of all imports consigned for the Mexican government at Ciudad Juárez.<sup>25</sup> In this way he hoped to demonstrate to the United States that he would not pose a threat to their international commerce and that there would be no reason for them to interfere in the acquisition of arms. Unfortunately for Orozco, on March 14, 1912, President William Taft imposed an embargo on all munitions of war to Mexico.<sup>26</sup> This was accomplished in part through the unrelenting efforts of agents acting on behalf of the Madero government.<sup>27</sup>

Opponents of the Orozco rebellion anticipated that the embargo would cause the revolt to fail. A side advantage for the United States was that it would be seen to reinforce its declared position of neutrality in the internal affairs of Mexico. The proclamation was opposed because some American business interests were divided about the decision. On one side were those who welcomed the embargo because they saw it as a means to protect their

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Americas Vol. 39, July 1982, No. 1, p. 71.

<sup>25</sup> Meyer, p. 60.

<sup>26</sup> "Proclamation of President William H. Taft". RDS 812.00/1185 RDS Brush to Guggenheim, 812.00, March 11, 1912; RDS Martínez to Wilson, 812.00, March 5, 1912; RDS Wilson to Martínez, 812.00 March 8, 1912.

<sup>27</sup> Peter Calvert. The Mexican Revolution, 1910-1914: The Diplomacy of Anglo American Conflict Cambridge: Cambridge University Press, 1968, pp. 108-9.

holdings in Mexico from rebel confiscation. Edward Brush, an American businessman with extensive Mexican investments observed, "The Mexican Government cannot send troops to protect our works because they are all needed to fight the rebels who are being stocked with ammunition from our own country".<sup>28</sup> Opposing the restriction were representatives of the arms industries who served a market on both sides of the rebellion. Many of these individuals were the proprietors of the major hardware stores established along the United States side of the border. The term "hardware" had a different conotation in 1912 than is commonly accepted today. These businesses sold the usual assortment of hammers, nails, wire, etc., in addition to being major suppliers of firearms and ammunition. It was quite natural that Orozco's soldiers would patronize these establishments to resupply themselves. Obviously, with this lucrative market at their door-step, the hardware tycoons of the border region were not willing to endorse legislation which would adversely affect their businesses. They were forced to accept the Presidential Decree with the proviso that eventhough it was illegal to export, it was still legal to sell munitions to whom ever could afford them.<sup>29</sup> The most obvi-

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<sup>28</sup> RDS, Brush to Guggenheim, 812.00 March 11, 1912.

<sup>29</sup> U. S. v Robert Krakauer, et al, case no. 1626, FRC-FW. The presiding judge in this case, T. S. Maxey, stated in

ous result of the embargo was the creation of an entrepreneurial exercise unique to the borderland -- the arms smuggler. Pascual Orozco's rebels, now labelled the Red Flaggers by the El Paso press, knew that they would have to move quickly against the Maderista forces if they were to succeed. The term Red Flagger was attached to Orozco's movement for a couple of reasons. The most obvious one was that the banner which they used to symbolize the faction was coloured red and were often referred to as the Rojo or Colorado, south of the border.<sup>30</sup> The second reason was that Orozco was regarded as "...a Judas who sold himself out to the Científicos for a check-book".<sup>31</sup> The inference was that a banner coloured blood-red was appropriate for the "Benidict Arnold of the Republic of Mexico" to bear.<sup>32</sup> Red was the colour of the International Socialist Movement and Orozco considered himself to be a liberal reformer engaged in a struggle to overcome

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The Charge of the Court that "There was no law prior to the 14th of March 1912 prohibiting the sale of munitions of war in El Paso, or their export to a foreign country. It is still lawful to sell them after the 14th of March, but under the Resolution of Congress it became unlawfull to export muntitions or to enter into a conspiracy to export them to Mexico".

<sup>30</sup> Meyer, p. 54.

<sup>31</sup> Ibid.

<sup>32</sup> Editorial, El Paso Morning Times, 11 March 1912, p. 2.

injustice in much the same way that the socialists of the late nineteenth and early twentieth centuries had tried.

The impending embargo against arms shipments, though not completely unexpected, caught Orozco by surprise through its swift implementation. On March 7, it was reported that 500 rifles and 100,000 rounds of ammunition obtained through suppliers in El Paso had been distributed to the rebels quartered in Ciudad Juárez.<sup>33</sup> Conscious of delicate nature of relations between the Red Flaggers and the local authorities in the United States, Colonel Demetrio Ponce sought to placate the Americans through the publication of a statement. In it he declared that the rebels did not maintain a junta in the United States and that no recruitment was being done on American soil.<sup>34</sup> Unfortunately for Colonel Ponce the credibility of his statement was bruised with the arrest in El Paso of several men charged under Section 10 of the Penal Code, (hiring/retaining men to enlist in a foreign service).<sup>35</sup>

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<sup>33</sup> El Paso Morning Times, "Juarez Red Flaggers Get More Rifles", 7 March 1912, p. 7.

<sup>34</sup> Ibid.

<sup>35</sup> "Recruiting Rebels In City Of El Paso", 19 March 1912, p. 2. "Red Flag Enlisters Arraigned In Court", 20 March 1912, p. 10. "Rebel Enlisters Before Commissioner", 21 March 1912, p. 4. "Court Proceedings - Neutrality Cases", 23 March 1912, p. 12. El Paso Morning Times. Also U. S. v Luis Diaz de León, alias Ignacio Díaz de Leon, case no. 1563, U. S. v Mateo Quintana, alias

Although the León case failed to capture the headlines, it was important in the sense that it revealed a unique situation which was to dominate the war against Orozco. The Orozquista strategy in El Paso was based upon a misconception. Despite the Joint Resolution of Congress forbidding the export of weapons, the rebels felt confident in their own abilities to smuggle sufficient quantities of munitions into Mexico. After all, smuggling in the borderland and in El Paso specifically, was an established profession. Local businessmen showed no hesitation about selling the requested goods to Orozco's "purchasing agents" and perhaps the most important factor of all was the apparent inability of the American authorities to enforce the law. There were, of course, officials of the Customs Service, a few United States Marshals, the Army, and the Texas Rangers,<sup>36</sup> but the cutting edge of neutrality enforcement was the Bureau of Investigation which at the beginning of the rebel-

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Florentino Quintana, case no. 1566, both District Court, El Paso, FRC-FW.

<sup>36</sup> Texas Governor Oscar B. Colquitt to Adjutant General Henry Hutchings, 2 February 1912; Peyton J. Edwards, Sheriff El Paso County to Henry Hutchings 15 February 1911, in the Walter Prescott Webb Papers: Office of the Adjutant General of Texas Concerning the Texas Rangers, Barker Texas History Centre, University of Texas at Austin. See also Monthly Returns, Company 'A', March, April and June 1912 and Company 'B', February, May and June 1912, Ranger Force Papers, 1901-1935, Texas Ranger Archive, Texas State Library, Austin Texas.

lion had only one agent, L. E. Ross, on station in El Paso.<sup>37</sup>

What Orozco failed to appreciate was the unique relationship that existed between the Bureau of Investigation and the Mexican (Madero) Secret Police. Special Agent Ross relied heavily upon Madero's intelligence service to conduct many of the investigations, while he and the American authorities made the actual arrests. Never before had there been a case in United States history in which a foreign intelligence service was allowed to operate so openly on United States soil.<sup>38</sup> In fact, however, the arrangement was given the blessing of the head of the Bureau of Investigation, Stanley W. Finch. His regional director H. A. Thompson told him:

The Mexican Secret Service agents, both in El Paso and San Antonio, have aided us materially in the investigation of neutrality matters, and it is only just here to state that if it had not been for them, and their co-work, it would have been next to impossible for us to

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<sup>37</sup> Harris and Sadler, "Underside of the Mexican Revolution...", p. 72.

<sup>38</sup> Ibid.

have accomplished the results thus far obtained.<sup>39</sup>

The impact of this coalition upon the activities of the Red Flaggers in El Paso was clear in the recruiting case involving one of Orozco's officers, Luis Diaz de León. Arrested on the night of 13 March 1912 by State Rangers and Madero Secret Service agents, León was found to be in possession of papers signed by Orozco authorizing him to enlist men for the rebel cause. The subsequent investigation revealed that he had enrolled some two hundred locals, mainly from the squalid refugee quarters in the Chamizal Zone of the city. These squatters, against whom the United States Government had instituted displacement proceedings, joined León's force on the argument that Orozco planned in the near future to seize the Chamizal.<sup>40</sup> Recruitment was also aided by the offer of wages which many felt they could not turn down. In Chihuahua the rate of pay for Orozco's soldiers was two pesos per day. This represented a salary which few could earn even in peacetime.<sup>41</sup> The squatter's pros-

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sury, United States Secret Service, Daily Reports of Agents, 1875 through 1936, Record Group 87, Records of the United States Secret Service, San Antonio, vol. 9. Also Harris and Sadler, pp. 72-73.

<sup>40</sup> El Paso Morning Times, "Recruiting Rebels In City Of El Paso", 19 March 1912, p. 2.

<sup>41</sup> Letcher to Secretary of State, 20 March 1912, RDS 812.00/3414.

pects for employment in El Paso with the chance to support his family were grim indeed. It is important to note that the volunteers coming out of the Chamizal were not all supporters of the Red Flaggers. Although he possessed a strong following in El Paso, this was found mainly among the wealthy Porfirista exiles and many local Mexicans hoped for the return of the Madero's troops to the border and the opportunity to return to their homes.<sup>42</sup> An account of the arrest which appeared in the morning newspaper clearly identified the arresting officers as Captain Rogers, Texas Rangers Webster and Wright and Special Agent Ross and Abe Molina, an agent of the Madero Secret Service.<sup>43</sup> The case against León was successfully prosecuted and on April 13, 1912, he was sentenced to six months imprisonment at the El Paso County Jail.<sup>44</sup> Next to gun-running, illegal enlistments in El Paso for the Mexican armies posed the most serious problem.<sup>45</sup>

As the month of March became increasingly busy for both the Red Flaggers and the United States authorities,

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<sup>42</sup> Mario T. García. Desert Immigrants: The Mexicans of El Paso 1880-1920. New Haven and London: Yale University Press, 1981, p. 183.

