THE POLITICAL CAREER OF SENATOR BRONSON M. CUTTING

by

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entitled THE POLITICAL CAREER OF SENATOR BRONSON M. CUTTING
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While everyone concerned with the political history of the state of New Mexico will readily admit that Bronson M. Cutting is a figure of major importance very few are able to explain why he looms so large. This study is an attempt to answer that question. Within the framework of purely local politics Cutting was at one time or another deeply involved in the affairs of the Progressive, Republican and Democratic parties. He operated with apparent disregard for party loyalty as he successfully crossed party lines in his support of candidates at the local, state, and national level.

Until recently the only materials available to aid in assessing Cutting’s role were (1) the files of his newspaper the Santa Fe *New Mexican*, (2) the articles written about him during his lifetime, (3) the several publications and theses prepared under the direction of the Department of Government at the University of New Mexico dealing with the political affairs of many of his contemporaries, and (4) a Master’s thesis by Jonathan Cunningham entitled "Bronson M. Cutting, A Political Biography" (University of New Mexico, 1940).
All of these sources have their shortcomings. The files of the *New Mexican* discuss problems from one point of view only, the published material on Cutting suffers from a lack of historical perspective and in the studies of his contemporaries he received treatment as a peripheral figure. While Cunningham presented a substantial contribution, he did not have access to the Cutting papers. In 1957 Patricia Armstrong, who had catalogued and arranged the Cutting Papers for the Manuscripts Division of the Library of Congress, completed a Master's thesis discussing Cutting's role in New Mexico politics through 1926. This study based upon the papers is indispensable but it suffers from a major defect; Miss Armstrong's understanding of New Mexico politics is based too heavily on her reading of the Cutting Papers. Moreover, her study omits Cutting's role as a national figure.

It would appear from a reading of the standard works covering the period 1927-1935 that most historians of that period are puzzled by Cutting's many political roles. They are impressed by his independence of thought and action but are not always able to explain him at critical moments, such as when Cutting and President Roosevelt split in 1934.

This study attempts to fill in many of the gaps existing in explanations of Cutting's political career.
Through the use of the papers of Cutting's friends and enemies, as well as the Cutting collection itself, the author has attempted to present a more balanced picture than one gets through only the Cutting papers.

The Cutting papers have been edited, to be sure, especially those dealing with Cutting's years in the Senate; the author has therefore been forced to rely very heavily on the Congressional Record in discussing this period from 1927 to 1935. Unfortunately, because of the dearth of first-hand information he has been compelled to speculate, perhaps too frequently, about Cutting's motivation in sponsoring and opposing various pieces of legislation. This, he realizes, leaves something to be desired in the way of a complete understanding of Cutting.

It may be possible to discuss Cutting in more detail in the future when the papers of his friend and ally, Robert M. LaFollette, Jr., and those of his opponent, Dennis Chavez, are opened to researchers. But until that date, unless there is a body of papers unknown to the scholarly world, the author feels that he has presented a contribution, albeit a minor one, to the small body of knowledge to covering New Mexico politics since statehood and to the much larger literature of twentieth century political history.
ACKNOWLEDGMENTS

For a work of this nature done over a period of years from material gathered in a variety of places one can hope to do no better than merely noting and thanking the people who helped him the most and hope that the others never learn that they have been ignored.

I would like to note with appreciation and thanks the staff of the Manuscripts Division of the Library of Congress, the Franklin Delano Roosevelt Library at Hyde Park and the staff of the Coronado Room at the Zimmerman Library of the University of New Mexico. Their assistance was invaluable. It would have been much harder to gather the voting statistics in chapter six had it not been for Mrs. Mildred Barrett of the New Mexico State University Library. Three cheers and a tiger are in order for the staff of the Dupre Library at the University of Southwestern Louisiana from the students who shelve the books through to the Director. But three individuals especially should be mentioned, the Director, Mr. Kenneth Toombs, Mr. Dudley Yates, head of the Circulation Department, and Mrs. Mayo
Blanchet, who is in charge of inter-library loans. I suppose I could have finished without their assistance but it would have been much harder.

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The author would also like to thank Professors Ira Clark and Burl Noggle for encouraging him as an undergraduate to become a historian. Professor John A. Carroll should also be thanked for letting the author sit in on his seminar on historical writing. I hope what I learned shows up in this study. Professor Conrad Joyner of the Government Department at the University of Arizona also needs thanking for past favors, ideas, and advice. Professors Robert R. Jones, Allen E. Begnaud and James Dorman of the University of Southwestern Louisiana helped the author in innumerable
small ways but mostly they listened to him babble on about Cutting, they didn't throw him out of their offices and we are still friends. For this the author is most grateful. I would also like to thank Professor Robert Crisler for being a good boss, they are hard to find. A special thanks is due to my friends and colleagues from both Arizona and Louisiana, William Elkins and Edward Renwick, for innumerable suggestions and improvements. A word of appreciation must also be given to Mrs. Gloria D. Murray of the Academic Typing Service at Louisiana State University, who endured typing numerous rough drafts and the final copy of this dissertation.

I would like to thank Professor H. E. Bateman for putting up with me and with this when it was in its more primitive stages. Greater patience hath no man than those who direct dissertations.

A note of appreciation is also due my wife, Janelle, and my daughter, Amy, who neither read this nor typed it. They did, however, not leave me when I was working on it. To have asked for more would have been a cruel and inhuman punishment.
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ABSTRACT

This study traces the political career of Senator Bronson M. Cutting (R. New Mexico) from its beginning in New Mexico in 1911 through his appointment to the United States Senate in 1927 and to his death in 1935. It does not purport to be a biographical study in the traditional sense, in that the only area of concern is his political career. Material which does not bear on his political development or career has either been omitted or minimized.

One of the principal premises of this study is that you cannot successfully separate a Senator's stand on national issues from the day-to-day politics of his home state. Accordingly attention is given to Cutting's role in a series of relatively minor political squabbles in New Mexico.

Cutting, whose ancestry can be traced back to the early days of New Amsterdam, was educated at Groton and Harvard until his academic career was halted by an acute case of tuberculosis. Sent to Santa Fe, New Mexico, for his health, he purchased one of the state's leading newspapers,
the Santa Fe New Mexican. With this purchase Cutting became an important force in the New Mexico Progressive Party. When this party disintegrated after 1912 he continued to wield influence in both of the major parties as he shifted his support and that of his newspaper from one to another depending upon their candidates and their platforms.

Following a short term in the military during World War I Cutting returned to New Mexico where he became very active in the establishment of the American Legion. Using the admiration of the veterans and coupling it with the affection which the Mexicans-Americans held for him, Cutting was able by 1927 to rely on the support of a sizable percentage of the state's population. This strength was a major factor in explaining his appointment to the United States Senate in that year.

From 1927 through 1933 Cutting's actions in the Senate admirably illustrated the problem of new legislators in finding a field of interest in which to specialize. During this period Cutting dabbled in a variety of areas but dealt with few of them in depth. Toward the end of this period he did become interested in the issue of Philippine Independence. He was co-author and floor-manager of the
Hawes-Cutting Bill for Philippine Independence which was passed by the Congress over the veto of President Herbert Hoover, only to be rejected by the Philippine legislature.

As a reward for his public support of President Franklin D. Roosevelt in the 1932 election Cutting was offered and declined the position of Secretary of the Interior. During the period 1933-1935 he gradually became disenchanted with many aspects of the New Deal programs, particularly those relating to the veterans. In a more positive vein his opposition took the form of new programs, especially legislation designed to place the credit producing facets of banking under direct governmental control.

The culmination of his career was the disputed Senatorial election of 1934 when his Mexican-American and veterans support held firm although his opponent was the Mexican-American Dennis Chavez running with the full support of the Democratic Administration. In the election contest that followed Cutting was killed in a tragic airplane crash in May 1935 while returning to Washington for a crucial vote.
"Cutting is so much of a New Yorker that one forgets he's Senator from New Mexico. He's rather like an English liberal--like some of the men in the Labor government--we've never, so far as I know had that type in the Senate before. He sounds as if he were aiming at something like the English system, the President and the Cabinet responsible to Congress, a congressional majority controlling policy. Would this really help very much? All right no doubt for a Congress made up of Cuttings and LaFollettes, but there are only a few such men--the rest are professional politicians."

Edmund Wilson

The American Earthquake:
A Documentary of the Twenties and Thirties
CHAPTER I

NEW MEXICO: THE STATE AND ITS INHABITANTS

New Mexico is the anomaly of the Republic. It is a century older in European civilization than the rest, and several centuries older is still in a happier semi-civilization of its own. It had its little walled cities of stone before Columbus had grandparents-to-be; and it has them yet. The most incredible pioneering the world has ever seen over-ran it with the zeal of a prairie fire three hundred and fifty years ago; and the embers of that unparalleled blaze of exploration are not quite dead today. The most superhuman privations, the most devoted heroism, the most unsleeping vigilance wrested this bare, brown land to the world; and having wrested it, went to sleep.¹

Charles F. Lummis

The mass of people are Mexicans; a hybrid race of Spanish and Indian origin, ignorant, degraded, demoralized and priest-ridden.²

Thaddeus Stevens

New Mexico is divided into three ecological areas which differ from one another ethnically, religiously or economically. The most distinct of these regions is the


eastern tier of counties. This region is often referred to as "Little Texas," and is predominantly Anglo, Protestant, chiefly southern fundamentalists, and heavily Democratic. The area's economy is based on dry farming, although rich oil and natural gas deposits are being exploited, and there is some cattle ranching and feeding in the region. The remainder of the state is divided horizontally around Socorro County into the Upper Rio Grande Valley or Rio Arriba Country, and the Lower Rio Grande area. These western and central areas contain the bulk of the state's Mexican and Indian population, which is nominally Roman Catholic. Its largest city was, during Cutting's life, predominantly Republican. The Rio Arriba country is primarily a stock-raising area with some farming, lumbering and mining in the

3 The term "Rio Arriba" is used here to indicate a much larger area than Rio Arriba county.

4 A glance at a map will show that New Mexico, less the eastern district, extends approximately 150 miles in either direction from the Rio Grande Valley, yet this great river so completely dominates the central and western parts of the state that this phraseology is not inaccurate.

5 "Each Indian tribe has its own native Pantheon in which Christ is only one among the galaxy, and the Penitent Brothers, a minority sect, have their own peculiar rites." Thomas C. Donnelly, "New Mexico: An Area of Conflicting Cultures" in Thomas C. Donnelly (ed.), Rocky Mountain Politics (Albuquerque: University of New Mexico Press, 1940), p. 234.
northwestern corner, while the Lower Rio Grande Valley is predominantly a farming area with some lumbering, ranching and mining in the vicinity of Silver City.

The political patterns of the "Little Texas" area of the state are of only peripheral interest to this study. These counties were originally settled by interstate immigrants coming for the most part from Missouri, Texas, and Oklahoma. These new settlers brought their politics as well as their racial and religious prejudices with them. To the residents of this area a dark skin triggered a set of automatic assumptions, which, when coupled with the


7As an indication of the strength of this feeling of antipathy see E. S. Richards, "Attitudes of White College Students in the Southwest Toward Ethnic Groups in the United States," Sociology and Social Research, v. 35 (1950), pp. 22-30. The Mexican was rated the lowest of the nine ethnic groups tested with the following five statements most often marked as describing or depicting the Mexican: (1) "possess a low moral standard," (2) "will steal," (3) "are dirty and filthy," (4) "help to keep wages low," and (5) "are spreaders of disease." In an interesting side-note an earlier survey showed that the Mexican had been assigned twenty-seventh rank in 1936 and twenty-sixth rank in 1946, out of a list of thirty-six ethnic groups. The same survey placed the Spanish in twelfth place in 1926 and in sixteenth place in 1946,
traditional attitudes of the older New Mexican citizens to Texans, tended to create an acute consciousness of race. The different economic patterns of the two areas have also produced conflicts which are very difficult to isolate and discuss. Farming in the eastern part of the state is carried on by dry-farming techniques whereas farming in the older occupied areas is carried on through the use of irrigation. This may have been instrumental in the development of very strong communal ties in the older areas of the state revolving around the indivisible unity of water rights as expressed in the older Mexican and Spanish water law, while the newer settlers have been forced by the nature of the land to develop new and much more individualistically oriented techniques. The inhabitants of the east side are while the Indian was in twenty-first place in the earlier survey and was in twenty-fourth place in 1946. Thus, we see the interesting anomaly of a hybrid group occupying a lower status than either of its parents. Emory S. Bogardus, "Changes in Racial Distances," International Journal of Opinion and Attitude Research, v. 1, no. 4 (December, 1947), p. 58.

traditionally democratic and, as mentioned earlier, generally fundamentalist Protestants with a dislike of Catholicism. They also tend to look upon the Hispanic deference to community leaders or patrons as "bossism" and they view this custom with disgust. Cutting did not receive the bulk of his support from this area of the state although he did not fare too badly there in his two campaigns.

The Spanish-speaking population of the other two regions of the state is, however, of great interest to the student of Cutting's career for it is among these people that he received the bulk of his political support and it is this group that supported him even when his opponent was a native-born Spanish-speaking member of this group. This generally looked down upon group is of the utmost importance to anyone interested in New Mexico politics, not only for the reason mentioned above, but also because they represent an estimated forty-two percent of the voting population of the state. The political behavior of this group is

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^See John C. Russell, "Racial Groups in the New Mexico Legislature," The Annals of The American Academy of the Political and Social Sciences, v. 195 (January, 1938), p. 63. This is an approximation based upon a study of name differentiations in poll books. The United States Census for this period does not have a separate listing for this group.
conditioned by a culture complex which must be understood if one is to understand the political history of New Mexico.

The presence of this large, oft-times, non-English-speaking group makes New Mexico stand out among the several states. This difference is accentuated when one considers that the group responsible for this anomaly are not recent immigrants to the area but native-born citizens who are the descendants of the people occupying the land when the United States arrived upon the scene. Of this quarter million people, about thirty thousand are Indians and therefore looked after by the federal government, with the result that their problems of adjustment were sometimes eased and they were given some aid and guidance in the process of adjustment they faced. The remainder of the group were merely given oaths of allegiance and turned free, left to shift for themselves as the new, more aggressive emigrants began arriving in the state. That the Spanish-speaking people were able to survive culturally under these terms is no small matter and without the very strong institutions of the
village, the family, the church, and the patron, they might have been completely submerged by the newcomers.¹⁰

To be a Mexican-American in New Mexico is to be of a village. The primary allegiance is to the village, and the religious affiliation is to the patron saint of the village. One did not leave the village permanently, nor did one leave the village for any but the most serious reasons.¹¹ Most of these rural communities are very small. They generally consist of a series of small settlements (placitas) with a common center which includes the traditional plaza with its church, such public buildings as might be in the community, and stores and houses; on the streets entering the plaza are the remainder of the houses with sheds, corrals, etc. beyond them; next came the vegetable plots which furnished squash, corn chiles, beans, and the other staples, including some fruit trees; beyond these fields were the common

¹⁰The author is not suggesting that the treatment given the Indians was any too generous but it certainly exceeded that extended to the other segment of the population whose needs were often similar.

village grounds for grazing and furnishing fuel and building materials. These villages were generally self-sufficient and generally had very little money. What they needed they grew, made, or traded for—they were isolated, but they were self-sufficient. But it was only the village that was self-sufficient—the individuals were not. Unlike the individualistic east side the community was the basic economic unit. These villages do not exist to serve the stranger, they are for the inhabitants, hence there is no need for newspapers even if they were economically feasible. If it happened in the village, it was known in the village. If it did not happen in the village and was of importance to the village, then the church or the patron would distribute the news, if and as they saw fit.

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12 An excellent discussion of village life under the Spanish may be found in Frank W. Blackmar, Spanish Institutions of the Southwest (Baltimore: Johns Hopkins Press, 1891; for a more recent photographic study of a typical village see Irving Rusinow, A Camera Report of El Cerrito: A Typical Spanish-American Community in New Mexico (Washington: Bureau of Agricultural Economics, U. S. Department of Agriculture, Miscellaneous Publications, No. 479, 1942).


14 For additional information on the role of the village in New Mexico see Charles P. Loomis and Olen E. Leonard, Culture of a Contemporary Rural Community, El Cerrito, New Mexico (Washington: Bureau of Agricultural Economics, U.S.
To be a Mexican-American in New Mexico is to be a member of an extended family.

The central structuralizing principle is seen to be that of loyalty and responsibility for all members. And although the first loyalty and responsibility is for members of the immediate or extended family, the principle extends to all persons, related by blood or marriage.\(^{15}\)

This family unit is the large extended family containing several generations in the immediate geographic proximity with fairly centralized authority. This authority is vested in the older males and the younger members of the family and the females generally follow without serious questioning.

Within the family framework the elder brother \(\text{hermano mayor}\) has almost parental authority, especially with a

deceased father, over the other members of the family. A great deal of visiting takes place within the family. Every adult woman is expected to be a mother, and it is not unusual to find children of large families being adopted by childless relatives. With the passage of time many families have become almost synonymous with their village, and individuals have been identified almost as much by their place of residence as by their name.\footnote{See Sigurd Johansen, "Family Organization Is a Spanish-American Culture Area," \textit{Sociology and Social Research}, v. 28, pp. 123-131; see also Sigurd M. Johansen, "Rural Social Organization in a Spanish-American Culture" (Ph.D. dissertation, University of Wisconsin, 1941). Until fairly recently Cundiyo in Rio Arriba County was referred to as Los Vigiles because the population was made up entirely of Vigils. The same phenomena occurred in Los Lunas and Los Chavez in Valencia County.}

To be a Mexican-American in New Mexico is to be at least a nominal Roman Catholic. The Catholicism that the villagers support is a rather simple religion theologically, but a religion that influences all aspects of daily living to some degree.\footnote{Alice Marriott, \textit{The Valley Below} (Norman: University of Oklahoma Press, 1949), p. 203.} In many of the villages in the northern part of the state there are not enough priests to service each pulpit so that frequently the care of the church and
the conduct of some of the services would be handled by lay leaders in the community. Each community has its personal santo and its own special feast day with its own fiesta and celebration in both the spiritual and the secular realm. Side by side with the formal structure of the church stands the equally formal but less official penitente brotherhood. This quasi-religious organization, whose origins are shrouded in mystery and myth, both complements and competes with the Catholic Church. It is not unusual in the more remote areas of the state to see the penitente chapel or morada right next to the village church and for the lay leaders of the church to be the hermano mayor of the penitente organization. While most of the attention that has been visited upon this organization concerns its Holy Week activities when its primarily religious functions are performed, the order is also active during the rest of the year. The order buries its members free of charge and acts as a benevolent organization towards members in need. It also provides an organizational structure which is of political significance in that the brothers will generally vote as a
bloc for the favorite candidate.\(^\text{18}\) That this function was of some importance can be seen by the observation of Ralph Emerson Twitchell before statehood that the order had so "degenerated that it is nothing today \(^{19}\) but an anomalous body of simple, credulous men, under the guidance of some unscrupulous politicians."\(^\text{19}\)

To be a Mexican-American in New Mexico is to experience authority. If the villager is not a *patron*, then he listens to one. This institution is probably less an integrative one than is the church or family but, particularly in the area of politics, it is an important one. It is not an elective office nor is it really an appointive

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office—one became a patron because it was in the norms to do so, but the patron had to remain faithful to these norms to keep the title. Any individual with influence, prestige, wealth (comparative), power, and a sense of involvement might well become a patron. Each village has one and it is not only in this respect that he represents a secularized patron saint. The position brings privilege—few, if any, decisions are made with the patron not in attendance—but there are attendant responsibilities. He gave advice, and was judged by how good it was; he was expected to make the small loans that might be necessary to tide a less fortunate member of the community over to better times; and he had to perform a variety of ceremonial duties when the occasion demanded. If he failed to fulfill his duties adequately he did not long remain in his position. To a degree this leadership tended to be somewhat institutionalized in that this position had developed in the many generations of isolation and having developed slowly the communities were loathe to change it. One became a patron not because one sought the position, but because it was expected of you and you kept the position by conforming to the expectations of the community. It was only the Anglos and the more acculturated
Mexicans that sought the position for the power and influence that it could bring. But while this position was not one that was sought after, and while it was one that depended upon community approval, the patron was generally a man of power and influence and this made the less fortunate carefully consider any challenges to his authority. This was particularly true in the ranching and grazing areas of the state where the less fortunate were often permitted to graze their small herds on the patron's lands—a privilege which could be denied.

Prior to 1935 the heavily Mexican areas of the state were the center of the Republican Party's strength—when they voted solidly, the Republicans won; if not, the Democrats carried the day. This simple fact was well known to politicians in both camps and both groups attempted to gain influence in the area. That these individuals understood the mores of the people involved goes without saying. Both parties could offer candidates who would appeal to the voters

20The best study of leadership among the Spanish-Americans of the state is found in Julian Samora, "Minority Leadership in a Bi-cultural Community" (Ph.D. dissertation, Washington University, 1953).

21For a discussion of the coercive aspects of the patron's position see Kluckhohn, Los Atarquenos, pp. 94-96.
in terms of ethnic background, religion and language, and both parties understood the role of the many patrons. Bronson Cutting, either through the careful nurturing of the local native leaders or through the liberal use of his ample personal fortune, far outshone his contemporaries in gaining the affection, respect and support of this group.
CHAPTER II

CUTTING IN NEW MEXICO, 1910-1918

Kay wants us to be married in J. P. Morgan's church; I'm consoling myself with the thought that Senator Cutting (Bronson Cutting of New Mexico, one of my minor heroes--have I mentioned this?--a fighting gentleman progressive) worships there too when he's in town. (His sister has something to do with the Social Register.)

Mary McCarthy

In the spring of 1910 a very sick Bronson Murray Cutting arrived in Santa Fe, New Mexico Territory. The young and wealthy Cutting suffered from the same malady--tuberculosis--that had just taken his older brother's life. He came to the desert Southwest for its arid climate; he stayed to become an outstanding political figure.

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2 It is difficult, if not impossible, to ascertain exactly what motivates an individual to go into politics; particularly when his background and financial status would permit him to live a life of relative ease as did Cutting's. It should, however, be noted that his background coincides almost exactly with that group which Richard Hofstadter refers to as the "mugwumps" and places in the forefront of the Progressive movement. Richard Hofstadter, The Age of
Bronson Cutting's life began June 23, 1888, at Oakdale, the Long Island estate of his prosperous and aristocratic forebearers. His father, William Bayard Cutting,

traced his descent from the sister of Peter Stuyvesant, the Dutch Governor of New Amsterdam. His mother's family reached the New World in the mid-eighteenth century and settled in Virginia. A tradition of public service dating back into the colonial period existed on both sides of Cutting's family.\(^3\)

As City Civil Service Commissioner, Bronson Cutting's father took part in the reform administration of New York's mayor, William L. Strong, during the late 1890's—the same administration that included Theodore Roosevelt as City Police Commissioner. In addition the

\(^3\)Unless otherwise noted the genealogical information that follows is taken from a letter to Mr. Jonathan Cunningham from Mrs. Bayard James (Olivia Bayard Cutting) dated January 26, 1938, copy in the Bronson M. Cutting Papers, Library of Congress, hereafter cited as BMC Papers. Cunningham was a graduate student at the University of New Mexico and is the author of "Bronson Cutting: A Political Biography" (M.A. thesis, University of New Mexico, 1940), hereafter cited as Cunningham, Cutting. While Cunningham did not have access to the Senator's papers he was able to interview many of Cutting's former associates, and these interviews are quoted at length in his study. See also Frederick Adams Kirkus, (ed.), *The Compendium of American Genealogy* (Chicago: Institute of American Genealogy, 1937), v. I, p. 731.
Bronson Cutting had one brother and two sisters. The older brother, William Bayard Cutting Jr., served in the Department of State until his death. He distinguished himself by making the highest scores ever recorded on a State Department entrance examination. An older sister, Justine, married Cabot Ward who held a number of appointive positions in the colonial administration of Puerto Rico for many years. A younger sister, Olivia Bayard, married Henry

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He served as trustee for the United States Trust Company; Director, Southern Pacific Company, American Exchange Bank, Commercial Union Fire Company, and several other firms. In addition he was on the Board of Trustees of Columbia University, and a Director of the New York Botanical Garden, and the American Museum of Natural History. *Who's Who in America, 1912-1913* (Chicago: A. N. Marquis Company, 1913), v. vii, p. 506; and v. viii, p. 575. After his death in 1912 the family established the William Bayard Cutting Traveling Fellowship at Columbia. Among the recipients of this grant is Richard Hofstadter.

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James to Cunningham, January 26, 1938, BMC Papers.

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Cabot Ward was appointed Auditor-General of Puerto Rico in 1905, chairman of the Franchise and Public Service Commission in 1907, Secretary of State in 1909, elected President of the Executive Council in 1909 and in that same year was named Acting Governor of the island. He was also a member of the United States delegation to the Fourth Pan-American Conference held in Buenos Aires in 1910. *Who's Who in America, 1912-1913* (Chicago: A. N. Marquis Company, 1913), v. XVI, p. 2281; v. XIX, p. 2520.

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senior Cutting belonged to the board of directors of several corporations. Bronson Cutting had one brother and two sisters. The older brother, William Bayard Cutting Jr., served in the Department of State until his death. He distinguished himself by making the highest scores ever recorded on a State Department entrance examination. An older sister, Justine, married Cabot Ward who held a number of appointive positions in the colonial administration of Puerto Rico for many years. A younger sister, Olivia Bayard, married Henry
James, the son of the philosopher William James and the nephew of the novelist Henry James. With this heritage it is not surprising that Cutting was able, in later years, to move with equal ease in both the highest political and cultural circles in the nation.

Young Cutting followed his elder brother to Cutler's School in New York City and then to Groton, where he led his class scholastically every year, participated in dramatics, and managed the football team. In the fall of 1906 he matriculated at Harvard after achieving honors in his preliminary and final entrance examinations in English, Greek, Latin, German, French, History, Plane Geometry, and Physics. After two years his first strong attack of tuberculosis forced a temporary suspension of his education. After slightly less than a year's rest Cutting returned to school where he concentrated his studies in the humanities,

7In 1930 he was awarded the Pulitzer Prize in Biography for his Charles W. Eliot.

8James to Cunningham, January 26, 1938, BMC Papers. See also an official memorandum from Groton School in Cunningham, Cutting, p. 232.

9Official Transcript, Harvard University, copy in the BMC Papers. See also letter from Reginald R. Phelps, Assistant Dean in Charge of Records, to Cunningham, December 20, 1937, copy in the BMC Papers.
working with distinction under the philosopher George Santayana.  

10 A return of his tuberculosis ended his academic career in the fall of 1909. In 1928 he was granted an honorary A.M. degree by his old school.  

11 Had the circumstances been different he might well have become one of the country's great scholars.  

For many months after his arrival in Santa Fe, there was doubt as to whether Cutting would recover. By the spring of 1911, however, his condition improved and soon he entered into the social life of the territorial capital. Here family connections worked in his behalf. In the early days of New Mexico a son of a director of the Southern Pacific Railroad was of some importance. In addition, Cutting had other contacts. His uncle, Robert Fulton Cutting, in conjunction with Cutting's father had extensive holdings in territorial bonds purchased during the administration of Governor Miguel A. Otero (1897-1906). A close friendship developed between Cutting and the "Little Governor" which lasted until

10 Ibid. See also undated letter, presumably written after Cutting's death, from Santayana to Cutting's mother, Mrs. William Bayard Cutting. BMC Papers.

Cutting's death. The Cutting family's friendship with Theodore Roosevelt also opened many important doors. These social interests, however, were not enough to exhaust his energies. He took a deep interest in the activities of the local Episcopal Church, dabbled in archaeology and history and came to understand and respect the natives and their foreign culture. But it was in the struggle which immediately preceded New Mexico's entrance into the Union that he first became involved in the political affairs of his new home.

The coming of statehood for New Mexico raised special difficulties. The historical and ethnic background of the state is not exclusively "Anglo-American." The presence, then and now, of a large Spanish speaking "Mexican-American" population added a special and an extremely important factor to the state's politics. Until very recent times almost a feudal system has existed in the heavily Mexican areas of

12 Otero to Cunningham, May 9, 1939. Copy in the Miguel A. Otero Papers, University of New Mexico Library, Albuquerque, New Mexico, hereafter cited as the Otero Papers.

13 Cunningham, Cutting, p. 33, states that the ex-Rough Rider and Territorial Governor, George Curry, received a letter from the former President expressing the wish that the young man be made welcome.
Politically this system has been characterized as a willingness on the part of the lower economic strata of society to follow local leaders with almost blind devotion. In the first thirty years of this century this vote was controlled by the Republican Party operating through an alliance of privileged Anglos and the wealthier natives. Hence until 1932 New Mexico Democrats were predominantly Anglo and Protestant in a state where both these groups were in a minority. Despite the campaigns and the influence of William Jennings Bryan, "the Democracy" did not represent the disinherited elements in New Mexico society.

There were some Progressives in the territory but they were not a significant number at the time of the 1911

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14 Throughout this study the term "Anglo" will be used to denote all non-Mexicans. This is a well established New Mexican usage and generally includes Negroes. The Spanish speaking population are called "natives" or "Mexicans" in polite usage. The term "Spaniard" or "Spanish" generally refers to a native of Spain or a member of one of the few Creole families in the state. In addition "natives" who become rich or prominent often become "Spanish" by the same act. The author is well aware that these terms are, at best, inexact, but they are the best available.

15 Ernest Barksdale Fincher, "Spanish Americans as a Political Faction in New Mexico, 1912-1950" (Ph.D. dissertation, New York University, 1950), provides an excellent analysis of this tendency.

16 Ibid., p. 108.
Constitutional Convention. At the conservative and Republican dominated convention the most prominent figures were the Old Guard leaders Thomas Benton Catron and Solomon Luna and the younger but no less conservative Albert Bacon Fall and Holm O. Bursum. The only Republican leader with Progressive leanings was the former Governor Miguel A. Otero. One third of the convention delegates were Mexican Republicans.

Safeguards for the Mexican population were included in the constitutional provisions that the state laws be written in both Spanish and English and that the courts be required to use interpreters when needed. The United States Congress accepted the Constitution on the condition that the amending process concerning voting procedures be liberalized. An amendment to accomplish this purpose was voted


18 As originally drawn the New Mexico Constitution had very rigorous provisions governing amending procedures. Essentially the constitution gave the counties of Bernalillo, Colfax, San Miguel, and Socorro the veto power over any changes in the basic law of the state and it was in these four counties that the "Old Guard" Republicans were most solidly entrenched. For a detailed analysis of these provisions and the method by which the counties named above
on in the November 1911 general election. The amendment was printed on a separate blue sheet and soon became known as the "blue ballot." This issue brought young Cutting into the political arena. 19

In addition to the "blue ballot" the voters that year had to pick the first officials for the nascent state. The competition, both intra- and inter-party, was intense. The Republican gubernatorial nomination was sought by Miguel A. Otero, one of the better territorial governors, and a conservative candidate, Holm O. Bursum. Secundino "Sec" Baca and Nathan Jaffa were offered as compromise candidates. Bursum's nomination led to a schism in the

could control the amending procedures see 62nd Cong., 1st Sess., House of Representatives, Report No. 33, 1911. This report also outlines the other liberalizing amendments which the United States Congress insisted on inserting in the New Mexico Constitution. A text of the "blue ballot" may be found in 62nd Cong., 1st Sess., Congressional Record, v. 47, p. 4241. See also Thomas C. Donnelly, The Government of New Mexico, p. 38.

19 Cunningham, Cutting, p. 7, dates his entry into politics with the purchase of the Santa Fe New Mexican in July, 1912.

The dissident group, led by former Governor Herbert J. Hagerman, met in Santa Fe where it founded the Republican Progressive League and held its nominating convention. Cutting was a member of this group but his support was mainly financial. The League supported the National Republican Party but opposed the local party for nominating "a ring politician . . . who is subservient to special interests and whose familiar record in public office unfit him to be governor of this state." After brief negotiations the new group fused with the Democrats and supported William C. McDonald for governor. The League's Richard Hanna received the joint endorsement for a Supreme Court position. The principal plan of the fusion party was enactment of the "blue ballot."

Cutting did not take a prominent part in this campaign but the opposition noticed his presence. Late in the campaign Thomas B. Catron wrote to Cutting's uncle, Robert Fulton Cutting, threatening that the state would repudiate his bonds unless he convinced his nephew to

21 Albuquerque Journal, September 30, 1911.

22 Quoted in the Albuquerque Journal for October 6, 1911. For a glimpse into the background of this convention see Hagerman to Cutting, September 2, 1911, BMC Papers.
withdraw his support of the Democrats. The issue dissolved when Cutting's father purchased the bonds. It was not Bronson, however, who was the most effective of the Cuttings in the election. That honor went to his sister, Justine Ward, for her role in lessening the influence of Archbishop Pitaval's opposition to the "blue ballot."

In heavily Catholic, politically backward New Mexico the members of the hierarchy had a disproportionate amount of political influence. Accordingly the dismay of the Progressives and their Democratic allies was evident when handbills appeared stating that the Archbishop of Santa Fe opposed the "blue ballot" and, in effect, supported the Republican position on this key issue. Moreover, the Prelate was not available to repudiate these statements or even to point out that he was not speaking ex cathedra. He had gone to New York and rumor had it that his absence was

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23Catron to R. F. Cutting, October 25, 1911, copy in the BMC Papers. Catron ostensibly wrote as a friend of the elder Cutting for whom he had done legal work in New Mexico.

24Catron to R. F. Cutting, October 30, 1911, copy in the BMC Papers. Mr. Catron was informed the same day that his threat had failed. At the same time Bronson's father pointed out how embarrassing the whole transaction might be to Catron if it were made public. W. B. Cutting to T. B. Catron, October 30, 1911, copy in the BMC Papers.

25A copy of one of these handbills is in the BMC Papers.
arranged by the Republicans to prevent his repudiation of
the handbills. Under the ordinary circumstances of a New
Mexico election this tactic might have worked. Cutting's
sister, however, was in New York and was able to persuade
the Archbishop to send Spanish and English telegrams to the
Santa Fe New Mexican and the Albuquerque Journal stating
that his feelings on the "blue ballot" were personal and
that he was "in no way entering into party issues in this
campaign." The Republicans immediately countered that
they had not exceeded Pitaval's authorization. But the
damage had been done and they stood on the defensive for
the remainder of the campaign. The fusion candidate was
elected and the "blue ballot" amendment passed.

Cutting's role in the election was mainly that of a
financial backer. He had no real political power within the
boundaries of New Mexico. However, he had influential

26 Santa Fe New Mexican, October 31, 1911, copy in
the BMC Papers. Mrs. Ward's role in the matter is described
in her letter to Bronson which includes a certified copy of
the Archbishop's statement. BMC Papers.

27 Santa Fe New Mexican, November 3, 1911.

28 The "blue ballot" passed by a vote of 35,497 to
22,831 and Cutting's gubernatorial candidate won by a vote
of 30,768 to 27,839. New Mexico Blue Book (Santa Fe, 1913).
friends such as former governors Otero and Hagerman, but both of these men had been rejected by the party machine. Moreover, with the approach of the 1912 elections the Progressives were left without a party. Their former allies at the state level, the Democrats, were prepared to unite behind their party's national nominees whereas the regular Republicans were solidly backing William Howard Taft. This polarization left the rather well-to-do, idealistic, and reform-minded group which had welcomed Cutting to Santa Fe cut off from the regular channels of political power and influence. However, this situation was changed in July 1912 when Bronson Cutting purchased the Santa Fe New Mexican.  The reform elements now had a voice.

In the spring of 1911, with Cutting still too ill to engage in any strenuous activities, his father began investigating the possibility of purchasing an interest in the New Mexican. During the course of these negotiations the senior Cutting made it clear that he did not intend to put up the

29Santa Fe New Mexican, July 9, 1912. Cunningham, Cutting, p. 7, relying on an interview with Miguel A. Otero, Jr., sees this transaction as being performed rather quickly and as being initiated by Bronson. Both assumptions are false but it should be stated that Cunningham did not have access to the Cutting Papers.
bulk of the money for the paper. He believed an Eastern owned newspaper would probably fail from lack of local support. Accordingly he was discouraged when he could raise only $14,000 of the $50,000 needed from New Mexico sources. Cutting's exact role in the newspaper, as conceived by his father, is not clear. Apparently his father did not, at first, think his son's health would permit him to have an extensive role in the management of the enterprise. Cutting's sister, however, believed that her brother always intended to provide editorial direction for the paper. Whatever the original plans were, Bronson's recovery, coupled with his father's death in March 1912 permitted him to assume full control of the paper when the sale was completed the following July.