<sup>43</sup> Ibid.

<sup>44</sup> U. S. v Luis Diaz de León, alias Ignacio Diaz de León, case no. 1563, District Court, El Paso, FRC-FW.

<sup>45</sup> García, p. 184.



the conviction of León had little impact upon the operations of Orozco. In anticipation of the Presidential Proclamation regarding munitions shipments, Colonel E. Z. Steever, commander of American troops in the El Paso area, decided to demonstrate his initiative by detaining a large consignment of arms destined for Orozco. Colonel Steever based his action on information he received from operatives of the Departments of Justice and State which revealed that consignee, James Smith, was a fictitious person.<sup>46</sup> An investigation later uncovered information which showed this shipment to be one of three, the first of which reached its destination in Ciudad Juárez. Although Colonel Steever admitted that he lacked the authority to seize the shipment since it had already been cleared by customs officers, he appeared to enjoy the support of his superiors. This action resulted in an acrimonious debate in Washington concerning the proclaimed neutrality of the United States as opposed to the mandate granted to the military regarding the enforcement and structure of neutrality laws. At stake was the authority of the United States Customs Service which would permit arms to be shipped to the 'legal' authority in Mexico, namely the Mexican Government, but not to any insurrecto forces such as Orozco's Red Flaggers.

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<sup>46</sup> El Paso Morning Times, "Colonel Steever Retaining Shipments Of Arms", 8 March 1912, p. 1.

The army maintained that Colonel Steever acted properly because there was no guarantee that the consignee was representative of the Mexican Government. If the shipment seemed certain to fall into the hands of the rebels, then the military was duty bound to seize it despite its initial clearance through customs.<sup>47</sup>

An editorial in the El Paso Morning Times on 11 March 1912, sought to clarify the issue. Under the title "Red Flaggers Have No Port Rights", it stated that while there was some division among government authorities in Washington as to whether or not the rebels in Ciudad Juarez were entitled to recognition and customs services, the military and not the customs officials had been exercising more discretion. The editorial continued:<sup>48</sup>

The matter has been taken up with the Washington authorities and it is believed there will be a new ruling which will cut off the entrance of arms, ammo and munitions of war and dynamite through the Juárez port during the time it remains in the hands of the Red Flag looters. The belligerency of these Red Flaggers has not been recognized by the American Government and every shipment of arms etc., that has been permitted to enter Juárez while in control of the Red Flaggers

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<sup>47</sup> Ibid., "Issue Has Arisen Concerning Importations", 10 March 1912, p. 1.

<sup>48</sup> Ibid. "Red Flaggers Have No Port Rights", 11 March 1912, p. 6.

has been a distinct violation of neutrality laws and should be discontinued.<sup>49</sup>

The final outcome of this was the Presidential Proclamation on March 12 which clearly defined acceptable and non-acceptable behaviour regarding munitions exports. the El Paso Morning Times commented:

Revolution, filibustering expeditions or the promotion of domestic violence in any country in Pan-America hereafter may not hope for war supplies of any description from the United States.<sup>50</sup>

Congress aimed its Joint Resolution at meeting the inadequacies of the existing neutrality laws which had been pointed out to President Taft by the Mexican Government. The legislative branch would empower the President to prohibit, at his discretion, the export of munitions of war to any country with which the United States was at peace. It also authorized the Treasury and War Departments to halt immediately all exports to Mexico and to enlarge the border guard.<sup>51</sup> This action decreed the destruction of the Orozquista although it took several years for it to be completed.

Why was the United States Government so determined to

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<sup>49</sup> Ibid.

<sup>50</sup> Ibid., 14 March 1912, p. 1. "Mexican Red Flag Rebellion Get Crushing Blow From U.S. Government",

<sup>51</sup> Ibid.

ensure the defeat of any opposition to President Madero? Throughout this period the El Paso dailies offered two reasons via their editorials. The first and perhaps most important was the connection of the rebel leadership with the Magonistas and the socialist element in the United States. The second was that Orozco was obviously a traitor through his betrayal of Madero, and this offended the sense of honour held by the majority of borderland Americans. The American public had already been exposed to social injustices under the Díaz regime and the responsibility for a solution to these problems had been assumed by the Madero government. The local press purported an attitude that any further American involvement in these matters was not only unnecessary, but dangerous.

When the connection between Orozco and the Mexican Liberals was uncovered, the press rallied to the support of Madero. Presented with a choice between the liberal reform programs of Madero as opposed to the radical platforms of Flores Magón, American businessmen realized that Madero's programs were much more compatible with their operations compared to those of the Flores Magón brothers. An examination of the correspondence of the Mexico Northwestern Railway and the Mexican government makes this very clear.<sup>52</sup>

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<sup>52</sup> Mexico Northwestern Railway and Madero Co. correspondence, 1912-1913, McNeely Collection, The

Prior to and following his revolution, Madero was well received by local business tycoons in the border area. In May 1911, he was the guest of honour at a dinner catered at the Toltec Club and given by the citizens of El Paso. The toastmaster on this occasion, William H. Burgess, remarked:

We want you (President Madero) to carry away with you...an accurate idea of our strong desire for the closest reciprocal relations, trade and other... I feel sure you will agree that we gave the best evidence of our sympathy with the revolution. We were in favour of it from the beginning...<sup>53</sup>

However the Magonista organization received quite different treatment. Under constant surveillance, the alarm went up when a routine investigation conducted by the Bureau of Investigation regarding obscene mail seemed to have uncovered a plot against the Mexican government.

The case involved the sending of obscene and indecent letters through the mails postmarked Chicago to Judge T. S. Maxey, Austin Texas and United States Attorney Boynton, Waco Texas. The purported author of these letters was Antonio de P. Araujo who had been convicted and imprisoned for violation of the neutrality laws.<sup>54</sup> The inves-

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Library, Special Collections Department, University of Texas at El Paso.

<sup>53</sup> Ibid., Box 10, remarks by William H. Burgess of El Paso.

<sup>54</sup> See: U. S. v Antonio de P. Araujo and Encarnacion Díaz Guerra, case no. 1362; U. S. v Ricardo Flores Magón,

tigation revealed that a connection existed between Araujo and the American Socialist movement, specifically with Eugene V. Debbs and Fred D. Warren, editors of the Appeal To Reason. Warren had been identified as a Magonista by the Bureau which concluded that he also wrote articles that had been published in the Appeal To Reason under Araujo's name.

In addition, the investigation uncovered a conspiracy involving the leadership of the Magonista movement and the American socialists in a projected rebellion in Mexico.<sup>55</sup> Yet another connection between the Magonistas and Pascual Orozco came to light when surveillance revealed the name of William Love as the leader of the Socialist Party in El Paso. He was identified by an informant as being a very good friend of the Villareal family, and also of providing

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Antonio I. Villareal, Enrique Flores Magón, Antonio de P. Araujo, Encarnacion Díaz Guerra, case no. 1375; U. S. v Julian Rodrigues, case no. 1366; U. S. v Enrique Flores Magón, Praxedis G. Guerra, Leocardio B. Treviño, Priciliano G. Silva, José Maria G. Ramírez, Benjamin G. Silva, case no. 1361; U. S. v Ricardo Flores Magón, Antonio I. Villareal, Enrique Flores Magón, Praxedis G. Guerra, case no. 1360; U. S. v Leocardio B. Treviño, Priciliano G. Silva, José Maria G. Ramírez, Benjamin G. Silva, Praxedis G. Guerra, Leon Cárdenas, Manuel Aguilar, Enrique Burmudez, Lavor Aguirre, case no. 1359, all U. S. District Court, El Paso, FRC-FW. Also, Case no. 232, p. 3, Mex 232, General Sec 7, Federal Bureau of Investigation, United States Department of Justice. BI.

<sup>55</sup> Case no. 232, pp. 119, 122, 217, 256, 260, Investigation of Violation of Neutrality Laws in Mexico, BI.

a meeting place for the conspirators in the back of his store.<sup>56</sup> This was the same William Love who had been indicted in March 1912 on a charge of conspiring to ship munitions of war.<sup>57</sup>

The activities of the Maginista sympathizers contributed to a sense of betrayal felt by the residents of the borderland. These people, by demonstrating their support of Orozco and the American socialists, were also turning their back on the program of reform which was defined in Madero's Plan de San Luis Potosí. This too was a social idea designed to correct the inadequacies of the Porfiriato. What the local Texan could not understand was why one group of socialists would attack another group when both were pledged to campaign against a tyrannical regime. Betrayal offended the Texan's sense of fair play, especially when callously done, as in the case of Orozco. An editorial appearing in the El Paso Morning Times shortly after the imposition of the embargo summed it up best when it stated:

The Red Flag rebels now operating in the State of Chihuahua cannot expect any sympathy or support on the American

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<sup>56</sup> Ibid., p. 267.