30W. B. Cutting to Bronson M. Cutting, April 7, 1911, BMC Papers.

31W. B. Cutting to Herbert Hagerman, April 10, 1911, BMC Papers.

32Justine Ward to Patricia Armstrong, December 10, 1956, cited in Patricia Armstrong, "Bronson M. Cutting and the Progressive Movement in New Mexico, 1912-1926" (M.A. Thesis, American University, 1957), p. 21; hereafter cited as Armstrong, Cutting. This thesis is the first study to utilize the Cutting Papers and for the period it covers it is indispensable.
There was considerable speculation regarding the future policies of the newspaper. A few knew of Cutting's liberal leanings but most Republicans felt his allegiance to the party on the national level was strong enough to keep him loyal to the state party organization. Despite this Cutting accepted the position of temporary secretary to the Progressive Party Convention in late July. The Progressive Convention named him party treasurer, a position he held until 1914. In the 1912 election the New Mexico Progressives and a small group of "rough riders" announced their support for Theodore Roosevelt, as did the New Mexican and its owner. The new state's first presidential election contest was hard fought with Roosevelt himself speaking in the state. Despite the support of the New Mexican and former governors Otero, Hagerman, and George Curry, Roosevelt ran a poor third as the Democrats carried the

33Notes made by Ralph Henderson, long-time business manager of the New Mexican for Olivia Murray Cutting, Bronson's mother, apparently after her son's death. BMC Papers.


35Albuquerque Journal, September 19, 1912. Cutting sat on the speaker's platform.
state. Most of the Progressives drifted back into the Republican Party during the next two years, but Cutting and the New Mexican stood firm in opposition to the "strangle hold of the bosses."  

For the next several years Cutting worked for reform in state politics. He created in the process the nucleus of a political following loyal to him alone. Shortly after the 1912 election Captain Fred Fornoff of the New Mexico State Police, acting under Cutting's directions, hired the William J. Burns Detective Agency to investigate the "corrupt conditions in New Mexico in every aspect." Cutting paid for their services. Cutting was interested in satisfying several purposes by this method: (1) separating unsubstantiated rumor from fact (2) obtaining valid information on the use of bribery to elect Republicans to state and local offices (3) determining if bribery had been present in the  

36 Roosevelt received 8,347 votes to Wilson's 20,437 and Taft's 17,134. The Democrats also won the only other office at stake, that of the U.S. Representative, by approximately the same margin. New Mexico Blue Book, 1912-1913 (Santa Fe, 1914), pp. 152-170.  


38 See the several file boxes containing the reports and the correspondence submitted by the Burns Agency. BMC Papers.
state legislature in the election of Albert B. Fall to the United States Senate (4) discovering just how widespread the activities of the "Republican Gang" were (5) ascertaining the private opinions of prominent Republicans concerning himself and (6) finding out how many of the Progressives were in reality working for the Republicans.\(^39\) While this was too ambitious a plan to succeed completely, it did have considerable impact in the form of well-documented articles in the *New Mexican*. An example of this sort of study concerns Major W. H. H. Llewellyn and his "constituents" telegram.

Major Llewellyn, a legislator from Dona Ana County, had a problem. He accepted money from W. H. Andrews to help Andrews in his race for the United States Senate but at the same time the Major committed himself to working for the election of Fall. His solution to this dilemma was simple: he would yield to local pressures which would demand that he vote for Fall. Unfortunately as election day drew near these grassroots pressures had not shown themselves. Llewellyn decided to create some local sentiment. He went to the Western Union office and sent himself a telegram stating "We request you to vote and work for the election of

\(^{39}\)Ibid.
Fall" and signed it with the names of twenty-seven Mexicans. He hoped to carry with him some of the uncertain Mexican legislators as well. An employee at the telegraph office became suspicious of his behavior and these suspicions were transmitted to Captain Fornoff, who got in touch with the Speaker of the House, Roman Baca. Baca stopped Llewellyn from reading his message on the floor of the Legislature. The New Mexican used this incident in its fight to improve the moral level of the state's politics. Llewellyn and his cohorts did not take such defeats without retaliating.

Cutting was relatively safe from attack, but many of his friends occupied vulnerable positions. The opposition attacked State Police Captain Fornoff first. The legislators discontinued the appropriation for the state police and one enemy was eliminated. They assailed several others, particularly Brian Boru Dunne, Cutting's close friend and companion, a reporter for the New Mexican and also a state oil inspector. Major Llewellyn pushed through the state legislature

\[\text{40Lillian W. Dent to E. E. McClintock, undated copy in the BMC Papers.}\]

\[\text{41Although there is no information concerning Dunne's appointment in the Cutting papers he almost certainly got this position through Cutting's influence.}\]
a bill calling for an investigation of the oil inspectors. This investigation soon centered on Dunne. The young reporter, however, emerged from the ordeal undamaged. The opposition also attempted to bribe the newspaper's employees to print libelous statements. They even attempted to get the editor of the Spanish language edition of the paper drunk and to attempt then to insert libelous material into the paper. This effort was discovered before the paper went to press. By 1916 Cutting felt that the opposition should be met head-on, both for the sake of the New Mexican and for the other newspapers in the state which were subject to the same sort of abuse. This pressure was being brought to bear by the various politicians in the state, most especially Holm O. Bursum, the Boss of Socorro County, one of the most powerful of the regular Republicans.

In early 1916 the New Mexico Progressives were concerned with the same question which bothered Progressives all over the country—what was Roosevelt going to do? When he

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42 It should be borne in mind that although Cutting's candidate for governor, McDonald, had won office the regular Republicans controlled the Legislature.

43 Armstrong, Cutting, p. 39.

44 Ibid.
eventually endorsed the Republican ticket his New Mexico fol-
lowers stayed with him, but they did not support Hughes with
the same vigor and enthusiasm they showed for the ex-Rough
Rider. But when the Republicans nominated Bursum for gover-
nor at an Old Guard controlled convention, the Progressives
again fused with the Democrats at the state level and
adopted the following resolutions:

Resolved. That the Progressives and independ­
dent voters in convention assembled, do hereby
endorse and recommend to all Progressive and inde­
pendent voters in New Mexico to vote for and support
the candidate for United States Senator, member of
the House of Representatives and all state officers
as nominated by the Democratic convention held in
Santa Fe, New Mexico, of August 31, 1916.

Resolved. That so far as the presidential
electors are concerned that each voter judge for
himself in casting his vote for said presidential
electors.\textsuperscript{45}

This decision had not been easy. Earlier Roosevelt wrote
Cutting that Fall:

\ldots wishes me to say that Bursum was practically
responsible for the sending of two Roosevelt dele-
gates from New Mexico to the Republican Convention
\ldots He speaks in the highest terms of Bursum, and
says that if he is defeated for the nomination and
election as Governor, such defeat will result in the
loss of New Mexico entirely for the Republican Party,
and the loss of one senator and will probably place
New Mexico in the Democratic column for years to come.

\textsuperscript{45}Santa Fe \textit{New Mexican}, September 1, 1916.
I am not sufficiently acquainted with conditions to make a request of you in this matter. If you can conscientiously and with propriety act with Senator Fall I hope you will do so anyhow.\textsuperscript{46}

Cutting was swayed by the appeal although after receiving the letter he called on the Republican Party to reject Bursum and Frank Hubbell, the leading candidate for the Senatorial nomination, to select men whom "honest citizens" could support. Both Bursum and Hubbell were nominated and on the following day Cutting noted in his paper that the "same old gang is running the party" and that the \textit{New Mexican} "will consider it a pleasure to aid in their defeat."\textsuperscript{47}

The ambiguity of such a political position has obvious pitfalls even in a time and a place where strong party loyalties are looked down on, but in New Mexico in 1916 it was inevitable that a clash of interest would occur. The clash and Roosevelt arrived on the same train. The ex-President asked Cutting to accompany him on his trip across the state. Cutting accepted and at the same time urged Roosevelt to avoid comment on local issues and candidates

\textsuperscript{46}Roosevelt to Cutting, August 8, 1916, \textit{BMC Papers}.

\textsuperscript{47}Santa Fe \textit{New Mexican}, August 24, 1916.
no matter how hard he was pressed by the regular Republicans. Roosevelt agreed, although he later said it was against his better judgment. Roosevelt had barely departed when the Democrats charged that his silence on state issues meant he was not endorsing the Republicans running for state and local offices. This news reached the former President's entourage and he issued a statement declaring that anyone who valued the safety and honor of the United States would vote a straight Republican ticket. The message offended Cutting because it cast aspersions on his politics and it placed Roosevelt's name and influence against the Progressives. In a tight fight this could be crucial. Moreover, Cutting saw in it an attempt to ignore local corruption in favor of national virtue. For him this was an untenable position. Cutting dwelt on the point in his telegraphic reply to Roosevelt:

... it seems only common justice to the Progressives and to the decent conservatives and Republicans of this state for you to make a statement allowing some national foundation for the convictions of men who wish to uphold the dignity of this nation yet feel reluctant to turn over the affairs of New Mexico to men with corrupt and criminal records.

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Roosevelt did not take this advice meekly and pointed out that at times the national ends justified the local means. Cutting's reply was very curt:

Am sorry you have been totally misinformed on my position and local conditions. Will write you fully after election. In meantime please no longer allow any personal consideration for me to interfere with what you believe your duty towards Bursum, Hubbell or any other state candidates.

Although Cutting did write Roosevelt in detail explaining his problems and hopes for New Mexico, the two men were never completely reconciled.

The Democrats and the Progressives were partially successful in their campaign. Esequiel de Baca defeated Bursum in the governor's race and Anson A. Jones defeated Hubbell in the Senatorial campaign. A former Progressive, Washington E. Lindsay, was elected Lieutenant Governor on the Republican ticket and with the death of de Baca in February 1917, he was able to serve out almost a complete term as governor. The battle was not over. Before election

50 Roosevelt to Cutting, November 4, 1916, BMC Papers.

51 Undated handwritten copy of telegram from Cutting to Roosevelt, BMC Papers.

52 Cutting to Roosevelt, November 17, 1916, BMC Papers.
day the **New Mexican** ran a story on the political situation in Socorro County, Bursum's home base, stating that it was the same county in which a man named Henry Dreyfus had torn down the American flag, stamped on it, and had not been reprimanded. Dreyfus, backed by Bursum and the Republicans, filed a $50,000 libel suit and the battle to muzzle the **New Mexican** was on. Cutting needed to find an eye-witness to the outrage and once more his private detectives went to work. Cutting's refusal to back down placed Bursum on the defensive. Bursum was able to delay hearing the case until after the election but it appears that the constant references to the attempt at gagging in the pages of the **New Mexican** did influence some voters against Bursum and his ticket. Finally in March 1917 the trial began.

The trial was held in the court of Judge Merritt Mecham. Mecham was not only a friend of Bursum but may have owed his judgeship to Bursum's influence. Cutting found an eye-witness to the event; John Wilson, a Civil War 

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53 The *Holm O. Bursum Papers*, University of New Mexico Library, contain nothing of value in this case.

54 Judge Mecham was the uncle of the former United States Senator and Governor of New Mexico, Edwin L. Mecham, who has been very helpful in the research for this study.
veteran, who repeated the story in the New Mexican. The Bursum forces countered with a parade of witnesses including a former sheriff of Socorro County, the incumbent sheriff, a deputy assessor of the county, the foreman of the grand jury that had returned a true bill on the case, and two ex-employees of the New Mexican to controvert Wilson's testimony. The case was decided against the New Mexican, and a $35,000 judgment later lowered to $10,000 was awarded to Dreyfus. The case was appealed and within two weeks the New Mexican began printing accounts of the judge's courtroom behavior which had hitherto not been made public. According to the New Mexican Dreyfus had been receiving signals from his attorney during his cross examination and the judge, who was reading a newspaper, had not noticed it. Upon the complaint of Cutting's attorneys, Mecham promised to enforce proper courtroom procedures. Following the trial Mecham, as a private citizen, swore out an affidavit that he had been watching Dreyfus's attorney constantly and denied

55 Bursum controlled the politics of Socorro County as only an oldtime political boss could. For an excellent account of the trial and appeals see Harry Jeffrey, "The New Mexican Freedom of the Press Case" (seminar paper, Columbia University, 1963), copy in the possession of the author.
the signaling allegation. Cutting reacted immediately, maintaining that the affidavit was invalid due to a technicality of the law, which Mecham had helped draft; he challenged the judge to swear out a valid one. In reply Judge Mecham cited Cutting, his attorney and the New Mexican Publishing Company for contempt of court.

This was the sort of case to delight any reformer for the issue now revolved around the right of a newspaper to print criticism of the courts. As Cutting stated, "To me the sanctity of a free press seems infinitely higher than the sanctity of any court. . . ." Moreover many state newspapers supported the New Mexican's position. By June the case had become a first class political issue. It was also obvious that Cutting had no intention of giving up the fight. Early in August, Cutting was awarded a commission in the Army and reported to Washington for his assignment. Later that month his attorney informed him that if the New Mexican printed a retraction of their story and if Cutting

56Cutting to Neill H. Field, July 10, 1917, BMC Papers.

57Hagerman to Cutting, June 7, 1917, BMC Papers.

58Cutting to Hagerman, undated copy of a telegram. This telegram is obviously in answer to the letter cited above, BMC Papers.
rendered an apology to Judge Mecham the contempt charges would be withdrawn. Cutting not only refused, but acting through his sister, Justine, engaged Frederick D. Mason, of Tulsa, Oklahoma, to aid his regular attorney. Mason was recommended to the Cuttings as not only an able lawyer but also a very good man at getting publicity. The case attracted publicity since it was the subject of an editorial in Collier's and the United Press carried the proceedings on their wire service. The case was heard in December 1917 and the paper and its owner were cleared of the charge. As a protection against such cases coming up again in the state courts the New Mexico Publishing Company was reorganized and reincorporated in Delaware so that any future legal actions would be fought out in a more neutral court system. Not long after, the initial libel judgment was reversed. Cutting's victory over the Old Guard was complete.

During the political campaign of 1918 Justine Ward held the power of attorney for her brother, who served as a

59Francis Wilson (Cutting's attorney) to Cutting, August 24, 1917, BMC Papers. The apology was to be "So drawn that no one would be seriously hurt."

captain in the intelligence branch of the army assigned to the American Embassy in London, and she set the editorial policies as well. For the first time under Cutting's ownership the paper supported the entire Republican ticket, but not before Mrs. Ward had driven a hard bargain. In mid June Albert B. Fall asked for the support of the newspaper even though they had disagreed in the past. Using this obvious overture as her bargaining point she met with the state's party leaders to decide on a gubernatorial nominee. She preferred Judge J. W. McReynolds but compromised on an ex-Democrat Octaviano Larrazola. This compromise effected, the New Mexican endorsed the entire ticket, including Fall, although there was considerable grumbling on the part of Bronson's progressive friends. The Republicans won a

61 Cunningham, Cutting, p. 68, cited a letter from Miguel A. Otero Jr. to the effect that he was left in charge of the newspaper's editorial policy, but the younger Otero spent the bulk of the war in France, BMC Papers.

62 Larrazola left the Democratic Party because he felt the Republicans offered "proofs of ... willingness and disposition to respect the rights of all alike." Larrazola to William C. McDonald, August 20, 1911, printed in the Santa Fe New Mexican, August 31, 1911.

63 Cunningham, Cutting, p. 72. These "friends" are not named.
sweeping victory in November. Cutting returned home from
the war in the position of having backed a winner although
out of the country. 64

By the end of 1918, Bronson Cutting had become a
figure to be reckoned with in New Mexico politics. He had
no discernable political following but he owned one of the
most important newspapers in the state and had shown a
willingness to commit both it and his personal wealth in a
political campaign. He was in the enviable position of
having backed winning governors in each of the campaigns that
he had participated in. The Old Guard forces respected him
or they would not have tried to silence his paper nor would
they have asked for his support in 1918 and been willing to
make concessions to obtain his backing. Physically he had
gone from a sickly young man, not expected to live, to a man
capable of being commissioned in the army and serving a tour
of duty in foggy London. In eight years Cutting had risen
high in New Mexico.

64All of the material relating to the election of
1918 is taken from a long letter from Mrs. Ward to her
brother dated November 2, 1918, BMC Papers. This letter
which contains copies of several other letters was probably
written to counter any unfavorable opinions of her manage-
ment that Bronson might be getting from other sources.
CHAPTER III

CUTTING IN NEW MEXICO POLITICS, 1918-1926

Senator Cutting has given his money freely to nonpartisan, or more accurately, bipartisan societies—and to American Legion Posts, etc. Not cash to divide. A hall to meet in, a billiard table, a tennis court, a baseball diamond, expenses of delegates. Also legitimate travel and hotel expenses of candidates, committee men, etc., in actual campaigns. He has asked for nothing—and it seems has got a great deal. A thousand details to be told by moonlight alone—most of all—he has never high-hatted anybody—and that includes any Mexican. This is a conquered race—and a proud and sensitive race—when you take 'em where they were born and raised. They may forgive you for taking a shot or two at them—but never for high-hatting. Cutting has won more votes from this course alone than all the money he has spent.¹

Eugene M. Rhodes

In the years following the war Cutting's political activities assumed a different emphasis. Previously he was primarily interested in reforming the state's government. His actions now shifted towards developing his own political

organization. The two pillars of his organization were veterans, particularly the American Legion, and the Mexican voters of the state.\(^2\) This chapter will assess the bases of Cutting's power; hopefully it will provide a background to an understanding of Cutting's actions while he was a Senator.

The American Legion was formed in March 1919 under the leadership of Theodore Roosevelt, Jr. At a later meeting held in St. Louis plans for a national convention and methods of forming local organization were discussed. At this gathering the delegates decided to hold their first national convention in Minneapolis that November. Cutting was not only present at the initial meetings but he also prepared a list of potential leaders from the state of New

\(^2\)Whether the organization of a personal machine was one of Cutting's conscious objectives or whether he profited politically from his charitable and civic activities is an unanswerable question. Probably the latter is true since there is no evidence in his papers that he hoped to construct a machine. Since Cutting's papers are not complete such reasoning from omission is not necessarily valid. Patricia Armstrong, *A Portrait of Bronson Cutting Through his Papers, 1910-1927* (Albuquerque: University of New Mexico, Division of Research, Department of Government, Pamphlet No. 57, 1959), pp. 2-3, indicates that the Cutting family has additional papers not yet made public and that in addition an entire file of letters to an unnamed personal friend has been destroyed.
Mexico. On the state scene Cutting, working through intermediaries, induced Colonel Walter du Bremond to become temporary state leader. In April at the state caucus du Bremond, Henry Dorman, Jesus Baca, W. B. Helbig, Pearce Rodney, Manual Ruiz, Herman Baca, Roy Flamm, Fred Humphreys, Dillard Wyatt, Octaviano Larrazola Jr., Donald Blevins and Cutting were appointed to attend the state meeting in St. Louis. At the St. Louis meeting Cutting and several other New Mexicans were put on the national committee. Soon du Bremond resigned because of ill health and left the Legion's organizational reins in the hands of Cutting,

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3 Night letter, Cutting to Theodore Roosevelt, Jr., April 2, 1919. BMC Papers. Cutting also indicated that this list, if shortened, should maintain the same ratio of Mexican names.

4 Cutting to M. (Miguel A. Otero, Jr.), date unclear. BMC Papers.

5M. A. Otero, Jr., Report of the Department Historian, Department of New Mexico, The American Legion, April 1919-August 1920, copy in the BMC Papers. Of these delegates Dorman was a pre-war associate of Cutting in the Progressive Party, Herman and Jesus Baca were close political associates in later years, Wyatt was to enter politics later as a Cutting protege and Blevins was on Cutting's payroll as the state organizer of the Legion.
Dorman, Blevins, and the younger Otero. At the St. Louis meeting Cutting and Larrazola failed to persuade the Legion to take a position on the federal use of public lands. Cutting later supported Roosevelt's contention that the Legion could not afford to become involved in political matters.

With Blevins organizing and Cutting paying most of the expenses, a well-knit organization soon developed in the state. Cutting became closely connected with the group, not only through Blevins' activities, but through the prizes he offered for organizational activities. These prizes, ranging from fifty to one hundred dollars cash, were offered in Cutting's name to the posts which showed the greatest expansion. New Mexico geography also worked in Cutting's favor—frequently Blevins would be the only stranger in months to visit an isolated community. Blevins directed the disabled or ill veteran to the proper source of aid and intervened

6 In addition to the long-standing friendship with his father, Cutting had financed the junior Otero and his friend Tony Luna's stay in law school. Luna died of illness while on active duty during World War I and the Cutting family provided the bulk of the funds to build the Luna Natatorium (an indoor swimming pool) at New Mexico Military Institute in his memory.

7 Cutting to O. A. Larrazola, Jr., May 16, 1919. BMC Papers.
to help the needy find employment, thereby strengthening the veteran's attraction to Cutting. As a result of this organizational effort 31 posts were established in the state by September 1919. At the October state convention Herman Baca was elected Department Commander and Cutting became a National Committeeman. Under Baca's leadership the number of posts in the state increased to 51 during the next year. It was Cutting's long term advantage that he devoted much of his time and energy to Legion activities in this crucial period. This probably would not have been possible if Larrazola had not been the type of Governor that Cutting had wanted for several years.

Cutting supported programs that Larrazola advocated, particularly the improvement of teacher's qualifications, child labor laws, women's suffrage, and bi-lingual instruction in the public schools. With a friend and ally in the

8Otero, Report of the Department Historian . . . .

9Ibid. Baca was Cutting's personal choice not only because of his undeniable abilities, but also because of a non-Anglo would probably be more effective with the Mexican veterans.

State House Cutting had ample time for activities other than those of the Legion. He supported General Leonard Wood for the 1920 Republican Presidential nomination. From the days of the Rough Riders, Wood, their commander, had been a favorite in New Mexico. When Wood arrived there in August 1919 he received a warm welcome. While in Santa Fe he was Cutting's house guest. Wood's speech of appreciation at a parade held in his honor, made in both Spanish and English, further increased his popularity.\footnote{This popularity, quietly fanned by Cutting, manifested itself when the New Mexico Republicans chose their delegates to the national presidential convention. The New Mexico delegation was instructed for Wood although Fall worked very hard to have the delegation pledged to himself as a favorite son.\footnote{With Harding's nomination Cutting again was on the losing side at the national level. Moreover, as events developed in New Mexico he was soon forced to throw his full weight against an Old Guard attempt to remove Larrazola from the state Republican ticket.}}

\footnote{\textit{Santa Fe New Mexican}, August 8, 1919. Wood was introduced by Major W. H. H. Llewellyn.}

\footnote{\textit{Ibid.}, March 30, 1920.}
By late 1919 Cutting realized that the renomination of Larrazola was not going to be an easy task for, "... sooner or later, he [Larrazola] will have to make a choice between the support of the decent element in the Republican Party (plus his native personal following) and the support of the Bursum-Hawkins crowd." Whether Larrazola was ever given an opportunity to make this choice or not is difficult but the choice was made. Following a convention which was about as vitriolic as any in the history of the state, the judge from Socorro, Merritt Mecham, received the Republican nomination for governor. Once again the old scene was reenacted. Cutting and the Progressives supported the Democrats loyally and state wide as in previous elections. However the Democrats and the Progressives were soundly defeated in New Mexico as elsewhere by the conservative Republicans as

13 Cutting to Justine Ward, December 11, 1919, BMC Papers.

14 Larrazola was charged with being pro-German, un-American, a foreigner (he had been born in Mexico), unpatriotic and with having split both parties.

15 Why the Old Guard chose someone as antagonistic to the Progressives as Mecham is hard to explain, unless they thought they could win with anyone in 1920 and decided not to gamble on someone they might not be able to control. This is not to be construed as meaning that Mecham was controlled, he was one of the controllers.
Harding and Mecham easily carried the state. For the next two years there was little for Cutting to do except work with the Legion and attack the Republicans. With the resignation of Fall in 1921 to become the Secretary of the Interior and the appointment of Holm O. Bursum to Fall's Senate position Cutting had his work cut out for him, insofar as criticism was concerned.

The Legion in its early years was construed by its founders as a non-political organization. It soon changed character. This change in tactics was probably necessary if the Legion was to flourish. As long as the organization had certain non-fraternal goals the most expedient way to insure that their legitimate claims were met was to press the claim that the veterans constituted a voting bloc capable of award or punishment at the polls. The fact that it became necessary to enter the political arena does not, of course, explain why the Legion should play a leading role in the general reaction of the period in its espousal of an "Americanism" which was quite incompatible with the New Mexico situation. The national leadership viewed the organization as a white, English-speaking organization, but these qualifications seriously hindered Cutting's
efforts in New Mexico. The issue came to a head when the national leadership of the Legion proposed that English be the only legal language of public instruction. In a long letter to the chairman of the Legion's Americanization Committee, Cutting called such a measure unwise, impractical, and politically unfeasible insofar as it applied to New Mexico. The Assistant Director of the Committee replied to the effect that he could not see how Cutting could condone such a practice as teaching in Spanish and that the Legion policy would remain unchanged on this issue. Cutting chose to side with what he considered the interests of the state rather than the interests of the national organization on this issue and demonstrated, at least to the Mexicans, where his heart lay.

In 1922 the Legion in New Mexico, headed by Cutting and his paper, campaigned for the election of the Democratic nominee to the United States Senate, A. A. Jones. "Two hundred of the men who fought 'Over There,' some in uniform and wearing medals, a few on crutches, young men all, marched

16 Cutting to Henry J. Ryan, May 6, 1921. BMC Papers.

17 Alvin W. Owsley to Cutting, May 10, 1921. BMC Papers.
through the streets of Albuquerque with Senator Jones marching at their head. Cutting did not endorse the Democratic nominee for governor, James Hinkle, but his support of the Republican candidate was so negligible that many of the state's voters believed that he was supporting the entire Democratic ticket. The charges against the Republicans were the usual ones, corruption and scandal. For corruption the Democrats pointed to the replacement of the president of the State Normal School with a political hack; for scandal there was the forced resignation of the superintendent of the Penetentiary over an incident involving the killing of a convict during a food strike. Despite the presence of these issues the New Mexican commented editorially that the campaign seemed "the dullest in 30 years." The result was a Democratic landslide. Not only did they capture the major offices on the ballot but they gained a three vote majority in the lower house, the first time

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18Santa Fe New Mexican, October 31, 1922.

19Cunningham, Cutting, p. 96.

20See the Santa Fe New Mexican, July to November 1922.

21Santa Fe New Mexican, October 13, 1922.
since statehood that the Democrats had held a majority in either house. 22

With the election of Hinkle it appeared that Cutting would be able to give him his wholehearted support. Not only was the Democratic platform quite acceptable to Cutting but the new governor's record in his previous political positions was one of both an honest man and one interested in the welfare of the state and its people. 23 Hinkle worked diligently to clean up the situation at the penetentiary and appointed John B. McManus to the head warden's position, an appointment which pleased Cutting. In general Cutting approved of Hinkle's entire program with the exception of a property tax exemption for veterans which he felt hurt the non-property owning veterans, a large group in New Mexico. The split appears to have come over that mundane but important issue of patronage. To be more specific Hinkle, coming from Chavez county on the east side of the state, the anti-Mexican area of New Mexico, was not giving the native element what they and Cutting felt to be their

22 New Mexico Blue Book, 1923-24 (Santa Fe, 1925).

fair share of the non-menial jobs. Here again Cutting publicly sided with the Mexican elements in the state.

In the summer of 1924 Cutting, now a Democrat, permitted and encouraged the capture of the Santa Fe County Democratic party by his followers who then elected a slate of delegates pledged to nominate him for Governor. Cutting's strength grew until he could claim 277 of the 600 convention voters. At this point Hinkle withdrew from the fight followed almost immediately by Cutting's withdrawal thus leaving the field open to Arthur T. Hannett of Gallup who was then nominated. The motivation for Cutting's action is unclear but the sequence of events indicates that it was probably prompted by a desire to stop Hinkle coupled with the feeling that Cutting could not beat Hannett.

As befitted a new member of the party Cutting supported the entire Democratic ticket and once again his

24 Ibid.

25 Robert Thompson and Charles B. Judah, Arthur T. Hannett, Governor of New Mexico (Albuquerque: University of New Mexico Press, Department of Government, Division of Research, Report 26, 1950), p. 6. Hannett had been considered for the nomination in 1922 but had been passed over because of his pro-labor record. As Hinkle's State Highway Commissioner he had run the office honestly and efficiently.

26 Cunningham, Cutting, p. 110. Armstrong, Cutting, p. 76.
candidates won office. One of Hannett's first appointments was to place Cutting on the Board of Commissioners of the State Penetentiary in the hope that he could complete the job of reform begun by Hinkle and McManus. Cutting began the task with considerable enthusiasm; he hoped to be able to effect some permanent reforms in the New Mexico penal system. But before any basic changes could be instituted Cutting and Hannett split.

There were several reasons for the split. Hannett claimed that the cleavage resulted from Cutting's demand for a Labor Commission and a Veterans Bureau at the state level. Hannett felt the added departments would conflict with his economy pledges; it would also build up Cutting's political following. H. O. Bursum, Miguel Otero, Jr., and M. L. Fox, an Albuquerque editor, asserted that the division developed over Hannett's attempts to use the state patronage to build a permanent machine. Both are probably true. The editorial pages of the New Mexican revealed the

27See the correspondence between Cutting and Thomas Matt Osborne, one of the nation's leading exponents of penal reform. BMC Papers.

28Thompson and Judah, Hannett, p. 9.

29Interviews cited in Cunningham, Cutting, p. 122.
first hint of the break which, by the end of May 1925, was very evident. Finally Hannett demanded Cutting's resignation on the general grounds of disloyalty. Cutting refused to step down immediately and took the rather unusual step of publishing the entire correspondence in the *New Mexican*. Their irrevocable split, however, came over a project both were interested in: revision of the election code.

It is, perhaps, an irony of politics that Cutting and Hannett should break so completely over a reform which both considered so important. Hannett appointed a committee consisting of himself, two Democrats, two Republicans and two state legislators to draw up a new election code for the state. Among other things the proposed law provided for personal re-registration every six years, uniform ballot boxes, no more than 300 voters per polling place, absentee voting, a uniform and simplified contest law, provisions forbidding the accompaniment of the non-handicapped voter into the voting booth and the elimination of the provision

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30 Hannett to Cutting, July 7, 1925. *BMC Papers*.

31 Santa Fe *New Mexican*, July 15, 1925. Cutting eventually resigned effective November 1, giving as his reason the fact that he would be out of the state for several months. Santa Fe *New Mexican*, October 29, 1925.
for straight ticket balloting by making a single mark.\textsuperscript{32} Cutting saw these changes, particularly the provision against aiding a voter to mark his ballot, a type of discrimination against the semiliterate or illiterate Mexican voter. The Republicans soon took up the issue. In addition they opposed the provision against registration by mail as well as the provisions that made straight ticket voting more difficult.\textsuperscript{33} By election time Cutting was completely in agreement with the Republicans on the single most important issue of the campaign.\textsuperscript{34} Thus when the Republican nominee, Richard C. Dillon, sought Cutting's support, it was readily granted.\textsuperscript{35} The combination of regular Republicans, Cutting's supporters, and those Mexican voters who believed

\textsuperscript{32}The proposed code is described in the Santa Fe New Mexican, January 20, 1926.

\textsuperscript{33}Thompson and Judah, Hannett, p. 24.

\textsuperscript{34}Before returning to the Republican fold Cutting tried to dominate the Democratic convention but was defeated by the Hannett forces. Santa Fe New Mexican, August 24, 1926.

that the Hannett Code was discriminatory were enough for
victory. 36

Dillon's first term could be called the "era of good
feelings" in New Mexico politics. There were, of course,
dissident voices, such as Hannett's newspaper column, but by
and large his administration ran very smoothly. His legisla-
tive message, the shortest that had ever been delivered,
called for an election code, effective prohibition, free
text books, elimination of the road tax, an extended working-
man's compensation law, and several other less important
reforms. 37 The Republican dominated legislature went to work
with a will and much of the governor's program was soon passed
including much of the Hannett Election Code with a few amend-
ments. 38 Not only did Dillon get along with the Legislature

36 Despite his defeat much of Hannett's code was writ-
ten into law and Hannett became the leading authority on New
Mexico election law. In 1934 he was Dennis Chavez's attorney
in the contested election of that year and in 1952 he was
once again Chavez's attorney in an election contest. Unfor-
funately the circumstances of the second contest were such
that the opposing attorneys were able to use Hannett in 1934
to refute Hannett in 1952. See Senator from New Mexico:
Hearing Before the Subcommittee on Privileges and Elections

37 Santa Fe New Mexican, January 11, 1927.

38 New Mexico Statutes, Annotated, 1929 Compilation
744-788.
but he and Cutting had no public differences. When Senator
A. A. Jones died in December 1927 Dillon appointed Cutting
to the interim position. In his statement to the press the
Governor said that he had appointed Cutting because of the
statewide endorsement of him by people from all walks of
life. 39

The story, however, is not this simple. The Dillon
Papers contain a rather bulky file of letters dealing with
this appointment and while the letters themselves say nothing
that would disprove the statement, Cutting's name only
appears once in this file—in a letter recommending another
man as a better Republican than Cutting for the position.
Moreover, according to a "number of men who were active in
politics at that time," 40 it was well known that Jones was
very ill and that Hannett hoped to appoint himself to the
interim position if he were reelected in 1926. If Jones's
illness was known about the state it would appear possible
that Cutting might have insisted on the Senate appointment
as the price for his support. This argument is strengthened
by the fact that Cutting ostensibly left the Democrats over

39 Santa Fe New Mexican, December 29, 1927.
40 Cited in Cunningham, Cutting, p. 137.
the voting law changes yet he did not protest when the Repub-
lican legislature passed essentially the same legislation
that Hannett had proposed earlier. 41

With his appointment to the United States Senate
Cutting began a new phase in his political career; before
going into the new era it might be worthwhile to review
briefly his background in New Mexico politics. Cutting had
lived in the state for seventeen years. During this time he
created a large and loyal organization. The most "natural"
element of this following were the political reformers,
generally upper or middle class and always the "respectable"
elements of society. These people, the Hagermans, the Oteros
and others, saw in Cutting a messiah whose money and news-
paper could lead them into the promised land of reform and
good government—a government which would keep the lower and
less respectable social classes content without giving them

41 Charles B. Judah in an interview with the author,
July 15, 1964, advanced the opinion that Cutting may well
have asked Dillon to give him the letters recommending him
for the Senatorial position. Judah offered no explanation
as to why Cutting would request and why Dillon would grant
such a strange favor. The BMC Papers contain carbons of
letters by Cutting's supporters to the Governor suggesting
Cutting for the senatorial position. J. D. Atwood-Dillon,
December 24, 1927 is such a letter.
the reins of power. When Cutting began suggesting funda-
mental reforms in the body politic he rapidly lost the
support of this element. 42

The second component of his core of support was the
native or Mexican element. The reason for their support of
him does not lend itself to a simple analysis. Prior to
statehood most of the Mexicans usually followed the lead of
the patron, Anglo or Mexican, but with the gradual end of
the open range and the decrease in size of the large land
holdings this role vanished. 43 Some Mexican politicians
like Larrazola stepped into the temporary vacuum, but it
was Cutting who eventually became the statewide patron. 44
His methods are only partially discernible and can only par-
tially be verified by the available evidence. There was,
of course, the role of Blevins as he organized the back

42 See in particular Box 19 and 20, BMC Papers, deal-
ing with banking legislation. The "Little Governor" never
deserted Cutting, but the present author feels that it was
mostly because Cutting was subsidizing him to write his auto-
biography.

43 For a partially biographical statement of this
transition see Oliver La Farge, Behind the Mountains (Boston:
Houghton Mifflin Co., 1951), which should be compared with
Harvey Fergusson's earlier and fictional characterization of
the patron relationship in Grant of Kingdom (New York: Mor-

44 Fincher, "Spanish Americans as a Political Fac-
tor . . . ."
country for the Legion and there was also the work of natives such as Herman Baca and his brother Jesus who edited the Spanish edition of the *New Mexican*, but more than that there was Cutting himself and his attitude towards the Mexicans. His greatest attribute was that he genuinely liked and respected them. He could read, write, and speak their language but many of the politicians in the state could do that. His secret was that:

*When Bronson Cutting was alive he seemed to enjoy sincerely the company of the poorest natives, and he attended their delight making festivals as well as their all-night wakes over the dead as one of them. In turn they thought nothing of calling on him at his mansion for all manner of reasons, whether great or trivial; just as a friend might.*

This kind of support is difficult to alienate. A further indication of the place of Cutting in the Mexican's feelings

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45 Thomas G. Donnelly, *Rocky Mountain Politics* (Albuquerque: University of New Mexico Press, 1940), p. 250. Cruz Alvarez, a Cutting supporter in Dona Ana County, tells of the two Mexicans who picked up Cutting in his old clothes thinking him a bum and their amazement when he invited them to eat with him at his house, *Los Seite Burros*. This story and the others like it may well be apocryphal but the mere fact that they exist is strong evidence of the place Cutting occupied in the hearts of the Mexican population of the state. A people seldom make up stories such as this about such figures they do not feel strongly about.
Native society in New Mexico is strongly patriarchal: for a person as young as Cutting to be known by this term shows deep respect.

The third element of Cutting's support came from the New Mexico veterans. Here again Donald Blevins was very instrumental in solidifying this support but had Cutting not given generously of his time and his money it would never have materialized. New Mexico, as an agricultural state, did not join in the general prosperity of the Twenties; moreover, the isolation of many of the communities, both geographic and cultural, made for a hard existence. Veterans who returned to these isolated areas soon got out of touch with the Veterans' Bureau and the various medical facilities and other benefits for which they might be eligible. The activities of the American Legion helped to keep them in touch with the outside world. Their garnering of the veterans, many of whom were Mexicans, meant that Cutting succeeded in gaining the support of those very elements in the Mexican

46 Interview with the bartender at the Scarlet Slipper Saloon in Albuquerque, New Mexico, December 27, 1963. The bartender, who was born and raised in Bernalillo, New Mexico, a small Mexican village, can remember his parents and others discussing Cutting by this term.
community he could not reach as a patron. These veterans were often the only inhabitants of their village who had ventured outside of the state boundaries and while they could have been, under different circumstances, disruptive factors in Cutting's control of the native votes they were also bound rather closely to him and his programs. But this backing from the veterans like that of the Mexicans was to him personally and not gained from Cutting's identification with a party. When he shifted parties his followers shifted with him. But this type of support is a two-edged sword in that such a leader must continually lead and to lead he must generally go in a direction compatible with the wishes of his following. This meant that Cutting was also a captive of his supporters and could not go too far afield of their desires. When this is realized Cutting's career as a Senator and his votes and actions can be more readily understood.

47As might be expected a person who arouses such devotion generally arouses an equal degree of enmity. Cutting was no exception. This enmity often took the form of innuendos relative to his unmarried state. For an example of this see the speech by Clyde Tingley, October 20, 1934. This feeling still remains in many of the old-timers in New Mexico as witnessed by the very dignified lady who manages one of the better bookstores in Santa Fe. When she found
out the author was working on a study of Cutting she grew very mysterious and asked if he knew of the "mysterious suicide" that was supposed to have preceded Cutting's departure from Harvard. As best can be determined there was no suicide. The same lady spoke in conspiratorial terms of the "great secret" of Cutting's personal life. For these points to have survived some thirty years argues that they constituted relatively strong feelings when Cutting was dominating the scene.
CHAPTER IV

BRONSON M. CUTTING IN NEW MEXICO POLITICS,
1928-1934

When the Founding Fathers provided for periodic elections they guaranteed that neither Congressmen nor Senators could function as completely free agents. Legislators must pay attention to their constituents if they wish to remain in office. New Mexico is no exception to this rule. Cutting did not have the strong support of a political party, with its institutional power, backing him. He was forced to be extremely sensitive to local reactions when casting his vote. This sensitivity was accentuated by the fact that his relationship with the administration of President Herbert Hoover was such that he received very little patronage. In addition, under the American system of governing a politician cannot hope to go far on the national scene if he cannot be reelected locally. Nationally known figures are constantly being forced to take part, either directly or through their agents, in a variety of local contests. In all probability
since Cutting was just beginning his career in national politics his control in the state was not yet fully developed. More local challenges to his power arose than would have confronted an established politician. The more important of these challenges and how they were met must be analyzed. When the local story is known then Cutting's reaction to the events on the national stage which were developing simultaneously will not appear to have been undertaken with so little discernible purpose.

With Cutting in the United States Senate as a Republican, appointed by a Republican, it appeared that the state Republican Party could begin to bind up its wounds—wounds which had been aggravated by Cutting in the past. Cutting aided this healing process for a while. In his first Lincoln Day dinner Cutting wired the New Mexican Republicans that: "It is the proudest boast of the party founded by Lincoln that it has at no time discriminated against any section of our people on grounds of race, religion, class, location, illiteracy, or alleged incapacity."¹ To a party which had not long before been wracked by a campaign in which this sentiment had been their battle-cry such words were

¹Santa Fe New Mexican, February 14, 1928.
indeed welcome. But as helpful as words are, actions are even more important. To implement this feeling of cooperation the *New Mexican* supported the Republicans in the Santa Fe city elections the following month and the party swept to a landslide victory.^2 This spirit of goodwill continued through the Republican state Presidential Convention where an uninstructed delegation friendly to Herbert Hoover was chosen after the delegates had enthusiastically applauded Governor Dillon's statement that Cutting had strengthened the party.^3 Throughout the summer Cutting campaigned and spoke in the state and conducted himself like an Old Regular. The party held its state nominating convention in September and an entire ticket was chosen without serious disagreement. Dillon was renominated for governor, O. A. Larrazola was chosen to run for the short term in the Senate and Cutting was picked to contest the long-term seat.^4


^4*Ibid.*, September 13, 1928. Cutting had only been appointed to fill the position for one session of the Congress. This meant that New Mexico would need to elect a Senator for the "Lame Duck" session of the Congress. It is the author's understanding that Cutting could have run for both terms had he so chosen. There is nothing in the Cutting or Dillon Papers to explain this arrangement. It does
The Democrats were not as fortunate. The controversy over the Hannett Code had serious consequences among their Mexican supporters. A reconciliation was finally effected through the time honored New Mexico custom of having Anglos oppose Anglos and Mexicans oppose Mexicans. The single exception to this was the Attorney General's race where the Democrats ran Frank Patton against Cutting's protege M. A. Otero, Jr. Despite the odds against them the Democrats conducted a hard fought campaign on all levels. At the presidential level they used the tactic of stressing Smith's religion in the hope of gaining the very large Catholic vote in the state. They opposed Cutting, whom many Democrats considered a traitor, with a particularly vicious campaign. Some of the rumors and charges being circulated in the state were so vitriolic that the New Mexican, in late October, ran them editorially in the obvious hope that seem possible, however, that Larrazola was nominated partly to make up for the shabby way he had been treated in 1920. Moreover with the Catholic Al Smith heading the Democratic ticket it is quite possible that the Republican party leaders wanted to place the two strongest political patrons in the state on the ticket to help hold the Catholic Mexicans to the Republican Party.

5Ibid., September 8 and 13, 1928.
they would backfire. Cutting covered the state speaking in all the major towns, generally in both Spanish and English. He countered the religious issue with the tried and true defense that it was as bad to vote for a man because of his religion as it was to vote against him for his beliefs. The personal criticisms generally went unanswered although he did argue that the voters should judge him on his past records in the Senate and on what he promised to do in the future not on what he had written eight or nine years earlier. It was probably Cutting's support from the veterans and the Mexicans that enabled him to lead the ticket with a majority of some 19,000 votes, the greatest majority any candidate had received in the history of the state.

Cutting did not return to Washington until March. During the interim the New Mexican began the first of a series of attacks which eventually redivided the Republican

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6Ibid., October 29, 1929. Typical of these were those that stated, "Cutting doesn't associate with good women and is a friend of the 'Mexican boys'" and "Cutting and Hoover are fat morons." His opponents also charged him with having "bought up all the newspapers and the Democrats can't get any publicity . . . ." This last charge which is partially true, was made against Cutting in all of his campaigns.

7Ibid., September 13 and October 22, 1928.

8New Mexico Blue Book, 1929-1930 (Santa Fe, 1931).
Party. In February an editorial charged the Republican legislators with deliberately reneging on their promises to pass legislation designed to help the laboring man of the state.\(^9\) Shortly thereafter Cutting reiterated the charge in a series of speeches at American Legion Posts throughout the state.\(^10\) Late in February the New Mexico House of Representatives passed the labor bill but, at the governor's request, it was tabled--allegedly to prevent a tieup of the business of the Senate.\(^11\) This maneuver angered Cutting and on March 9th he addressed the New Mexico House and laid the blame for not keeping the party pledge directly at the feet of the Senate.\(^12\) In spite of this charge the legislature adjourned without passing the labor bill. On March 14, Governor Dillon issued a call for a special session to pass on legislation such as a general appropriations bill and a variety of other measures.\(^13\) The labor bill was not

\(^9\)Ibid., February 13, 1929.

\(^10\)Ibid., February 15-27, 1929.

\(^11\)Ibid., February 28, 1929.

\(^12\)Ibid., March 9, 1929. There is an untitled, undated copy of a speech outline on this subject in the BMC Papers.

\(^13\)Ibid., March 14, 1929. The New Mexico Constitution states that the legislature must adjourn its regular session after a sixty day meeting.
mentioned. On April 3rd the legislature reconvened and the Senate reacted to Cutting's charges by immediately instituting an investigation into the activities of Herman Baca, the Property and Disbursement Officer of the National Guard and one of Cutting's chief lieutenants. The labor bill was brought up during the week long session but it was very quickly tabled.\textsuperscript{14} Throughout the year the \textit{New Mexican} continued its attacks on the Republican party, so that by the summer of 1930 there was considerable doubt as to which party Cutting would support.

This doubt was intensified when the \textit{Club Politicio Independiente de Neuvo Mexico}, an organization of Cutting supporters, met towards the end of July and demanded that both parties nominate Mexicans for several positions on the ballot. Their slate of resolutions also denounced the betrayal of political platforms and joined with the \textit{New Mexican} in placing the blame for a whole series of scandals

\textsuperscript{14}\textit{Ibid.}, April 10, 1929. The charges against Baca hinged on alleged shortages of funds. Baca claimed that these shortages were due to equipment replacement made necessary by the policies of his predecessor. The investigation was dropped when the legislature adjourned, which would indicate that it was either for retaliatory purposes or that Cutting had brought pressure to bear upon the investigators. The attacks in the pages of the \textit{New Mexican} did not cease.
on the Republican party. 15 The Democratic Party held its convention in mid-September and nominated Sam Bratton for the Senate, Arthur Seligman for Governor and Dennis Chavez for Congress. 16 A few days later the Republicans nominated Herbert B. Holt, a member for the Old Guard, for the Senate, Judge C. M. Botts for Governor, and Albert Simms for Congress. 17 Cutting, who was vacationing in Europe, did not take an active part in this campaign nor did the New Mexican campaign vigorously. However Cutting organizations such as the Club Politico endorsed the important Democratic candidates. 18 Moreover, in an Old Guard stronghold, Bursum's Socorro County, a Cutting leader Mauricio Meira, led a fusion movement which was partially responsible for the

15 Ibid., July 30, 1930.

16 Ibid., September 17-19, 1930. The author is not related to Governor Seligman.

17 Ibid., September 22-24, 1930.

18 Ibid., October 4, 1930. Cunningham, Cutting, cites an interview with some unnamed politicians to the effect that Cutting gave "undercover support to Seligman," p. 162. Upon his return from abroad Cutting was host to Senators Steiwer and Moses, and he claimed that Moses offered him the post of Secretary of Interior if he would back the entire Republican ticket. The next day Moses held out an Ambassadorship or Vice-Presidential nomination in 1932 if he would support Holt. BMC-mother, October 24, 1930, BMC Papers.
election of Democrats at the local level. This was not a statewide trend however. In Santa Fe County, where the Cutting forces controlled the Republican party, they merely nominated their own people for office and ran as Republicans. The support they gave the state Republican organization was minimal at best. The Democrats easily carried the election winning eleven of the twelve state offices and capturing the lower house of the legislature.

Seligman began his term in office by calling for and receiving the resignations of all state appointees. He was generally successful in fulfilling his campaign promises and much of his program including the labor bill from the last session finally became law. The Old Guard did not take Cutting's inactivity quietly. In the New Mexico Senate, Thomas Hughes, A. M. Edwards, and Z. B. Moon attacked Cutting from the floor, with Moon stating that Cutting and Seligman "bought the 1930 election in New Mexico"

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19Ibid., October 8, 1930.

20Ibid., October 14, 1930.

21New Mexico Blue Book, 1931-1932 (Santa Fe, 1933).

22Ibid., December 10, 1930.

23Ibid., February 23, 1931.
using Cutting's money. This charge was answered by the House in a unanimous reprimand to the Senate for denouncing Cutting. In July Cutting, working with Bratton, asked President Hoover to commute the sentence of Albert B. Fall, who was about to enter jail. The New Mexican, in an editorial comment, had argued earlier that Fall had taken the blame for the entire Harding group and that it was time to "let the dead past lie buried." If Cutting was trying to pacify the Old Guard by this tactic it certainly did not work for early in 1932 his enemies backed by A. T. Hannett struck at his control over the Legion in an obvious attempt to dis­credit him with the state Legionaries.

While it can be easily argued that Cutting was the single most powerful figure in the New Mexico Department of

24 Ibid., October 29, 1929. Cutting's motives were viewed as an attempt to placate the Old Guard, especially since by Cutting's admission he had been Fall's "political antagonist for nearly twenty years." Congressional Record, 71 Cong., 1st Sess. (November 2, 1929), 5105 cited in Burl Noggle, Teapot Dome: Oil and Politics in the 1920's (Baton Rouge: Louisiana State University Press, 1962), p. 107. This is probably true but Cutting also appears to have felt genuinely sorry for the old man who, after all, was no longer a political threat. Cutting, moreover, had been friendly with Jouett Fall Elliott, Fall's daughter, almost as long as he had been in New Mexico. See an undated letter from Mrs. Elliott to Cutting's mother sometime after his death. On the margin of this letter Mrs. Cutting has noted "My son was once in love with her." BMC Papers.
the American Legion, it does not follow that he was all-powerful within the Legion. His strength was scattered throughout the state and several individual posts were dominated by an anti-Cutting faction. One of these was the Hugh A. Carlisle Post in Albuquerque—it was from this base that his enemies struck. The initial assault was a demand for the disqualification of the Montoya y Montoya Post in Santa Fe on the grounds that it had an ineligible member. This attempt failed. In August 1932 the fight was renewed with a demand that fourteen posts be disqualified from participating in the state convention on the grounds that their membership dues had not been paid on time. Behind this apparent technicality lurked the implication that Cutting personally provided the money to keep these posts active. Here the opposition was on stronger ground for the money had been turned in late and in such a manner that could indicate that not all of the money in question had been collected

25Santa Fe New Mexican, January 18, 1932. The member in question was James Baca who had been state Adjutant-General during the war. In 1931 the national office had ruled him eligible for membership but later that year they had overturned this decision. The dissidents claimed that he had not been dropped from membership.

26Ibid., August 7, 1932.
from the posts concerned. This attack also failed but the next year it was renewed.

In the summer of 1933 Osborne Wood, the son of Leonard Wood, was elected Commander of the New Mexico Department by the Cutting forces but not even Wood's inherited prestige could put down the revolt which erupted in November of that year. This time the charges came from the national office. These accusations were essentially the same involving the late payment of dues plus the more serious charges that "non-existant members" were being used in figuring votes for the state convention and that some New Mexico Legion officials were Cutting's political agents. On November 21, 1933 the National Executive Committee conducted a hearing with the New Mexico Department defended by Atwood, Wood, Herman Baca and other state officials. The evidence presented at these hearings supported the above allegations beyond any reasonable doubt as well as the additional charge

27 For a spirited defense of the Cutting forces see the letter from J. D. Atwood to the Roswell Record, August 9, 1932, in the BMC Papers. Atwood was a Cutting supporter and a former state commander of the Legion.

28 The BMC Papers contain copies of these charges. The officials mentioned as Cutting's political agents were Wood and Herman Baca. Insofar as Baca was concerned the charges were true.
that Legion officials held elective public office. In their summation the national committee noted:

Back of this situation is an intense partisan political situation in New Mexico. There are so-called Old Guard Republicans, Old Guard Democrats, Progressives, Fusionists, and what not; as the result of partisan politics to control the political situation in New Mexico. The Legion is only a part of the general setup in the intense strife of factions. . . . 29

The committee recommended suspending the state charter and by a vote of thirty-nine to thirteen the Executive Committee accepted their recommendation. 30 Cutting immediately withdrew his membership from the Legion and most of his close followers followed him out. Cutting had lost the Legion but not the Legionaires.

On the more formal political front Cutting's political enemies were also pressing the attack. In February, 1932, the Old Guard, led by H. B. Holt made a futile

29Draft of the Minutes, National Executive Committee Meeting, Indianapolis, Indiana. November 20 and 21, 1933. Copy in the BMC Papers. This situation was certainly not new to New Mexico and it does not seem likely that the National officials could have been ignorant of it. What does seem likely is that they saw in the charges a chance to weaken Cutting so as to insure his defeat the next year. While Cutting had been consistent in his support of veterans legislation very little else of his legislation appealed to the Legion's national leaders.

30Ibid.
attempt to set a date for the state presidential nominating
convention at a time when Cutting could not attend, but the
Senator's forces were able to pick a date agreeable to him.
At this same meeting Cutting was elected state national com-
mitteeman.\textsuperscript{31} He was unable to attend the state committee
meeting in August of that year but he did send a friendly
message which expressed, "the hope that individual differ-
ences of opinion may be subordinated to the kind of vigorous
and united co-operation which will insure the victory of
the Republican Party in New Mexico next November."\textsuperscript{32} The
state convention the next month, however, was controlled by
the Old Guard who were apparently dedicated to driving Cut-
ting out of the party. In a floor fight involving the two
delегations from Socorro County, the Cutting forces lost
the crucial vote although the Senator delivered a long
speech in opposition to the Bursum forces. When it was
announced that the Bursum delegation would be seated Cut-
ting resigned his position as national committeeman and

\textsuperscript{31}\textit{Santa Fe New Mexican,} February 8, 1932 and
March 20, 1932.

\textsuperscript{32}\textit{Ibid.,} August 22, 1932. Copy in \textit{BMC Papers.}
led his followers out of the convention. 33

Since the rump convention was held immediately following the walkout it is doubtful that it was as spontaneous as it would appear on the surface. At this convention Maurice Meira, the chairman of the anti-Bursum forces in Socorro County, was elected state chairman of the Progressive Party. The President of the Club Independiente Politicito immediately pledged his support and the backing of his organization and even Mrs. Albert B. Fall joined in expressing the hope that the movement would benefit the Mexicans in the state. 34

The regular Republicans were undeterred by this withdrawal and renominated their 1930 slate of candidates.

33Albuquerque Tribune, September 23, 1932. The leader of the anti-Bursum forces was Mauricio Meira. This was probably not upsetting to Cutting in that as early as 1930 he was privately indicating strong dissatisfaction with Hoover. BMC to Mother, November 12, 1930. BMC Papers.

34Santa Fe New Mexican, September 23, 1932. The presence of Mrs. Fall in the Progressive camp was, to say the least, odd and open to at least three possible interpretations: 1. Gratitude to Cutting for his efforts to secure clemency for her husband. 2. The thought that Cutting might be in the ascendancy and it might be of value to be in his camp. 3. That she might be genuinely concerned with the lot of the Mexicans in the state. At the risk of appearing naive the present author prefers the third interpretation although he can present no valid historical evidence to justify his stand.
The Democrats stayed with the ticket that had led them to victory in 1930. In Santa Fe County the situation was particularly confused. The Progressives controlled the Republican Party machinery and refused to surrender it. For a time there existed two Republican parties, each claiming to be the genuine article. This dilemma ended midway in October when the Santa Fe County Progressives joined their brethren throughout the state and fused with the Democratic Party. This fusion process was carried further by Cutting endorsing the candidacy of Franklin D. Roosevelt on October 21st, although in his announcement Cutting made it clear that he was not joining the ranks of the Democratic Party. The campaign was hotly contested and the National Guard was called in to police the polling places in four counties.

35New Mexico Blue Book, 1933-34 (Santa Fe, 1935).

36Santa Fe New Mexican, October 19, 1932. Commenting shortly before the election, the Albuquerque Tribune suggested that Cutting's actions were more in the nature of a rebuke of the Old Guard than an endorsement of Seligman, November 5, 1932. This editorial comment is indirectly borne out by the BMC Papers in that there appears to be no real warmth in the correspondence between Cutting and Seligman.

37Santa Fe New Mexican, October 21, 1932. This portion of the campaign will be covered more completely in a subsequent chapter.
The election was the most complete victory the Democrats had ever gained in the state. 38

If the ensuing two years are viewed from New Mexico it appears that the political scene was as serene as it had been at any time since 1912. The Democrats were in power in the state. The only Republican holding a major political office, Senator Cutting, had supported the entire Democratic ticket in the most recent election, and the regular Republicans were certainly in the political doldrums. The business of the legislature was transacted without serious incident, although there were the usual newspaper charges of "vote-buying" among the Mexican voters of the state. The legislature charged the complaining newspaperman with insulting the Mexican voters of the state, but when the reporter offered to prove his point the matter was dropped. 39 In September 1933, Governor Seligman died and was succeeded by A. L. Hockenhull, the Lieutenant Governor. The smooth transition brought no apparent policy changes. Senator Bratton was appointed to the United States District Court

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38Ibid., November 8, 1932. The Republicans only elected 4 out of 31 Senators and 7 of 66 Representatives to the state legislature.

39Ibid., February 25, 1933.
and was replaced in the Senate by his former law partner Carl Hatch, but again there was no major change in the state political power structure. The only cloud on the horizon was when Dennis Chavez took over Seligman's position as Democratic national committeeman, but even this was a logical step for the Democrats to take in view of Chavez's strong statewide strength.

It looked as though Cutting would have an easy time in the election of 1934. It did not appear likely that President Roosevelt would throw the full weight of the administration against a man who had supported him just two years earlier. Besides the Republicans were again making friendly overtures to him.  

40Otbid., November 30, 1933. Of the Old Guard leaders only Bursum opposed the move. In view of the speed with which these erstwhile leaders deserted Cutting when it appeared that he could be beaten it is obvious that these approaches were based on expediency and not on any change in basic philosophy.
CHAPTER V

BRONSON M. CUTTING IN THE UNITED STATES SENATE,
1928-1933

In the slightly more than seventeen years between Cutting's arrival in New Mexico and his appointment to the United States Senate he had changed considerably. He had now become the publisher of the state's most politically important newspaper and he was in good enough health to lead a fairly active life. However, he found the climate in the nation's capital less than ideal.\(^1\) Despite the handicaps of his health he was a conscientious Senator. He gained the respect of the newsmen in Washington, not only as a hard worker but as one of the most independent minded members of a group noted for its intellectual independence—the Republican insurgents.\(^2\) While it might sound strange to

\(^1\)Cunningham, Cutting, p. 203, cites an interview with unnamed personal friends of Senator Cutting.


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hear a Son of the Wild Jackass braying in the cultivated tones of Groton and Harvard, nonetheless it was with this group that he found his home, both ideologically and personally. His two closest friends in the Senate were the dean of the insurgents, George Norris, and the only man in the chamber younger than himself, Robert M. LaFollette, Jr. On most matters of significance Cutting voted with the insurgents. He also participated in such extra-Congressional activities as the Progressive Conference of 1931, and helped his colleagues with needed campaign funds. Despite his aristocratic background, or perhaps because of it, he stood firmly with the most liberal elected elements of his party.  

The first Senate issue on which Cutting took a public position clearly shows his independent turn of mind. A controversy arose over the seating of Frank L. Smith, the Republican Senator-elect from Illinois. Smith's right to a

3 As a freshman Senator Cutting took some time in developing an area of specialization. Consequently his legislative interests, apart from matters of local or regional significance, are somewhat eclectic. This variety of interests has led to difficulties in organizing this discussion around a single focal point. The author has chosen to treat each Congress as a more or less separate entity and to deal with matters topically within the Congresses. It is felt that this method is the most logical way to approach this particular portion of Cutting's career.
seat was challenged on the floor by Senator Norris because his past and most particularly his recent primary victory were tainted "with fraud and corruption." The basis for these charges was the report of the special committee on campaign expenses, chaired by Senator James Reed of Missouri. The committee alleged Smith had spent $458,782 in the 1926 Illinois Senatorial primary, the bulk of the money supposedly supplied by the public utilities magnate Samuel Insull. In his maiden speech to the Senate, Cutting enunciated his disapproval of Smith stating "If I were a citizen of Illinois, I should spend every minute of my leisure in opposing the election of Mr. Smith." However, to Cutting the problem was not as simple as approving or disapproving the method by which Smith had won his election. To the new Senator the issue was whether or not he could put his judgment above that of the citizens of Illinois. The financial information, as well as Smith's relationship to


For a detailed analysis of the affair see Carroll H. Wooddy, The Case of Frank L. Smith, A Study in Representative Government (Chicago: Univ. of Chicago Press, 1931).

Insull, was known and publicized by Smith's opponent in the general election; it was presumably known to the voters of the state as well. Cutting voted in favor of seating Smith. This placed him in the minority, not only in the Senate but in the Progressive bloc as well, where he was joined only by Senator Borah. In another seating case involving charges of fraud brought against Senator William S. Vare of Pennsylvania, Cutting did not feel the issue was similar. Here no public knowledge of the alleged fraudulent actions existed and Cutting was paired on the vote against seating Vare.

Cutting opposed the insurgent bloc on the Smith issue but stood solidly with them on the investigation of the Continental Trading Company of Canada, which first came into the public eye as a result of the Teapot Dome scandals. The hearings, held before the Senate Committee on Public Lands and Surveys, initially brought Cutting to the attention

\[7\text{Ibid., pp. 1707-1708.}\]

\[8\text{See Woody, Frank L. Smith, pp. 233-234. For the purposes of this chapter the author has used the listing of Progressives found in Hugh James Savage, "Political Independents of the Hoover Era: The Progressive Insurgents of the Senate" (Ph.D. Dissertation, University of Illinois, 1961), pp. 10-36. This list includes Senators Borah, Brookhart, Costigan, Couzens, Cutting, Dill, Frazier, Johnson, LaFollette, Norbeck, Norris, Nye, Schall, Shipstead, Thomas Walsh and Wheeler.}\]
of the public because of his clashes with several hostile witnesses, particularly Colonel Robert W. Stewart, a key figure in the incredibly tangled web. In one clash with the Colonel, Cutting indicated perjury might be involved only to have Stewart deny it. A month later Stewart, facing a possible perjury indictment, again appeared before the committee and essentially admitted Cutting was right.10

This investigation was political dynamite for the regular Republicans. Harry Sinclair turned over $233,000 in bonds used in the various transactions involving the leasing of the Teapot Dome and Elk Hills fields to Albert B. Fall as a campaign contribution. Will H. Hays, a longtime friend of Sinclair and former Republican National Chairman, had later been given $100,000 in bonds to pay for stock market losses


10 For an excellent account of this clash see Ray Tucker and Frederick Barkley, Sons of the Wild Jackass (Boston: Page and Co., 1932), pp. 202-203.
and an additional $185,000 in bonds had been given to Hays to help pay the Republican campaign deficit from the 1920 election.\textsuperscript{11} Hay's admission of Sinclair's additional $185,000 meant that the oil man had contributed at least $260,000 in addition to the money to Fall since Hays had admitted receiving $75,000 from him earlier.\textsuperscript{12} These revelations about the financing of the 1920 Republican campaign led Senator Borah to attempt to raise sufficient funds to repay Sinclair and remove the smell of tainted money from the party. Cutting joined the attempt, pledging $5,000 personally, and he wrote his uncle Robert Fulton Cutting asking for assistance in raising the remainder.\textsuperscript{13} Again Cutting seems to have broken with the bulk of the Progressives for


\textsuperscript{12}Ibid., pp. 176-177.

\textsuperscript{13}BMC to Robert Fulton Cutting, March 21, 1928, \textit{BMC Papers}. Senator Cutting's feeling on the matter was that had Sinclair not donated the money the rank and file of the party would have raised it and that now that they knew it was probably ill-gotten they should immediately pay it back. Cutting also felt that this sort of a move was absolutely essential if the Republicans were to carry the nation in the coming November. His uncle sided with Nye and the others who opposed Borah's plan. See also Marian C. McKenna, \textit{Borah} (Ann Arbor: Univ. of Michigan Press, 1961), p. 206, and Noggle, \textit{Teapot Dome}, pp. 194-196.
they felt that no real good would be served by returning a 
thief's money. The fund raising drive fell through and 
Borah returned the money collected to the contributors.

Motivated by the Smith case and the disclosures 
involved party finances brought out in the Continental 
Trading Company Hearings, Cutting introduced three joint 
resolutions in April and May of 1928. The first of these 
inter-related constitutional amendments proposed adding 
the following statement to the basic law of the land:

The Congress shall have power to legislate concern­
ing the nomination or election of any candidate for 
the office of Senator or Representative in the 
Congress of the United States, and to prevent fraud 
and corrupt practices in the nomination and election 
of Senators and Representatives.

It was referred to the Committee on the Judiciary where it 
died. On May 10, this resolution was followed by another 
proposed amendment seeking to give the Congress the same 
power over the elections for the President and the Vice 
President of the United States. These amendments were

15 McKenna, Borah, p. 206.
16 70th Cong., 1st Sess., Congressional Record, v. 69, 
p. 6737.
17 70th Cong., 1st Sess., S. J. Res. 149.
framed to remove the roadblock to Congressional regulation of primary elections which the Supreme Court had erected in the Newberry case. ¹⁸ Like its companion this amendment died in the Judiciary Committee. ¹⁹ To complement these resolutions Cutting introduced a third amending the Constitution to provide: "No candidate who in his campaign for nomination or election, shall have violated any of the laws regulating such nomination shall be eligible for membership in either House." ²⁰ It was referred to the Committee on the Judiciary where it expired. ²¹

The same day he introduced the proposed amendments Cutting proposed a series of three bills to implement the amendments. The first of these bills was entitled "A Bill to Create a Commission on Elections, to Define its Duties, and for Other Purposes." This measure called for the

¹⁸ Newberry vs. United States, 256 U. S. 232 (1921). This decision was later overturned in United States vs. Classic, 313 U. S. 299 (1941) and Smith vs. Allwright, 321 U. S. 649 (1944).

¹⁹ 70th Cong., 1st Sess., v. 69, p. 8249.

²⁰ 70th Cong., 1st Sess., S. J. Res. 150.

²¹ 70th Cong., 1st Sess., Congressional Record, v. 69, p. 8246.
creation of a five-man commission on elections to be selected by a joint session of the Congress from a list of twenty-five names submitted by the Civil Service Commission. The Commission members would be selected on the basis of fitness, "by reason of experience, character, temperament, and lack of partisan prejudice." Voting at this joint session would be one vote per Representative and four and one-half votes per Senator. These commissioners would serve staggered ten-year terms resulting in one position becoming vacant every two years and would be charged with investigating all contested elections referred to it by either house and reporting their findings to that house. The commission would have the regular investigatory powers of a Congressional committee including the right to subpoena witnesses and records. The second bill was designed to "prevent fraud and corrupt practices in the nomination and the election of Senators and Representatives" and "to


23Ibid., p. 2.

24Ibid., p. 6.

25Ibid., p. 4.
provide publicity for campaign accounts." This measure set a $10,000 maximum expenditure on Senate primary races and a $5,000 limit on House primary races with the same maximum being levied on the general election. For very populous districts this maximum could be modified to permit the expenditure of $.03 per vote with a maximum of $25,000 for Senate races and $10,000 in House contests. Banks and corporations chartered by the United States governments were forbidden to make political contributions. The last of these measures was, "To regulate campaign expenditures of candidates for President and Vice President." This set a maximum expenditure of $10,000 per state in the nominating races and a maximum expenditure of $30,000 per state or a total of $1,440,000 nationwide for the general election. The bill also severely limited the use of extra committees in the campaign in that their expenditures also came under the upper limit. All three bills were sent to the Committee on the Judiciary and were never again to see

26 70th Cong., 1st Sess., S. 4423.

27 70th Cong., 1st Sess., S. 4424.
the light of a legislative day although they were discussed by Cutting and others later in the session. 28

Of more immediate concern to Cutting's supporters were his efforts at this session to gain increased benefits for the veterans of the nation. The first bill introduced by Senator Cutting on behalf of the former servicemen was short and to the point. It was to amend the World War Veterans Act of 1924 by extending the deadline for applications for benefits under the bill from 1925 to 1928. 29 The next piece of veterans legislation to be brought forth was of considerable importance to New Mexico although it applied to veterans all over the nation. The bill "to provide adequate compensation and treatment for veterans having a tubercular disease" would especially benefit New Mexico since the War Department's facilities at Fort Bayard were being used by the Veterans' Bureau as a tubercular sanitarium for ex-servicemen. Under the terms of


29 70th Cong., 1st Sess., S. 4041.
this bill any veteran eligible for hospitalization under the act of 1924 could take a per diem allowance of $.75 as long as the disease remained active in lieu of hospitalization. He must, however, be examined semi-annually by a physician approved by the Veterans' Bureau to determine if the disease was still in an active state. Moreover if, at any time, the patient became an arrested case the individual would be eligible for $75 per month compensation so long as the disease remained in its arrested state. If the disease again became active the other provisions of the law would apply.\textsuperscript{30} The third of these bills, also designed to amend the basic act of 1924, authorized the Veterans' Bureau to hire translators whenever necessary and to establish insurance beyond the 1924 coverage for the ex-servicemen. The bill also authorized the Bureau to pay for the burial of any eligible ex-serviceman but the cost was not to exceed $107, a sum which was intended to pay for the coffin as well as all funeral expenses.\textsuperscript{31} The bills died in the Committee on Finance.

\textsuperscript{30} 70th Cong., 1st Sess., S. 4150.

\textsuperscript{31} 70th Cong., 1st Sess., S. 4209.
the veteran, Senator Cutting was also active in pushing the
interests of the state of New Mexico. He introduced a bill
giving the city of Hot Springs, New Mexico, now known as
Truth or Consequences, a block of federal land to be used
as a site for bathhouses, hotels, or other public accommodations. This passed the Senate but died in the House of
Representatives.\(^{32}\) S. 2830 was an attempt to adjust the
boundaries of the Santa Fe, Manzano, and Carson National
Forests and to include all Spanish or Mexican land grants
within or contiguous to the forests under the jurisdiction
of the United States Forest Service. In addition, Cutting
tried to establish an agriculture experiment station in Lea
County and to set up a United States Land Office at Roswell, as well as to establish a National Cemetery at Fort
Bayard, New Mexico, but all three of these attempts failed.\(^{34}\)

\(^{32}\) 70th Cong., 1st Sess., Congressional Record, v. 69,
pp. 8828 and 9083.

\(^{33}\) Ibid., pp. 4453, 5040, and 5202. See also Senate
Report 513.

\(^{34}\) 70th Cong., 1st Sess., S. 2946, S. 3136, and S.
3262. In the case of the Roswell land office the Department
of Interior field representative approved of the idea but he
was overruled by the Washington office. S. Report 1020.
See also 70th Cong., 1st Sess., Congressional Record, p.
8295. This measure passed the Senate and died in the House,
ibid., pp. 9575 and 10007. The other two bills died in
Senate Committee, ibid., pp. 2253 and 3138.
He also introduced four private pension bills of which one became law. In one case he may have voted against New Mexico's best interests with his vote against the creation of a Middle Rio Grande Water Conservation District.

On the other important issues Cutting generally voted with the insurgents although he voted in opposition to the majority of the group on such issues as the seating of Frank Smith, the immediate downward revision of the tariff and the placing of a tax on speculation in grain and cotton futures. On other major bills Cutting voted with the insurgent group.