<sup>57</sup> U. S. v William Love and Jesus Avalos, case no. 1577; U. S. v Robert Krakauer, et al, case no. 1626, all of U.S. District Court, El Paso, FRC-FW. Also "Mexican Woman And Boy Smuggling Ammunition", El Paso Morning Times, 7 April 1912, p. 10.

side of the border. The sympathies of the American people are always with the people who are opposed and who revolt for a just cause. But when it comes to an uprising that has for its object the looting of a state and the re-enslavement of a nation, then the American people can have nothing but righteous condemnation for those engaged in such an unrighteous undertaking.<sup>58</sup>

If he did not understand the situation previously, Pascual Orozco now knew that he was going to have to fight his revolt on two fronts. The first was against his former comrades who remained loyal to Madero, and the second was against American public opinion determined to see him fail. The leniency which the Americans permitted Madero in munitions acquisition during his revolt would no longer be tolerated. Orozco would need to rely fully on the guile of his supporters north of the border to ensure that he was kept sufficiently supplied with munitions. Because of the unrelenting efforts of the United States authorities and the Mexican Secret Service determined to defeat him, this was not to be.

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<sup>58</sup> El Paso Morning Times, "Editorial", 21 March 1912, p. 4.



## CHAPTER THREE

### THE FULL MEASURE OF THE LAW

I first saw the defendants first near the bank when they came along going towards Mexico about 150 or 200 yards from the old river bed about 5 minutes before 9 o'clock P. M. They were on foot and had sacks of ammunition on their backs. Just previous to catching them an automobile came up to a house and stopped, and shortly the men with the ammunition came along and we arrested them. The defendants are the same men we arrested...<sup>1</sup>

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<sup>1</sup> Sworn testimony of Robert Taylor, government witness in case of U. S. v Isabel Contreras and Crescencio Ruiz, charged with illegal export of 2200 rounds of rifle ammunition. Both were convicted and sentenced to 30 days in jail. see U. S. v Isabel Contreras, et al., case no. 1606, FRC-FW.

In the days prior to the imposition of the Joint Resolution of Congress of March 1912, General Pascual Orozco began his scramble for arms in earnest. He commissioned an American, John Love, as his purchasing agent on the American side of the border.<sup>2</sup> Orozco hoped that the El Paso businesses would not be as reluctant dealing with an American as they had been with Mexicans. He also hoped that Love's activities would not come to the attention of the United States Customs officers. A further source of munitions was found by seizing shipments consigned to foreign business interests in Mexico such as the Madera Lumber Company which was a subsidiary of the Mexico Northwestern Railway Company.<sup>3</sup> This compelled the United States government to respond by extending its embargo to include all shipments intended for foreign customers as defined in the Resolution.

With the announcement of the embargo, American authorities struck swiftly at the Red Flagger's sources of supply. Court records indicate that 21 offences were committed between March 13-30, 1912, involving some 52 individ-

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<sup>2</sup> El Paso Morning Times, "Red Flag Agent", 8 March 1912, p. 3.

<sup>3</sup> Ibid., "Madera Lumber Co. Property Confiscated", 9 March 1912, p. 1.

uals in the El Paso area alone.<sup>4</sup> The months of April, May and June were no less busy for the courts as 29 offences were registered and 50 persons indicted for contravening the United States Neutrality Laws.<sup>5</sup> The perceived successes which the Americans enjoyed in the first months the Orozco revolt were gleefully reported in the two El Paso dailies. The Times crowed:

El Paso is maliciously and with intent forethought killing a flourishing industry. The killing process has been carried out to such a degree that the industry has just about turned up its toes and hollered "nuff". The defunct industry is smuggling arms in either direction across the Rio Grande and the Khaki clad gentlemen that have been sent to El Paso have been the audience at the wake.<sup>6</sup>

Orozco responded by intensifying his determination to obtain essential ammunition. To make the incentive worthwhile the Red Flaggers in Ciudad Juárez offered \$9.50 per hundred for 30-30 rifle ammunition.<sup>7</sup> As might be expected this led to an increase in 'free-lance' smuggling by individu-

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<sup>4</sup> Records of the District Court of the United States for the Western District of Texas at El Paso, FRC-FW.

<sup>5</sup> Ibid.

<sup>6</sup> El Paso Morning Times, "Work Of Soldiers Along Border", 13 March 1912, p. 10; "Smuggling Stopped By Heavy Guard", 26 March 1912, p. 12.

<sup>7</sup> Ibid., "Red Flaggers Offering High Prices For Cartridges", 28 March 1912, p. 1.

als anxious to earn high commissions. In addition, groups of people committed to providing Orozco with badly needed supplies organized themselves to ship munitions. The El Paso Morning Times commented sarcastically that at \$9.50 per hundred rounds it would cost the Red Flaggers \$95.00 for each soldier killed "computing on a basis of a necessary 1000 shots of a Red Flagger to kill a Federal upholding the Constitutionalist government".<sup>8</sup>

It became apparent to the authorities throughout the month of March that the determination of the smugglers produced some ingenious methods and cunning tricks to get the bullets and munitions across the border.<sup>9</sup> Some of these included, sealing ammunition in tins and shipping them disguised as canned goods, concealing contraband in freight cars, hiding bullets in kegs of nails, billed as hardware.<sup>10</sup> The Red Flaggers also attempted to arrange for a rail-load of munitions to be shunted across the International Railway Bridge into Ciudad Juárez, 'by mistake'.<sup>11</sup>

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<sup>8</sup> Ibid.

<sup>9</sup> Ibid. "Canned Ammunition Exported To Juárez", 28 March 1912, p. 1; "Ammo Seized By Soldiers At Los Palomas, N. M.", 1 May 1912, p. 2; "Kegs Of Nails Contained Cartridges", 31 March 1912, p. 1.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid., "Carload Of Ammunition Eagerly Awaited", 30 March

Although the newspapers were confident in the abilities of the border police to curb the illegal activities, the military acknowledged that despite their presence smuggling continued. Soldiers complained that because most of the ammunition was being taken across the border in small quantities, it was becoming more difficult to apprehend the culprits. Everyone knew that Mexican women and children were doing a considerable amount of smuggling, hiding the contraband under their clothing.<sup>12</sup> The only way of catching them was through informers and surveillance. It was observed that the women would make daily trips across the border usually carrying about sixty rounds concealed on their persons. Some women attempted to disguise their purpose by taking their young children with them.<sup>13</sup>

On May 30, four Mexican women were arrested by United States soldiers at the Hart viaduct for having in their possession 4,000 rounds of ammunition. Preliminary questioning

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1912. p. 2.

<sup>12</sup> Ibid., "Smuggling Arms And Ammunition", 2 May 1912, p. 1.

<sup>13</sup> U. S. v Candelaria Marquéz, case no. 1596 and U. S. v Cristina Luna, case no. 1597, both U.S. District Court, El Paso, FRC-FW. Also El Paso Morning Times "Mexican Women Smuggling Ammunition", 31 May 1912, p. 1. "Mexican Women Held On Preliminary Hearing", 1 June 1912, p. 12.

revealed the location of ammunition which had been secreted in three adobe buildings beyond the smelter. These were used as warehouses whereby the women would pick up the cartridges, conceal them under their clothing and then travel into Ciudad Juárez aboard the streetcar. When they were caught one of the women had a six-month old baby with her and in lieu of any other place to keep the child, it was sent to jail with the mother. The soldiers stationed at the bridge near the smelter said they became suspicious of the women because of their frequent trips into Mexico. These were daily and it was believed they had managed to transport a large quantity of ammunition before they were captured. Three of the women, Candelaria Marquéz, Sabas Luna and Cristina Luna were convicted and sentenced to one day in jail. The fourth woman was released when a search failed to recover any contraband in her possession.<sup>14</sup>

Some of the smuggling rings manufactured canvas vests for their runners to wear under their clothing so they could carry more rounds per trip. Apparently there was no shortage of smugglers, especially among the destitute Mexican refugees willing to risk imprisonment for a few cents per cartridge. They knew that if caught they would receive only a mild sentence ranging from one to five days

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<sup>14</sup> Ibid.

in jail. Obviously the quantity one could carry was limited and an average 50 to 100 rounds was usually found on those arrested.<sup>15</sup> Another effective method, albeit a risky one employed by smugglers, was to bribe the soldiers guarding the border. It was not uncommon for some soldiers to spend \$100.00 in the Red-Light district following their turn on guard duty.<sup>16</sup>

One of the more unusual cases involving the military was that of United States v Freepartner, et al. Fred

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<sup>15</sup> Harris and Sadler, "Underside of the Mexican Revolution", pp. 77-8. El Paso Morning Times, "Five Arrested Carrying Ammunition", 21 March 1912, p. 1. "Court Proceedings: Violating Neutrality Laws", 27 March 1912, p. 9. "Red Flagger Caught At Cartridge Smuggling", 14 May 1912, p. 1. also U. S. v James McKay, case no. 1555; U. S. v John Thomas, case no. 1552; U. S. v Peter Aiken, case no. 1553; U. S. v Francisco M. F. Najera, case no. 1560; U. S. v Allen L. Rogers, case no. 1551; U. S. v Josefina Santa Cruz, case no. 1602; U. S. v Maria Solis, case no. 1603; U. S. v Francisca Molina, case no. 1575; U. S. v Petra Ochoa, case no. 1593, all of the U. S. District Court, El Paso, FRC-FW.

<sup>16</sup> Harris and Sadler, p. 78. El Paso Morning Times, "United States Court", 17 April 1912, p. 6. "Didn't Want Their Cases Dismissed", 20 April 1912, p. 12. "Three Arrested For Neutrality Violation", 9 May 1912, p. 10. "Infantrymen Are Facing Courtmartial", 15 May 1912, p. 12. "Trial Of Freepartner And Mason Ended", 21 May 1912, p. 7. "Fort Bliss News", 29 May 1912, p. 9. 17 April, p. 6; 20 April, p. 12; 9 May, p. 10; 15 May, p. 12; 21 May, p. 7; 29 May, p. 4; all 1912. Also U. S. v Fred Freepartner, W. E. Mason, Joe de Lateur, Lou Mullady, Enrique Esparza, Augustin Gallo, U. S. Commissioner nos. 1066 and 1067, U. S. District Court, El Paso, case no. 1627; U. S. v Enrique Esparza, Pedro Ceniseroz and Librada Martinez, case no. 1631. all U. S. District Court, El Paso, FRC-FW.



Freepartner and W. E. Mason, both privates in Company 'A', 18th Infantry, were accused along with Joe de Lateur, Lou Mullady, Enrique Esparza and Augustin Gallo with having conspired to export munitions of war to Mexico, contrary to the Joint Resolution of Congress. In order to earn some extra money, the two soldiers became involved with Augustin Gallo, a Lieutenant Colonel in the Red Flag Army. Testimony taken before U. S. Commissioner George B. Oliver revealed that two agents working for the Mexican government, L. L. Hall and A. W. Hicks, infiltrated the conspiracy.<sup>17</sup>

Hall, a detective employed by Felix Sommerfeld, was a close friend of President Madero employed as his confidential agent on the border.<sup>18</sup> Hall's mission was to smuggle ammunition in order to penetrate the Red Flag ring, which he did successfully with the help of Hicks. The information which he acquired was passed on to the Bureau of Investiga-

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<sup>17</sup> U. S. v Fred Freepartner, et al., Commissioner case nos. 1066 and 1067, U. S. District Court, El Paso, Texas, FRC-FW.

<sup>18</sup> Harris and Sadler, pp. 75, 73. Also, The Sommerfeld File, Military Intelligence Division, (hereafter cited as MID), National Archives Record Group 165, Records of the War Department General and Special Staffs, MID 9140-1754. See also, Michael C. Meyer, "Villa, Sommerfeld, Columbus y los Alemanes", Historia Mexicana, vol. 28, pp. 546-66.

tion as well as to Sommerfeld.<sup>19</sup>

At the hearing before Commissioner Oliver, Hall testified that when he first learned of the defendant's conspiracy, he ordered Hick's join with them. Hall chose to remain detached from the conspiratorial activities and left it up to Hicks to provide a detailed account of the inner-workings of the ring, including evidence of safe-conduct passes and hand drawn maps. But upon cross-examination it was demonstrated that he was a rather unsavory character whose testimony the defence hoped, would be disallowed. Hicks, by his own admission, had previously been indicted for murder in Denton County, Texas. Also he had served a jail term at El Paso for forgery.<sup>20</sup> The outcome of the trial was not a great surprise. All of the defendants were acquitted, but Freepartner and Mason were immediately arrested by the military, tried by courtmartial and convicted.<sup>21</sup> Enrique Esparza did not escape from prosecution, for he was later indicted for conspiring to export munitions with two other Mexicans.<sup>22</sup> Augustin Gallo did not

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<sup>19</sup> Ross Reports, March 19, 20, 23, April 5, 23, 1912, roll 1. Herbert Report, May 8, 1912, roll 2, all in BI.

<sup>20</sup> U. S. v Freepartner, et al.

<sup>21</sup> "Didn't Want Their Cases Dismissed", 20 April 1912, p. 12. "Infantrymen Are Facing Courtmartial", 15 May 1912. p. 12. El Paso Morning Times,

<sup>22</sup> U. S. v Enrique Esparza, Pedro Ceniseroz, Librada

stay in El Paso after his release and he found himself fighting at the front near Jiminez with General Orozco.<sup>23</sup>

The American authorities were soon faced with another problem related to smuggling. The success of the border patrols in seizing illegal munitions made storage of the evidence difficult. Within the first month following the embargo, there were more than 45,000 rounds of ammunition stored in the Federal Building as evidence for upcoming trials. In addition there was a large stock of bullets remaining after the judicial process despatched offenders to prison. What was to be done with the seized evidence?<sup>24</sup> It soon became apparent that there was no law on the Federal Statutes and no provision in the Joint Resolution of Congress relative to the disposition of evidence. There was speculation that since it could not be held forever by the government nor sold to the public, that the local bar association would establish a historical precedent by turning over the contraband to the attorneys as part payment for fees owed. It did not appear that there were many lawyers scrambling for the ammunition, perhaps fearing that they

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Martinez, case no. 1631, U. S. District Court, El Paso, FRC-FW.

<sup>23</sup> "Gallo And Martínez Are At The Front", El Paso Morning Times, 16 May 1912, p. 5.

<sup>24</sup> Ibid., "What To Do With Seized Cartridges", 15 April 1912, p. 9.

might be appearing as defendants in similar cases in the future.<sup>25</sup>

Although there were many individuals willing to take a chance smuggling munitions for the right price, Orozco knew that their efforts would not be sufficient to supply his revolution. He understood a fact important in all guerrilla movements that survival depended upon a satisfactory supply of munitions from the outside. This meant that there had to be a solid network which included financial, logistical and purchasing agents and contacts in the United States. Madero had organized such a network for his revolution, and Pancho Villa, Orozco's former ally and now bitter enemy also had a group controlled by Lázaro de la Garza. This enabled Villa to purchase arms, ammunition, uniforms and supplies directly from the manufacturers. He was even able to lease aeroplanes, aviators, mechanics, motors and equipment on a monthly basis.<sup>26</sup>

Orozco also had an individual in El Paso, Victor L. Ochoa, his chief agent responsible for constructing an apparatus capable of combatting the combined intelligence resources of the United States and the Mexican

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<sup>25</sup> Ibid.

<sup>26</sup> Lázaro de la Garza Archive, Wallet V: Munitions and Uniform Transactions., Folder A, Nettie Lee Benson Latin American Collection, University of Texas at Austin.

governments.<sup>27</sup> No stranger to revolution, Ochoa had been convicted in 1895 for attempting a military expedition against the Díaz regime.<sup>28</sup> After his release from the Federal Penitentiary at Kings County, New York, he moved to El Paso. Because of his on going revolutionary career he was indicted a total of eight times for various offences.

Ochoa's first brush with the law in El Paso occurred in July 1912, when he was arrested for recruiting men to join the Red Flaggers under Orozco and José Inéz Salazar. This was followed by charges of attempting to export munitions with José de la Luz Trujillo, an old confederate, and Flavio Sandoval, a member of a wealthy Albuquerque family.<sup>29</sup> Ochoa had a melodramatic flair which drew press attention. It was revealed at his trial that he and his co-defendants had "...made a pact, upon pain of death to implement their conspiracy of purchase and shipment of guns and ammu-

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<sup>27</sup> Harris and Sadler, p. 76.

<sup>28</sup> U. S. v Victor L. Ochoa, case no. 893, U. S. District Court, El Paso, FRC-FW. The case was a result of an attempted rebellion in Chihuahua in 1893. Ochoa was convicted and sentenced to two years and six months imprisonment.

<sup>29</sup> "Victor L. Ochoa Is Again In Jail", El Paso Morning Times, 21 July 1912, p. 16. Also, U. S. v Victor L. Ochoa, case no. 1625; U. S. v Victor L. Ochoa, Flavio Sandoval, José de la Trujillo, case no. 1630, both U. S. District Court, El Paso, FRC-FW.

dition from Krakauer, Zork and Moye Hardware".<sup>30</sup> According to reports in the El Paso Morning Times the arrest of Ochoa and the others was connected with the apprehension of Paulino Martínez, an associate of Emilio Vásquez Gómez, who was for a brief time, president of Mexico. Gómez and Martínez had been charged with violation of the neutrality laws and documents secured from the Martínez' residence apparently led officers of the Department of Justice to Ochoa.<sup>31</sup>

Arrest did not deter Ochoa who continued to immerse himself in revolutionary activities. In February 1915 the U. S. Secret Service placed him under surveillance when he was discovered to be involved in a counterfeiting scheme. The currency in question was occupation scrip used by Villa to pay for the property he 'liberated' and the salaries of his men. The ring consisted of Buford and Floyd Wilson of the International Engraving Company and Steve Ochoa, Victor's son.<sup>32</sup> The intention of the Wilson brothers was to make money, but Victor saw it as an opportunity to

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<sup>30</sup> Ibid.

<sup>31</sup> "Emilio Vasquez Gomez Released On Bond", 23 July 1912, p. 1. "Paulino Martinez Placed Under Arrest", 23 July 1912, pp. 1-2. El Paso Morning Times, Emilio Vasquez Gomez, et al. had been attempting to start yet another rebellion when arrested, an indication that they were not pleased with the progress of Orozco's campaign.

<sup>32</sup> U.S. Secret Service Daily Reports of Agents, roll 4.89, p. 190, 198.

strike out at Villa. The whole affair became rather complicated when Ochoa was approached by a former associate, Tony Sierra, turned Secret Service informant.<sup>33</sup> The Department of the Treasury, to which the Secret Service belonged, was keen to stop the counterfeiting, even if it was Villa's currency. After examining the initial samples of the notes, a request was made to obtain more. Victor Ochoa seemed the likeliest candidate to get them since his son was one of the counterfeiters. The individual who provided the fakes, it was learned, was an opium smoker who sought as part of the deal a large quantity of the narcotic.<sup>34</sup> Sheldon E. Bovee, the agent in charge of the El Paso office devised a plan to purchase 100 cans of opium from a known Chinese smuggler by using the counterfeit money manufactured by Wilson. The end result would be a double-cross capable of netting all of the conspirators, including the bothersome Victor L. Ochoa, who was always under suspicion of neutrality law violations. It was hoped that by prosecuting him for the counterfeiting and narcotics offences, the Red Flag organization he controlled would collapse.<sup>35</sup> The plan was successful to a point in that a raid was conducted on the

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<sup>33</sup> Ibid., p. 127.

<sup>34</sup> Ibid., pp. 133-4.

<sup>35</sup> Ibid.