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35 70th Cong., 1st Sess., S. 3494, S. 3671, S. 3672, S. 3888. S. 3671, to give Ada G. Wilkinson $20.00 per month was incorporated into H. R. 13563 and signed into law. 70th Cong., 1st Sess., Congressional Record, pp. 7928-9, 8531, 8597, 9044, 9580, 9902, 10049, 10435, and 10752. See also Senate Report 1210. The other three died in the Senate Committee on Pensions, ibid., pp. 4065, 4961, and 5838.

36 Many of the smaller Mexican farmers in Rio Grande Valley could not afford the extra taxes which such a district would entail no matter how valuable such a project might prove to be in the long run. See Fincher, "Spanish Americans as a Political Factor in New Mexico," p. 27.

Muscle Shoals, the construction of federal postroads, the pension plan for "emergency officers" and others the group stood solid. Although Cutting did not vote as regularly with the bloc as did Lynn Frazier, LaFollette, Norris, Gerald P. Nye, and Henrik Shipstead, he was generally found on their side.

The following session, December 3, 1928 - March 4, 1929, Cutting remained in New Mexico while Octaviano Larrazolo served out the "short term" to which he had been elected in November, 1928. Cutting returned to Washington for the 1st Session of the 71st Congress and took up where he had left off. He opposed the seating of Senator Vare of Pennsylvania at the earlier session of Congress and now attempted once more to remove what he thought was the principal cause of electoral corruption--lack of sufficient Congressional regulation. He reintroduced his series of bills dealing with electoral reform and took to the airways in a vain attempt to build popular support for his program. 38 In a radio speech, Cutting explained the loopholes

in the laws regulating campaign funds. Despite his efforts the bills again were buried in the Committee on the Judiciary.

Later when the votes on Senator Vare came up Cutting was paired against seating him and when the Governor of Pennsylvania replaced him with Joseph R. Grundy, one of the principal lobbyists for the high-tariff interests, Cutting again voted in opposition to the Pennsylvania Republican Party. In opposing the appointment of Grundy, Cutting pointed out that Grundy was one of the money raisers in the tainted Vare campaign. Moreover, the Governor of the state was elected in the same campaign and while the Senate could not challenge his election there remained the possibility that this election might also have been improper. However, Grundy was seated over the protests of Cutting and the other Progressives.

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40 71st Cong., 2nd Sess., Congressional Record, v. 72, p. 197. The resolution not to seat Vare was introduced by Senator Norris and passed the Senate 58-22 with considerable Republican support not only from the Progressives but from such men as Vandenberg of Michigan.

41 Ibid., pp. 526-533.
In the last session of this Congress campaign practices again became the issue in the controversy arising from the tactics of Robert H. Lucas, Executive Director of the Republican National Committee in the 1930 Congressional campaigns. Beyond any reasonable doubt the Republican Party had very serious problems in this election. The Depression had begun, Charles Michelson had been taking political pot-shots at Herbert Hoover for two years; Claudius Huston, the former head of the Republican National Committee, had become involved in a scandal regarding the use of a pressure group's funds to cover his stock market operations and the Republicans in general were so disheartened that one wag was moved to remark that "the whispering campaign of 1928 has been succeeded by the whimpering campaign of 1930." Wherever possible the regular Republicans were trying to hold their own by almost any means. In Nebraska the Republican


43 In New Mexico, Senator Moses apparently offered Cutting the position of Secretary of the Interior immediately, and then either an Ambassadorship or the Vice Presidential nomination in 1932, if he would back the straight Republican ticket in the state that year. Cutting refused. BMC-Mother, October 24, 1930. BMC Papers.
tactics were designed to rid the Senate of Senator George Norris despite the fact that he was a nominal Republican. The approach used there was the so-called "Grocer Norris" campaign; however, this ran into legal problems before the primary and the plotters were forced to back the Democratic nominee Gilbert M. Hitchcock, in the general election. Norris won easily and a Senate committee headed by Republican (Insurgent) Gerald P. Nye began tracing the tangled skeins to see who was behind the plot to unseat Norris. The trail ran straight to Lucas.

Cutting, on the floor of the Senate, referred to the work of Lucas as "political thuggery." He charged Lucas with circulating a forged letter. Cutting noted that . . . no respectable man would have given publicity to it without first determining its authenticity. Of course, Mr. Lucas did not think for a moment that that was a genuine letter. He said he did not care whether it was genuine or not—that that did not make any difference; he thought he would distribute it just the same.45

44Even at this late date it is difficult to determine why the party should set out on such a course against the man who as William Allen White put it gave the party its aura of righteousness. The best supposition that this author can offer is that the move was pushed primarily by the private power interests who had good reason to fear him. See Warren, *Herbert Hoover*, pp. 124-125.

45These quotations are taken from 71st Cong., 3rd Sess., *Congressional Record*, v. 74, pp. 2329-2333.
Cutting pointed out the Progressives were not legislative obstructionists, but had a definite program and purpose in mind for the country. However, they lacked the votes to enact their program.46

In a later attack upon Lucas, and upon Hoover for not requesting Lucas's resignation, Cutting pointed out that Lucas had circulated a letter to all Republican precinct workers requesting that they listen to Hoover's radio address on Lincoln's birthday. Cutting quoted Lincoln stating, "I stand with anybody that stands right. I stand with him while he is right and I part with him when he goes wrong." He expressed the hope that Hoover would use the quote in his speech. Cutting then expressed the same hope for a somewhat longer quotation in which Lincoln viewed with alarm the power of money in the nation and the great harm which unbridled wealth could cause. Cutting concluded by asking the chamber

Does it read to the Senate like the utterances of Robert H. Lucas? Does it read like the utterances of the present President of the United States? Does it not read a little more like the utterances of the Senator from Nebraska who is now being

46 Ibid.
drummed out of the party as an untrue Republican and unfaithful to the memory of Lincoln? 47

The results of the election illustrated the desperate situation of the Republican Party. The line-up in the Senate showed 48 Republicans, 47 Democrats and 1 Farmer-Labor, but as Hoover put "actually we had no more than 40 real Republicans, as Senators Borah, Norris, Cutting and others of the left wing were against us." 48 Hoover suggested to Senator Watson that the Democrats be allowed to organize the Senate in the hopes that it would "convert their sabotage into responsibility" but this scheme died because "Watson, of course, liked the extra importance of being majority leader, and the Republicans liked to hold committee chairmanships and the nicer offices in the Capitol." 49

Despite his dislike of the Hoover administration Cutting aided in heading off a possible oil land lease


49 Ibid.
scandal, speaking out in the Senate in defense of the actions of the former Territorial Governor of New Mexico, Herbert Hagerman who was a close personal friend. As brought out in committee hearings conducted by Senator Lynn Frazier of North Dakota, Hagerman was the official responsible for the sale of an oil lease on the Rattlesnake Field for $1,000. The lease was in turn resold at an enormous profit to the Continental Oil Company. The point at issue was whether or not Hagerman knew that the Rattlesnake formation was identical to the Hogback formation, a more valuable formation nine miles away. Cutting showed that the lease was granted October 15th on the basis of a geological report which concluded the formations were not similar. On October 13 a contradictory report was filed. It was not transmitted to the Bureau of Indian Affairs until the 15th. As the hearings on the sale were held in Santa Fe it was very unlikely that Hagerman knew the contents of the new geological report. In response to questions Cutting reviewed the relationship of Indian claims to the actualities of the New Mexico situation. He stated it was true that certain New

50 71st Cong., 3rd Sess., Congressional Record, v. 74, pp. 4878-4879. See also pp. 4817-4820.
Mexico towns like Espanola and Taos were situated on technically Indian lands. But Cutting noted that if title by adverse possession is not recognized in New Mexico it follows the state of Florida should be given back to the Seminoles and the City of Boston be given back to the Pequots.\textsuperscript{51} The problem remained unsolved.

The issue that gained Cutting a position in the liberal intellectual's galaxy of heroes was not electoral reform or oil scandals, but rather his fight against censorship by custom officials. This struggle began inauspiciously enough with a motion to strike section 305 from the Hawley-Smoot tariff bill. This section made it illegal to import publications inciting treason, immoral pictures or publications, contraceptive devices, and lottery tickets, and was inserted in the tariff bill of 1894 at the request of Anthony Comstock, the notorious self-anointed guardian of our late Victorian morals.\textsuperscript{52} There was advance notice Cutting planned an attack on the section when he had requested Senate discussion on this section be delayed

\textsuperscript{51}Ibid., p. 4879.

\textsuperscript{52}1st Cong., 1st Sess., Congressional Record, v. 72, p. 4432. The information on Comstock comes from Tucker and Barkley, Sons of the Wild Jackass, p. 204.
pending the arrival of trunks bearing material needed for the discussion. In a long speech, interspersed with debate and remarks by supporters of his amendment, Cutting traced the history of customs censorship in the United States noting the first legislation was passed in 1842 and the Republic survived the preceding crucial years without incident. He pointed out the short-comings of the administration of the legislation. As administered by the Treasury Department a Customs Inspector was liable to be fined if he admitted a book or other article which was judged obscene or illegal by the courts, but if he rejected an item and was later overruled there was no penalty. This policy tended to make Customs Inspectors stringent. He documented in detail their vigilance.

A copy of Ovid's *Metamorphoses* was kept from a professor at Johns Hopkins University. *The Decameron* and some works of Tolstoi and Swedenborg were on the proscribed list. There were some 739 books officially banned from the United

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53 71st Cong., 1st Sess., *Congressional Record*, v. 72, pp. 3695-3696.


States; of these 379 were in Spanish, 231 were in French and 114 were English language works. This rather odd distribution of languages prompted Cutting to ask rhetorically just what there was about Spanish that gave it such a high rating.\(^{56}\) He pointed out some of the intricacies of the censorship whereby *The Memoirs of Brantome* could be imported in French or English but not in Spanish, *The Arabian Nights* was forbidden in the French, while the English edition of *All Quiet on the Western Front* could not be imported although there was an American version. The works of Kraft-Ebbing could not be legally imported even for use by scientists or doctors. Ironically the works of Aristophanes were also banned although he was critical of Socrates for corrupting the morals of the Athenian youth.\(^{57}\) Cutting generally argued for the content of the entire work to be taken into account, as the British did, rather than using passages at random to determine its morality.\(^{58}\) When Cutting made the point that one official was charged with making the decision and had supposedly read all 739 of these immoral books

\(^{56}\) Ibid., p. 4434.

\(^{57}\) Ibid., p. 4435.

\(^{58}\) Ibid., p. 4437.
Senator Norris observed that if this single official had read all this drivel and was still a "fine, moral gentleman" then why bother with keeping the stuff out. Cutting concluded this portion of his speech with a quotation from John Milton, "A wise man will make better use of an idle pamphlet than a fool will do of Sacred Scripture." Moving from the allegedly salacious to the supposedly subversive, Cutting asked the chamber, "Is the foundation of the American Government so feeble that it cannot withstand subversive opinions of a few foreign theorists?" He introduced a statement by Professor Zechariah Chaffee, Jr., of Harvard, stating that the section, if strictly administered, would forbid the importation of the works of Marx, Proudhon, Bakunin, etc. and might well keep out the works of such contemporary writers as Bertrand Russell. Robert LaFollette Jr. pointed out this section of the law could be interpreted to exclude foreign editions of the Declaration of Independence and perhaps the Works of Jefferson, while Cutting jibed Lincoln's First Inaugural speech was

59 Ibid., p. 4439.
60 Ibid., p. 4445.
61 Ibid., p. 4446.
suspect. The supporters of censorship led by Senator Reed Smoot, however, were not inactive. Smoot distributed to his colleagues several of the dangerous volumes with the lascivious passages conveniently marked. He maintained perusal of the books "would so disgust senators that they would never dream of agreeing to the amendments of the senator from New Mexico. You need only read a page or two to know how damnable they are." Cutting replied that Smoot had talked so much about Lady Chatterley's Lover that he had "made a classic out of it." Cutting had logic on his side but Smoot had the votes. Cutting watered down his amendment to exempt from censorship only political material and the classics. Nonetheless, the resolution lost. An amendment to the amendment was introduced which would have added to the forbidden list any books or pamphlets urging the forcible resistance to any law of the United States or advocating the violent overthrow of the United States government. This

62 Ibid., pp. 4450-4451.
64 71st Cong., 1st Sess., Congressional Record, v. 72, p. 4461. The vote was 33-48.
65 Ibid., p. 4461.
in turn was modified by Senator Couzens to include also any works "containing any threat to take the life or inflict bodily harm upon any person in the United States." Cutting argued such a proviso was unnecessary. He agreed to vote for the amended amendment and it passed the Senate 38-36. This vote represented a partial victory for Cutting and the other enemies of official censorship but it was to be some thirty years before Americans could legally buy that great saga of gamekeeping, *Lady Chatterly's Lover*.

During the next Congress, Cutting introduced a bill to define and establish standards for certain types of non-mailable matter, specifically obscene material as well as material advocating or giving instruction on contraception and abortion. The bill died in committee.

He further strengthened his credentials with literary circles when he advocated United States adherence to the International Copyright Convention which, at the time, included the entire world with the exception of the United States, Russia, and Siam. In answer to the

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66 Ibid., pp. 4471-4472.
67 72nd Cong., 1st Sess., S. 3907.
68 71st Cong., 1st Sess., *Congressional Record*, v. 72, pp. 6458-6461.
objection that the United States copyright provisions were an indigenous arrangement, Cutting said our copyright law was copied almost exactly from the English model as codified in 1709, "when Great Britain had legislation which permitted the burning of witches." Several years later he again attempted to bring the United States into this organization and was again rebuffed in committee.

Of greater importance than the general subject of "dirty books," although not as interesting, was the tariff measure known as the Hawley-Smoot tariff. On the matter of tariff rates Cutting took a fairly consistent stand. Out

69 Ibid., p. 6459.

70 73rd Cong., 1st Sess., S. 1928.

71 The author realizes that many of the roll-call votes on a tariff measure are of an extremely technical nature and do not always lend themselves to a type of black-white or, more accurately, a high-low type of analysis. He has therefore chosen to contrast Cutting's votes with the votes of the acknowledged high priests of the high tariff forces--Senators Bingham, Moses, and Smoot. The author feels that these three gentlemen most closely represented the "high-tariff" mentality in the country at the time and that they therefore present an easily defined position for the purposes of comparison and contrast. This method of examining Cutting's record on all of the tariff schedules seems to be to the author a reasonably accurate device for determining Cutting's position on the tariff. It must, of course, be recognized that local pressures at times could force him to bend his principles somewhat. For an analysis of the political forces at work behind this tariff measure, see
of thirty-seven votes related to tariff rates at the first session of Congress, Cutting voted in opposition to the Bingham, Moses, Smoot triumvirate twenty-nine times and with them only eight times. Moreover on those issues where they voted together there was at least a fifteen vote majority for their position on six of these votes. They only voted together on two losing issues and here it is interesting to note that on one vote the high tariff Senators were in favor of lowering the tariff on the importation of some minerals. The high tariff advocates, joined by Cutting, were to raise the committee's rates on tungsten which was then being mined in New Mexico.

At the next session of Congress Cutting's record was again fairly consistent. On one hundred and twenty-four roll-call votes Cutting voted with the acknowledged high tariff leaders a total of twenty-two times and of these votes nine were on amendments to lower rates on particular minerals.

E. E. Schattschneider, Political Pressures and the Tariff (New York: Prentice-Hall, 1935). See also Harris Gaylord Warren, Herbert Hoover and the Great Depression, pp. 84-98 for a more general study of the tariff struggle. For a convenient summary of the roll call votes on the measure in the Senate, see 71st Cong., 2nd Sess., Yea and Nay Votes in the United States Senate on the Hawley-Smoot Tariff Bill of 1930, Senate Document 177.
commodities. Cutting voted with the high tariff bloc ten times to raise the rates on such objects of local concern as wool waste, silver, beef cattle, wool yarns, oil, raw hides, kid leather, and gypsum. In each case Cutting voted with the bloc to raise the rates and the measure passed the Senate by at least a ten vote majority. In addition to his general low tariff posture Cutting introduced two amendments to lower rates. The first of these was designed to lower tariff rates on toys and this passed by a vote of 38-30. The other change was to hold the rates on agate buttons at the original rate and was defeated 29-39.

While the Smoot-Hawley tariff was undoubtedly the issue of greatest national importance taken up at this

72 71st Cong., 2nd Sess., Senate Document 177.

73 Ibid.

74 71st Cong., 2nd Sess., Congressional Record, v. 72, p. 5916.

75 Ibid., p. 5924. Despite their rather exclusive sounding name these buttons were used in the manufacture of the cheapest clothing. The defeat of this amendment raised the tariff on the buttons 2,800 per cent and would probably raise the cost of these clothes slightly, thereby transferring the cost to the poorest elements in our society.
Congress, the bill which came to be known as the Hawes-Cutting Bill for Philippine Independence is of more importance to the student of Senator Cutting's legislative career. The first public appearance of group activity that carried this bill into law appeared during the hearings on the Smoot-Hawley Tariff Act. At these hearings the cottonseed oil, dairy, cordage, and sugar interests had asked for relief, either through the abolition of all tariff concessions to the Philippines or failing that through the imposition of limitations on the amount of duty-free imports from the islands. When they failed to win in committee they carried their fight to the floor of the Senate. There Senator Edwin Broussard of Louisiana, whose home town of New Iberia is situated in the middle of the Louisiana sugar cane country, offered a pair of amendments to the tariff bill. The first of these amendments, as further amended by Senator William H. King of Utah, called for a conference to provide for Philippine independence and pending such an agreement would impose full tariffs on Filipino imports to the United States although American goods entered the islands duty-free. This measure was rejected 45 to 36, Cutting voting with the

majority. When this move failed Broussard asked for a vote on a second amendment requesting "The President to invite governments to participate in a Conference to consider an agreement to respect the Independence and Territorial Integrity of the Philippine Islands, etc." This failed by a vote of 63-19. Cutting joined in the majority. During the debate on this issue Senator Hiram Bingham of Connecticut, Chairman of the Committee on Territories and Insular Affairs, promised to conduct hearings on independence and to submit to the Senate a report on the matter at its next session.

These hearings began in January, 1930, and lasted until the middle of May. They resulted in a majority report submitted by Senator Harry B. Hawes of Missouri and Cutting, with the Committee chairman, Bingham, filing a minority report. In the majority report the committee recommended the passage of the legislation known as the Hawes-Cutting Bill. Senator Hawes, like Cutting, a relative newcomer to the committee and to the fight for Philippine independence,

78 Ibid., p. 4426.
79 71st Cong., 2nd Sess., Senate Report, 781.
was not a member of the small band of Senators identified with the old pro-independence group. He was, however, a Democrat and a believer in that party's traditional stand in favor of independence. Both Hawes and Cutting, if the original draft of the measure is any indication of their position, were in that distinct minority interested in Philippine independence for the welfare of the islands rather than for the supposed advantages which American interests would gain. As originally conceived the overall plan of the bill was relatively simple. It provided for (1) a probationary or transitional period to help the islanders to adjust gradually to the realities of independence, (2) tariff duties to be gradually applied by both governments, and (3) a final plebiscite at the termination of the transition period to ascertain the wishes of the inhabitants of the islands. While this might have been well and good from the point of view of appealing to the Filipinos, it fell woefully short of meeting the desires of

80Ibid., pp. 24-29. It should be noted that the bill that Cutting and Hawes presented to the Senate and the bill that eventually became law contain significant differences. The author will, therefore, not refer to the finished product when discussing Senator Cutting's opinions regarding Philippine independence.
the groups pushing hard for severance in this country. The bill, however, did not come up at this session of Congress.

It was during this session of Congress that Cutting took one of his few excursions into the world of diplomatic affairs when he advocated, in a speech to the Republican Club of New York, the United States extend diplomatic recognition to the Union of Soviet Socialist Republics. The previous summer Cutting, in the company of Senators Burton K. Wheeler of Montana and Alben Barkley of Kentucky, toured Russia. Cutting returned convinced the Russian government was not going to wither away in the near future. 81 In this speech Cutting reviewed the history of United States recognition policies with its strong emphasis on de facto recognition. He explained how Wilson's policies had marked a deviation from tradition. He answered the problem of Russian refusal to pay the debts owed to the United States by declaring the claims the Russians had leveled against us for our participation in the Siberian intervention were much higher than our claims against the Russians and suggested

81 For an amusing account of his trip, see Wheeler and Healy, Yankee from the West, pp. 384-385.
by indirection a mutual cancellation. He argued the only way Soviet propaganda could succeed would be for the Soviet Union to itself succeed on a large scale. Moreover, he quoted, "'Revolutions cannot be carried in suitcases,' says Radek. 'Revolutions cannot be imported; they grow.'"

Cutting criticized the Soviet Union for its attempt to eliminate individuality by molding all mankind into a common form and by its suppression of liberty by preventing free speech and free assembly and criticism of the Communist system. It was Russia's chief weakness that she could not stand criticism he concluded. Cutting felt the United States could meet and defeat the Russian threat to America's underlying philosophy and institutions by competition; if

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8372nd Cong., 3rd Sess., Congressional Record, v. 74, p. 4006.
America was wrong, then the Russians deserved to win, and finally through the "clash of these rival theories it is at least possible that some new social order may arise superior in essence and in detail to either one." This speech put him in the ranks of such other Progressive advocates of recognition as La Guardia, Brookhart of Iowa, Norris, Hiram Johnson of California, and LaFollette, and in opposition to the Secretary of State, the National Civic Federation, and others.

In another area involving foreign affairs, legislation to include South and Central America immigration under a quota system, the Harris bill, Cutting was caught in a dilemma. On the one hand the rising unemployment in the United States made legislation to regulate immigration extremely attractive, especially to a Senator from a border state which was receiving a disproportionate share of such immigrants. But, on the other hand, many of these immigrants were related to or friends of Cutting's constituents and a vote to restrict immigration might be interpreted as placing the Latin Americans in a racially inferior group.

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84 Ibid., p. 4007.

When the votes were taken Cutting followed a consistent pattern. He voted against the importation of Mexican Laborers, for the limitation of such laborers to 14,000 in favor of lowering the grand total of immigrants per year, and against the importation of Mexican laborers even if there was a shortage of domestic labor. He voted to retain the national origins concept of regulating immigration despite the fact (or perhaps because of it) that President Hoover had come out strongly for its removal. On these votes Cutting was opposed by a majority of his progressive colleagues. He defended these votes with the obvious argument that they would help the domestic economy and would make the life of the domestic laborer easier. He later broadened this line of reasoning to suggest he opposed these protobracertero programs not because he did not like Mexicans, nor solely because he was worried about the domestic

86 1st Cong., 2nd Sess., Congressional Record, v. 72, p. 7531.
87 Ibid., p. 7533.
88 Ibid., p. 7601.
89 Ibid., p. 7708.
90 Ibid., p. 8843.
91 Ibid., p. 7615.
situation, but also because these workers would be needed in Mexico with the coming of governmental stability to that country. S. 51 was eventually recommitted to committee where it died.

As might be expected legislation broadening veterans' benefits and leading towards a general pension plan for ex-service men was proposed during this Congress and Cutting was involved in the battle. Right from the beginning the veterans' bill went wrong, at least as far as the Administration was concerned. The legislation that passed the House and went to the Senate was not what the Republican leadership desired. President Hoover spoke out against the bill and Cutting answered that the administration was approaching the veterans' problems from the point of view that there were more "taxpayers than veterans." Despite the threat of a veto the Senate amended the bill slightly and sent it back to the House for its approval. The House

92 Ibid., pp. 7699-7700.

accepted all of the Senate amendments and hurried it on to the White House where it was vetoed. In the meantime a substitute measure drafted by Administration and Congressional leaders was presented to the Republican conference in the House where it was quickly accepted, particularly after the President virtually pledged that he would approve it if passed. The vote in the House to override his veto of the first bill failed, 182 for overriding to 188 against, with 185 Republicans voting against the bill. The new measures (H.R. 13174) passed the House 365 to 4 and the battle moved to the Senate. When the bill reached the upper house Cutting and others were determined to bring it more into line with what they thought the veterans deserved. In his first speech on the matter Cutting left no doubt as to his disapproval not only of the bill but of the Veterans Bureau when he discussed an extraordinarily inaccurate letter from the Director of the Veterans Bureau written in support of this bill. He was successful in amending the bill to remove the word "active" from before tuberculosis, thus giving a pension to those veterans who suffered from an

94 71st Cong., 2nd Sess., Congressional Record, v. 72, p. 11483.
arrested case of the disease. Some other amendments, all in the direction of raising the rates, were attached and the bill went to conference committee. The Senate conferees retreated from most of their amendments although Cutting's change on tubercular policy remained in the bill. When the conference committee returned with the measure it encountered some moderate opposition from Cutting and a few other Senators regarding the changes, but the conference report was accepted 48-14. Cutting voted in the minority.

During the next session of Congress the adjusted compensation amendment to the veterans' bonus bill of 1924 came up for discussion and Cutting proved to be one of its ablest supporters. Under the term of this new measure the veteran could, if he chose, borrow up to fifty percent of his bonus which was to come due in 1945. In the ensuing debate Cutting first sparred with Senator Reed of Pennsylvania who, Cutting suggested, was confusing two completely


different matters—legislation for the disabled veteran and general veterans legislation. Having hinted that Reed could not keep simple distinctions straight in his mind Cutting then went on to remind the Senators while Reed called the bill nothing short of ridiculous it was almost an exact duplicate of a bill that the Senator from Pennsylvania had introduced the previous June. Cutting stated the American Legion requested this type of legislation in 1924 and would probably keep up the pressure until the measure was passed; moreover, the bill did not obligate the government to spend any additional funds, it simply served to put money in circulation earlier than originally intended. Probably moved much more by their own consciences and by constituent pressure than Cutting's oratory, his colleagues passed the measure on February 18th. Eight days later the bill was back, accompanied by a long veto message from the President. That same day it was overridden in the House but the Senate was to spend a little more time on the matter. The next day after a series of speeches including one by Cutting the veto

98 7th Cong., 3rd Session., Congressional Record, v. 74, p. 5369.

99 Ibid., p. 5370.

100 Ibid., p. 5386.
was overridden 72 to 12.101 In this speech Cutting sug-
gested the President's figure of one billion dollars the
veterans would draw out was an exaggeration and that the
figure would probably be closer to $600 million.102 As it
turned out both figures were low as the veterans withdrew
some $1.4 billion from the Treasury.103

While Cutting's role in such issues as censorship
and copyright law furnish an excellent example of Senatorial
"cloud-riding" he did concern himself with matters of a more
practical nature insofar as his state and section were con-
cerned.104 Of immediate concern to his constituents in the
eastern part of the state was Hoover's policy barring fur-
ther prospecting for oil and gas on the public domain in
the west. Cutting chose to show his disapproval of these
policies by strongly criticizing Governor Mark L. Requa of
Wyoming for using his position as Chairman of the Western

101 Ibid., p. 6230.

102 Ibid., p. 6222.

103 Warren, Herbert Hoover, p. 226.

104 For an extended definition of the meaning of
"cloud-riding" see Frank Smith, Congressman from Mississippi
"cloud-riding" occurs when a Congressman becomes interested
in an issue because it is worthwhile; not because he stands
to gain votes or support from advocating it.
Governor's Association to refuse to let the other western governors criticize the President's Policy. Requa defended his actions in a letter to Cutting stating that the Senator must have misunderstood him. Cutting, however, insisted that Requa had reversed his position after the damage had been done. Cutting also introduced legislation to provide government loans to any drainage, levee, or other type of governmental district for the purpose of aiding "wet land" farmers and a bill to authorize appropriations for the construction and maintenance necessary for the protection of the national forests from fire. Both measures died in Committee. Of interest to the state of New Mexico was a proposal authorizing the construction of a drainage channel in the basin of the San Luis Valley in Colorado and the investigation of reservoir sites elsewhere but in the West, but this too died in Committee. In addition to pension legislation Cutting also introduced that

106 Ibid., p. 2759.
107 Ibid., p. 1597, S. 1215.
109 Ibid., p. 2759, S. 1501.
hardy perennial, a bill to create a federal land district at Roswell, New Mexico.\textsuperscript{110} Again it was not reported out of the Committee.

During the second session of the Congress Cutting introduced more regional and local legislation designed to help out the home folks. He was one of the sponsors of the Rio Grande Compact which passed the Senate without debate.\textsuperscript{111} He reintroduced his measure from the previous session to aid "wet land" farmers by making loans available to drainage, levee, or other types of sub-divisions for improvements but again this measure died in committee,\textsuperscript{112} as did the bill to construct a drainage channel in the San Luis Valley of Colorado.\textsuperscript{113} Of specific value to New Mexico was a measure designed to bring the issuance of land patents into line with the criteria laid down by the Supreme Court in its decision of April 9, 1928. This proposal also came to rest in the Committee on Public Lands and Surveys.\textsuperscript{114}

\textsuperscript{110}\textit{Ibid.}, p. 1955, S. 1300.
\textsuperscript{111}71st Cong., 2nd Sess., S. 3386.
\textsuperscript{112}\textit{Ibid.}, S. 4123.
\textsuperscript{113}\textit{Ibid.}, S. 3467.
\textsuperscript{114}\textit{Ibid.}, S. 4526. Cutting also introduced a
Cutting did not take an active part in the special session of the Senate, called to ratify the London Treaty limiting naval armaments, although he did vote for the final treaty; nor did he become involved in the controversy that surrounded the charges that the president had withheld pertinent secret papers from the Senate hearings on the Treaty.

At the lame duck session that followed, the question of Philippine Independence did not come up for discussion, but leaders of both the pro and anti-independence forces journeyed to the islands to reinforce their arguments. \(^{115}\) This subject was to be brought up at the next session of the Congress although the Senate leadership had placed it on the Preferred Calendar apparently without consulting either Cutting or Hawes as to their wishes on the measure calling for the coinage of silver fifty cent pieces to commemorate the Gadsden Purchase (S. 3737). At the third session of this Congress Cutting introduced a bill to permit the Secretary of War to lease the tubercular hospital at Fort Bayard, New Mexico, to the Veterans' Bureau but the proposal died in committee. 81st Cong., 3rd Sess., Congressional Record, v. 74, p. 549. In addition he introduced fifteen separate pension bills, all of which died in committee. 71st Cong., 3rd Sess., S. 5698-5712.

\(^{115}\) Senator Hawes of the pro-independence forces and Secretary of War, Patrick Hurley, one of the anti-independence leaders were among those who visited the islands during this legislative interval.
At this same session Cutting opposed the administration on its Muscle Shoals legislation. He also fought the appointment of George Otis to the Federal Power Commission because he felt Otis was the choice of private power interests. As might be expected he stood with the Democrats and the Progressives on several bills to help the drought stricken areas through direct governmental relief.

Shortly before Congress convened in the summer of 1931 leading Progressives gathered in Washington for a conference called by Senator Norris. Cutting presided and made a speech to the session devoted to a discussion of the return to representative government. The principal problems that Cutting discussed were lame duck sessions, reform of the electoral college, and the control of campaign funds. He, however, broadened his speech to include some less obvious infringements on representative government; the

116 1st Cong., 3rd Sess., Congressional Record, v. 74, p. 1668. The matter came up when Senator LaFollette remarked that it seemed a shame to defer the debates on unemployment in order to discuss Philippine Independence, although he personally favored independence. Cutting agreed and added that he and Hawes had not been consulted before the decision had been made.

117 Ibid., pp. 1254-1259.

118 Ibid., pp. 4687-4689.
encroachment of the executive and judicial branches upon
the policy-making rights of the legislative body, the arbi-
trary interpretation of "due process," the invasion of civil
rights in labor injunction cases and the exaltation of the
executive in subtle propaganda which hinted that America
needed a leader like Mussolini.\textsuperscript{119} He also suggested the
establishment of a joint watchdog committee of Congress for
the purpose of overseeing the application of the wide dele-
gations of power by Congress to the executive branch of the
government.\textsuperscript{120}

With the convening of a new Congress and a Senate
with the Progressive bloc holding the balance of power the
Congress would be less amenable to Administration pressure
then its predecessor. This lack of Administration control

\textsuperscript{119}Alfred Lief, Democracy's Norris. The Biography
of a Lonely Crusade (New York: Stackpole Sons, 1939),
p. 376. The quotation at the beginning of this dissertation
dates from Cutting's arrival in Washington for this con-
ference. For a discussion of the fascination which Musso-
lini held for many American liberals, see John P. Diggins,
"Flirtation with Fascism: American Pragmatic Liberals and
Mussolini's Italy," \textit{American Historical Review}, v. 71,
pp. 487-506.

\textsuperscript{120}John M. Gaus, "The Responsibility of Public
Administration" in John M. Gaus, Leonard D. White, and Mar-
shall Dimock, \textit{The Responsibilities of Public Administration}
(Chicago: Univ. of Chicago Press, 1936), p. 43.
was particularly noticeable on the issue of Philippine Independence, which had the combined weight of the American Federation of Labor, Farm Bureau, Grange and Farmers Union opposing the White House. Senator Hawes had recently returned from a fact-finding trip to the islands and had voiced misgivings about the previous measure. He and Cutting redrafted the important sections of the bill to make it more acceptable to the Filipinos and the United States interest groups. Under the terms of the new bill, Filipino sugar imported duty free during the transition period could not exceed 20 per cent of the total sugar imported from Hawaii, Puerto Rico, the Virgin Islands, and from foreign countries. Hemp and cordage were to be restricted to a quota of 7,600,000 duty free pounds a year. They devised a formula to govern the duty free imports of coconut oil by

121"We directed appeals to the American Federation of Labor and labor leaders and agencies, and to various farm groups in the United States. Both in writing and in person, we contacted the Washington representatives of these organizations like Messrs. Chester H. Gray of the American Farm Bureau Federation, Fred Brenckman of the National Grange, Charles W. Holman of the National Co-Operative Milk Producers Federation, A. M. Loomis of the National Dairy Union, and W. C. Hushing of the American Federation of Labor." Camilio Osias and Mauro Baradi, *The Philippine Charter of Liberty* (Baltimore: French-Dray Company, 1933), p. 8. All of these individuals testified at the hearings as to the advisability of Philippine Independence.
limiting the amount of coconut oil to coincide with the imports of copra the previous year.\textsuperscript{122} Early in February, 1932, the hearings commenced on S. 3377, the revised Hawes-Cutting bill.\textsuperscript{123}

The opposition argument was outlined by the Secretary of War, Patrick Hurley. His testimony drew vigorous replies from Cutting and the other Senators at the hearings. Hurley called the bill "cowardly."\textsuperscript{124} He clashed with Cutting over an interpretation of the bill. Cutting remarked "I asked you what I thought was a simple question, I did not expect a stump speech in reply."\textsuperscript{125} This reply galled the Secretary. He replied, "When I say anything here, if it appears in opposition to the profound wisdom of you gentlemen, it is a stump speech, but what you gentlemen say is the height of statesmanship."\textsuperscript{126} At an earlier committee meeting

\textsuperscript{122}Copra has an oil content of about 63 per cent.

\textsuperscript{123}72nd Cong., 1st Sess., \textit{Senate Report 354} contains a copy of S. 3377.

\textsuperscript{124}72nd Cong., 1st Sess., \textit{Hearings Before the Senate Committee on Territorial and Insular Affairs}, Washington, D.C., 1932, p. 10.

\textsuperscript{125}Ibid., p. 120.

\textsuperscript{126}Ibid., p. 122.
he accused the committee of calling him a liar and walked out. In between the fireworks he presented a good case for those who felt that the islands were not ready for independence. Buttressed by personal observations, Hurley argued the islands had not reached what he termed a "composite objective" which included a capacity for self-government, economic independence and high social standards. Of the three the economic factor was his strongest argument against the legislation. Hurley's views on the possible diplomatic impact of independence were expressed by his friend (and fellow Oklahoman), Will Rogers:

I asked Pat, 'Pat, are they really ready for independence?' He says, 'No.' I says 'How can you tell when a nation is ready for independence?' He says, 'I don't know. I never saw a nation that was.' I says, 'Wouldn't Japan pounce on 'em and take 'em over the very day we got out?' He says, 'No! Not till maybe the following morning.'

This argument was later advanced in greater detail and more diplomatic language by the Secretary of State, Henry L. Stimson.

Early in these hearings proponents of the independence measure showed their dissatisfaction with the bill.