Wilson's establishment, but it produced no evidence.<sup>36</sup> Apparently Floyd Wilson had unloaded the plates used for printing the notes when he suspected that he was being watched by the Secret Service. Ochoa also expressed a similar concern to informant Sierra, who assured him with confidence, that he was not under federal surveillance.<sup>37</sup> He was right, for it was an agent of Pancho Villa anxious to discover the identity of the counterfeiter of their currency. Their suspicion turned to fear after Ochoa was accosted on the street by a pair of Villa's boys and the scheme failed to produce the desired result.

In October 1914, Ochoa became entangled with another indictment involving the enlistment of soldiers for a foreign service and subsequently was charged with attempting to influence a government witness.<sup>38</sup> By 1914-15 charges of this sort, especially for someone like Ochoa, had become quite routine. By this point the politics that Ochoa favored were becoming quite clearly defined. Sadly, for Orozco and Ochoa, the Red Flag Rebellion was all but

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<sup>36</sup> Ibid., p. 283.

<sup>37</sup> Ibid., p. 274.

<sup>38</sup> U. S. v Victor L. Ochoa, case nos. 1781 and 1810; U. S. v E. L. Holmdahl, case no. 1811; U. S. v Victor L. Ochoa, E. L. Holmdahl, José Orozco, Jorge Orozco, Cristobal Limon, Fred Mendenhall, Vicente Carreon, case no. 1816, all U. S. District Court, El Paso.



defunct. Madero had been assassinated in February 1913, replaced by Victoriano Huerta an ex-Díaz army general. Venustiano Carranza, Madero's governor of the State of Coahuila from May 1911 to March 1913 rose against the Huerta government and another rebellion in Northern Mexico was born. Carranza's staunchest ally but later his fiercest opponent was Pancho Villa, the same man who had fought Orozco in defence of Madero. Ochoa hated Villa more than any one else in the conflict, so he allied himself with the Carranzistas after his old friend Pascual Orozco was on the run.

In October 1914 Ochoa was indicted for his role in a pro-Carranza conspiracy. His co-defendants included José Orozco, an ex-captain of the Madero army and a cousin of Pascual Orozco, Cristobal Limon, a purchasing agent for General Benjamin Hill of the Carranza army, Fred Mendenhall, an old accomplice in his counterfeiting scheme, Jorge Ulysses Orozco, the Constitutionalist consul in El Paso and Emil L. Holmdahl, the chief of the Carranza Secret Service. Holmdahl had at one time been a sergeant in the American army stationed in the Philippines.<sup>39</sup> This time the United States government managed to obtain sufficient evidence to obtain convictions against Ochoa and Holmdahl. Both were

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<sup>39</sup> U. S. v Victor L. Ochoa, et al., case no. 1816.

convicted and sentenced to 18 months at Fort Leavenworth.<sup>40</sup>

In July 1913 G. Padres, J. B. Badger and Powell Roberts were indicted for attempting to smuggle close to one half million rounds of ammunition into Mexico.<sup>41</sup> Padres was identified by the El Paso Morning Times as being a representative of the Sonora Constitutionalist and Badger as the owner of the Badger Fuel Company.<sup>42</sup> Powell Roberts was an ex-sergeant of the El Paso Police Force and had worked as a member of the Madero Secret Service. In April of 1912 he was arrested in Ciudad Juárez by the Red Flaggers accused of espionage, but the American Consul and local officials intervened to secure his release.<sup>43</sup> The smuggling charge specified a scheme to conceal a large quantity of ammunition beneath coal destined for Carranza's Constitutionalist forces. This method of smuggling was quite popular and successful during the Spring of 1912, so much so that the Mexican Consul, Enrique C. Llorente was

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<sup>40</sup> Ibid.

<sup>41</sup> U. S. v G. Padres, Powell Roberts, J. B. Badger, case nos. 1680, 1681, U. S. District Court, El Paso, FRC-FW.

<sup>42</sup> "Padres Under Arrest", "Powell Roberts Arrested", El Paso Morning Times, 18 July 1913, p. 2.

<sup>43</sup> "Red Flag Rebels Must Quickly Release American Citizen Of El Paso", 3 April 1912, p. 1 "Powell Roberts Has Been Released", 5 April 1912, p. 1 "Powell Roberts Obtains Release", 6 April 1912, p. 1. "Powell Roberts Arrested", 18 July 1913, p. 2. Ibid.,

forced to hire men to remove coal from Mexican bound rail cars to prevent Orozco from receiving munitions.<sup>44</sup> At their trial, Padres and his co-defendants were found not guilty due to the competent cross-examination of their attorney. Roberts then went on to become a Secret Service agent for Villa.

During the Orozco Rebellion, the firms of Krakauer, Zork and Moye Hardware, Inc. and the Shelton-Payne Arms Company were two major sources of large quantities of munitions and assorted supplies. Because of this, Madero's Secret Service posted agents and informants to watch the comings and goings of customers of these businesses, following anyone who purchased items which could have a military application. In light of this pressure Orozco's people were forced to seek other sources of supply.

In April, 1912 Pascual Orozco and his secretary, Gonzalo C. Enrile, commissioned Rojas Vertiz and Manuel M. Miranda to purchase 600 rifles and 150,000 rounds of ammunition from the Stauffer Eshleemann Company in New Orleans. Vertiz was a Red Flagger, but could not speak English, and Orozco had to provide him with Manuel Miranda to act as interpreter. Miranda was a Mexico City merchant who had been

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<sup>44</sup> Ibid., "Ammunition Smuggled In Car Of Coal", 2 April 1912, p. 5. "All Coal Shipments Will Be Examined", 3 April 1912, p. 1; "Madero Men Will Search Coal For Arms", 20 April 1912, p. 2.

selling clothes to Orozco's army and welcomed the opportunity to make a hefty fee.<sup>45</sup> After obtaining the munitions and arranging for their shipment, Miranda informed L. L. Hall of the Mexican Secret Service presumably because he was dissatisfied with his \$1500 commission.<sup>46</sup> Some of the munitions were shipped in steamer trunks and arrived in El Paso on 21 May 1912, consigned to Ignacio Lopez, a political refugee from Mexico. He was arrested as he tried to claim his property from the baggage counter at Union Station.<sup>47</sup> Rojas Vertiz avoided arrest but the remainder of the munitions which were still in New Orleans were recovered by Miranda, sold to the Mexican Consul and shipped to Shelton-Payne in El Paso. The intended destination of the Orozco consignment was, ironically, not El Paso, but Douglas, Arizona, where the Red Flaggers had experienced success in running contraband across the border. Already Vertiz had despatched an agent to do this when the

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<sup>45</sup> Harris and Sadler, pp. 78-9.

<sup>46</sup> Ross Reports, May 18-22, 1912; Thompson Reports, May 21-23, October 3, 18, 21, 1912; Herbert Reports, May 22, 1912; Harris Reports, May 25, 28, 29, June 6, 7, 10, 14, October 13, 18, 1912; all in BI roll 2.

<sup>47</sup> U. S. v Ignacio Lopez, Salvador Rojas Vertiz, Frank Burbon, T. C. Cabney, Pascual Orozco, Jr., Gonzalo C. Enrile, case nos. 1628 and 1633, U. S. District Court, El Paso, FRC-FW. Also, El Paso Morning Times, "Search Of Trunk Discloses Ammunition", 22 May 1912, p. 2; "Department Of Justice Stores Lopez' Cartridges", 23 May 1912, p. 12.

first shipment had been seized.<sup>48</sup>

One of the defendants named in this case was T. C. Cabney. Evidence indicated that he was also part of the double-cross. On the 21 of May he sent a telegram to L. L. Hall advising him to:

Look out for baggage to amount of 6 heavy trunks which left San Antonio fifteenth or sixteenth. I leave for El Paso tonight, unless otherwise instructed.<sup>49</sup>

Shortly after, he received a telegram from Powell Roberts ordering him to stay in San Antonio and to get further instructions from the United States Marshal there. In order to reinforce Cabney's position as a Secret Service operative, L. E. Ross, special agent with the Bureau of Investigation, sent a letter to H. A. Thompson, the agent in charge of the San Antonio office advising him of Cabney's assistance in the investigation.<sup>50</sup> The trial was held in October of 1912, and Cabney was found not guilty.

Throughout the Spring of 1912 the combined efforts of the Mexican and American Secret Service agents continued to harrass every effort the Red Flaggers made to smuggle arms. Even nature helped out by causing the Rio Grande Canal

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<sup>48</sup> Harris and Sadler, p. 80.

<sup>49</sup> U. S. v Lopez, et al., case no. 1633, U. S. District Court, El Paso, FRC-FW.

<sup>50</sup> Ibid.

running between El Paso and Ciudad Juárez to rise so high that the newspapers predicted confidently that an end of smuggling was at hand.<sup>51</sup> In fact, the drastic reduction in munitions reaching Orozco was due to the successes experienced by the authorities. L. E. Ross of the United States Secret Service was making arrests so frequently reports coming from Mexico indicated that the rebels had been forced to evacuate 250 miles of their territory.<sup>52</sup> Orozco, for example, met the Federal troops at Bachimba in June - July with insufficient quantities of small-arms and artillery ammunition.

A letter from the Military Attache in Mexico City regarding the Chihuahua campaign gave some indication of the desperation experienced by Orozco's men. During the battle, the Federales expended some 300,000 - 500,000 rounds of small arms and 1500 - 2500 rounds of artillery ammunition. The Red Flaggers replied with 50,000 - 100,000 small arms and 40 - 60 rounds of artillery.<sup>53</sup> The attache, Captain W. A. Burnside observed:

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<sup>51</sup> El Paso Morning Times, "High Water In River Will Prevent Smuggling", 13 March 1912, p. 2.

<sup>52</sup> Ibid., "Red Flag Rebels Short On Ammunition", 28 May 1912, p. 1.