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128 Ibid., p. 92.
Senator Broussard, speaking for the United States sugar growers, pointed out that the 20 per cent quota crystallized existing arrangements without any relief. Those opposed to early independence argued that the five-year transition period was altogether too short to protect the interests at stake. Shortly after the conclusion of the hearings the bill was redrafted and again basic changes were made in its structure. The time limit for the probationary period was extended from five years to fifteen years. Specific trade limitations were established and sugar was limited to 800,000 long tons (741,000 long tons had been imported in 1931), coconut oil was to be held to 200,000 tons as opposed to actual imports of 162,000 tons the previous year, and cordage was to be limited to 3,000,000 tons, a significant decrease from the 10,000,000 tons that had been imported the year earlier. The new bill also provided for an export tax to be levied on all Philippine exports beginning in the eleventh year of the transition period at five per cent of the American tariff, to increase gradually to twenty-five per cent of the tariff. The proceeds from this tax were to go into a sinking fund to be used to retire the islands' bonded indebtedness prior to independence. Provisions were inserted to hold Filipino immigration to a maximum of one
hundred per year during the transition period. Finally a stipulation was placed in the bill providing for a joint trade conference in the fifteenth year, if the islanders voted for independence,

... for the purpose of formulating recommendations as to future trade relations between the Government of the United States and the independent government of the Philippine Islands. ... 129

In the meantime the House Committee of Insular Affairs under its chairman, Butler B. Hare of South Carolina, kept in close contact with its Senate counterparts and reported out a similar bill. The principal differences were an immigration quota of fifty persons and a transition period of eight years with no provisions for the gradual application of United States tariff rates. 130 The bill came before the House on April 4th, and was debated for forty minutes under a motion to suspend the rules. The bill passed 308 to 47 with 79 members not voting. All of the negative votes were cast by Republicans as were 119 of the yeas. 131 The Senate committee received the House bill and


13172nd Cong., 1st Cong., Congressional Record, v. 75, p. 7410.
immediately voted to substitute the Hawes-Cutting measure to it. When the bill came before the full chamber, following the acceptance of an amendment by Senator Broussard lowering the sugar quota to 600,000 tons, the Senate agreed to discuss the matter again the following December. During the election campaign of 1932 both Hoover and Roosevelt for the most part ignored the issue. The Republican platform failed to mention it, and the Democratic counterpart merely noted "We favor independence for the Philippines." Governor Roosevelt made only one reference to it during the campaign when he noted in Salt Lake City, "The American people are interested in Philippine independence, which the Democratic party favorably endorses." President Hoover confined his remarks to telling an audience in Denver (which is sugar beet territory as is Salt Lake City) the bill as constituted set the quota for sugar too high to be of much help to the American growers.

When Congress reconvened for the "Lame Duck" session following the election of 1932 the Hawes-Cutting Bill was one of the matters pending and the Senate quickly began work

132 Ibid., pp. 9204-9206.

on it. During the interval Congressman Hare had taken an inspection trip to the islands and upon his return he wrote Senator Hawes suggesting the duty free sugar quota be raised from 800,000 tons to 1,050,000 tons because of the increased acreage under cultivation and more efficient production during 1932.\(^{134}\) Despite this letter the Senate adopted an amendment cutting the duty free sugar quota to 585,000 long tons.\(^{135}\) Other amendments followed in short order. Senator Broussard moved to change the Commonwealth or transition period to eight years. Senator L. J. Dickinson of Iowa offered an amendment to the amendment cutting the period to five years. Cutting introduced an amendment shortening the free trade period to seven years with the provisions concerning the tariff to remain unchanged. Dickinson's proposal was narrowly defeated 37-38;\(^{136}\) Broussard's motion, which would have cut the transition period and made no provisions for a plebiscite, passed the Senate 40-38. Cutting voted against both measures.\(^{137}\) Hawes and Cutting, the

\(^{134}\) 72nd Cong., 1st Sess., Congressional Record, v. 76, pp. 180-181.

\(^{135}\) Ibid., pp. 266-270.

\(^{136}\) Ibid., pp. 424-425.

\(^{137}\) Ibid., pp. 436-437.
joint floor managers of the bill, induced Senator W. J. Bulow of South Dakota to move to reconsider Senator Brousard's amendment (under the rules of the Senate only a person who voted in the majority can move to reconsider) and this motion passed. The vote now returned to the original Broussard amendment and this time it was easily defeated 31-45. This majority consisted of a new group of Senators, although Senator John B. Kendrick of Wyoming and Bulow did change their votes. Cutting's amendment then passed by a voice vote. 139

The Senate was not through with the bill. Senator James Byrnes of South Carolina introduced an amendment to eliminate the plebiscite at the end of the probationary period. It was defeated. 140 The following day the Senate approved a new Byrnes amendment which provided that the vote at the beginning of the transition period on a new constitution would be considered to be the plebiscite. This amendment transferred the plebiscite from the end of the period when the natives would have some idea of what independence meant, to the beginning of the period and, moreover,

138 Ibid., pp. 537-540.
139 Ibid., p. 544.
140 Ibid., pp. 545-554.
guaranteed that the two separate issues of independence and ratification of the constitution would be confused. This alteration of the plebiscite principle passed 44 to 29. Cutting was in the minority.\textsuperscript{141} By adopting the second Byrnes amendment the Senate reduced the plebiscite principle to an absurdity and negated the whole idea of a probationary or transition period without striking the concept from the bill. This was, however, not done accidentally. In the earlier hearings one of the witnesses, Mr. Fred Cummings of the Sugar Beet Association, had testified:

\begin{quote}
I want their independence to be just as quick as it can be legally arranged, and I want it to be definite and certain when the bill is passed... I do not agree that at the end of this five year period they can be allowed to vote for independence, because when they are paying 100 percent tariff rates, they might change their ideas. I want to have it so that if they do get a change of heart--well they have made their choice, and they should keep it.\textsuperscript{142}
\end{quote}

With a final stipulation that the President should attempt to secure the neutralization of the islands by diplomatic means, the Senate passed the bill by voice vote.\textsuperscript{143}

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\textsuperscript{141}\textit{ibid.}, pp. 612-616.
\textsuperscript{142}2nd Cong., 1st Sess., \textit{Hearings Before the Committee on Insular Affairs, House of Representatives}, 11 and 12 of February, 1932, pp. 158-159.
\textsuperscript{143}2nd Cong., 2nd Sess., \textit{Congressional Record}, v. 76, p. 633.
\end{flushleft}
Since there were differences between the Senate Bill and the House bill a conference committee rectified dissimilarities. Both groups of conferees agreed to change the length of the transition period. A final date of ten years was arrived at by the committee. The representatives of the House accepted the Senate's provisions for the gradual application of an export tax in place of a tariff. The Senate followed the leadership of the House on the matter of the duty-free quotas for sugar, coconut oil, and cordage. The House's figure of fifty immigrants per year was accepted by the Senate. The new bill was submitted to the two chambers for approval. Both the House and the Senate agreed to the Conference Report and the bill was sent to the President for signature. The President returned it with a veto message. He thought the transition period "in this act is too short, too violent. . . ." He felt the bill would burden the United States; it provided for responsibility without authority. He called for the immediate restriction of immigration and the lengthening of the transition period to

14472nd Cong., 2nd Sess., House Report 1811, Philippine Independence Bill. This bill is printed on pages 1-10.
fifteen or twenty years with a plebiscite at the end of the period.145

In preparing the veto Hoover acted primarily on the advice of Henry L. Stimson, the Secretary of State. Stimson had served as Governor-General of the Philippines before becoming Secretary of State. He felt the islands represented

... a physical and spiritual base for American influence—political, economic, and social—in the Far East. There we had demonstrated before the eyes of all far eastern peoples and all governments which exercise authority or influence in the Far East, American ideas and methods.146

Stimson also placed the withdrawal in the context of the overall diplomatic conditions in the Orient. He thought the bill might encourage Japan's aggressive expansion in

145 72nd Cong., 2nd Sess., Congressional Record, v. 76, pp. 1759-1761.

that area. While he approved of Hoover's veto he disagreed with its reasons. Stimson felt that it confused self-govern-ernment with independence: "But I could not get him to see it because he differed with me radically on our views of the Philippines and that discouraged me a good deal after my association with him for four years."147 Stimson was not only against immediate independence, but he also felt that the Hare-Hawes-Cutting Act was not well designed to carry out its ends; "The Hare-Hawes-Cutting Act had one redeeming feature, that it was subject to Filipino approval. . . ."148 Despite the varied arguments of the President, the Secretary of War, and the Secretary of State, with almost no discussion the House passed the bill by the required two-thirds margin. The next day both the New York Times and the New York Herald Tribune condemned the House for just voting on the veto mes-sage without "seriously attempting to meet its demands."149


149 Cited in 72nd Cong., 2nd Sess., Congressional Record, v. 76, p. 1796. What neither paper pointed out is that the veto message offered no new arguments. Hoover, to a large degree, was merely echoing the testimony that had been given at the hearings.
The Senate took slightly longer to dispose of the bill. In the major speech preceding the vote, Cutting responded to the challenge and answered the President and his advisors. He pointed out that the Secretary of Agriculture had opposed the bill because of its lack of protection for American farming and compared these views with the Secretary of Commerce's argument that the bill curtailed imports too much. Cutting indicated that Stimson felt that the Filipinos themselves did not really want independence, and noted that Hurley did not think that either the Congress or the President had the legal power to dispose of the islands. Cutting concluded by stating that the President and his advisers combined four inconsistent arguments with one of the President's feeling, that the Philippines lacked "the form of separate nationality which is indeed their specific spiritual aspiration." He closed with the observation that "there are very few countries that could qualify for independence under the series of conditions the President laid down." Following a few brief comments by other members, the Senate voted to override the President's

150 Ibid., pp. 1866-1867.
151 Ibid., pp. 1911-1914.
veto and the Hare-Hawes-Cutting Act became law. As Senator Henry Fountain Ashurst noted in his diary that day:

January 17, 1933. The Philippine Independence Bill became law today when the Senate overrode President Hoover's veto. . . . Scholarly, opulent Senator Cutting, progressive Republican of New Mexico, in criticizing the veto message went on to say that probably for the first time in history, a powerful nation, of its own volition and without external pressure is proposing to grant freedom to a people whose domain is under the jurisdiction and authority of the powerful nation. 153

The scene of the battle now shifted abruptly to the Philippine Islands.

Throughout the legislative struggle the Filipino representatives had assured their allies that the islands' citizenry were ready for independence on any terms. Now they were being put to the test. The Independence Commission, moreover, was convinced that the bill was the best possible. 154 The Hare-Hawes-Cutting Act did not, however, give the natives the independence they were seeking. Their reaction was not long in coming. The Association of Veterans

152Ibid., p. 1624.


154Kirk, Philippine Independence, p. 124, quotes from the Commission's report to this effect.
of the Philippine Revolution referred to the "unrestrained selfishness" of the measure. In a series of political manuevers Manuel Quezon, who was now leading the fight against the bill, managed to remove both the Speaker of the House, Sergio Osmena, and Manual Roxas, the President of the Senate, from their positions of leadership. Under Quezon's influence the legislature rejected the measure in a sharply worded resolution.

RESOLVED: That the Philippine Legislature, in its own name, and in the name of the Filipino people inform the Congress of the United States that it declines to accept the said law in its present form because, in the opinion of the legislature among other reasons, the provisions of the law affecting trade relations between the United States and the Philippine Islands would seriously imperil the economic, social, and political institutions of the country and might defeat its avowed purpose to secure independence to the Philippine Islands at the end of the transition period; because the immigration clause is objectionable and offensive to the Filipino people; because the powers of the High Commissioner are too indefinite; and finally because the military naval and other reservations provided for in the said Act are inconsistent with true independence, violate national dignity, and are subject to misunderstanding.


Quezon maintained his opposition stemmed from the shortcomings of the bill, nonetheless it is difficult not to conclude that he also felt the islanders could probably receive better treatment from the new President and his Congress. On March 24, 1934, President Roosevelt signed into law the Tydings-McDuffie Act; it not only removed some of the objections concerning naval and military installations but also contained provisions for a review of the trade restrictions in the future when, hopefully, the world trade situation would be improved.

157 See Manuel Quezon, *The Good Fight* (New York: Appleton-Century Co., 1946), pp. 149-152. Quezon's own position on Independence was somewhat ambiguous. Stimson states that Quezon felt that the Filipinos wanted certainty more than independence. "Give us certitude and we will take dominion status." Quoted in Elting E. Morison, *Turmoil and Tradition: A Study of the Life and Times of Henry L. Stimson* (Boston: Houghton Mifflin and Co., 1960), p. 297. Hoover states that both Osmeña and Quezon asked him to veto the Hare-Hawes-Cutting Bill because the islands were not ready economically for independence and that they were lobbying for it only to keep Filipino leadership from falling into the hands of the "more dangerous elements." Herbert Hoover, *The Memoirs of Herbert Hoover: The Cabinet and the Presidency, 1920-1933* (New York: Macmillan Co., 1952), p. 361. Probably the best discussion of this struggle, although pro Partido Nacionalista, is to be found in Dapen Liang, *The Development of Philippine Political Parties* (Hong Kong: South China Morning Press, 1939), pp. 208-261.

158 See S. 3055, 73rd Cong., 2nd Sess.
On the matter of non-Russian European foreign policy
Cutting appeared to take an internationalist position.

Speaking in the Senate in 1931, he remarked,

I do not often subscribe to anything which comes from international bankers. Especially rarely do I have the honor to agree to anything said by Mr. Otto H. Kahn. But when Mr. Kahn said that it would be better for this country to have reparations and war debts all torn up and thrown in the sea I believe that he was stating the truth.159

Continuing the Senator stated

It will continue to be an armed camp so long as there is not revision of the Versailles Treaty provisions. It is my early hope that at that early date we shall have in the White House a man of intellectual integrity, of the sincere patriotism, and of the devotion to American Ideals possessed by the senior Senator from California.160

Cutting at no time elaborated his concepts of the needed revisions.

Later in the session, however, during the debate on the military appropriation, he read from a military civic training manual which asserted that essentially all

15972nd Cong., 1st Sess., Congressional Record, v. 75, p. 118. It is interesting to note here that Cutting, even while he was praising Mr. Kahn's ideas, was using a term of Progressive scorn with the reference to him as an "international banker."

160Ibid.
internationalists were influenced by "certain foreign agitators." In the remarks that followed Cutting expressed his disapproval of this type propaganda. At the same session Cutting introduced legislation which stipulated that, "an alien otherwise qualified shall not be denied citizenship under any provisions of this Act solely by reason of his refusal on conscientious grounds to promise to bear arms or otherwise participate in war." The measure never came out of Committee.

On the matter of how best to end the depression Cutting's outlook varied considerably from the thinking of the Administration. He felt that bread and butter were at least as important as balancing the budget. President Hoover had earlier endorsed public works and conservation projects. He would do well, Cutting suggested, to return to his previous positions. Unwilling to depend upon the

161 Ibid., pp. 12419-12420.

162 72nd Cong., 1st Sess., S. 3275. This bill did not originate with Cutting, but had been drafted by John W. Davis (the Democratic Presidential nominee in 1924) or one of his law partners. Its adoption had become one of the many projects of Dorothy Detzer, the Congressional Representative of the Women's International League for Peace and Freedom. See Dorothy Detzer, Appointment on the Hill (New York: Henry Hill and Co., 1948), p. 100.

163 Ibid., pp. 10919-10923.
initiative of the administration, Cutting introduced a bill to provide some five million dollars for a coordinated program of public works. Two million was allocated for the construction of highways, public buildings, and flood control projects; three million was to be used by the Secretary of Agriculture for the building of roads in the countryside and like projects. To Cutting's displeasure the bill died in the Committee on Commerce. Cutting was particularly critical of the activities, speeches, and economic philosophy of Andrew Mellon. Cutting pointed out to the Senate that Mellon, speaking in London, had said that our "planned deflation" was proceeding at the planned and correct rate. The Senator noted that Alcoa, a Mellon company, had cut wages ten per cent and was planning another similar cut in the near future and contrasted this with Mellon's statement that "the standard of living must be maintained at all costs." He concluded his attack by commenting that if Mellon and the conservatives were right in their belief that as soon as we "show the will to balance the budget our troubles will be over," then America would consist

164 72nd Cong., 1st Sess., S. 4737.

of people who "will continue to starve peacefully. The standard of living will be lowered calmly, without riots, without violence of any kind." 166

At the following session of Congress Cutting, speaking on a proposed "Economy Bill," announced he would vote for any economy measure which would "go to increase producing power, and I shall vote against any cut which goes primarily to the purchasing or consuming power of the country." 167 He argued that a cut in the appropriation for the Federal Trade Commission would be unwise—the agency was designed to aid the consumer and a cutback in its efforts might be detrimental to consumer interests. Department of Commerce funds, particularly its overseas expenditures, should be cut. Cutting believed the department was trying to persuade foreigners to purchase goods which they neither needed nor could afford. Earlier in the session he had reprinted a letter advocating that the government create a federal railroad authority to purchase and run the country's rail lines in the interests of both cost and efficiency. 168 Neither his

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166 Ibid., p. 11538.
167 72nd Cong., 2nd Sess., Congressional Record, v. 76, p. 3163.
168 Ibid., p. 1722.
economy proposals nor his solution for the handling of the railroad problem were designed to endear him to the party hierarchy. However, it can easily be argued that by this time almost nothing could have made him a Republican in good standing.

At this same session Cutting introduced a bill designed to authorize Federal-State cooperation in relieving distress among needy transients, a problem that was reaching alarming proportions, particularly in the western states. As drafted the bill would have provided fifteen million dollars to aid those states in need which had made proposals to utilize the funds efficiently and usefully. In defending his proposal Cutting stated only about ten percent of the transients were hard core hobos; the rest were temporarily disadvantaged citizens. Cutting felt they deserved assistance.\(^{169}\) The California state legislature overwhelmingly endorsed his proposal.\(^ {170}\) He also introduced into the Record, as supporting evidence for his proposal, excerpts from letters from the mayors of the larger cities in the United States to the effect that the problem was

\(^{169}\)ibid., p. 3945, S. 5121.

\(^{170}\)ibid., p. 3945.
beyond their capacity to handle. The Senate, however, was not impressed and the bill died in committee.

Late in the session Cutting made it clear that he did not favor a general ten per cent cut in veterans' pensions nor would he vote to cut automatically the military appropriation bill by an equal amount. He also supported Senator Brookheart's resolution to create a separate committee in the Senate to handle veterans' affairs. This move was designed to remove these matters from the jurisdiction of the Committee on Finance, dominated by economic conservatives and chaired by Senator Reed Smoot of Utah. That Cutting was more than willing to do battle for his beloved veterans against the power structure of the Republican Party had earlier been made obvious. In commenting on an article in the Washington Post stating that several veterans organizations had given up the fight to get widow's benefits for non-service connected deaths, Cutting said that the article was wrong and "that possibly the inaccuracy

171 Ibid., pp. 4490-4496. These letters were in response to a survey conducted earlier by Senator LaFollette.


173 Ibid., p. 12961.
of this particular statement is due to the White House itself."\textsuperscript{174}

On matters concerning the interests of New Mexico, Cutting reintroduced his earlier bill concerning the issuance of patents for land in accord with the Supreme Court decision of April 9, 1928.\textsuperscript{175} He also reintroduced the bill providing for the construction of the drainage canal in the San Luis Valley and the measures again died in committee.\textsuperscript{176} He introduced an amendment to one of Senator Carl Hayden's bills which exempted Indian arts and crafts from federal taxation. His addition disappeared in committee.\textsuperscript{177} He and Senator Samuel Bratton also introduced legislation to pay certain Pueblo Indian claims under the law of 1924, particularly to aid the Taos Pueblo in the purchase of some nearby land and water rights. This passed the Senate but failed

\textsuperscript{174}Ibid., p. 2234.

\textsuperscript{175}72nd Cong., 1st Sess., S. 1624. The decision under discussion was in regard to ownership of some 9,000 acres of land which had come into question as a result of a shift in the position of the Rio Grande River. This bill passed the Senate without a record vote but died in the House. 72nd Cong., 1st Sess., \textit{Congressional Record}, v. 75, p. 7905.

\textsuperscript{176}72nd Cong., 1st Sess., S. 2221.

\textsuperscript{177}72nd Cong., 1st Sess., \textit{Congressional Record}, v. 75, pp. 9541 and 11369.
in the House. It was, however, the general area of mining law that he chose to emphasize during this session. He introduced S. 282 to liberalize the granting of oil and gas leases but it was not reported out of committee. S. 3276 to amend the Louisiana Sulphur Production Act to permit the issuance of prospecting permits for sulphur on the public domain in the state of New Mexico, however, passed both houses of the Congress and was signed into law by President Hoover, as was his bill to give the Secretary of the Interior the right to expand potash prospecting permits for two years. Less successful were two other bills, which would have aided in the development of coal, phosphate, oil, oil shale, gas, or sodium on the public lands, and a

178 Ibid., pp. 3641, 6521, 9625, 10047, and 12294, S. 471.

179 Ibid., p. 192, S. 282.

180 Ibid., pp. 2600, 5730, 6045, 13117, 15255, 15309, 15392, and 15605, S. 3276.

181 Ibid., pp. 5348, 8555, 8858, 9396, 9526, 9539, 9624, 9804, S. 3953.

182 Ibid., pp. 9019, 12744, 13985, 14283, and 14430, S. 4509. At the next session of Congress Cutting again introduced this measure and the Senate passed it and sent it on to the House. It was modified slightly in the House but the Senate conferees, acting on Cutting's motion, refused to agree to the House's changes and the bill was eventually
measure to amend the Coal Act of 1920 to permit the extension of coal leases by the Secretary of the Interior if he so choose. Both of these bills passed the Senate only to die in the House.

Of general interest to the irrigation farmer was the bill to establish a four year moratorium on payments owed to irrigation districts and similar organizations for construction charges on these projects. A similar fate was met by legislation "To provide for loans to farmers for crop production during the year, 1933," by amending the Reconstruction Finance Corporation Act to give the Secretary of

passed as introduced. 72nd Cong., 2nd Sess., Congressional Record, v. 76, p. 3385. On February 7, 1935 it was signed into law. Ibid., p. 3745.

183 72nd Cong., 1st Sess., Congressional Record, v. 75, pp. 12744, 13985, 14283, S. 4170. At this same session Cutting also introduced legislation to give the Spanish American Normal School at Santa Rita the use of certain public lands, Ibid., S. 4334 which died in committee. He also introduced a measure to absolve the state of New Mexico from the responsibility of paying the United States Army $2839.04 in claims, Ibid., pp. 3808, 13988, 14344, and 14720. He also introduced six private pension bills of which one was signed into law, Ibid., S. 3447 became law and S. 3632, 3796, 3797, 3798, and 4333 did not pass.

184 72nd Cong., 2nd Sess., S. 5198.
Agriculture additional lending power and capital. In reviewing this period of Cutting's career one is hard-pressed to give it focus for the reasons discussed earlier in the chapter. It is obvious the Senator's outlook on domestic policies in particular had changed over the period. On entering the Senate, Cutting had been a fairly typical example of what historians call a Progressive. It is not purely coincidental that his maiden speech was related to that time-honored theme of the Progressives, the people know best what they want. It is also not coincidental that his first important legislation revolved around the Progressive idea that if the electoral machinery was "cleaned up," then the voice of the people could be heard loudly and clearly and it would have its reverberations in the policies of the nation. As the period progressed Cutting began to shift ever so slightly away from this model and into what might be called the shape of a "proto New Dealer" insofar as domestic policy is concerned, undoubtedly due to the impact of the depression on his thinking. Thus by the end of the Hoover presidency Cutting was found introducing legislation designed to provide direct relief to out of work transients,

18572nd Cong., 2nd Sess., S. 5246.
and in this gradual change he was accompanied by some of the other readily recognized Progressives in the Upper Chamber. Admittedly this shift was very gradual, perhaps even imperceptible, but this author is convinced in his own mind that it occurred. On the matter of foreign policy he stood in general agreement with the liberal group although it is the author's feeling that had Cutting lived he would not have joined his progressive colleagues in embracing isolationism. At no one time in Cutting's career can the student point to a turning point or an obvious shift in

186 In the second session of the 73rd Congress a comparison of the voting records of Cutting and LaFollette shows them on the opposite sides only two out of nineteen roll-call votes. During the same session of Congress, Cutting disagreed with Norris on four of twelve votes, with Borah on eight of twenty and on five out of twenty votes with Hiram Johnson. It appears to this author that a detailed analysis of the voting records of the Senate progressives might yield evidence of a generational conflict in their ranks brought on primarily by the issue of how to best end the depression but such a study is considerably beyond the scope of this dissertation.

187 This opinion is based on the fact that Cutting was a much more cosmopolitan individual then were most of his progressive colleagues, and that for this reason he felt less alienated from Europe then they did. His efforts in the direction of Philippine independence might be viewed as but a step in United States disengagement but the present author feels that Cutting was both genuinely interested in the future of the islands and in the plight of the American farmer and that he considered the issue one of humanitarianism and of domestic policy.
direction, emphasis or philosophy yet such a shift occurred; and the best possible reason for its occurrence is the depression and the inadequacy of the methods used to defeat it or to ameliorate its effects.
The New Deal is being strangled in the house of its friends.¹

Bronson M. Cutting

I think back to the events of March 4, 1933, with a sick heart. For then . . . the nationalization of banks by President Roosevelt could have been accomplished without a word of protest. It was President Roosevelt's great mistake.

Bronson M. Cutting

As the time for presidential nominations approached Cutting seemed to be happy with almost any Republican candidate save the most likely—Herbert Hoover. His first choice was Senator Hiram Johnson.³ He also was partial towards Gifford Pinchot. He knew, however, that the cause of each was


²Bronson M. Cutting, "Is Private Banking Doomed?," Liberty, March 31, 1934.

³BMC-Mother, June 14, 1932, BMC Papers.

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hopeless. There was little chance of preventing Hoover's renomination; moreover, Norris, Cutting and their progressive friends knew it—the choice was a third party or the Democrats.

In the pre-nomination sparrings, Cutting helped keep the New Mexico delegation to the national convention unpledged. But since there was no viable opposition to Hoover it "joined the bandwagon." After the nomination of Roosevelt eliminated any likelihood of the formation of a Progressive Party, Cutting's choice was to remain silent or support the Democratic nominee with whom he had much in common. The activities of the Old Guard Republicans in New

4 Lief, Democracy's Norris, p. 388.

5 There is some evidence that Hiram Johnson desired the Presidential nomination. In November, 1931, he had suggested that if Hoover would eliminate himself from the race he would receive "the undying gratitude of the rank and file of the Republican Party." New York Times, cited by Roy V. Peel and Thomas Donnelly, The 1932 Campaign: An Analysis (New York: Farrar and Rinehart, 1935), p. 47. A little later Ruth Hanna McCormick, former Congresswoman from Illinois, of whom more will be said later, was asking for the nomination of anyone other than Hoover. Ibid.

6 Lief, Democracy's Norris, p. 400, indicates Cutting endorsed FDR after he had lost his grip on the New Mexico Republican organization. In this author's view the actual situation was reversed. Cutting endorsed FDR but could not deliver the entire state organization.
Mexico made this decision easier. They had, in Cutting's opinion, conspired with the White House against him in the state convention during the summer: "They [the Old Guard] were in long distance communication throughout the convention with the White House which evidently prefers discrediting me to gaining the electoral vote of this state." 7

Although Cutting had doubts about Roosevelt's progressive qualities, he thought him preferable to Hoover. Cutting's preference in the campaign was Norman Thomas. However Cutting felt that voting for Thomas would be "surely throwing away one's vote. (Though I have no doubt he would make the best President of the three.)" 8 So the choice had to be between the Democrats and the Republicans. Faced with the decision Cutting wrote his mother: "The only immediate question to decide is whether Roosevelt or Hoover is the lesser of the two evils, and whether if I believe the former,

7 BMC-Mother, October 5, 1932, BMC Papers. Here, as in most cases, Cutting's family stood behind him. His mother, the most conservative of his immediate family, considered Hoover "impossible." Ibid. On at least one occasion Mrs. Cutting slept through one of the President's addresses to the Senate. BMC-Jouett Fall Elliott, June 3, 1932, BMC Papers. Cutting says he often slept when the President spoke following a White House dinner. Ibid.

8 BMC-Mother, October 5, 1932, BMC Papers.
I am not under some moral obligation to say so. I am no longer under any obligation NOT to say so." 9

On October 29, 1932, Cutting gave the first of several nationwide radio addresses advocating the election of the Democratic nominee. 10 Speaking to an audience in Denver, Colorado, he attacked the Hoover Administration: Hoover's cabinet was undistinguished (Henry Stimson was the only person of ability in it); his judicial appointments were bad (the nomination of Judge John J. Parker, in particular, was wretched); 11 Hoover promised to help the agricultural interests of the country but did nothing except to veto relief measures and to approve the "infamous Grundy tariff;" Hoover's veterans' policy was cumbersome, unfair, and extravagant; he was "wrong" on the public power issue and in vetoing the Muscle Shoals Bill was in general

9 BMC-Mother, October 10, 1932, BMC Papers.

10 This speech was coordinated through and given under the auspices of the National Progressive League headed by Frank P. Walsh of Mass. Walsh-BMC, October 19, 1934, BMC Papers. The Cutting Papers give no indication of any political reward or special honor to accrue to Cutting for this support.

11 For a detailed analysis of the Progressive complaint against Parker, see Richard L. Watson, Jr., "The Defeat of Judge Parker: A Study in Pressure Groups and Politics," Mississippi Valley Historical Review, v. 50, pp. 213-234.
subservient to the nation's private power interests; Hoover operated a political machine with the discredited Robert H. Lucas at its head and President Hoover had become a partisan in the "worst sense of the word." While he did not dwell on the incident in this first speech Hoover's action in dispersing the Bonus Marchers was also significant in Cutting's opposition to Hoover.  

The Republicans did not take his defection without protest. Speaking in Madison Square Garden on Halloween evening President Hoover admonished the voters to "look into the type of leaders who are campaigning for the Democratic ticket, whose philosophies have been well known all their lives, whose demands for change in the American system are frank and forceful." He identified Cutting as one of these errant leaders.

12 There is a copy of this speech in the BMC Papers.

13 The August 23, 1932 edition of the Santa Fe New Mexican reprinted a vicious attack on Hoover and his solution to the problem of the Bonus Marchers by Paul Y. Anderson, written initially for The Nation. Francis Wilson, one of the Old Guard Republicans in the state and a former associate of Cutting, wrote him a long letter opposing this view of the incident and threatened to use it against Cutting in the state. Wilson-BMC, August 29, 1932, BMC Papers. Cutting refused "to be catechized." BMC-Wilson, August 30, 1932, BMC Papers.

14 Hoover, Memoirs: The Great Depression, p. 337. Hoover also singled out senators Norris, Wheeler and Huey Long as well as the Brain Trust.
With the progressive forces in New Mexico working in conjunction with the Democrats there would be little that could stand in the way of victory. The campaign went well although an embezzlement scandal threatened to become a political issue. Jim Farley dispatched Arthur Mullen, the Democratic National Committeeman from Nebraska, to investigate the matter and Mullen reported back "there had been a bank scandal there involving both political parties, it had nothing to do with our campaign and couldn't possibly hurt us." In New Mexico the Democrats—with the help of the Republican-Progressives—won in all of the counties except San Miguel and Valencia. Two days later Farley wrote Cuitting thanking him "very much for the assistance you rendered which helped us materially in our great victory. I feel


16 New Mexico Blue Book, 1933-1934, issued by the Secretary of State, Santa Fe, New Mexico, no pagination, 1933. For some unexplainable reason the county voting figures given in Edgar E. Robinson's, They Voted for Roosevelt: The Presidential Vote, 1932-1944 (Palo Alto, Cali.: Stanford University Press, 1947), are inaccurate as are his maps. Moreover the inaccuracies in the tables and in the maps do not correspond. Peel and Donnelly, The 1932 Campaign, in their endpaper maps list San Miguel County as the only tied county in the nation although the official returns give the Republicans a 300 vote majority.
deeply grateful to and am anxious to see you soon so that I may have the opportunity of extending my gratitude in person."

Considering the support they had rendered to his campaign it is hardly surprising that the President-elect should choose to award the progressives with at least one cabinet position. In retrospect it is not particularly surprising that the Interior should be the one, in view of the generally accepted practice of giving that post to the West. Roosevelt's private choice for the office was not one of the progressives but rather George Dern. This inclination was quickly negated, however, by opposition from conservationists and the friends of public power. Roosevelt then turned to Hiram Johnson of California, Johnson refused; the President-elect then offered it to Cutting. J. D. Atwood, a strong Cutting supporter, a Roswell attorney and State Commander of the American Legion, advised him to take the appointment. Atwood reasoned that the Department was badly

17 Farley-BMC, November 9, 1932, BMC Papers.


19 Ibid. See also Ashurst, A Many Colored Toga, p. 329.
in need of reorganization and modernization. He felt, moreover, that Cutting could hold his organization together with the patronage available to him in the department. Atwood went on to point out that Cutting really deserved a better position in the Cabinet and that in all probability he could use this as a stepping stone to the Department of State. The Roswell Attorney also felt Governor Seligman would appoint himself Senator but that an arrangement could be worked out whereby Seligman would resign if Cutting should choose to run again for the Senate.  

In the meantime George Norris, complaining that the President was stripping the Senate of too many strong men, persuaded Cutting not to accept the position. So the President named Harold Ickes to the post. This appointment satisfied both Cutting and Johnson, who were prepared to endorse the appointment of Ickes but "only on an 'if asked' basis." Cutting recommended John Collier for the

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20 J. D. Atwood-BMC, January 30, 1933, BMC Papers.
21 See Lief Democracy's Norris, pp. 405-406 and Mullen, Western Democrat, pp. 302-303.
22 See Schlesinger, Crisis of the Old Order, p. 471.
position Ickes had been seeking--head of the Bureau of Indian Affairs. 24

Cutting and other progressive Senators attempted to organize on a permanent basis to "cooperate freely with the incoming or any future Administration to put through a progressive program." 25

It would hardly be an exaggeration to indicate that the fundamental lines of the Hundred Days legislation would have not been noticeably different had Cutting not been in the Senate. Although Cutting was later to say as he introduced his own banking bills that the passage of the Emergency Banking Legislation "broke his heart," he said not a word about it as it passed the Senate. Moreover, he was not present when the vote was taken. 26


24 BMC-Ickes, March 22, 1933, BMC Papers.

25Lief, Democracy's Norris, p. 409. The other members of the Senate present were LaFollette, Wheeler, Costigan, Nye, Frazier, Blaine, Shipstead, and Norris.

Cutting became disenchanted with Roosevelt fairly early in the session. He wrote his mother in late March, "I have no enthusiasm for the Roosevelt program, so far as I have been able to discover what it is." Because he thought the President's program for recovery inadequate, Cutting, acting with Costigan and LaFollette, introduced legislation to create an administration of public works for the construction of public facilities and services. The bill, which was drafted and introduced in the previous session, was a "pump priming" measure. While he might have been a foster parent once removed, Cutting does not appear to have been too enthusiastic about the National Industrial Recovery Act, although he approved of the Public Works Administration provisions of the act. He did not join in the debate except to agree with Huey Long that there was a distinct possibility the measure might weaken anti-trust legislation. Cutting

27 BMC-Mother, March 25, 1933, BMC Papers.

28 Donald Richberg, who helped to draft the original bill, indicates that this bill, along with Senator Black's thirty hour week bill, supplied the pressure that forced the President to arrive at a program of Industrial Recovery. According to Richberg, the President appointed Lewis Douglas, Richberg, Senator Wagner and Hugh Johnson to devise such a program and their solution provided the core of the National Industrial Recovery Act. Richberg, My Hero, p. 163.
also made a few disparaging remarks about the preponderance of Bernard Baruch associates pushing the measure. Later in the session Cutting complained when Senator Pat Harrison of Mississippi, one of the Senate conferees on the bill, did not insist on some of the Senate's amendments. There is, however, the possibility that this opposition was founded as much on a dislike of the conference committee system as on any strong feeling for the Senate's version of the bill.

During the second session of this Congress Cutting again addressed himself to the problems of relief. He did so when Harry Hopkins appeared before a Senate committee to present the Administration's legislative proposal that the Civil Works Administration be phased out gradually. Concerned over the future of the people on the CWA's rolls, Cutting asked the Administration leaders what would become of them if the organization was disbanded. He was answered by Senator Kenneth McKellar of Tennessee that there were only four million on the rolls and the $950 million which the Administration was asking for would be sufficient to

2973rd Cong., 1st Sess., Congressional Record, v. 77, p. 5245.