<sup>53</sup> Letter from E. O. Captain W. A. Burnside, Military Attache, Mexico City, no. 739, 24 July 1912 "Campaign in Chihuahua June-July, 1912 re. Expenditures of Ammunition". File no. 5384.16 MID.

The expenditure of ammunition (by the Federales) is somewhat reckless and there is a strong tendency on the part of the soldiers to fire away all small arm ammunition at the first opportunity. The great expenditure of artillery ammunition was due to the use of searching fire in trying to induce the rebels to reveal their positions without the use of scouting and getting in touch with the enemy by cavalry and infantry.

If, as the El Paso Morning Times noted, the Red Flaggers were spending an average of \$95 to kill one Federal soldier, how much was the government spending to eliminate one rebel? The campaign in Chihuahua, culminating with the Battle of Bachimba, clearly demonstrated the futility of the Orozco revolt. As the opposing forces began preparing for the encounter, the Red Flaggers were preoccupied with the problem which had caused their earlier defeat at Rellano. Specifically, the lack of arms and ammunition and the series of demoralizing defeats had prompted many desertions.<sup>55</sup>

General Orozco did not have a formidable artillery capability in his army and there are few references to it, especially regarding the smuggling of artillery ammunition. He did, in fact, have two guns made in shops in Chihuahua, one heavy and one light. The newspapers did not regard them as

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<sup>54</sup> Ibid.

a formidable threat, even though they were moved to Ciudad Juárez in order to defend against an anticipated Federal assault. The El Paso Morning Times reported: "about as effective as a couple of large bean shooters. Their companion pieces have either bursted (sic) or been captured".<sup>56</sup> For a short time Orozco did have the professional services of two American mercenaries, Tracy Richardson and Sam Drebbin, employed as machine-gunners. Unfortunately for the Red Flaggers both were seriously wounded and out of the war by the end of April, 1912.<sup>57</sup>

There were a few other mercenaries who offered their services to Orozco at the time, but the Red Flaggers failed to attract enough of them, so their contribution was quite insignificant. Many of these individuals fought for both sides since their loyalty was dictated by money rather than idealism. Guiseppi Garibaldi, grandson of the leader of 19th Century Italian unification movement took an active part in Madero's 1910 revolution. At the end of April 1912 he had returned to Mexico at the behest of his old friend, but as

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<sup>56</sup> El Paso Morning Times "Red Flag Rebels Would Repair Cannon", 13 April 1912. p. 1. "Hand-Made Cannon Brought To Juarez", 28 May 1912, p. 1.

<sup>57</sup> Ibid, "Tracy Richardson Red Flag Rebel Hero", 13 April 1912, p. 1. "Sam Drebbin, Orozco's Gunner, Badly Wounded", 1 May 1912, p. 2.



in 1910, Garibaldi's contribution was not that decisive.<sup>58</sup>

Another group of ex-Maderista mercenaries came to the attention of the authorities. Captain E. L. Charpentier, a French artilleryman who served under both Madero and Villa, was arrested in June 1912 along with D. J. Mahoney, Robert McDonald and A. Monahan, American citizens, charged with smuggling.<sup>59</sup> On 4 May 1912, it was reported in the El Paso Morning Times that Captain Charpentier had arrived in the city to seek medical treatment for wounds he suffered when a horse fell under him at Torreon. He had narrowly escaped death in the two battles at Parral and had made his escape to El Paso alone through hostile territory. He was quoted as saying that he would not be returning to Mexico.<sup>60</sup>

One month later, on June 6, Charpentier signed a contract with the Madero government to conduct attacks against rail and telegraph communications between Ciudad Juárez and Orozco's headquarters at Chihuahua. Along with Mahoney, McDonald and another American named Noonan, Charpentier was to receive \$500 per month plus expenses.

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<sup>58</sup> Ibid., "Garibaldi Says Is On Business Trip", 30 April, 1912, p. 5.

<sup>59</sup> U. S. v E. L. Charpentier, D. J. Mahoney, Robert McDonald, A. Monahan, case no. 1607; U. S. v Enrique C. Llorente, case no. 1650, both U. S. District Court, El Paso, FRC-FW.

<sup>60</sup> Ibid., "Captain Charpentier Here From Torreon", 4 May 1912, p. 2.

The agreement was signed with the Mexican consul, Enrique C. Llorente and witnessed by Felix Sommerfeld and Alberto Madero, the president's brother.<sup>61</sup> Charpentier received an advance so that he might purchase equipment and necessary supplies from the Krakauer, Zork and Moye Hardware Company and Shelton-Payne Arms Company. On June 11 the Expedition crossed into Mexico and immediately encountered a Red Flag patrol. The subsequent engagement forced them to abandon their mission and seek refuge in the United States<sup>62</sup> where they were arrested and charged with violation of the neutrality laws. Although Charpentier and his companions promised not to reveal the Mexican government's involvement in the matter, or to expose it to embarrassment which could have severe diplomatic repercussions, they did make Consul Llorente's role public because they were angry that he refused to pay them salaries which were owed them.<sup>63</sup> The consul was indicted subsequently for enlisting men for a foreign service, specifically Charpentier and company.<sup>64</sup> Captain Charpentier and his accomplices were in turn charged with exporting "750 rounds of ammunition, 4 rifles, 4 pis-

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<sup>61</sup> Harris and Sadler, p. 81.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid., p. 82.

<sup>64</sup> U. S. v Enrique C. Llorente, case no. 1650,  
U. S. District Court, El Paso, FRC-FW.

tols, belts, scabbards and other supplies of like character".<sup>65</sup> The defendants stood trial in October 1912 and were acquitted.

In April, 1912, Abraham Molina, Chief of the Madero Secret Service in El Paso and two American Secret Service agents made one of the largest seizures of ammunition in El Paso. At the rear of a grocery store they found 15,000 cartridges covered with sacks of flour.<sup>66</sup> Further investigation uncovered an additional 50,000 rounds and 390 rifles stored in a warehouse, all purchased from the Shelton-Payne Arms Company.<sup>67</sup> At the conclusion of the investigation agents recovered a further 10,000 rounds and a case of 12 Winchester rifles from a private residence. The grand total of the seizures was 111,000 rounds of ammunition and 342 rifles, all intended for Orozco's Red Flaggers. Fifteen individuals faced charges of conspiracy to export munitions of war, among them a British subject, E. H. Dean, alias William Ryan. Cástulo Herrera, a colonel in the Red Flag army and financial agent Braulio Hernandez

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<sup>65</sup> U. S. v E. L. Charpentier, et al., case no. 1607, U. S. District Court, El Paso, FRC-FW.

<sup>66</sup> El Paso Morning Times, "Fifteen Thousand Rounds Of Ammunition Seized", 7 April 1912, p. 10.

<sup>67</sup> Ibid., "Two Mexicans Taken By Federal Officers", 21 April 1912, p. 2.

were also indicted.<sup>68</sup> At one time Hernandez had been the Secretary of State in Chihuahua and a close confident of President Madero. But March 1912 saw him in a different role, that of a traitor and a rebel leader serving under General Maximo Cástullo's command. Also he had been charged with embezzlement of public funds in Chihuahua for which the Mexican government was seeking his extradition.<sup>69</sup>

An examination of the court records reveal the extent of the Orozco smuggling organization in place at that time by the associates Herrera, Gutierrez and Victor L. Ochoa. The records show United States agents had infiltrated the rebel organization. An investigation conducted by Commissioner Oliver uncovered the connection between the accused and Pascual Orozco. Cástulo Herrera had been sent to Ciudad Juárez by Orozco supplied with sufficient funds to purchase munitions. E. H. Dean was the smuggling expert

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<sup>68</sup> U. S. v Cástullo Herrera, alias George Valencia, Ignacio Gutierrez, Eduardo Ochoa, Jesus de la Torre, Ignacio Nunez, case no. 85, U. S. District Court of New Mexico, FRC-Denver; U. S. v Demetrio Ponce, Alberto Echevarria, Jesus de la Torre, E. H. Dean, alias William Ryan, Proquinto Herrera, Cástulo Herrera, George Skeels, Savino Guadarama, Alvino Guadarama, Braulio Hernandez, case no. 1559; U. S. v Savino Guadarama, Alvino Guadarama, Longino Gonzalez, Isabel Larrazola, case no. 1629, both U. S. District Court, El Paso, FRC-FW. See also: Thompson Report, 7 June, U. S. v Valencia, roll 2, BI.

<sup>69</sup> Ex Parte Braulio Hernandez, case no. 1653, U. S. District Court, El Paso, FRC-FW.

and it was his responsibility to organize the movement into Mexico of the supplies that Herrera purchased. The newspaper reported that because of Orozco's desperation to obtain munitions for the front at Jiménez, Ryan and Herrera were forced to take unavoidable risks. This turned out to be their undoing for Abe Molina anticipated their difficulties and posted additional spys at the arms firms to obtain more information.<sup>70</sup> The Bureau of Investigation was also aware of Herrera's plans, presumably from intelligence provided from Molina. Herrera was placed under surveillance and arrested as he attempted to ship 10,000 rounds of rifle ammunition into Ciudad Juárez soon after he purchased it from Shelton-Payne.<sup>71</sup>

Herrera's troubles were just beginning. After being released on \$1000 bond, he entered Ciudad Juárez believing it to be sanctuary from American prosecutors, but in May he was arrested by Orozco. The charge was having aided the escape of Antonio Corona, a man accused of being a traitor to the Red Flag cause.<sup>72</sup> Herrera must have been convincing in his own defence because he was granted another chance to

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<sup>70</sup> El Paso Morning Times, "Smugglers Get Knockout Blow", 29 March 1912, p. 1.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid., "Col. Castulo Herrera Probably Under Arrest", 19 May 1912, p. 1.

prove his loyalty. On May 29 Bureau of Investigation agents observed him purchasing 49,000 cartridges from the McIntosh and Whitney Hardware Company in Albuquerque.<sup>73</sup> Herrera's freedom was short-lived as he was arrested yet again in Columbus, New Mexico, in the company of two other Mexicans while in possession of a wagon containing the ammunition. This was concealed in nail kegs, lime barrels and sacks, labelled "well-machinery".<sup>74</sup>

His bond this time was set at \$3000 which he posted before fleeing once more to Juárez. Herrera's choice of the Demming-Columbus area for his smuggling operations was obvious but unfortunate because the heavy rain of the previous two weeks had caused the Rio Grande to flood at El Paso. This forced many smugglers to try their luck further down-stream. Soon after Herrera's arrest, the authorities apprehended four more associates, alerted to their presence by the fact that they were strangers to the area.<sup>75</sup> One of those arrested was Eduardo Ochoa, Victor's brother, who was using the alias, A. Gonzalez.<sup>76</sup> Although the smugglers had

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<sup>73</sup> Thompson Report, 6 June 1912, "re. George Valencia", BI.