30Ibid., p. 5850.
deal with those cases. The next day Cutting introduced an amendment to the bill to increase the appropriation from $950 million to $2.5 billion. According to Cutting "the CWA has been by far the most successful effort of the present administration to deal with the fundamental problem, the failure of purchasing power to live up to productive power." He believed relief is "an inherent duty of the Federal government," and went on to say "it was that particular issue which determined me to desert my party affiliation and support for the presidency the man who would acknowledge and glory in his responsibility to the masses of the people." His amendment was defeated decisively. Costigan, LaFollette, Shipstead, Wheeler Black and Long were among the ten who voted yea. Senator LaFollette introduced an amendment to increase the appropriation to $1.5 billion

3173rd Cong., 2nd Sess., Congressional Record, p. 2114.
32Ibid., p. 2162.
33Ibid., p. 2163.
34Ibid., p. 2166.
36Ibid., p. 2195. Senators Norris and Nye were paired in favor of the measure.
but it was defeated by about the same majority. The Administration's bill passed as written. Later in the session another bill providing for an additional appropriation of $4 billion for relief projects came over from the House of Representatives. It was defeated in the Senate with Cutting voting in the minority.

During the debate Cutting admitted this agency was a short term solution and that the long term cure would be an increase in international trade. However, Cutting's record on reciprocity of trade was ambivalent. His first remarks during the debate on the issue were to support Senator Arthur Vandenberg's opposition of the agreements because they would ruin the economy of the United States. Cutting later stated that an unnamed Assistant Secretary of the State said he could think of only one trade agreement,

37 Ibid., p. 2197. This amendment got fourteen votes.

38 During the debate on this issue Cutting suggested that perhaps Hopkins did not really believe that CWA should be phased out. While this view is indirectly confirmed in Robert E. Sherwood's *Roosevelt and Hopkins: An Intimate History* (New York: Harper and Brothers, 1950), pp. 50-62, the fact remains that Hopkins never publicly deviated from the Administration's position.

39 73rd Cong., 2nd Sess., *Congressional Record*, p. 11672.

40 Ibid., p. 2168.

41 Ibid., p. 9082.
the one with Colombia, that had not hurt some segment of the American economy.\textsuperscript{42} Cutting continued along this approach quoting Louis M. Hacker that, "In any event, as a reform program, the revival of foreign trade holds out no real hope for American agriculture." Cutting felt the agreements to sell manufactured goods abroad in return for lowering tariff barriers on such commodities as sugar beets, flax, wool, and edible oils would do the economy serious damage.\textsuperscript{43} He also attacked the bill on the grounds that it gave the President too much power. To Cutting the Senate was delegating "away the taxing power, the power to regulate commerce, and the power to ratify treaties or agreements . . . ." He cautioned the Senate saying, "I hope this bill will not be passed, but if it is inevitable, let us at least remember in the meantime that powers surrendered can be regained only by a two-thirds vote."\textsuperscript{44} Cutting voted in favor of every amendment to weaken the measure. When the final vote was taken he

\textsuperscript{42}Ibid., p. 9587.

\textsuperscript{43}Ibid., p. 10084.

\textsuperscript{44}Ibid., p. 9958.
opposed the majority of the progressives by voting against
the measure.\textsuperscript{45}

The first indication Cutting did not see eye to eye
with the President on all matters facing the nation came
during the debate over the provisions in the "Economy Act"
which reduced veterans' pensions. To Cutting the bill—an
attempt to fulfill a campaign promise—represented the old
Hoover-Mellon philosophy of balancing the budget by dimin­
ing the amount of money in circulation. Cutting was sick
during the debate and therefore unable to oppose the measure
but he was determined to restore the cuts in the veterans'
pensions.\textsuperscript{46} The "Economy Act" (which incidentally, as far
as Cutting was concerned, slashed Congressional salaries
15 per cent and authorized the President to lower all
federal employees' salaries by 15 per cent) completely
changed the entire system of veterans' pensions—all Civil

\textsuperscript{45}See \textit{ibid.}, pp. 9957, 10363, 10365, 10369, 10386,
10387, 10393, 10394, and 10395 for the roll call votes on the
measure. Of the "Progressive Bloc" only Borah, Frazier, and
Nye joined with Cutting in opposition while Costigan, Couzens,
Johnson, LaFollette, Norbeck, Norris, Shipstead and Wheeler
voted for this bill. In the ranks of the Southern liberals
Black voted for the bill while Long opposed it.

\textsuperscript{46}\textit{BMC-Atwood, June 16, 1933, BMC Papers.}
War pensions were decreased by 10 per cent, and Spanish-American War pensions and all World War I compensation and allowance laws were repealed. In their place was substituted a new and more rigid method of determining the status of the pensioner. Cutting voted against the measure.

Later in the session several amendments to the Independent Offices Appropriation bill attempted to modify the "Economy Act." It was first attacked by Senator Frederick Steiwer of Oregon. In a brief analysis of the operation of the Economy Act, he showed the tremendous reductions in veterans' pensions and benefits that had resulted from the measure. Cutting followed Steiwer with a short speech reminding his colleagues they had passed an amendment to the "Economy Act" stating it was the sense of the Senate that "no direct service-connected cases would be taken off the rolls," but that some of these individuals


4873rd Cong., 1st Sess., Congressional Record, v. 77, p. 4599.

49Ibid., p. 4607.
had, in fact, been removed from the pension lists. Cutting then introduced one of the amendments which stated,

Nothing in this act shall authorize the President to reduce to a degree greater than 25% the compensation, pension, or allowance of any veteran or dependent of a veteran whose disability has hitherto been traced officially to direct connection with military or naval service.50

An almost identical measure was defeated 28-45 during the earlier debates. Cutting's amendment passed the Senate 43-42.51

The tactics employed by the opponents of the Administration's veterans' policies were simple. They presented their case to the Senate and to the nation in terms of the personal suffering and discomfiture these policies brought to deserving veterans. At the same time they tried to soften the hurt through amendments to the appropriations bill. Cutting quoted the Director of the Budget, Lewis Douglas, as having said $275 per month was not too large a pension for a veteran who had lost both legs in combat. Senator Tom Connally of Texas coincidentally mentioned a case where a

50Ibid., p. 4618.

51Ibid., p. 6014. The Vice President, James Garner, voted yes in an apparent move to forestall more radical changes.
legless veteran getting $175 a month was reduced to $100 per month as a result of the Douglas budgetary policies. At his own expense Cutting brought Peter Reno from the Fort Bayard Veterans' Hospital in New Mexico to Washington and to the cloakroom of the Senate where he could be examined by Senators Hatfield and Copeland (both of whom were medical doctors). They reported his condition to the Senate. Reno served over nine years prior to receiving a medical discharge and was awarded a belated medal for bravery in May of 1933, one week before he received notification of a reduction in his pension from $100 to $20 per month. He was wounded and gassed during the battle of the Marne; in the period following the war he contracted tuberculosis. In an effort to save him one lung had been collapsed following the removal of twelve ribs. It was possible to place a hand within 1/8 of an inch of his heart and it could be observed beating. This wound had to be dressed by his wife three times daily and this condition would continue throughout his lifetime.  

52 Ibid., p. 4756. This case is just a sample of the many discussed on the floor of the Senate. Every Senator who opposed the new policies had a whole list of these hardship cases. Individually they constitute a series of minor tragedies. Collectively they present a picture of an inequitable law harshly administered.

53 See ibid., p. 5737 for a discussion of this case by Senator Hatfield.
It is difficult to estimate the influence of the tactic upon wavering Senators. However, this incident along with pressure from the several veterans organizations may have convinced a few Senators their earlier vote was erroneous.

In response to these tactics the President's supporters argued that the legislation was an attempt to fulfill a campaign pledge. In reply Cutting admitted that this was true, but he and the others opposed the attempt to accomplish half of the saving by slashing veterans' pensions. Cutting opposed the budget balancing philosophy during the Hoover years and did not change his belief because of Roosevelt. "I am," he said, "one of those people who do not believe there was a single fair line in the so-called 'Economy Act'. I believe it was the most infamous act ever passed by the Congress of the United States. I believe it ought to be repealed from top to bottom." Cutting even attacked Roosevelt's close associate Louis Howe. Howe made a radio broadcast in support of the Economy Act and argued it would cost the nation $1.25 per capita if the pension cuts

54 Ibid., p. 4825.

55 Ibid., p. 4825.
were not made. Cutting objected not to Howe's statistics but to the President's advisor being paid by the networks while attempting to influence public business.  

The legislative struggle continued. The insurgents attempted to limit the power of the Veterans' Bureau over the reduction of pensions. Cutting observed his amendment merely set a maximum of 25 per cent on the amount of the cut. It did not force a cut of 25 per cent. A few days later he spoke again, this time in praise of the President for the several Executive Orders pertaining to pension matters which established finer differentiation rates of disability, extended the age of dependent children from sixteen to eighteen and brought veterans of the Moro War and the Boxer Rebellion under the tent. Cutting introduced an amendment to change the law to read "compensation," instead of "rate of compensation," on the grounds that given the second

56 Ibid., p. 4815.
57 Ibid., p. 4811.
58 Ibid., p. 5465. The old rates of disability had been 10, 20, 30, 40, 50, 75, and 100 per cent. The new rates were 10, 20, 30, 40, 50, 60, 70, 80, 90, and 100 per cent disability. Weber and Schmeckebier, The Veterans' Administration, p. 376-406, reprints these Executive orders as does the Congressional Record for this session, p. 5167 passim.
wording the government could, and probably would, change the degree of disability, thus lowering the amount of money received by the pensioner. With this change in the wording he felt this "joker" would be eliminated. 59 He moved to take up the "presumptive" cases such as tuberculars, 60 which, under the new law, could be removed from the rolls completely. Cutting offered no specific legislation on this matter but merely informed the Senate of the workings of the new law. 61 Another amendment involved a small change in the wording of the legislation; he suggested the phrase reading "except for fraud, mistake or misinterpretation" be changed to read "fraud, unmistakable error, or misrepresentation" since, according to Cutting, the Veterans' Bureau put a broad construction on "mistake." 62 These were the changes Cutting and Senator Frederick Steiwer of Oregon were fighting for.

A long, involved parliamentary wrangle occurred in the Senate over the Steiwer-Cutting amendment versus the

59 73rd Cong., 1st Sess., Congressional Record, v. 77, p. 5731.

60 These were cases involving diseases which were "presumed" to be service connected.

61 Ibid., p. 5733.

62 Ibid., p. 5734.
bill passed by the House of Representatives. The bill the Senate initially sent to the House stated that no pensions would be cut more than 25 per cent. In the House a less liberal measure was substituted for the Senate bill with the proviso the new measure could not be amended. When the measure was returned to the Senate of June 11 the more liberal Steiwer-Cutting amendment passed by a vote of 51-39, despite Senator Connally's warning that the President would veto the measure if it contained the Steiwer-Cutting provisions. The amended bill returned to the House where it was rejected. A Senate conference committee made up of Senators Carter Glass, James Brynes, Richard Russell and Steiwer was appointed to reach a compromise. Of this group only Steiwer voted for the Senate version. When the Conference Report was submitted to the Senate the phrase "rates of compensation" was substituted for the original Senate version of "compensation." Senator Steiwer attacked the report, pointing out that the bill as written was what the

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63 Ibid., p. 6014. The no amendment provisio passed by a vote of 238-160 and the bill itself was approved 243-154.

64 Ibid., p. 5991.

65 Ibid., p. 6098.
Senate had previously rejected and it should insist on its original language. This was followed by an impassioned speech by Senator Huey Long arguing for the Steiwer-Cutting version and noting the only reason the Byrnes amendment had received 39 votes was because it had been amended to provide certain relief for veterans of the Spanish-American War and this relief has since been removed by the House.

Cutting delivered a two-pronged attack both against the action of the conferees and their report and also against the general method of selecting conferees. "The Senate," he said, "by decisive vote, adopts a particular course of action. It sends to conference conferees, a majority of whom had voted against that action. Then the conferees surrender everything that the Senate has favored."

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66 Ibid., pp. 6099-6101.

67 Ibid., pp. 6106-6108. The 51-39 vote mentioned earlier had not technically been for the Steiwer-Cutting amendment. It had, in fact, been in favor of rejecting an amended amendment in the nature of a substitute to the Steiwer-Cutting amendment and had been offered by Senator Byrnes and amended by Senator Dill. When this amendment failed to pass the Steiwer-Cutting amendment was then passed without a record vote.

68 Ibid., p. 6110.
The gentleman from New Mexico addressed the conferees:

You come back to this body after surrendering nothing of your own opinions—merely surrendering the opinions of the majority of the Senate, with which you were never in agreement—you come back to this body and present it with a situation where you either have to vote for the conference report or vote against it; and invariably the argument is made 'Oh but the House conferees insisted on their amendment.' How can Senate conferees who disbelieve in a Senate amendment make the same kind of fight which the House conferees can make to an amendment they believe in?69

With the conclusion of Cutting's speech Senator Carter Glass of Virginia, one of the conferees under discussion, spoke on a point of personal privilege and accused Cutting of making "an infamous suggestion" that was "nothing short of mendacious."70 Cutting replied, "The Senator from Virginia repeatedly on this floor takes advantage of the fact that we are all fond of him and that he is a man who has had a long and distinguished public career. He takes advantage of that fact to insult his colleagues freely."71 When Cutting returned to the subject it was to state that Glass by his own admission had been too busy with banking legislation to

69 Ibid.
70 Ibid., p. 6111.
71 Ibid. The debate is interrupted in the Record by twenty-one pages of extraneous material.
follow the veterans' issue and he had voted for the minority position. Senator Byrnes joined the debate. He declared there was no significant difference between the language the conferees adopted and that which Cutting had proposed. This was denied by Cutting who said the majority of the Senate felt there was a significant difference in the wording when they approved the Steiwer-Cutting amendment and rejected the Byrnes amendment. The House accepted the conference report by voice vote and the Senate approved it by a vote of 45-36 with the progressives voting solidly in the opposition. The President was able to bring enough pressure on his party to get what he wanted. Following the defeat Cutting wrote J. D. Atwood, "The Administration

72 Ibid., p. 6132.

73 The vote for the measure by party shows the Republicans voting against it by a 27-0 margin. They were joined by 8 Democrats and the single Farm-Labor member of the upper house. See E. Pendleton Herring, "First Session of the Seventy-third Congress, March 9, 1933-June 16, 1933," American Political Science Review, v. 28, pp. 65-83. See especially the table on page 79.

74 Herring, ibid., pp. 81-82, discusses this precise point of Presidential pressure as applied to this bill.
will henceforth be rather leery about perpetuating the same kind of outrages that have been the rule for the past two months."75

Cutting was altogether too optimistic in this analysis of the effects of the fight in the Senate. Not long after the second session began the issue of Veterans' pensions was again raised; and Cutting was again deeply involved. His initial salvo was indicative of the approach he was to use. Cutting announced that John Peter Reno had been removed from the pension rolls completely on the pretext of misconduct. He suggested strongly this was done solely because Reno was active in the veterans' pension fight the previous year.76 Cutting stated the Review Boards established under the several Executive Orders pertaining to veterans' affairs operated to the detriment of the legitimate pension-seeking veteran. Moreover, of the three reasons given by the Veterans' Bureau for their board's actions: (1) the necessity of holding down pension increases, (2) certain complications in administration, and

75BMC-Atwood, June 16, 1933, BMC Papers.

7673rd Cong., 2nd Sess., Congressional Record, p. 2737.
(3) the elimination of double and unjustifiable benefits, only the third reason could be justified. In a fourteen-page letter defending their operations under the Economy Act the last reason was given less than a paragraph of discussion.\textsuperscript{77} It is obvious Cutting Felt this was a good indication of the importance that the Veterans' Bureau put on the several aspects of their economizing drive.

As evidence of this approach to the problem of veterans' disability Cutting introduced tabular data showing the high percentage of claims the review boards disallowed.\textsuperscript{78} In analyzing the operations of these boards Cutting correlated the relationship of the board's workload to their decisions by noting while the Philadelphia board heard six cases a day it only disallowed 55.97 per cent of them, whereas the board meeting in Pittsburgh and hearing twenty cases a day disallowed 75.19 per cent of the claims.\textsuperscript{79} Cutting concluded one of the problems the veteran faced in attempting to press his case was the agencies involved were

\textsuperscript{77}\textit{Ibid.}, p. 3203.

\textsuperscript{78}\textit{Ibid.}, p. 3204. The nationwide average of these boards was to disallow 57.13 per cent of all the claims that they reviewed.

\textsuperscript{79}\textit{Ibid.}, p. 3206.
not spending enough time on the individual cases to decide these ofttimes complex issues adequately. He also showed that of the 639 appeals of the board's decisions which the central reviewing board acted on, only eleven of them concerned cases where the decision went against the veteran. The other 628 were instigated by the government in hopes of overturning a decision favorable to the veteran. Cutting, in response to questions from the floor, readily admitted in 94 per cent of the unfavorable decisions the boards involved had voted unanimously against the veteran. He argued, however, rather than being evidence of unjustified claims, these decisions were inevitable because "the instructions given them were so completely iron-bound that there was no way of getting around them." Cutting concluded his attack by introducing an exchange of letters between General Frank T. Hines of the Veterans' Administration and Edward E. Spatford asking Spatford to serve on one of these review boards. Spatford refused, stating the framework within which these boards must operate was such that they would

80Ibid.

81Ibid., p. 3207.
have no option but to remove deserving veterans from the pension rolls. Cutting concurred with Spatford.

After this discussion Cutting remained out of the debate until the measure was to go to a conference committee. When it came time for the conference committee to be selected Cutting read to the Senate that section of its Manual of Laws and Practices which pertained to the selection of conferees and which noted that "the majority party and the prevailing opinion have the majority of the managers." Of the Senate's five conferees, three, Carter Glass, James Byrnes and Richard Russell, had voted in the minority on the principal points of conflict between the two versions of the bill, a conflict which centered on amendment 22. The House had voted for a 75 per cent restoration in pensions as opposed to a 100 per cent restoration which the Senate had approved and a 75 per cent restoration for veterans of the 

82 Ibid., p. 3208.

83 Huey Long introduced an amendment requiring the immediate payment of the veterans' bonus but Cutting joined with the majority in voting it down. He did, however, make it clear that he was not opposed to the bonus per se, but he did not think that this issue should become tied up with the bill designed to aid only the disabled veterans. Ibid., p. 3302.

84 Ibid., p. 4600.
Spanish-American War as opposed to a 90 per cent increase by the Senate. The House's version was accepted. In his speech attacking the conference committee's report Cutting noted four of the six House conferees had voted with the minority in their chamber and stated that insofar as the Senate was concerned, "We have been playing our part in a farce." Cutting also criticized those defenders of the conference committee's bill who said that the Senate amendments would cause the President to veto the bill and that some bill was better than none. This Cutting thought was not of concern to the members of the Senate. Since they were responsible partners in the legislative process, he felt they should act on what they felt were the merits of the situation rather than merely to respond to the reported threats of the President. When the vote was finally taken

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85 All of the differences between the two versions are listed in *ibid.*, p. 5391, but this point was the only major disagreement.


87 Cutting introduced a letter from John Thomas Taylor, Vice Chairman of the National Legislative Committee of the American Legion, arguing this point of view. *Ibid.*, p. 5395.

on the conference report Cutting voted against it. He felt that to vote "yes" was to go on record as favoring a cut in pensions whereas to vote "no" would not even partially help the veteran. The House also accepted the committee's report and the bill was sent to the President for signature. 89

Roosevelt vetoed the measure. He was "wholly and irrevocably opposed to the principle of a general service pension." According to the President the bill would add $117 million to the budget. 90

Cutting opened his argument to overturn the veto by saying the government had a direct responsibility to the veterans since it was through the action of a forced draft that these men had lost two years of productivity and often their jobs as well. 91 He reiterated his old arguments against the special boards and commented on the fact that such administration leaders as the Speaker of the House, the Vice President, and Lewis Douglas, the Director of the Bureau of the Budget, had voted to override a similar veto

89Ibid., p. 5400.
90Ibid., pp. 5572-5573.
91Ibid., p. 5575.
by President Hoover in 1930.\textsuperscript{92} He concluded this speech with a plea to the Senators who voted for the 75 per cent restoration to back their bill and pleaded with the supporters of the 90 and 100 per cent restoration plans also to vote for the current measures, since having voted for more they could surely vote for the only bill that could become law.\textsuperscript{93} He observed the President had stated in his veto message he would appoint new review boards. But Cutting felt such boards would be of no value to the veteran unless they were accompanied by a change in the rules and there was no indication any such reform was being contemplated.\textsuperscript{94} Moreover, if the President's proposals to reform the boards meant the boards would do what the law under discussion was designed to do, why should the President be upset with this particular piece of legislation.\textsuperscript{95} Cutting also cited the Record which showed the Senate's Majority Leader Joe Robinson had stated in the earlier debates that the

\begin{itemize}
\item \textsuperscript{92}Ibid., pp. 5576-5577.
\item \textsuperscript{93}Ibid., p. 5578.
\item \textsuperscript{94}Ibid., p. 5586.
\item \textsuperscript{95}Ibid., p. 5596.
\end{itemize}
bill in the House version would pass, but that to ask for more would be to insure the measure would be vetoed. The House vote was 310-72, *ibid.*, p. 5544, while the Senate voted 63-27 in favor of overriding the veto. *Ibid.*, p. 5606. Due to the gaps in the Cutting Papers and the nature of the legislative process it is impossible to state with any degree of finality the extent of Cutting's influence on this vote.

Cutting took a very firm anti-Administration stand on this matter but on other issues his opposition was muted or he supported the President's policies. On the Senate Joint Resolution giving the President the right to appoint a board or boards to investigate any labor controversies which might arise under section 7a of the National Industrial Recovery Act, Cutting opposed the Democratic Floor Leaders but he did not make a major issue of his differences of opinion. When the resolution came to the Senate, LaFollette offered as an amendment in the nature of a substitute Senator Robert Wagner's labor bill. In the short debate that


97 The House vote was 310-72, *ibid.*, p. 5544, while the Senate voted 63-27 in favor of overriding the veto. *Ibid.*, p. 5606. Due to the gaps in the Cutting Papers and the nature of the legislative process it is impossible to state with any degree of finality the extent of Cutting's influence on this vote.

followed Senator Joseph Robinson made it quite clear it was not the wish of the Administration to discuss this legislation at the time. Cutting disagreed and felt if it was a good bill, why didn't they go ahead and act on it immediately rather than wait several months.99

When LaFollette, at Senator Wagner's request withdrew the amendment, Cutting did not protest the decision, although he did remark, "The New Deal is being strangled in the house of its friends."100 Earlier in the session Cutting was one of Rexford Tugwell's defenders in the battle to have him nominated as Undersecretary of Agriculture, a struggle which ended with Roosevelt appointing Senator "Cotton Ed" Smith's "favorite murderer" in return for Tugwell's nomination.101 Cutting was very articulate

9973rd Cong., 2nd Sess., Congressional Record, v. 78, p. 12051.


101The quote is from ibid., p. 361. For Cutting's role in the debates on the floor see 73rd Cong., 2nd Sess., Congressional Record, v. 78, pp. 11428 and 11523. For a detailed study of the matter see Bernard Sternsher, Rexford Tugwell and the New Deal, pp. 251-261.
in his support of the Tydings-McDuffie Bill for Philippine Independence. He argued it was the same as the Hare-Hawes-Cutting Bill with the provisions for military bases being slightly modified.¹⁰²

On June 6, 1934, Cutting introduced a potentially far-reaching bill. The bill's purpose was:

To regulate the value of money in pursuance of Article I, section 8, paragraph 5, of the Constitution of the United States; to create a Federal Monetary Authority; to provide an adequate and stable monetary system; to prevent bank failures; to prevent uncontrolled inflation; to prevent depressions; to provide a system to control the price of commodities and the purchasing power of money; to restore normal prosperity and assure its continuance; and for other purposes.¹⁰³

This bill was not a proposal to nationalize the banking structure of the United States, an idea Cutting had put forth three months earlier.¹⁰⁴ It was an attempt to separate the factors governing the supply of money in

¹⁰²73rd Cong., 2nd Sess., Congressional Record, v. 78, p. 5160.

¹⁰³The full title of S. 3744.

¹⁰⁴Bronson M. Cutting, "Is Private Banking Doomed?," Liberty Magazine, March 31, 1934. This article was actually written by Frederick Painton based on notes and ideas given him by Cutting. BMC-Painton, November 28, 1933, BMC Papers.
circulation from the loan functions of the banking system. Cutting's bill—introduced simultaneously in the House by Wright Patman of Texas—was written by the faculty of the University of Chicago Economics Department; it represented an excellent example of the so-called 100 per cent Money school of economics. The Senator attempted to gain support for the bill by an address on a national radio network. He suggested that if the bill was not acted upon it would be because of "a lack of public pressure, public interest, and public understanding on the subject." He


urged listeners to communicate with their elected officials to support the measure.\textsuperscript{107}

Title I of the proposed legislation directed and authorized the Secretary of the Treasury to purchase the capital stock of the twelve Federal Reserve Banks and of their branches at the book value thus giving the United States Government "the absolute and unconditional ownership of the said Federal Reserve banks."\textsuperscript{108} Title II created a Federal Monetary Authority composed of seven members chosen by the President and confirmed by the Senate. They were to be paid the same salary as the Associate Justices of the Supreme Court and to serve a fourteen year term with the privilege of reappointment. No more than four could be members of the same national political party. This authority was to be the custodian of the public credit and funds of the United States; it would also be the agent of Congress charged with the issuance of currency and would control the foreign exchange rate. The agency was given

\textsuperscript{107}Reprinted in 73rd Cong., 2nd Sess., \textit{Congressional Record}, v. 78, pp. 9225-9227.

\textsuperscript{108}Unless otherwise noted all of the references to this bill will be taken directly from the proposed act itself.
jurisdiction over and the control and supervision of all banking institutions in the United States. It was also authorized to issue rules and regulations necessary for the proper conduct of banks; in addition it received all of the powers given by law to the Federal Reserve Board and the Secretary of the Treasury.

The Treasurer of the United States was charged, under Title III of the bill, with keeping the deposits of gold or silver bullion or legal tender of the United States or those funds of foreign countries on deposit in the Federal Reserve Banks. The Federal Monetary Authority was to have the ultimate authority over these funds and could order them returned to the Federal Reserve Banks for payment to whomsoever the banks might direct. The fourth title stated that all money to be issued in the future would be Treasury notes of comparable size and denomination to the Federal Reserve notes currently in use at the time. Within a year of the passage of the act all Federal Reserve notes, national bank-notes, gold certificates or silver certificates either issued or outstanding would be retired and destroyed and Treasury notes would be issued to replace them and would then become the sole medium of exchange in
The United States. The Federal Monetary Authority was empowered to redeem these Treasury notes in either gold or silver for the settlement of debit balances on commercial transactions between citizens of the United States and foreign nationals. Furthermore the decisions of the Monetary Authority on all matters involving the currency were to be final.

The next section of the bill stated that all individuals, firms, and associations of corporations doing banking under the legal definitions of the term were engaged in interstate commerce and therefore subject to the authority of the federal government and its chosen agency, the Federal Monetary Authority. The act gave the banks a year to obtain and keep on deposit legal currency equal to the entire amount of demand payable deposits as well as a sum equal to five percent of those funds in savings accounts or similar accounts which are payable after sixty days notice. All demand deposits would be held in trust for the depositor and would not be merged with the other assets of the bank. In order to create the reserve the Monetary Authority was entitled

109 It is this feature of the idea that gave it the title of the 100 per cent plan.
to purchase United States, State or municipal bonds, or it could rediscount at one-half of one per cent asset obligations of any bank. Under the provision of Title VI the Authority would purchase all the gold or silver offered on the domestic market as well as such amounts of foreign mined gold and silver as were necessary to carry out the purposes of the act.

According to the provisions of the seventh title the Federal Reserve banks were required to expand demand bank deposits as described in the previous titles whenever the wholesale-commodity index fell below the average for the year 1926 until the index rose to the base level of 1926. The banks, acting under the authority of the Monetary Authority, were also required to contract bank deposits by the sale of United States bonds or obligations held by the Federal Reserve banks whenever the commodity index rose more than five per cent above the base figures.

The Monetary Authority was charged under the provisions of the next title to maintain an Economic Research Service. This agency would be responsible for collecting data to determine the relationship of the amount of money in active demand deposits to prices, wages, business and
industrial activity, and the standard of living. From this data it was to determine the amount of money that should be in circulation to maintain full and maximum national and individual productivity. This service was also responsible for determining the amount of money that must be placed in circulation each year in order to effect a constant elevation in the standard of living equal to the growth in national productivity. Title IX stated that it is "the purpose of Congress to expand the currency in active circulation . . . until there is substantially full employment at the wage and price levels of 1926 . . . ." To do this the Federal Monetary Authority was authorized to issue additional funds until there was a total of $250 per person in circulation in the United States. In addition the authority was empowered to issue additional currency to pay for the expenses of the Federal Government at the rate of not more than four per cent per year based upon the total amount of money in circulation on the last business day of the year.

The bill would largely have taken away from the private banks the creation of purchasing power and given it instead to the federal government. In addition, the purchase of federal bonds by these government owned banks would
in effect mean that the government would be receiving the 
interest on its own bonds with a savings of about a billion 
dollars a year on the debt. Under the new system private 
banks would not be able to create purchasing power by credit 
since the old connection between public money and private 
credit would disappear: money would be created solely by 
the national government. The bill would probably have caused 
several new varieties of banks to appear on the American 
financial scene. One of these new banks would be a deposit 
type, which would in effect be a warehouse for cash and 
would obtain its income from charging depositors for keeping 
their cash. This system—with its 100 per cent reserves—
would theoretically decrease the possibility of bank runs 
or failures. The loan functions of banks would probably 
be handled by investment trusts which would sell stock to 
the public to obtain a supply of disposable capital. In 
addition commercial banks would be able to loan most of the 
funds deposited in savings and similar accounts. The plan 
would permit the government to control the amount of circu-
lating money directly, thus omitting the less efficient 
open market policies and manipulation of the rediscount 
rate. In the words of one of its supporters in discussing
the general concept of the bill, "All in all it seems the most promising program for the reform of our monetary and credit system which has thus far been advanced."\textsuperscript{110} The bill died in committee. This plan, however, remained important after Cutting's death. Throughout the 1930's similar bills were introduced in Congress, particularly by Congressmen Goldsborough and Patman. Cutting himself may have sensed their feeling when he had said earlier in the session quoting David Lloyd George:

'Everything that has been done so far was done too late.' We are doing the right things perhaps. We are doing things which might have saved the situation six months or a year ago. We are doing them too late. We have got to speed up this program if we are really going to meet the situation with which we are confronted.\textsuperscript{111}

Later in the second session Cutting introduced a bill "To provide the necessities of life for those citizens


\textsuperscript{111}73rd Cong., 2nd Sess., \textit{Congressional Record}, v. 78, p. 1477.
who through the disability of age and the mischances of a complicated industrial civilization have lost their power to support themselves." Under the provisions of this bill, anyone 65 or over who was a United States citizen would be eligible for a pension provided the applicant did not have an income of over $480 per year or a wife, husband, parent, brother, sister or child with an income of over $2,400 per year. According to the terms of the bill anyone receiving less than $240 per year would receive $480 in equal monthly payments, while any person receiving between $240 and $480 a year would receive cash grants to increase their income to $480 a year. All the figures concerning income were to be based on United States income tax laws governing dependents, etc. The United States government would pay the entire cost of the compensation. The necessary money would be raised by a special tax upon excess corporation profits. There would be an initial allocation of $1,200,000,000, with half of that to serve as a permanent reserve, and the program would be financed by yearly budgetary appropriations. The funds granted under the terms of this would not be subject to garnishment or any other method of assignment except for expenses incurred in the purchase of
food, clothing, shelter or medical attention. The Veterans' Administration was to have general authority over the bill. All field services would be handled by Post Office Department and Postal Savings personnel.\textsuperscript{112} This legislation met the same fate as Cutting's banking bill; it was entombed in committee for the rest of the Congress.\textsuperscript{113}

Cutting was also interested in a variety of more ephemeral causes and projects during this Congress. In the first session of the Congress Cutting reintroduced a bill designed to enable the United States to enter the International Copyright Union.\textsuperscript{114} Had this legislation passed it would have been of some benefit to American authors since it would have helped to protect the rights of their works when they were published abroad. This point was brought out in a petition to the Senate from Robert U. Johnson, the former United States Ambassador to Italy, which Cutting introduced

\textsuperscript{112}73rd Cong., 2nd Sess., S. 3803.

\textsuperscript{113}73rd Cong., 2nd Sess., \textit{Congressional Record}, v. 78, p. 11946.

\textsuperscript{114}73rd Cong., 1st Sess., \textit{Congressional Record}, v. 77, p. 5622, S. 1928.
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into the Record.  The measure was buried in the Committee on Foreign Relations.

During this session Cutting, along with Senators Shipstead, Frazier, Nye, LaFollette, Wheeler, Robinson of Indiana and Long, were the only members of the Senate given a perfect rating by the Progressive magazine for voting on the side of "the public interest" during the session.

In the second session Cutting introduced and served as Floor Manager for a joint resolution which provided for paying our country's share of the expenses incurred by the International Boundary Commission, United States and Mexico. When Senator Key Pittman introduced the Convention with Mexico negotiated by Josephus Daniels to settle the outstanding claims between the two nations, Cutting questioned the measure but did not oppose it. After he had ascertained that the measure covered those claims held by our citizens against the Villistas, particularly those arising from the Columbus raid, he stated "I do not desire

115 Ibid., p. 5716.


to make any argument against the ratification of the treaty; I think there is a great deal to be said for it." It passed on a voice vote. Generally speaking he voted with the Progressive bloc on the other measures which came up during the session.

During this Congress Cutting was active in supporting the interests of New Mexico, and introduced several pieces of legislation designed to benefit the state. The bill to bring the issuance of land patents into line with the decision of the Supreme Court of April, 1928 could almost be called the old standby in Cutting's arsenal of useful would-be legislation. It was introduced in the first session of this Congress and was referred to the Committee on Public Lands and Surveys, where it disappeared for the remainder of the session. At the second session of Congress the bill was again introduced, passed both the House and the Senate without a record vote being taken, and was signed

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118 Ibid., p. 11575.
119 Ibid., p. 11577.
120 73rd Cong., 1st Sess., Congressional Record, v. 77, p. 706, S. 692.
121 73rd Cong., 1st Sess., Congressional Record, v. 78, p. 11269.
into law on June 16, 1934. He also succeeded in passing a measure to authorize part payment of United States liabilities to the Taos Pueblo, and in the next session was successful with his private claim bill. His other legislative proposals did not fare as well. During the first session his bill to construct a drainage canal to the San Louis Valley died in committee. At the next session his proposals, S. 2131, to establish a Federal Land Bank District for the states of Wyoming, Colorado, and New Mexico; S. 2772, to authorize extensions of time on oil and gas-prospecting permits; S. 2998, to aid in the economic development of the Mescalero Indian Reservation; and S. 3293, to create a federal land office at Roswell, New Mexico, all died in their respective committees.

122\textit{Ibid.}, p. 12523. The author is unable to explain this shift in sentiment.


12473rd Cong., 2nd Sess., \textit{Congressional Record}, v. 78, p. 11306.


12673rd Cong., 2nd Sess., \textit{Congressional Record}, v. 78, pp. 304, 2470, 3958 and 5652. In view of the fact that his papers yield not a single clue as to why Cutting introduced any of these bills, one is forced to conclude he was
By the end of the first New Deal Congress, Cutting was once again to the left of the Chief Executive. To be sure, the ideological differences separating Cutting and Roosevelt were not nearly as wide as the differences between Hoover and Cutting had been, but the factor of party allegiance must be added to these ideological disagreements. And it was this additional factor of party allegiances which was to force Cutting into the hardest campaign of his short political career.

acting for the state's best interest as he saw it. This supposition is, moreover, enforced by a reading of the legislation under discussion which has left this author with the definite feeling these bills, had they become law, would have benefitted the state.
CHAPTER VII

THE 1934 SENATORIAL ELECTION IN NEW MEXICO

I traveled 82 miles on election day in my car, transporting Democrats to and from the polls.\(^1\)
Ruth Hanna McCormick Simms

The senatorial election of 1934 represented the culmination of Bronson M. Cutting's political career. The fruits of the past—both bitter and sweet—were harvested. His old disregard for party lines and party loyalties partially backfired. Both parties split: the old Guard Republicans formed "Tingley-Chavez Clubs" while the left wing of the Democratic party supported Cutting over Dennis Chavez, the apparent choice of President Franklin D. Roosevelt. The majority of the New Mexico American Legion remained true to Cutting. He also retained the trust of the Catholic Mexican voters although his opponent, Dennis Chavez, had grown up in fairly humble surroundings and was himself

a Mexican Catholic. It was this latter support that gave Cutting the victory. In short the election was not characterized by a normal grouping of factions and parties.

After the Republican defeat in 1932 political alignments would have to shift in order for the New Mexico G.O.P. to regain a preeminent position. To accomplish this many Republicans hoped to bring Cutting back into the party fold. The task was made easier by the death of Arthur Seligman, the Democratic Governor to whom Cutting had given support. Had Seligman lived, the task of wooing Cutting back into the Republican party might have indeed been difficult—Cutting probably could have retained the support of the Seligman faction.\(^2\) With the election of Congressman Dennis Chavez as Seligman's replacement on the Democratic National Committee the A. T. Hannett-Clyde Tingley-Dennis Chavez faction gained control of the Democratic Party. Although Chavez denied it, he appeared to be the only person in the

\(^2\)For a description of Seligman's role as a Democratic party leader and perhaps New Mexico's foremost practitioner of the art of coalition building, see Paul A. F. Walter, "Necrology: Arthur Seligman," *New Mexico Historical Review*, v. 8, October 1933, p. 314.
Democratic party who could run Cutting a close race.\(^3\)

Republican leaders such as B. C. Hernandez, Reed Holleman, and Albert Simms and his wife Ruth Hanna McCormick Simms began making overtures to Cutting during the fall of 1933. Hernandez went so far as to say Cutting had not bolted the Republican Convention in 1932 but, "we threw him out of our stacked convention."\(^4\) The only important opposition to reunion came from H. O. Bursum, Cutting's long-time antagonist who felt "The party should base its action on principle, integrity, and self-respect, and not the doctrine of expediency."\(^5\)

In the spring of 1934 Cutting indicated to the regular Republicans he intended to support them. The Santa Fe *New Mexican* backed the entire Republican ticket in the Santa Fe city elections held in April.\(^6\) Cutting privately informed his supporters that he probably could not gain

\(^3\)For an example of such a Chavez denial, see Severino Trujillo-BMC, October 9, 1933, *BMC Papers*. It should be noted that Trujillo, a member of Cutting's Washington staff, did not believe Chavez.

\(^4\)Santa Fe *New Mexican*, November 20, 1933.

\(^5\)Ibid.

\(^6\)Ibid., March, April, 1934.
endorsement from the Democratic Administration unless he formally changed party allegiance. In April the New Mexico Legislature chose its leaders from the Tingley-Hannett-Chavez faction of the Democratic party. Moreover, some of the more important Cutting leaders, such as Mauricio Meira, were not at all enthusiastic about fusion and indicated they would remain with the Republicans should Cutting switch allegiance. On May 16 the Republican Central Committee voted to explore the possibilities of reconciliation with the Cutting Progressives. But some Democrats still hoped to arrange a shift of party alignments. Early in July Clinton P. Anderson, then the State Treasurer of the Democratic Party, announced he had asked James Farley "to put the support of the Democratic organization behind the Progressive-Republican Senator." It is unlikely Farley could have worked out such an arrangement, even if he had wanted to. The New Mexico Democratic Central Committee had

7BMC-Phelps, March 21, 1934, BMC Papers.
9Santa Fe New Mexican, May 17, 1934.
10Ibid., July 9, 1934.
already banned from their agenda any discussions concerning a possible merger. Cutting wrote Otero:

It seems to me obvious that since the meeting of the Democratic State Central Committee last Monday, that there is absolutely no self-respecting way in which we can play ball with that organization. This at least clears air, even though the other alternatives may not be any too agreeable. Under the circumstances I do not believe that Jim Farley can influence the situation in any way.  

When he arrived in New Mexico a few days later, Farley was non-committal. According to the *New Mexican* his "hands-off policy was taken to mean that the Democrats would select an out and out Democratic ticket this fall and make no overture to Senator Cutting who gave the party his support in 1932."  

Cutting had to choose between returning to the Republican fold or running as a Progressive in a state with a strong two-party tradition. Cutting chose to run as a Republican. The Republican state chairman, Ed Safford--under pressure from the county leaders--resigned on July 12. He was replaced by Peter Rapkoch, a longtime Cutting supporter. In addition

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11 *BMC-Otero, July 13, 1934, Otero Papers.*

12 *Santa Fe New Mexican, July 17, 1934.*

13 *Ibid., July 13, 1934.*
to becoming the state chairman Rapkoch created two committees: one fixed the time, place and apportionment of the nominating convention; the other consisted of a committee of five to "purge the party of irreconcilables." Cutting also met with former Republican Governor Richard Dillon. They announced a tentative platform modeled after the Progressive platform of 1932, which included increased educational facilities, increased social services, legislative reapportionment, an eight hour day, and other "liberal" innovations. Mr. Rapkoch's committee to purge the party did not have to search too far to find "irreconcilables" in the Republican ranks. On the same day the existence of the loyalty committee was made public, an announcement was made of a conference of such prominent Republicans as H. O. Bursum, Ed Safford, and others, and including John Miles, the state Democratic Chairman, to discuss Cutting's Republican candidacy. At the end of the meeting Bursum released a statement to the press concluding "the conference expresses the opinion that there is no reason apparent why any Republican should cast his vote for Mr. Cutting. The

14 Ibid., July 13, 1934.

15 Ibid., July 21, 1934.
conference definitely determined that there will be organized opposition to the re-election of Mr. Cutting.16 Cutting left New Mexico in the early part of August for a trip to Alaska, ostensibly to investigate the chances of opening the public lands there to homesteading, but most likely to prepare himself for the coming campaign.17

When Cutting returned to the state in early September, he had received the endorsement of a variety of national figures: Robert Scripps of the Scripps-Howard newspaper chain, Senators LaFollette (Rep.), Shipstead (Rep.), and Nye (Rep.), and Edward Costigan of Colorado (Dem.), who later campaigned for Cutting in northern New Mexico.18 At a press conference upon his return, Cutting reiterated the proposals he and Dillon had arrived at and stated he would not run as a Republican unless a liberal platform was adopted by the state convention. He went on to remark that

16 Ibid., July 23, 1934.

17 Ibid., August 3, 1934.

18 In an interview with the author, Oscar Chapman, one of Costigan's law partners, said that Costigan asked Cutting in late 1933 to invite him to campaign in New Mexico for him so that he (Costigan) could claim a prior commitment if pressure were brought on him to keep out of the state. Interview dated August 6, 1963.
if the platform was sufficiently liberal, it would really make little difference who the nominees were. Undoubtedly unhappy at the splintering process going on in the Republican party, he was pleased that factions of the Democratic party were breaking off to form Cutting clubs in Santa Fe, Rio Arriba, Harding, and San Juan counties—northern counties which were mainly Republican.

The Republican convention opened on September 24 with the keynoter condemning the Democratic party for its "vote right or starve" policies. He was followed by Cutting who chastised the state's Democratic administration for its advocacy of the sales tax. Cutting received the nomination for the long term in the Senate while Dillon got the nomination for the short term. Jaffa Miller, the superintendent of the Industrial or Reform School, received the gubernatorial nomination, Maurice Meira was the convention's choice for Congress and Jose Gonzales for Lieutenant Governor.

19 Santa Fe New Mexican, September 11, 1934.
20 Ibid., August 25 and September 14, 1934.
21 Ibid., September 24, 1934.
22 Ibid.
The Democrats held their convention two days later. After a brief factional struggle, they nominated Dennis Chavez to run against Cutting and Carl Hatch against Dillon. Tingley received the nomination for Governor. John J. Dempsey was chosen to run for Congress. Chavez at the time could have received any nomination he wished and was under some pressure to run for the short term in the Senate to avoid having to face Cutting. In deciding to make the race he was probably influenced by a desire to replace Cutting as the leader of the Mexican voters in the state.

In looking over the tickets it is difficult to say which was favored at the outset. Cutting was probably the second most popular man in the state, and he had the advantage of being a Democrat. Both Hatch and Dillon were well known, but Dillon had been out of office several years while Hatch had been in the Senate a year. Early in the campaign it

23 Ibid., September 27, 1934.

24 Interviews with New Mexico politicians cited in Cunningham, Cutting, p. 192.
appeared Meira had a distinct advantage over Dempsey for he was a native-born, Spanish-speaking New Mexican. Dempsey, who was originally from New York, had moved west at a fairly late age. However, he had been serving as N.R.A. Director for the state of New Mexico and had become closely identified with the New Deal. In 1934 this was a great advantage. At the state level Miller was probably better known around the state than Clyde Tingley, whose sole political experience had been in the realm of Albuquerque and Bernalillio county activities, but Tingley had received an excellent grounding in professional politics.25 No matter how well qualified the Republican candidates were, 1934 was a Democratic year in New Mexico, as in the rest of the nation, and the Democrats could probably have beaten any Republican for any office, with the single exception of Bronson M. Cutting. However, his presence on the Republican ticket put the Democrats in a difficult campaigning position. They could not run as pro versus anti New Dealers. Cutting was a New

25The bulk of the above analysis is based on interviews with New Mexico politicians referred to in Cunningham, Cutting, pp. 192-193. Cunningham's conclusions are supplemented and supported by the author's conversations with members of both parties who were active in the party battles of the period.
Dealer before most of the New Mexico politicians had realized that it existed.

Cutting's only opposition to the President was over veterans' policies. To attack Cutting for opposing these policies, however, could only increase his popularity with the veterans and their supporters. The Democratic campaign tactic was to stress the need for Democrats in Washington since they could best cooperate with the national administration. Cutting, on the other hand, campaigned on his record, which he continually compared to Chavez's. Both parties attempted to force their opponents to answer specific questions. Both parties disavowed mud-slinging—but engaged in it at will. According to one newspaper account Cutting was called "fat boy, damn nuisance, jackass, traitor, hands dripping with blood, damned Progressive, wild bull, adulterer, unmarried and rich, the Cutting Blight, Jesus Christ Cutting and a political butcher." 26 Cutting charged that Chavez had done nothing in the House except "sit in his seat and vote." 27 Cutting defended his record in the Senate

26 Albuquerque Journal, October 23, 1934. This listing appeared in a story denouncing Democratic mud-slinging. The author is unaware of a similar listing prepared by an anti-Cutting newspaper.

27 Santa Fe New Mexican, October 11, 1934.
where he had supported labor, voted against the Bankhead Cotton Bill, voted for the sulphur permit bill and supported legislation to ease the obstacles in the way of prospecting for oil and gas on government land. Naturally he stressed his support of the veterans and their interests. 28

The New Mexico campaign had national implications for the Progressive bloc. Senators Johnson, Shipstead, Costigan, Nye, LaFollette, and Norris endorsed him publicly. So did Fiorello La Guardia and Harold Ickes. Senators Steiwer and Costigan both spoke on his behalf in the state, where Steiwer accused Chavez of failing to support legislation to help ex-servicemen. Cutting received the endorsement of William Green, the President of the American Federation of Labor. He was also supported by the Brotherhood of Railroad Trainmen. Cutting obtained the active support of the Oil Association. The Farmers' Holiday Association instructed its members in New Mexico to work for his re-election. 29 Nor was he without friends with access to the White House. Both Senator Norris and Secretary Ickes

28 Ibid., October 26, 1934.

29 There are letters or telegrams from these individuals in the BMC Papers.
voiced their disapproval of the Democratic Party's opposition to Cutting directly to the President. At first Norris, calling it "a case of awful ingratitude," blamed the policy on Jim Farley. Later he blamed the President himself for the episode. Ickes told the President that "the opposition of the Administration to Senator Cutting in New Mexico, had created a bad feeling among the Progressives in the West. Senator Johnson was very much worked up over this and I too am very unhappy over it."

Dennis Chavez also claimed champions from out of state. The principal attraction was a speaking tour of the

30 Lief, Democracy's Norris, p. 446.

31 Ibid., p. 445. See also Norris-FDR, January 13, 1934, President's Personal File, FDR Library, Hyde Park, New York. The President's reply to Norris about the lack of patronage that Cutting was receiving was:

"Dear George,

I wish you would speak to me some day about Bronson Cutting. As you know, I am personally mighty fond of him and have known him since he was a boy. I do not want to do anything to hurt him, but a lot of Bronson's retainers in New Mexico are not considered especially fine citizens.

Very sincerely yours"

While the President's analysis of the character of Cutting's following is not inaccurate, it should be noted that the same characterization could have been applied to his opponents and their retinue.

32 Ickes, Secret Diary, v. 1, p. 217. See also Ickes-FDR, September 20, 1934, FDR Library.
state by Senator Joe Robinson, the Senate Majority Leader. Cutting challenged Robinson to a public debate on the general topic of support given to New Deal legislation but the challenge went unanswered. 33 The Cutting forces accused Chavez of padding the welfare rolls with his relatives and of using welfare funds for political purposes. The Democrats distributed a handbill quoting John Miles as saying "I have the proof that Bronson M. Cutting contributed to the Communist Party, both national and local, and he has not denied these charges." 34 The Literary Digest may not have been completely accurate when it referred to the election battle as a struggle between "Outlander Baronies," 35 but the campaign certainly had more than local importance.

The national guard appeared in several counties on election day. The Governor, however, denied having ordered the troops out. He later admitted he had given the Adjutant General the authority to bring out the troops if they

33 Albuquerque Journal, November 4, 1934. Also see the memorandum from McIntyre to the President suggesting that Roosevelt "create the impression that Senator Robinson is representing you and the administration." McIntyre-FDR, October 29, 1934, FDR Library.

34 Broadside in the BMC Papers.

35 Literary Digest, November 3, 1934, p. 13.
were needed. The initial returns gave Cutting a margin of 1,284 votes but the remainder of the Republican ticket went down in defeat. Cutting carried a total of nineteen of the state's thirty-one counties. He lost only Rio Arriba and Socorro counties from that group of Hispanic counties which had been the backbone of the Republican Party since statehood. The victory came despite the fact that the leading Old Guard Republicans had withdrawn from the party and, in the words of one of the leaders, taken "the whole organization into the Democratic Camp. We wrecked the GOP organization, but we were willing to do it to beat Cutting. We nearly did it too but we were counted out." Some kind of arrangement had obviously been made for H. O. Bursum was later named to the Interstate Streams Commission and in some counties local Republicans were given places on the Democratic ticket. Cutting was elected by his core of Mexican supporters. (See Table I.)

36 Santa Fe *New Mexican*, November 6, 1934.


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<th>County</th>
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<th>%</th>
<th>Vote</th>
<th>%</th>
<th>Vote</th>
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Before the State Canvassing Board could meet to certify Cutting's victory, the Chavez forces contested the election by filing a motion to disregard the returns from sixty-seven precincts in San Miguel County on the grounds that between fifteen and twenty per cent of those voting were not duly registered. Following two separate investigations into the returns which resulted in increasing Cutting's total by fourteen votes, and the filing of a Republican counter suit by the defeated candidates, the Canvassing Board issued Cutting a certificate of election when it was ordered to by the State Supreme Court. The Chavez faction shifted the fight to the United States Senate, charging excessive use of money in the campaign. This despite the

39Santa Fe New Mexican, December 3, 1934. The BMC Papers contain copies of all of the legal documents filed by both sides in the case but in view of the fact that the actual details of the election contest are not important to the theme of this paper, the author will refer to the contest only in passing. It is probably safe to say that while the Cutting forces were not blameless in matters of voting fraud, neither were their opponents. There is a letter in Cutting's papers containing an affidavit to the effect that when a Mrs. Sturmquist and her husband went to vote in a strongly Democratic area they found their names had been left off the poll books although they were legally registered. However, both their son and daughter had already voted despite the fact that they were both dead. Mrs. A. W. Sturmquist-BMC, April 16, 1935, BMC Papers.

40Santa Fe New Mexican, December 3-31, 1934.
fact that an investigator from the Senate had been in the state prior to the election and found nothing to justify a hearing.\footnote{Ibid., November 3, 1934.}

As Table I shows, Cutting did not attain the same high percentage against the Mexican Dennis Chavez as he had against the Anglo J. S. Vaught in 1928. But in those areas of the state most predominantly Mexican Chavez ran behind Cutting. Chavez also ran significantly behind his showing in the 1932 election when he ran against the Mexican, Jose D. Armijo. Chavez's ethnic and religious background apparently helped him in these areas but not enough to overcome their traditional Republican traditions, particularly when the Republican in question was such a tried and true \textit{amigo} as Senator Cutting, "El Viejo." In those precincts in San Miguel County which have been identified as being heavily Penitente and therefore the most tradition bound as well as the most isolated precincts, the same trend holds true.\footnote{See Table II.} Here Chavez had been beaten by Armijo in 1932 when race and religion could not have possibly been an issue. In 1934 when the seeds of such conflict were present, Cutting
## TABLE II: VOTING RETURNS 29 RURAL PENTITENTE PRECINCTS IN SAN MIGUEL COUNTY

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Vote</th>
<th>%</th>
<th>Vote</th>
<th>%</th>
<th>Vote</th>
<th>%</th>
<th>Vote</th>
<th>%</th>
<th>Vote</th>
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Note: The percentage of votes for each candidate in each precinct is shown.
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<th>1934</th>
<th>1932</th>
<th>1934</th>
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<td>%</td>
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Holmes, "Party, Legislature and Governor," p. 343, identifies these precincts as Penitente areas.

improved on Armijo's vote by almost five percentage points. It was, of course, in this county that the bulk of Chavez's legal challenges lay but it remains a distinct possibility that Cutting was simply more popular in this part of the state and with this type of voter than was Chavez.

While Chavez's race and religion might not have helped him in the heavily Mexican areas of the state, it appears to have harmed him on the east side of the state in the area known as "Little Texas." Here, when the voters had the choice between the two Mexican candidates in 1932, they had kept their traditional political ties to the Democratic party intact and given Chavez an overwhelming 81.6 per cent of the total vote.43 Two years later, when it was Chavez against Cutting, the Democrat dropped fifteen percentage points and 5,000 votes. If Chavez County, which was a Cutting stronghold,44 is eliminated the scale tips slightly in the direction of Chavez. It is still obvious when compared with the election of 1932 that Dennis Chavez's not being a

43 See Table III.

44 Edgar Puryear, Cutting's Administrative Assistant, was a former Democratic State Representative from this county and J. D. Atwood who was to represent Cutting in the election contest also resided here. Moreover, Cutting's efforts to get a Federal Land Office located in Roswell, the county seat, undoubtedly paid dividends.
<table>
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<tr>
<th>County</th>
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<th>1932 Vote</th>
<th>1932 %</th>
<th>1934 Vote</th>
<th>1934 %</th>
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</tbody>
</table>

White Anglo Saxon Protestant was detrimental to his candidacy in this area. Cutting did not run as well in these counties as he had in 1928. These are the most heavily Protestant and Southern-oriented counties in the state. They are well known for their anti-Catholic sentiment. There is, therefore, a distinct possibility that Cutting received the benefits of some anti-Catholic straight ticket voting in 1928. The primarily Indian precincts in the state do not lend themselves to any sort of pattern.\textsuperscript{45} They voted for Chavez in 1932 by the same percentage that they voted against him in 1934. There is no ready explanation for this.

Why did Cutting have to run against an administration-backed candidate in the first place? He had supported Roosevelt; why was the favor not reciprocated? On this question the authorities, when they deal with it at all, are in agreement. The President and Cutting split over the veterans' issue.\textsuperscript{46} These authors, however, leave this reader with a confused view of the problem. The general image they

\textsuperscript{45}See Table IV.

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1Pueblo
2Navajo
3Mesquero Apache
4Mecarilla Apache

present is that of Roosevelt as a master politician, and it does not seem a politician of such competence would have dealt with Cutting the way he did. The President surely knew that one of the central pillars of Cutting's support was the veterans and he also must have known that Cutting was genuinely concerned with their problems and these problems would surely increase if their pensions were cut. In short, to this author, it does not appear that the punishment of administration opposition quite fitted the crime of opposing the White House on this one issue, particularly since by almost any criterion it was not central to the New Deal program. Peter Rapkoch, one of Cutting's strongest supporters in New Mexico, in a memorandum written in 1936 notes that Cutting also opposed the transfer of legislative power to the executive, the many bureaus and commissions that "regimented society." He also opposed the destruction of food and crops under the AAA. While Cutting may well have been in opposition to these aspects of the New Deal, he did not publicly raise these points, and this author has found no supporting evidence for this contention in his papers.

There is, moreover, no mention of these complaints in the memoirs and published diaries of individuals in the administration such as Tugwell and Ickes, both of whom consider the election in the works cited earlier. This lack of evidence leads the present writer to conclude there is a distinct possibility Rapkoch was reading some of the later criticisms of the New Deal into an earlier situation.

There is, however, another explanation of why Cutting found the full weight of the administration thrown against him in New Mexico during the election—and in Washington during the contesting of the election.\footnote{48} The President may have viewed Cutting as a potential threat either as a possible Republican, or more likely as a Progressive, nominee, and desired to remove him from public life by the most effective means at hand. This interpretation tends to fit the general picture of Roosevelt as it has been brought into focus by the various students of the president and the period. Moreover, it tends to agree with some small bits of evidence available regarding the administration of patronage

\footnote{48}"Meanwhile F. D. calls me up personally and most affectionately, 'Dear Bron. or Brons,' yet I know all the while he is urging on my colleagues to unseat me." BMC-Phelps Putnam, February 7, 1935, BMC Papers.
in New Mexico in this period, as well as a letter written by Cutting in which he discussed briefly his relationship with the President.

In a letter dated October, 1933, before the final break with the President is supposed to have occurred, Cutting wrote his friend and confidant Phelps Putnam, "The whole damn Federal patronage has been turned over to my bitterest enemies, and now that Seligman is dead, will have the whole state outfit against us as well." However, Ickes presents a different story, "I do not intend to make any appointments in New Mexico that won't help him. He is very modest about patronage and has never asked me for anything." The interpretation that there was a personal break between Cutting and the President also does not seem valid when compared with the letter cited earlier, stating Roosevelt would support him for the Senate if he were to run as a

49BMC-Putnam, October 3, 1933, BMC Papers. Burns, Roosevelt, p. 202, also states the patronage in the state had been turned over to the Democratic organization and not to the Cutting forces.

50Ickes, Diary, v. I, p. 27. It should be noted that the date on this entry is April 26, 1933, very early in the FDR administration.
Democrat, a letter dated after the supposed break. The President must have been at least partially motivated by political self-interest in the matter of defeating Cutting. This contention is borne out by a letter from Roosevelt to Colonel Edward M. House written after the 1934 election in which the President noted:

Progressive Republicans like LaFollette, Cutting, Nye, etc., who are flirting with the idea of a third ticket anyway with the knowledge that such a third ticket would be beaten but that it would defeat us, elect a conservative Republican and cause a complete swing far to the left before 1940.

in a discussion of "the schools of thought of our opponents at the present time." A similar analysis of the political situation was made by Huey Long in 1935. He could support Senators Borah, Norris, Nye, Frazier, Wheeler or Cutting for the Presidency. This opinion of Cutting is also advanced in a book by John Heaton published in 1932. Heaton argues Hoover would probably win again because the majority of the

51BMC-Putnam, March 21, 1934, BMC Papers.


voting public was Republican and

If Democracy fails to grasp the opportunity of becoming a majority party instead of a minority party, then the interval between 1932 and 1936 should witness the birth of a new party drawing the left-wing members from both the old parties. To succeed in this there is need of organization and need of leaders.  

Commenting on possibilities for leadership, Heaton noted

"Senator Cutting of New Mexico is an interesting possibility."  

It appears there was a distinct possibility that the events Roosevelt discussed in the letter to Col. House might well have come true had not Huey Long been assassinated before the election of 1936. This author does not think there was any real possibility that Long himself might have been elected to the presidency. It is difficult to believe he could have commanded much effective political support outside of the South, if for no other reason then that his type was unknown to the United States outside of the South. He appeared uncouth. Cutting did not suffer from this handicap. If anything he was more progressive and at least as aristocratic as Roosevelt. Moreover, he had money, and this is

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55 Ibid., p. 92.
something a third party needs desperately. To Roosevelt, with the political acumen he apparently had, Bronson Cutting may have represented a threat. This may have been the basic reason for the contest in the state in 1934. If there is any truth to this argument, it is indeed strange Roosevelt did not remember it when he attempted to rid the party of Millard Tydings, Walter George, et al later in the decade. To attempt to purge and to then lose is, if anything, to strengthen your enemies. Cutting, as a result of his victory, would have been a more powerful figure in the Senate and in the state then before. This could hardly have been what the President desired.

There is another possible reason for Roosevelt's opposition to Cutting. The president might not have been able to keep Democratic support in New Mexico and elsewhere had he not supported the party's nominee in New Mexico. This argument is, however, somewhat weakened by Roosevelt's praise of Robert M. LaFollette, Jr. in his Senatorial campaign that year against Democratic opposition. See Roger T. Johnson, Robert M. LaFollette, Jr. and the Decline of the Progressive Party in Wisconsin (Madison: State Historical Society of Wisconsin, 1964), p. 38.
CHAPTER VIII

THE LAST SESSION

It will be a long time before New Mexico has another such Senator as Cutting.¹

Harold Ickes

At the beginning of the Seventy-fourth Congress (the first to replace the old lame-duck session) Cutting received desirable committee assignments. He was assigned to the Irrigation and Reclamation Committee, the Public Lands and Surveys Committee, the Banking and Currency Committee, the Foreign Relations Committee, the Committee on Manufactures, and the Military Affairs Committee.² To be sure Dennis Chavez had challenged the election and his protest had been referred to the Committee on Privileges and Elections.³


²74th Cong., 1st Sess., Congressional Record, p. 129.

³Ibid., p. 538.
where hearings were to be conducted, but on the whole the legislative and political future looked bright for Cutting.

Cutting's principal legislative interest quickly became a resolution which provided four billion dollars to be used by the President to: (1) provide relief from the hardships attributable to widespread unemployment, (2) relieve economic maladjustments, (3) alleviate distress, and (4) improve living conditions. The President could also use the money to guarantee the loans or payments of needy people, to make grants or loans, to acquire property by the right of eminent domain, and to dispose of property to implement the legislation. When the resolution reached the floor of the Senate an amendment was introduced which placed restrictions on the amount of money available to individuals. It stated that the recipient (1) must be in actual need, (2) must not have resigned during the previous sixty days or left any position which paid in excess of $50 a month, and (3) must have unsuccessfully sought employment. Cutting opposed the amendment because it would

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5 Ibid., p. 2011.
forbid the granting of aid to anyone on strike. Therefore, he later introduced an amendment to the amendment which would permit relief with the sole condition "that such unemployed person is in actual need." Cutting's amendment drew very vocal opposition from Senators Carter Glass of Virginia and Millard Tydings of Maryland. The proposal to permit striking workmen to draw relief money was particularly attacked but Cutting defended it, stating the matter was left to the discretion of the President. Moreover, while funds did not have to be given to strikers, to forbid it would "be a most powerful weapon in preventing strikes in the future no matter what the provocation." Cutting also thought the $50 per month minimum was too low and he later introduced an amendment to raise the figure. Shortly before the vote was taken Cutting argued that we had, potentially, an economy of abundance and we could and should have full

6Ibid.
7Ibid., p. 2077.
8Ibid.
9Ibid., pp. 2078-2079.
10Ibid., p. 2094.
Cutting's amendment failed in a voice vote which preceded the defeat of the original amendment.

The entire resolution came under sharp attack from the more conservative members of the Senate. Cutting, defending the President, pointed out that in 1932 the President had campaigned on a platform which had included this type of relief and had received a mandate. This legislation was designed to implement that mandate and it did not develop a new concept of governmental responsibility for the unemployed. Senator Adams of Colorado introduced an amendment which cut the appropriation in half and reduced the life of the program from two years to one. Cutting approved decreasing the time period but wanted to increase the total appropriation. Therefore, he secured a separate vote on the two parts of Adams's amendment. Cutting spoke strongly for much less direct relief and for a sharp increase in work relief, introducing several pages of statistics to buttress his claim that it was much more

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11 Ibid., p. 2099.
12 Ibid., p. 3816.
13 Ibid.
desirable than direct aid. The additional funds Cutting was asking for would, of course, have gone for work projects. However, Adams's proposal to cut the length of the appropriation and to cut the amount of the appropriation failed, as did Cutting's proposal, to increase the appropriation.

Cutting's efforts to provide funds for schools and school teachers as part of this proposal met with greater success. Senator Matthew Nealy, Democrat of West Virginia, introduced an amendment which earmarked $500 million for public school construction. Cutting added an additional $30 million to the proposal to be used by the states to insure that the public schools be kept open during the next school year. Senators Tydings and Glass again opposed Cutting. They argued the states should run their own schools. Cutting agreed, but using New Mexico as an

14Ibid., pp. 3954-3958.

15Ibid., pp. 3966, 3967, and 3969. Cutting's measure was defeated 30-57 with only Borah, Couzens, Johnson and Nye of the Progressive bloc joining with Cutting in voting "yea." Ibid., p. 3967.

16Ibid., p. 4058.

17Ibid., p. 4062.
example, noted this was easier said than done. Glass argued the President would be limited to spending $30 million, but Cutting replied that the word "shall" meant the figure represented a minimum figure. Thereupon Cutting modified his amendment by adding another $10 million. Cutting revealed the city of Chicago alone borrowed $22 million from the Reconstruction Finance Corporation to meet its educational payroll. Therefore $40 million did not seem an extravagant request. He was joined by Senator Pat Harrison of Mississippi, who preferred that the measure be applicable only to areas of under 5,000 population, but who would support it under any circumstances. Tydings, however, claimed only 25 states were in need of assistance. He thought the states could solve their own problems if they so chose. Cutting responded that 25 states made it a national problem. He was joined by his colleague Senator Carl Hatch, who observed the New Mexico state legislature had, the year previous, passed a general sales tax for the aid of the school system and the state still needed money.

18 Ibid., pp. 4065-4066.
19 Ibid., pp. 4067-4068.
20 Ibid., p. 4068.
Cutting then concluded the problem was not merely a lack of political backbone on the part of the states\(^2\) (as Tydings had intimated.). The amended amendment passed by a vote of 55-33.\(^2\)

The passage of Cutting's amendment did not end the opposition's sniping. To counteract it Cutting introduced a letter from the Acting Director of the Public Education League praising him for obtaining the $40 million, included a statement from Harry Hopkins that the measure would not interfere with the Federal Emergency Relief Funds already going to the teachers, and indicated that Hopkins had no quarrel with the Cutting measure.\(^3\) Tydings and others continued to criticize the measure. They intimated that New Mexico stood to gain a lion's share of the funds provided.

However, Cutting showed that New Mexico would receive a sum which would rank it 26th out of 31 states receiving aid.\(^4\)

He also noted that Glass's Virginia was short some $950,000 and would gain much more than New Mexico. The gentleman from

\(^{21}\)Ibid., pp. 4069-4070.

\(^{22}\)Ibid., p. 4073.

\(^{23}\)Ibid., p. 4272.

\(^{24}\)Ibid., p. 4608.
Virginia chose not to address himself to this facet of the problem. Despite the continuing criticism, the entire measure passed the Senate and was sent to Conference Committee. Here Cutting's amendment was replaced by a provision giving $300 million to "projects for educational, professional and clerical purposes." Cutting protested. He thought the money might be used for non-teaching personnel. He admitted the substitute might be better legislation but it was not the same one the Senate had approved earlier. Both Tydings and Glass, the principal opponents of Cutting's measure, were on the Conference Committee, which also upset Cutting. Nevertheless, when the conference report was approved 66-13, Cutting voted with the majority. He did, however, continue to voice his disapproval of the method by which conferees were chosen in the Senate. This was Cutting's last important legislative fight.

25 Ibid., p. 4611.
26 Ibid., p. 5129.
27 Ibid., p. 5133.
28 Ibid., p. 5135.
29 Ibid., p. 5136.
As far as minor legislation was concerned, Cutting was considerably less active than he had been at earlier sessions. He spoke out against a Regular Army Officer Promotion Bill which provided for promotions to be made to officers which would not be effective immediately but would be made retroactive with the outbreak of war. His opposition lay in the provision that such promotions applied only to the regular officers and would increase the hard feeling between the regular and reserve officers. He again introduced his banking bill, which went to Committee, and he again served as the floor manager for the appropriations for the operation of the American Section, International Boundary Commission, United States and Mexico, which passed easily. He introduced legislation to extend oil and gas prospecting permits, and the bill was again referred to committee. Despite the fact that Cutting was a member of the committee, it was not reported out.

30 Ibid., p. 4662.
31 Ibid., pp. 3180 and 1544.
32 Ibid., p. 4419. Other legislation of local or regional interest introduced by Cutting was S. 1617, extending the time during which domestic animals crossing the border could be returned duty free; and S. 2629, extending the time for compliance with the new drilling requirements for oil and gas surveys. Neither bill was ever reported out of committee. Ibid., pp. 1419 and 6002.
Throughout this entire session of Congress there was, hanging over Cutting's head, an election contest suit which had been filed by his opponent, Dennis Chavez. The first indication that such action might be forthcoming came before the election when, at the behest of John Miles, the Democratic State Chairman, the Senate Committee on Elections sent an investigator into the State to look into campaign spending. In the report, filed before the election, he noted he had found nothing to justify either a hearing or an investigation by the Senate. Chavez continued to press his complaint and filed charges with the Senate. He alleged Cutting had been reelected by the illegal use of Republican money, unlawful personal expenditures, and through illegally obtained votes. Cutting unsuccessfully attempted to have the charges dropped. On April 11, the committee dismissed the charges concerning unlawful expenditures but it continued to investigate the charges of illegal voting which centered in San Miguel County. Early in May, Cutting returned to New Mexico to collect evidence to clear himself.

33 Santa Fe New Mexican, November 3, 1934.
34 For more detailed information, see BMC Papers, Box 112.
He learned, however, that a veterans' bonus bill would be voted on May 6. Cutting decided to return to Washington. He left Albuquerque by commercial airline the evening of May 5th. Because of a heavy fog the plane was unable to make its scheduled stop in Kansas City. Two hours later it crashed while attempting a landing in an open field near Atlanta, Missouri. Bronson Cutting was dead.36

Funeral services were conducted in St. James Protestant Episcopal Church in New York City. On the day after the funeral, Governor Clyde Tingley announced he had appointed Dennis Chavez to fill Cutting's vacant Senate seat. Chavez dropped the contested election proceedings the same day.37 When Chavez took the oath of office, Senators Norris, LaFollette, Nye, Shipstead, and Johnson ostentatiously walked out. Norris, speaking for the group explained later,

*I left the chamber because it was the only way, in helplessness, that I could show my condemnation

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36*New York Times*, May 7, 1935. In an undated manuscript Miguel B. Otero suggests Cutting was drunk when he left Albuquerque, that he was carried onto the plane and was not strapped into his seat. Otero also believes that had he been strapped in, he would have survived the crash. Miguel B. Otero Papers, University of New Mexico.

37*Santa Fe New Mexican*, May 11, 1935.
of the disgraceful and unwarranted fight made to drive Senator Cutting out of public office. The determined opposition of the Democratic National Committee and its chairman to bring about the defeat of Senator Cutting is the greatest case of ingratitude in history. It is a blot upon the record of the administration.  

When Huey Long later called for an investigation of the political activities of Jim Farley, Senator Norris joined him in supporting such a move. Acting on the advice of Senator Norris and others, the Cutting family did not let the voting fraud charges drop. In time the Senate committee recommended the charges be dropped as they were without basis in fact.

In trying to evaluate Cutting, one is immediately confronted by the inescapable fact that he simple did not accomplish much in concrete terms. Yet it is very difficult to argue that in New Mexico, at least, he was not of the first order of importance. The mere fact that thirty years after his death he is still remembered by many of the Mexican population is indicative of their respect and admiration for him. He would not be so well remembered if there were

38Quoted in Lief, Democracy's Norris, p. 449.  