<sup>74</sup> Ibid., "Herrera Made Bond And Fled To Juarez", 9 June 1912, p. 2.

<sup>75</sup> Ibid, "Alleged Red Flaggers Arrested At Deming", 5 June 1912, p. 1.

<sup>76</sup> U. S. v Castulo Herrera, et al., case no. 85,

been caught and the operation exposed, they succeeded in shipping 49,000 badly needed cartridges across the border into Mexico.<sup>77</sup>

In the trials which took place during 1912 and the Spring of 1913, several of the accused received convictions but some were acquitted, including the Guadarama brother. E. H. Dean was convicted and sentenced to six months imprisonment.<sup>78</sup> As noted earlier in this thesis, the growing problem of storage and disposition of the large quantities of munitions held for evidence concerned federal authorities. E. H. Dean took advantage of the situation and in February 1913, through his lawyer had munitions seized by agents at his house turned over to Shelton-Payne Arms Company. There were 10 rifles and 10,000 cartridges involved in this negotiation. In a letter to Commissioner

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U. S. District Court of New Mexico.

<sup>77</sup> Harris and Sadler, p. 70.

<sup>78</sup> U. S. v Demetrio Ponce, et al., case no. 1559, U. S. District Court, El Paso. note: The final disposition of the Castulo Herrera portion of the case is not evident from the court documents. This is because some of the relevant documents were sent to Waco, Texas re. the Habeas Corpus proceedings of Orozco and David del la Fuente and have since disappeared. This problem was noted in several other case records because during appeal proceedings the attorneys of those convicted often sought a change of venue. Documents thus transferred were seldom returned to the originating jurisdiction, much to the chagrin of several court clerks and historians.

Oliver Dean stated that since he had been convicted and imprisoned for possessing evidence, the property was his to dispose of as he pleased. No one was more astounded than the Assistant Attorney General when Commissioner Oliver acceded to the request. A letter was sent to Oliver forbidding the transaction, but it arrived too late. The tragic irony to the affair was that an investigation revealed that Dean did not possess clear title to the munitions as he had claimed. In a face saving effort Commissioner Oliver replied that since Dean alone had been convicted among those involved with this property, then this reaffirmed his claim.<sup>79</sup> One can speculate that these munitions, by being returned to Shelton-Payne, may have eventually found their way to Orozco by way of a more successful smuggler.

Smuggling was not restricted to the hundreds of Mexicans on both sides of the border, or even the few foreign mercenaries involved on both sides of the rebellion. The case of Freepartner and Mason,<sup>80</sup> privates in the United States Army was unusual but not unique in the sense that it involved military personnel. John S. Talbot and

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<sup>79</sup> Ibid.

<sup>80</sup> U. S. v Fred Freepartner, et al, case no. 1627,  
U. S. District Court, El Paso, FRC-FW.



Wyllie M. Phillips<sup>81</sup> were arrested in March of 1912 when Secret Service agents uncovered 14,000 cartridges hidden in Phillips' store.<sup>82</sup> A long time resident of the city, Phillips was also a corporal in Company 'K' of the Texas National Guard.<sup>83</sup> Talbot, a recent resident to the city owned a real estate business, a similar occupation used by Victor L. Ochoa.<sup>84</sup> Apparently Phillips was motivated by the opportunity to make money. Even before the embargo became law, he was arrested for possession of firearms. Described as an ex-Maderista American, Phillips and three companions had been stopped in the early morning hours by a policeman who uncovered 16 old model Springfield rifles in their wagon.<sup>85</sup> Despite the fact that they were intended for sale in Ciudad Juárez, after several days the authorities returned the weapons to Phillips since it was determined that no violation of the neutrality laws had been committed. The newspaper also mentioned that they had been purchased from a

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<sup>81</sup> U. S. v John S. Talbot and Wyllie M. Phillips, case nos 1561 and 1576, U. S. District Court, El Paso, FRC-FW.

<sup>82</sup> El Paso Morning Times, "Cartridge Smugglers Have Hearing", 11 April 1912, p. 6.

<sup>83</sup> Ibid.

<sup>84</sup> Ibid. See also: U. S. v Victor L. Ochoa et al., case no. 1816, U. S. District Court, El Paso, FRC-FW.

<sup>85</sup> El Paso Morning Times, "American Stopped With Antiquated Guns", 9 March 1912, p. 2.

second-hand store on speculation.<sup>86</sup>

The trouble which Phillips and his associates found themselves in later that month was more serious. The subsequent investigation uncovered a sophisticated smuggling operation which employed several others, both Mexicans and Americans.<sup>87</sup> During the preliminary hearing before Commissioner Oliver, an agent for the Madero Secret Service, W. B. Scott testified that he had taken sample rounds to Ciudad Juárez and had met with Red Flag officers, including Colonel Demetrio Ponce. He also noted that several persons had been frequent visitors to Phillips' store, buying ammunition and concealing it in special canvas cartridge belts which they wore under their clothing.<sup>88</sup> In his defence, Phillips claimed that the ammunition he had sold to Colonel Ponce, and subsequently delivered to him had been transferred prior to the imposition of the embargo.<sup>89</sup> The evidence against the men was sufficient to ensure their conviction and both were

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<sup>86</sup> Ibid., "Springfield Rifles Returned To American", 12 March 1912, p. 2.

<sup>87</sup> U. S. v Allen L. Rogers, case no. 1551; U. S. v John Thomas, case 1552; U. S. v Peter Aiken, case no. 1553, U. S. v James McKay, case no. no. 1555, all of U. S. District Court, El Paso, FRC-FW.

<sup>88</sup> El Paso Morning Times, "Cartridge Smugglers Have Hearing", 11 April, p. 6.

<sup>89</sup> Ibid.

sentenced to thirteen months at Leavenworth Penitentiary.<sup>90</sup>

Four other Americans soon appeared before the courts charged with smuggling munitions.<sup>91</sup> One of the men, Peter Aiken, had a most interesting story. A locomotive engineer by trade, he had enlisted with the Red Flaggers for the princely sum of \$5.00 per day. After fifteen days of hard, cold work he returned to El Paso and reported a "pronounced anti-American sentiment among Red Flag officers"<sup>92</sup> Ten days while aboard the streetcar bound for Mexico, he was arrested for attempting to smuggle a pistol and a small quantity of ammunition. This had, in fact, been a busy day for the American soldiers on duty at the International Bridge, where several other persons including three Americans had been arrested for attempted smuggling as well.<sup>93</sup> All were convicted and sentenced to six months in the El Paso County Jail.

During the Spring of 1912 several articles appeared in the local press referring to Orozco's ability to finance

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<sup>90</sup> Ibid, "Federal District Court Adjourned", 14 April 1912, p. 4.

<sup>91</sup> U. S. v Rogers (1551), Thomas (1552), Aiken (1553), McKay (1555).

<sup>92</sup> El Paso Morning Times, "Red Flag Rebels Against Americans", 12 March 1912, p. 1.

<sup>93</sup> Ibid., "Five Arrested Carrying Ammunition", 21 March 1912, p. 1.

his revolution. Some speculation suggested that a foreign power was behind it, though the specific nation had not been identified. In early May 1912, Peter Aiken, then serving his six month sentence identified the Japanese government as the financial backer to the Red Flag revolt. He claimed that he had witnessed the signing of an agreement between Orozco and Japanese representatives. The transaction stated that in return for necessary funds to ensure Orozco's success in achieving his goal, the Japanese would be provided certain territorial concessions in Mexico, including Magdalena Bay, a deep-water harbour on the Baja Peninsula.<sup>94</sup> The Japanese were anxious to achieve a foothold on the North American continent and Mexico was attractive because of the rivalry between Japan and the United States in the Pacific. The Americans were extremely worried about Japanese intentions in the region especially after noting the rise of the Japanese military capability following their successful war against Russia, seven years earlier. Whether Aiken's claim was true or not, the Americans could not ignore the fact that the instability in Mexico was providing a dangerous opportunity for rival foreign powers to interfere more actively. The Americans feared a Japanese military presence in Mexico which could compromise

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<sup>94</sup> Ibid, "Japanese Make A Deal With Orozco", 6 May 1912, p. 1.

their ability to defend their Western coast against an attack.

The details of the transaction published in the article were few and all that Aiken claimed he could recall, but he said that following his arrest of March 20 he had recorded full details together with the names of the Japanese officials in a diary which he had forwarded to E. S. Rogers, former congressman from Minnesota. Aiken certainly seemed well qualified to become involved in this sort of intrigue as he admitted that he had been a spy in the employ of the Japanese Government during the Russo-Japanese war, and later a spy for the Mexican Government.<sup>95</sup> Whether or not the American Government acted upon this particular information is not clear, but the State Department did express concerns over Japanese intrigues in Mexico during the course of the Mexican troubles.<sup>96</sup>

Although this account, which appeared in the El Paso Morning Times is an interesting explanation for Orozco's financial sources, it must be accepted within the context in which it was delivered. By his own admission, Aiken was a convicted smuggler and a spy, first for Díaz during the

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<sup>95</sup> Ibid.

<sup>6</sup> A detailed account of this is found in The Secret War in Mexico: Europe, The United States and The Mexican Revolution, by Fredrich Katz, Chicago and London: The University of Chicago Press, 1981.

Madero revolution before switching to Madero until his arrest.<sup>97</sup> Coincidentally, an article appeared some days later stating that Orozco was spending 50 000 pesos per day to keep his rebellion going. The money which he had raised from looting and kidnapping had long been spent and several prominent citizens in Chihuahua believed the money was coming from agents of Japanese corporations which held charters from the Japanese Government.<sup>98</sup>

Pascual Orozco definitely faced serious problems in his revolution against Francisco Madero and some historians assert that it was doomed from the start. Its failure did have one very dominant factor, namely the inability of the Red Flaggers to keep themselves supplied with munitions. Despite the ingenuity of some of the smugglers and the dedication of his few supporters, it was the combined effort of the United States and Mexican Governments which was to dictate the final outcome. The various cases discussed and the personalities involved were only a small sample of the activity which prevailed along the border at that time. It will never be known just how much material was successfully

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<sup>97</sup> El Paso Morning Times, "Japanese Make A Deal With Orozco", 6 May 1912, p. 1.

<sup>98</sup> Ibid., "Mysterious Origin Of Red Flag Funds", 18 May 1912, p. 2.

passed on to the Red Flaggers, but it was obviously too little, too late.

## CONCLUSION



Some historians claim the Orozco rebellion was over before it started, but it is generally agreed that with the recapture of Ciudad Juárez in November 1913, followed by the loss of Ojinaga in January 1914, Pascual Orozco ceased to be a major player in the turmoil present in Mexico. The defeats suffered at the hands of the Constitutionalist forces under the command of Pancho Villa and Venustiano Carranza would turn into a shallow victory, as they turned on each other in a bid for the Mexican presidency. In February 1913, Orozco made a decision to combine his rebels with the forces of Victoriano Huerta, the president of Mexico against whom the Constitutionalist rebels rebelled following the murder of Francisco Madero.<sup>1</sup> Now fighting under the Federalist banner, Orozco suffered several losses while engaging Villa's army, causing the gradual decline in control of the State of Chihuahua. Orozco's defeat at Ojinaga effectively ended a chapter in twenty years of violence, following the overthrow of Porfirio Díaz. Much to the chagrin of Villa, Orozco and 400 of his followers fled to safety by way of the United States.<sup>2</sup> The Constitutionalist campaign against Huerta continued until July 15, 1914, when defeats forced him to submit his resigna-

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<sup>1</sup> Michael Meyer. Mexican Rebel. p. 98.

<sup>2</sup> Ibid., p. 118.

tion and follow Diaz to exile in Spain.

Orozco remained in Chihuahua and continued to fight against the Mexican government, skirmishing with Villa's forces until September 1914 when he too had to seek refuge in Texas.<sup>3</sup> Throughout the remaining months of 1914 and into early 1915, the anti-Constitutionalists plotted a counter-revolution while extending an invitation to Huerta and Orozco to assume the leadership of it. In July the pair were arrested and charged with neutrality law violations and were detained at Fort Bliss, near El Paso.<sup>4</sup> Released on a conditional bond and placed under house arrest, Orozco managed, on July 3rd, to slip through his guard and one of the largest manhunts in the history of Texas began. Huerta was immediately returned to the military stockade for fear that he would attempt a similar escape, despite his poor health.<sup>5</sup> For almost two months Orozco and four companions eluded the authorities until August 30th, when they were surprised near Sierra Blanca, Texas, by a rancher as they were eating a meal on his property. The alarm was sounded and a posse of federal marshals, deputy sheriffs, Texas Rangers and troops of the 13th Cavalry

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<sup>3</sup> Ibid.

<sup>4</sup> Ibid., p. 130.

<sup>5</sup> Ibid.

roared off in hot pursuit. The chase lasted several hours until the posse caught up with their quarry at the Green River Canyon, some twenty-five miles east of Sierra Blanca. After positioning themselves along the canyon rim, the order to open fire was given and by dusk all five men were dead.<sup>6</sup> Word of Orozco's death created a storm of protest among the Mexican residents of El Paso for they believed he had been treacherously assassinated by the Mexican government. The El Paso Morning Times, strongly anti-Orozco throughout the Red Flag rebellion, suprised many when it expressed outrage at the manner he had been brought to justice.<sup>7</sup>

With the death of Orozco and the imprisonment of Huerta a significant and well-planned movement that could have altered the course of the Mexican Revolution vanished.<sup>8</sup> Sadly, the bloodshed and violence continued unabated for two more years and sporadically afterwards.<sup>9</sup> Why had Orozco failed in his attempt at revolution? Perhaps the most significant reason was that the United States government was unsure of him and his movement. His Plan Orozquista was a program which would have enhanced

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<sup>6</sup> El Paso Morning Times, 1 September 1915. p. 1.

<sup>7</sup> Ibid., 2 September 1915, p. 1.

<sup>8</sup> Meyer, p. 134.

<sup>9</sup> Ibid.

Madero's Plan de San Luis Potosí and benefited the Mexican nation. While Madero's Plan was criticized for being political and concerned largely with administrative reform, the Orozco document appeared more determined to implement actual social and economic reform. The Taft administration, struggling to come to terms with the Madero revolution was unprepared to attempt interpreting the Orozquista. What they saw after a superficial examination disturbed them. They believed that there was a strong connection between Orozco and the American Socialist Movement, which in turn was allied with the Magonistas and the PLM. It seemed to them that the comparatively modest reform program of Madero would be more than adequate for the Mexican nation. In contrast, Orozco suggested more radical proposals that would be counter-productive for both the Mexican people and American investors.

There was another reason for American reluctance to accept Orozco's rebellion. During the Porfiriato, foreign investment in Mexico was quite secure with the Rurales maintaining law and order in the frontier and along the borderland. Madero had secured power relatively quickly, without excessive bloodshed while showing respect for American property. To further demonstrate his good faith, he had appointed one of his best field officers, General Pascual Orozco, to assume command of the Rurales. Orozco, in turn,

projected his loyalty and efficiency by quelling the isolated uprisings against the new government. His decision to rebel was regarded as treachery, since he was seen to have sold himself to the reactionary element which the Americans distrusted. The dilemma which engulfed the United States government was to prevent Orozco from succeeding by remaining neutral. American leaders feared that by compromising their stated position they would open the door for intervention by European interests which maintained sizeable investment in Mexico. One way of exerting a subliminal influence over the internal affairs of Mexico was by re-drafting and updating the neutrality statutes, resulting in the implementation of an arms embargo.

The situation was further complicated with the conflict that arose between the various agencies that were empowered to enforce the laws. At times the counter-insurgency activities of the federal authorities were comic as spys of many different agencies shadowed and chased each other through the streets of El Paso. Smugglers working as independents and as members of organized rings still managed to transport a quantity of desperately needed munitions to the Red Flaggers, employing highly imaginative methods. At one point the American government attempted to smash the smuggling by returning indictments against several large firms which were the

major retailers of arms in the border area. These charges were eventually dropped without causing a noticeable decline in gun-running operations.<sup>10</sup> Enforcement of the neutrality laws and the war waged against the smugglers was quite successful considering the scope of operations. During the first two months following the embargo, approximately 1,700 rifles, 2 machine guns, 327,000 rounds of ammunition and 90,000 lbs of dynamite were seized.<sup>11</sup> The departure of Orozco in the early summer of 1913 did not cause a reduction in smuggling as Villa and his Constitutionalists still required munitions to maintain their campaign against the rebels.

In spite of the marshalling of the forces against him, Orozco maintained an effective rebellion against the Madero government, due in part to the powerful organization which provided financial support. An element of this organization was the Chihuahua conservatives and in trusting them Orozco made perhaps his biggest mistake. By

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<sup>10</sup> El Paso Morning Herald, "Shelton Smuggling Charges Quashed", 2 December 1913, p. 2.

<sup>11</sup> These figures were taken from the court cases examined at FRC-FW and represent a total for the months March - April 1912 in El Paso alone. It is difficult to estimate what percentage of the total number of muntitons this reflects as the smugglers did not keep accurate records of their activities. These figures were found to be more accurate than those found in the newspapers because they were used in the Grand Jury Indictments of the accused and as evidence against them.

placing too much faith in his conservative backers, he demonstrated his political naivete in the inner-workings of politics. He failed to realize that they could never allow a reform program to be installed if his revolution were to succeed.<sup>12</sup> As the Orozco rebellion was fading, the United States government under Woodrow Wilson was compelled to direct its attention toward the activities of Pancho Villa and a worsening situation in Europe. President Wilson's neutralist policies were tested repeatedly until he was forced to intervene militarily in Mexico following the raid on Columbus, New Mexico. In March 1916, just four years following his predecessors implementation of the arms embargo, Wilson authorized the Pershing Punitive Expedition to enter Mexico in pursuit of Pancho Villa following the Columbus Raid. The expedition failed in its mission of capturing Villa and in its place succeeded in antagonizing the Carranza government to the point of threatening war. Wilson withdrew his forces and instead sent them to Europe where they could join the allies in the war against Germany. Perhaps Orozco was partially successful in the sense that his rebellion indirectly resulted in the overthrow of Madero. The American government was unable to

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<sup>12</sup> Meyer, p. 93.

prevent this but it was successful in preventing Orozco from capitalizing on it.



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