40For a copy of this report see Box 112, BMC Papers.
nothing but his achievements in government to recall him to mind. It is fairly obvious he had a genuine desire to preserve the native culture of the state against the encroachments of the Anglos. To offset this he contributed both money and time to organizations which shared his ideals. But more important than his work in these organizations, he was a genuine friend to the Mexicans and was always willing to do battle for their interests. To be sure this helped him politically, but he was engaged in this sort of activity before there is any evidence of a desire for public office. He also worked diligently for improvement in the educational system of the state, particularly in the heavily Mexican rural areas. He was one of the original backers of Dr. George I. Sanchez when Sanchez was attempting to set up a more complete system of rural schools. Cutting constantly supported him against all opposition. As evidence of this support Cutting left $150,000 to the Spanish-American Normal School at El Rito where Dr. Sanchez was attempting to train a cadre of Spanish-speaking teachers.

In addition to this bequest, he left the same amount, plus the New Mexican, to Jesus Baca. Herman Baca, Jesus's brother, and Brian Boru Dunne received $100,000 each; with
lesser amounts being bequeathed to his political allies and friends throughout the state. Cutting left Robert LaFollette $50,000 and Philip LaFollette $25,000 to support their political activities. Within the state he left bequests to approximately 200 individuals. When his estate was finally settled, his sister and niece who were named as executors, acting in accord with his wishes, cancelled all of the debts owed to the estate by residents of New Mexico.\textsuperscript{41}

Exactly four years after his death a bust of Cutting was unveiled in a ceremony on the grounds of the New Mexico State Capitol, with Senator Sam Bratton making the principal address in English. Dr. George I. Sanchez delivered an address in Spanish. The statue was given to the state by Cutting's old friends; it was paid for by public subscription.\textsuperscript{42}

\textsuperscript{41}A photostatic copy of his will is in the BMC Papers.

\textsuperscript{42}\textit{El Paso Times}, May 6, 1939.
CHAPTER IX

CUTTING AND THE PROGRESSIVES ON THE
NATIONAL SCENE: AN APPRAISAL

In an oft reprinted essay Professor Arthur Link asks the rhetorical question "What happened to the Progressives in the 1920's?" and then proceeds to provide the reader with an answer.¹ According to Link, they neither died nor retreated to Argentina: they remained in politics. The elements electing Wilson in 1916 were scattered but not shattered; one might even say they were forgotten but not gone. The Progressive tradition continued and is clearly recognizable in the career of Bronson Cutting. Before his election he was already known as a Progressive but the appellation fitted anyone who would not stay hitched to a party wagon (generally Republican). The ideological connotations of the phrase were at best minimal. Upon arriving

in the Senate he was quickly tagged as a potential member of the Progressive bloc.

As Professor Link indicates the Progressives in the Congress made up the bulk of the Farm Bloc, a force which in conjunction with the agrarian South controlled the Senate during several sessions of the Congress. Progressivism, however, was more than agrarianism and it is at this point that Link's article begins to lose its force. He suggests, accurately, that the Progressives won significant victories, in addition to the passage of the McNary-Haugan Farm Bill, in the areas of the public ownership and regulation of electric utilities and the several victories in connection with the preservation of damsites for federal projects. The latter victory being won by the broadening of the struggle from its initial stages as an attempt to guarantee the farmer cheap artificial fertilizer to advocating a comprehensive multi-purpose regional development of the Tennessee Valley and environs. What Link does not do, unfortunately, is to indicate who the principal Progressives were and what else did they stand for and by implication what would they ever do if their entire platform of reform were put into law.

There was little chance during the twenties that they might be in a position to implement their program into law.
They did not control the executive branch of the government nor is there any indication that they could gain this control given anything short of a massive catastrophe. And when such a catastrophe did occur they were robbed of victory because they did not have the political machinery necessary to elect a President. During the late twenties, moreover, the picture Link has given us of Progressives may in fact be more apparent than real. It would appear during the period Cutting was on the national scene that the split in Progressivism described by John Braeman is very much present. Of those individuals that Braeman mentions by name only three were still prominent in politics when Cutting arrived on the national scene. These three, Henry L. Stimson, William E. Borah, and Gifford Pinchot, represent Braeman's major categories admirably. Of the three Cutting would appear to have been the most partial towards Pinchot since he looked on the Pennsylvanian as Presidential material but this relative affinity may have arisen from the fact that Cutting did not have to deal with him in the daily run of political events. On one of the few times that Cutting

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dealt with foreign affairs, the issue of Philippine Independence, he found himself squarely in opposition to Stimson who was then Secretary of State and many times particularly during the New Deal Congress Cutting and Borah voted on opposite sides of the issues. It would appear from this that Cutting should be placed in the same category as Braeman places Pinchot—as one "inspired by the new spirit of the 'moderns' yet drawn by the ideas and values of the 'traditionalists.'" Yet Cutting appears to have been very much a "modern." No better example of this can be used than his ready acceptance of the measures of the New Deal, moreover, when these measures seemed to Cutting not to be working he was willing to go on beyond into new areas and measures. A "traditionalist" such as Borah could be generally sympathetic towards the New Deal but he did not always support it in specific matters and there is considerable doubt if Borah would have gone nearly as far as did Cutting in banking reform.

\[3\] A count of the roll call votes of the 73rd Cong., 1st and 2nd Sessions and the 74th Cong., 1st Sess., shows Cutting voting in opposition to Borah approximately 25% of the time. This opposition was often on votes of some importance and included several important issues regarding veterans' affairs.

\[4\] Braeman, "Seven Progressives," p. 582.
The analyses of Link and Braeman provide a general framework but they do not answer a central question. They do not help in identifying the Progressives of the Twenties. The student of the period can fall back upon the contemporary judgments of newspapermen and other observers and thus identify his cast of characters. In general this is what has happened in the scholarship of the Twenties. There is no systematic study of voting patterns in the Senate to determine if a progressive bloc actually existed. Beyond question there was a group of men in the United States Senate known as Progressives. This group included Borah, Brookhart, Couzens, Frazier, Johnson, the two LaFollettees, Norbeck, Norris, Nye, Shipstead, Wheeler, and Cutting. A glance at the roll call votes of the period indicates they did not consistently vote as a bloc even in support of so-called Progressive measures. They did, however, have several things in common—they all were from the Midwest or the West and all were partially hostile towards a strict concept of party loyalty. They were so outspokenly anti-party that perhaps the term "Insurgents" fits them better than "Progressives." At least with "Insurgents" one does not have to be concerned with ideological differences which arise when the
terms Progressive and its opposite Conservative are used or implied. Moreover after 1924 this group showed no serious inclination to break off from the Republican Party, either to become Democrats, or to form their own party organization. They were quite content to remain within the framework of the Republican Party and continue to file minority reports.

They not only chose to remain within the Republican Party but they reached their highpoint during the Presidency of Herbert Hoover, particularly during the last two years of his term. Yet while their influence was felt, it was in the form of a legislative veto upon the more conservative Hoover. They could prevent him from realizing many of his goals. Yet he held the same power over their programs. The Progressive Bloc functioned without formal leadership, without dependable financial backing other than what the individual

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5Roger T. Johnson in Robert M. LaFollette Jr. and the Decline of the Progressive Party in Wisconsin (Madison: State Historical Society of Wisconsin, 1964), makes it quite clear that only the intransigence of the two major parties kept the Progressive Party alive in Wisconsin. Following the 1931 conference of Progressives in Washington the leading figures in the conference publicly disavowed any desire to form a new party. New York Times, March 7, 1931, p. 20. As indicated in Johnson not everyone accepted this denial at face value.
Progressives brought to the cause, and without regularly scheduled meetings or headquarters. The most prominent Progressive was Senator George Norris of Nebraska yet there is little evidence to indicate that Norris ever gave the bloc any sort of organized leadership and indeed there is much in Norris's political philosophy that would indicate that the Nebraskan was opposed to the sort of leadership that he could lend to the Progressive Bloc.

While it is difficult to define the exact nature of the Progressive Bloc on most of the issues before the Congress there are several issues where the Progressive stand is very closely delineated. These issues are the farm problem, the tariff of 1930, anti-injunction legislation, public power, public participation in the governmental

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6 There is no way to document the role Cutting's personal fortune played in his ready acceptance into the Progressive ranks. It does appear likely that it was of considerable importance. No other member of the bloc had the personal funds to contribute to the campaign chests of his like minded colleagues.

process, prohibition, isolationism, and remedies for the depression.

The Progressive Bloc hit its peak strength during the Presidency of Herbert Hoover although the bulk of the Progressives had supported his candidacy in 1928 while the more conservative Republicans had been none too happy with his candidacy. It was not at all surprising that the members of the Progressive bloc should come primarily from the mid-section of the country. The Midwest had a long tradition of radicalism particularly when farm prices were low. 8 Except for the issues which arose out of the Depression none of the areas of dispute between Hoover and the Progressives were new to the American political scene. Some of them, particularly the farm issue and prohibition were aired at length during the 1928 Presidential campaign. While Hoover may well have been right on prohibition from the Progressives' point of view he most certainly was not right in the


9Cutting was an unabashed and unashamed wet, a position which put him in opposition to most of his Progressive colleagues.
general area of farm policy or most of the other issues that they considered important.

The divergence of opinions between the newly elected Hoover Administration and the left wing of his party over closely related issues of tariff revision and farm relief quickly became obvious during the special session of the Congress called in the spring of 1930. The Progressives had a very clear cut idea of the reforms needed for farm relief. Their concepts, needless to say, were not shared by the President. Hoover won a victory in the House when the Agricultural Marketing Act passed overwhelmingly. The Senate added the export debenture plan to the bill but the House stood firm. The Senate, under administration pressure, finally acceded to the House version. On this issue Cutting voted consistently with the Progressive and Farm Bloc. When the general tariff measure came to the Senate from the House the insurgent-Democratic bloc, with Cutting's support, almost succeeded in passing Senator Borah's resolution

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On the farm issue this cleavage had been foreshadowed by Senator Norris's open support of Al Smith in the 1928 campaign. Norris took this position partially because Smith supported the principles of McNary-Haugenism.
limiting tariff revisions to agricultural products.\(^{11}\) With the failure of this measure the dissidents carried on a type of guerrilla warfare against the administration generally supporting high tariffs for farm produce while holding out for lower rates on manufactured goods. They were none too successful in the latter manuever as tariff rates soared to the highest in the nation's history. Nevertheless the Democrats and the insurgents were able to attach to the bill as amendments the export debenture proposal as well as a change in the method of adjusting tariff rates within the framework of the general measure. This last change, had it remained in the law, would have transferred the authority for the final approval of a change in rates as recommended by the Tariff Commission from the President to the Congress. Both of these provisions were completely unacceptable to the President and he was once again forced to throw the full weight of his office against the Senate Progressives. The bill passed the Senate 44-42 with most of the Progressives including Cutting voting in the minority.\(^{12}\)

\(^{11}\)The vote was 39-38. 71st Cong., 1st Sess., Congressional Record, p. 602.

\(^{12}\)Ibid., 71st Cong., 2nd Sess., Congressional Record, p. 10551.
The fourteen month legislative struggle over the tariff very definitely cast the Insurgent Bloc in an opposition role. And this was not lost on observers of the political scene. In the struggles over the anti-injunction measures and the public power issue so dear to Senator Norris the bloc continued to be in opposition. Like the export debenture plan neither of these two issues were new either to the Progressives or to the Congress. Legislation limiting the indiscriminate use of the injunction in labor disputes had been long desired by organized labor, and Senator Shipstead had several times earlier in the decade introduced measures to control the courts' abuse of the injunction. Leadership of the anti-injunction forces fell to Norris in the Seventy-first Congress when Shipstead became too ill to play a major role in the Senate and the Nebraskan, with the solid support of the Progressive contingent behind him, by the next Congress was able to have the Norris-LaGuardia Bill as the law of the land. In the case


of the controversy involving the leasing of Muscle Shoals Dam Senator Norris was the originator of the proposals and had fought for them tenaciously throughout the decade against the opposition of both the private power interests and the executive branches of the government.\textsuperscript{15} Despite this opposition it passed the Senate on April 4, 1930 by a vote of 44-23—the southern Democrat--Progressive bloc had won another legislative veto with Cutting voting in the majority. Of the twenty-three opposed only one was a Southern Democrat and twenty-two were Republicans.\textsuperscript{16} President Hoover, as had Coolidge, vetoed the measure and the Progressives could not rally the necessary two-thirds majority to override the Chief Executive.

One of the Progressive themes from the first years of the movement had been a fervent belief in the power of democracy to cure the evils of democracies. This feeling was not lost during the twenties. Cutting's first

\textsuperscript{15}One of the financiers of the "Grocer" Norris campaign of 1930 was the President of the Nebraska Power Company. \textit{Ibid.}, p. 290.

legislative act in the Senate was to introduce legislation designed to clean up the electoral process by limiting the amount of money that could be spent on federal elections. Other members of the bloc advocated similar reforms. The most famous of these reforms was Senator Norris's "Lame Duck" Amendment which eventually became law in the 1930's. This amendment was not, however, the only reform of this nature that was supported by the insurgents. They generally opposed the extension of the powers of the executive at the expense of the legislative branch. No better example of this fear of power can be given than that which occurred in March, 1932, when Senator Arthur Vandenberg introduced legislation which gave the President very extensive powers to merge, transfer, or abolish executive departments as an aid in promoting the recovery of the country. Nor was this opposition just to spite or impede President Hoover. Cutting, who voted against the grant of power, was later to oppose one of the measures of the New Deal on the grounds that it gave the President too much authority which rightly belonged to the Congress. The

17 For one newspaper's editorial comment on this issue see the New York Times, March 12, 1932.
insurgents also were in strong opposition to the seating of Senators who won their seats under the taint of corruption and in the principal cases, those of Frank Smith and Vare of Pennsylvania, they opposed successfully their entrance into the United States Senate. The majority of the group including Cutting also voted to forbid John Bankhead of Alabama his seat in the Senate after Senator Thomas Heflin challenged the excessive use of money and the corrupt practices of Bankhead in the Democratic primary of 1930. In addition the bloc also opposed several of the President's nominees on the grounds that they were not qualified, either by training or by belief, for the position they aspired to or simply because their appointment was simply politically motivated. Bronson Cutting, moreover, was a constant and consistent enemy of the method the Senate used to choose members of Conference Committees and several times spoke at length to the Senate about this practice. He was not successful in changing it.

The issues already discussed lend themselves easily to determining the insurgent's political stand, which generally supported the people against the "interests." Prohibition

is a different matter. To many of the Progressives it was one of the most important issues before the body politics. To these individuals this was just another reform which could be effected by law and affirmative government action. In the Senate, however, a large number of the Progressives could not be classified as even "tepid drys." Both Cutting and LaFollette belonged to the repeal group within the insurgent ranks. Within the Progressive ranks there were also stalwarts of the cause like Borah who was unalterably opposed to repeal and quite vocal in his opposition.¹⁹ But even with this dichotomy of opinion over an issue that by the Hoover period was significant mainly for its divisiveness, the Progressives were not split by the issue even though one of their number, Senator John Blaine of Wisconsin, introduced the legislation that led to the Twenty-first Amendment and the end of the controversy. Nor did the even more complex issue of the United States degree of involvement in international affairs lead to a permanent split in Progressive ranks.

¹⁹See the Christian Science Monitor, November 4, 1932, for a clear statement of Borah's position on repeal.
Like prohibition the position of the insurgents on the matter of involvement in foreign affairs was much more apparent than real. A number of the vocal isolationists were certainly Progressives—Borah and Nye to mention but two—but the group was not united behind them. It is very difficult to label them either as isolationists or as internationalists with any degree of cohesion. Perhaps a more accurate term for their position would be to refer to them as "nationalists" but of the pacific rather than the militaristic variety. They did, however, tend to support naval expenditures although they were generally found in opposition to increases in the army's budgets. If they are viewed in this light then their cohesion is fairly apparent in broad terms although they disagreed on specific issues at times. They were in general opposition to joining the World Court but supported international agreements affecting the limitation of armaments. They wanted to outlaw war and they were in favor of diplomatic recognition of the Soviet

\[20\text{For an enlightening discussion of this topic see William A. Williams, "The Legend of Isolationism in the 1920's," Science and Society, v. 18 (1954), pp. 1-20. The present author is using the phrase in its conventional meaning.}\]
Union. On the very complex matter of war debts and reparations the bloc was badly split. Borah was in favor of cancellation. He was joined by LaFollette but such staunch members of the group as Hiram Johnson and Brookhart were adamantly opposed to cancellation. When a resolution supporting the Hoover Moratorium came up for debate and decision on the floor of the Senate, members of the insurgent bloc introduced a total of six resolutions designed to weaken the impact of the action. These amendments called for (1) the cancellation of reparations before debts would be cancelled, (2) the return of all former German colonies to their former owner, (3) the same idea slightly restated, (4) a year moratorium of all farmer repayments to the Federal Land Banks, (5) a proposal to postpone payment of eighty percent of the debt and to use the remainder to aid the poor in this country, and (6) for the United States to renounce the theory of German war guilt. None of these proposals received more than sixteen votes and in every case

21 Senator Borah was especially active in support of these two issues.

their support came from the Progressive forces. Cutting, in general, voted with the rest of the bloc in support of the amendments. On the final vote to back the President seven members of the group were among the twelve who opposed the proposal. On final passage Cutting voted with the administration.

The Great Crash of 1929 found the Progressives no better prepared for the catastrophe in terms of specific plans for relief and/or reform than anyone else in government but they had one immense advantage over the conservative leadership in that they were ideologically prepared to extend the scope of government when no other means could succeed. It is therefore hardly surprising that on the general issue of how to deal most effectively with the Depression they remained a thorn in the side of the President. They did not, however, have a consistent program of either opposition or advocacy but rather choose to deal with the administration's proposals as they were presented and only in the light of the inadequacy of those proposals did they formulate their own programs for improving the situation. Perhaps the most important of the proposals of the Hoover Administration, and in many ways its most ambitious
proposal, was the legislation drawing up the Reconstruction Finance Corporation. This proposal met with a mixed reaction from the insurgents. They spoke against it in the Senate on the grounds that it might lead to a "financial dictatorship" and that "trickling down" took too long, but when the vote was taken, they did not oppose the RFC. They had not been so generous with their support at the previous session of Congress when the administration had proposed a lightening of the tax burden on corporations and the higher income brackets. When this proposal came before the Senate, they were most vocal in their opposition, and when the vote came, Borah, Brookhart, Cutting, Frazier, LaFollette, Norbeck, Norris, Nye, and Wheeler joined with five others to make up the total opposition to an excellent example of "trickle down" economics. The group joined together in support of the various proposals for drought

23 72nd Cong., 1st Sess., Congressional Record, p. 1488.

24 Ibid., p. 1677. Senators Brookhart and Norris opposed the measure. Couzens, Cutting and Costigan supported it while Borah, Johnson, LaFollette, Norbeck, Nye, Shipstead, and Wheeler were absent on "official business" when the vote was taken.

25 71st Cong., 2nd Sess., Congressional Record, p. 652.
relief that were introduced into the Senate and in combination with the Democrats succeeded in getting one such measure passed and eventually signed into law.\textsuperscript{26} They were not so successful with their amendments to increase the administration's public construction measure. Although they generally supported the smaller amount, they did so with extreme public misgivings.

As the Hoover Administration reached its halfway point in the downswing of a disastrous depression, the insurgents did not have the power even in combination with the Democrats to win but a small fraction of their battles and on the various schemes to alleviate the rigors of economic hardship the Democrats were none too advanced in their financial thinking. They would from time to time join with the Progressives in an effort to embarrass the President, but they were hardly committed to giving the federal government an active role in the financial affairs of the nation no matter how serious the provocation. Yet despite their relatively small numbers the group came in for some searching scrutiny at the hands of the nation's press and much of the criticism in retrospect seems to be deserved.

\textsuperscript{26} 71st Cong., 3rd Sess., \textit{Congressional Record}, p. 2563.
To Collier's they conferred but they could not come up with any comprehensive plans for solving the problem; the New York Times thought they were a group of leaders and badly needed some less independently minded followers; the World Tomorrow contended that Norris and his compatriots were not well enough grounded in the economic basis of political action and put too much reliance simply upon electing up-right men; while Outlook said with the exceptions of Wheeler, Norris, Borah, Cutting, and LaFollette, they were lacking in a sufficiently national outlook to furnish the sort of leadership that the times demanded.

At the next session of Congress the insurgent group, led by LaFollette and the Democrat's Costigan and Wagner, attempted to provide the country with a new type of relief legislation. The LaFollette-Costigan Bill to provide direct federal aid to individuals in distress and the concept of direct aid set off legislative fireworks in the Senate. Conservatives from both parties denounced the measure. Progressive elements on both sides of the aisle rose to its

defense. When the final vote was taken on the measure, the leadership of both parties was allied in opposition, as was the east and south. Most of the Progressives voted for the measure but it was defeated 48-35. With its defeat the insurgents and their Democratic allies attempted to secure the Wagner-Costigan Bill, which would provide the R.F.C. with three hundred million dollars to loan to the states for relief purposes. This measure, with unanimous Progressive support, passed the Senate by a wide margin. The bill, amended somewhat by the conference committee, passed the Senate and the House whereupon Hoover vetoed it. It was then modified slightly and eventually became law. As might be expected the insurgents were outspoken in their denunciations of the veto.

By the summer of 1932 the Progressives were confronted with a very acute dilemma. They had to choose between the nominee of their party, Herbert Hoover, who had opposed them almost continually for four years or support the nominee of the Democrats, Franklin Delano Roosevelt.

28 72nd Cong., 1st Sess., Congressional Record, p. 4052.

29 Ibid., p. 12529.
Ideologically the choice was obvious—Roosevelt stood much closer to their aims than did Hoover. Yet the choice was not simple since they were at least nominal Republicans. Hoover did not make things any easier on himself by maintaining an attitude of indifference, if not complete opposition, to the insurgent group. In fairness to Hoover it should be mentioned there was some activity on the part of the bloc to deny him renomination in favor of Hiram Johnson, but this dream had little or no chance of success. By Election Day none of the central figures of the insurgent bloc openly endorsed the candidacy of Hoover: Norbeck, Nye, and Borah repeatedly refused to endorse his campaign and Norris, LaFollette, Cutting, Blaine, Brookhart, and Hiram Johnson were openly campaigning for the Democrat against President Hoover.

With the election of Roosevelt the insurgent group was confronted with a completely new situation and one which was, to their continued existence, more precarious than the Hoover years. During the Hoover period they had stood in opposition and generally alone and this singularity gave them an identity which they did not in fact possess. As was mentioned earlier, they had no organization nor did they
have active leadership. All they had were their principles and these were enough to keep them together. With the coming of the New Deal they were quickly placed in the position of being a not always vital segment of a concurrent majority. In their victory they lost their identity. They could not stand political prosperity. Towards the end of the Hundred Days under the leadership of LaFollette and Cutting they attempted to reestablish themselves as the voice of reform and in Cutting's case, to protest the injustices being done to the veterans, but this role was much more difficult than any they had to master with Hoover. During the New Deal in its initial period they had very little choice but to follow the role of the President who, to a degree, was putting much of their program into effect. To resurrect an old saying in American politics: Roosevelt found them swimming and stole their clothes. With few exceptions, Cutting being the most obvious, the insurgents were on very good terms with the occupant of the White House. The election of 1932 was in many ways both a victory for and a vindication of Progressivism as it existed in the late 1920's. Unfortunately they were never to really share in the fruits of the victory.
The question is how does one summarize and put in perspective the life of a political figure who died young and just as his star was rising? On the national scene his name is attached to only one important piece of legislation and it was rejected by the very people it was designed to aid. In New Mexico he is remembered only by the politicians, his supporters and enemies, and those few scholars who are interested in the history of the state. His political career as a state figure certainly did not have the consequences of a Hiram Johnson, a Robert LaFollette, or a George Norris. He just wasn't around as long as they were. Had he been, he might well have gained the sort of political control over New Mexico that they had in their states. On the national scene it is difficult to argue that the most dynamic period of his political career, the Hundred Days, would have been noticeably different had he not been in the Senate. If one looks into the might have been it is very easy to see him as a major figure in what historians have referred to as the Second New Deal. This postulating, unfortunately, does not change the fact that he died in 1935 at the age of forty-six. It would therefore appear that the only honest answer to the question posed above is
that Cutting's importance was potential not kinetic. Had he not died in 1935 the author is convinced that he would have become a major force for Roosevelt to have to deal with for the remainder of the decade.
CHAPTER X

CUTTING ON THE STATE SCENE: AN APPRAISAL

He knew our people through the heart. He helped and knew the little people.¹

New Mexico Politician

Cutting bribed every one of his supporters. He was a gold mine. Cutting was the man who corrupted my people.²

New Mexico Politician

Cutting was a first-class bastard.³

New Mexico Politician

Cutting rowed with everyone he affiliated with in politics.⁴

New Mexico Politician

While the importance of Cutting is somewhat nebulous on the national scene, due in a large measure to the fact

¹Interview cited in Jack E. Holmes, "Party, Legislature, and Governor in the Politics of New Mexico, 1911-1960," unpublished manuscript, 1965. This manuscript is an early draft of his unpublished doctoral dissertation cited earlier and contains more detailed information about more practical aspects of New Mexico politics then does the other work.

²Ibid.

³Ibid.

⁴Ibid., p. 61.
that he did not trod the national scene long, his role at
the state level can best be described as elusive. There
are no great legislative programs such as the Wisconsin
Idea of the LaFollettes to praise; there are no political
monuments to a creative and experimental spirit such as
George Norris's unicameral legislature; nor is there an
idea gone wrong such as Hiram Johnson's plan of cross-filing
in the primaries, to honor him in New Mexico. New Mexico
has hardly won for itself a reputation for political inno-
vation, with the possible exception of the measures relat-
ing to the bi-lingual nature of the state. These, moreover,
preceded Cutting's rise to influence in the area, and the
state could hardly be said to be free of the tight grip of
political jefes in the years following Cutting's death. Here
the excuse that he wasn't around long is none too valid.
From his purchase of the New Mexican in 1912 until his death
twenty-three years later, he was a figure to be reckoned
with in the state and at times must be considered a political
power of the highest order. And yet he left behind no
political monuments nor did he leave future generations of
New Mexicans with any great intellectual heritage of reform
that they could repair to for inspiration. In short, he
left the state not much different than he found it. The reasons for this disappointing record are complex and diverse in nature and can only be regarded as tentative given the state of material available for this sort of analysis, but there is some degree of validity to even the most tentative of conclusions.

The most likely reason for the failure of Cutting and his followers to carve out for themselves a legislative record at the state level was their failure to remain attached to any one of the major political parties for any length of time. They started out as reform Republicans, shifted to independent status as the Progressive Party, and from there were at one time or another attached to both parties. "Whereas in 1911 Cutting was interested in the idea of a reforming wing within the Republican Party, by 1912 he was anxious to accept a third party—an idea which he never completely relinquished." He was not, however, to see this desire gratified and instead settled for the creation of a personally financed and led third faction or force in state politics which aligned itself with one or the other of the

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5 Patricia Armstrong, A Portrait of Bronson M. Cutting Through His Papers, 1910-1927, p. 11.
principal parties. In taking this course of action Cutting was following the advice written him by his father shortly before his death.

It may be, of course, that your little band of so-called 'Progressives' may be able to keep up an organization that will hold the balance of power, and be able to compel the nomination of the best men of either party to buy your support. . . .

It may also be that you, personally, may prefer to play with the Democrats for a while, or permanently.  

Exactly what the interests of the Cutting faction were is not at all easy to determine. Generally they stood for the implementation of the general goals of Progressivism but they seldom pushed for these reforms in the legislature. Cutting, himself, made the preservation of political power by the Hispanic elements in the state an issue but there is very little evidence of a plan to strip this group of their political power. He did, beyond any doubt, understand and like the older, native culture but he was hardly unique in this understanding and admiration, even among professional politicians. The Cutting forces do, however, have one consistent theme running throughout their activities--they opposed the Old Guard faction in the Republican Party.

6William Bayard Cutting-BMC, December 15, 1911, BMC Papers.
Beyond this strong strain of opposition it is impossible to ascertain any concrete and consistent program towards which the Cutting faction moved. Moreover, within the faction leadership was apparently not shared. Cutting had agents, never associates. Consequently his faction splintered quickly following his death in 1935.

Cutting's hold on the emotions and the affections of the Mexican population of New Mexico was legendary in his time and the affection with which this segment of the population still holds him is perhaps his chief monument in the state to this day. That he genuinely enjoyed the Mexican society is fairly obvious; that he understood it as well is also obvious. Equally important he supported the demands of their leaders, who were often patrons on a larger scale than the village, for a greater role in the governance of the state. In 1916 Cutting supported the Democratic candidate Ezequiel Cabeza de Baca and the Progressive Republican Washington E. Lindsay for Lieutenant Governor. De Baca, the first Spanish-American elected Governor, died soon after his inauguration and was succeeded by Lindsay who pushed, unsuccessfully, for a series of Progressive reforms including the direct primary, initiative, referendum, recall, and
women's suffrage. The direct primary and women's suffrage were opposed by Cutting as well as the bulk of the Mexican voters. The direct primary was opposed by the Hispanic leaders ostensibly because their constituents did not understand the workings and advantages of such a system. As one legislator phrased their fear following the defeat of such a measure in 1937:

Most of the counties where the population is predominantly Anglo are for the direct primary, as most of these people have come from states where they have seen the primary system in operation. All of the counties which are predominantly Spanish-American are against the primary system and I believe that it is because they are not familiar with it and are slow to give up what they have used for many years.  

It is possible, however, that the Hispanic leaders did understand the procedure and realized that as long as they controlled the convention delegations of several counties they could make their voices heard at the state conventions, thus guaranteeing a bi-racial ticket at the state level. If the primary was instituted they had no such guarantee. The racial opposition to women's suffrage was based completely on their view that politics was a man's business and religion

was the woman's province. When the Progressive Lindsay was
denied renomination in 1918 Cutting was in the service in
England, but his paper supported the successful candidacy
of Octaviano Larrazola and stood by him when he was denied
renomination in 1920. Thus, by supporting two successive
members of their ethnic group and by opposing legislation
they feared Cutting, upon his return from World War I, had
already shown himself as worthy of very serious considera-
tion by the state's patrons.

Upon his return from the service Cutting immediately
threw himself into the effort to organize the state's vet-
erans into the American Legion—a decision of prime
importance in Cutting's political career. He soon became
identified as the natural, if not the actual, head of the
Legion in the state and, in time, he came to be regarded as
the leader in the fight for veterans' privileges. As chief
defender and spokesman for the veterans he also became the
recipient of their political loyalty. And to make this
loyalty even stronger most of the Legion's membership were

8See Alfred C. Cordova and Charles B. Judah, 
Octaviano Larrazola: A Political Portrait, pp. 16–21. Cut-
tting reluctantly and with less than his usual vigor supported
women's suffrage under Larrazola's administration.
By gaining the support of the Spanish-American veterans Cutting had strengthened his hold on the Mexican vote throughout the state. Quite often the veterans would be among the very few in the village who had ever ventured far from the ancestral home and who had been exposed to different patterns of society and ways of life. Consequently if the Hispanic society described earlier was to ever be changed from internal pressure, the veterans were the most likely to assume the leadership of such a movement. By gaining their loyalty through his support of veterans' legislation and the like, Cutting guaranteed that they would not oppose him politically. He could then deal with the more traditionally oriented members of the society in the traditional ways using the traditional methods of political control.

The most obvious of the traditional methods of gaining the Hispanic vote in New Mexico was very obvious and came very easily to Cutting—he genuinely liked the people and he liked and understood their culture. He was genuinely friendly and solicitous towards them and their needs both

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private and public. In the words of Eugene Rhodes,

Most of all—he has never high-hatted anybody—and that includes any Mexican. This is a conquered race—and a proud and sensitive race—when you take 'em where they were born and raised. They may forgive you for taking a shot or two at them—but never for high-hatting.10

Cutting took them where they were born and raised, and he took them for what they were. He did not criticize them because they were not Anglo-Saxon Protestants. And equally important he took them on their terms all the time and not just before elections. He attended their social affairs and their wakes with all the obvious gusto and enjoyment of a Mayor Curley or La Guardia. When they needed help he was always available to assist them in finding a job, obtaining a loan, helping out with the law, and the like. There is no evidence in his papers that he ever had to ask any one that he had helped to support him or his choice in a political campaign. The only problem Cutting faced of this nature was seeing that all of his friends and their relatives were notified of Cutting's choice. They respected Cutting and this respect stands out vividly in the two terms they called him

10 Quoted in Hutchinson, A Bar Cross Man, p. 326.
by, "El Veijo" and "El Don"—both being high praise indeed within the context of the Mexican-American society.  

In building his political control Cutting did not rely on friendship and respect alone. He used his great wealth to advantage and perhaps at times in ways that may not be completely reputable. Had he not been a very wealthy man he could never have purchased the Santa Fe New Mexican nor could he have run it as he did. Under his ownership the paper broke even for only two years. At the time of his death there were included among his assets notes totaling $265,622 from the publishing corporation. Averaged over twenty-two years this means that the paper averaged a loss annually of at least $12,000. In addition to this rather considerable expense Cutting loaned various amounts of money to at least eleven newspaper men in the state and none of these notes were ever legally recorded or filed. The charges that Cutting bought or controlled more of the New Mexico press than the New Mexican and its Spanish-language

11Warren Beck, New Mexico, p. 308, indicates that Cutting was also known as "El Don" to the native population.

12Transcript of probate filings prepared by Hugh Woodward included in BMC Papers.

13Ibid.
affiliate were so prevalent, both during Cutting's lifetime and after, that the charge is not easily ignored. Nor was this merely a well organized rumor campaign. The charges were made openly, often on the floor of the legislature, and reported without comment by the *New Mexican*: "Are we a group of free men or a group of legislative vassals who are permitting a man that speaks through the press in this state that is owned and controlled by one distinguished private citizen. . . ." Cutting, himself, referred to the possibility of purchasing one of the state's newspapers although it is difficult to determine from the context whether or not he was joking, "If, through any calamity, it should come out for me, I should feel that self-interest would prompt its suppression or purchase." There is no direct evidence that Cutting ever brought pressure to bear on these individuals in the newspaper business to force them to follow his leadership but that does not preclude the fact that he might have had long-term objectives in mind when he loaned them the money. On the other hand, the individuals involved might well have sold themselves to

14Santa Fe *New Mexican*, February 27, 1929.

him consciously and deliberately. Nor is there any direct evidence that Cutting ever held financial control of any newspaper other than the *New Mexican* although he was approached by the owners to buy several small papers in the state. His correspondence with these individuals was always to discourage them and there is no mention of other newspaper holdings in his will.

In addition to the newspaper buying charge Cutting was consistently accused by his opponents of buying votes.\(^\text{16}\) Like the other charge, this one cannot be documented but an analysis of the probate proceedings of Cutting's will does prove that he "loaned" large sums to politically active individuals in the state. These proceedings indicate that Cutting made at least 483 loans over a twenty-year period to individuals with no apparent effort to collect. Of these loans 394 ($295,287) were unsecured and the remaining 89 ($190,726) were secured mostly by second mortgages. Of the 89 loans secured, 55 were not officially recorded and

\(^{16}\)In December, 1951 the charge was made in the pages of his former newspaper, the *New Mexican*, that vote buying was insignificant until Cutting "imported it from the East." Holmes, *Party, Legislators, and Governors*, p. 72.
apparently none of the unsecured notes were ever officially filed. The largest of these notes was for $36,500 with the average note running around $350 to $500. The almost twenty pages of listings represent a who's who of New Mexico politics and include many of Cutting's most fervent supporters. It should also be noted that the number of unsecured notes increased rapidly during the last half decade of his life, the period during which he noticeably strengthened his organization. At his mother's request no attempt was made to recover these loans for the Cutting estate. Not only did Cutting loan money on a rather lavish scale but he made some 175 residents of New Mexico his heirs with sums ranging from $150,000 down to $250. In addition to these funds Cutting kept, at his own expense, political agents in several of the northern counties to attend to his political affairs. Whenever possible, Cutting would arrange to secure public employment for his agents but since he was so often at odds with the patronage disbursing office holders, he generally was forced to dip into his own funds to keep

17 Transcript of probate proceedings in BMC Papers.

18 Interview cited in Holmes, Party, Legislators, and Governor, p. 74.
these individuals in the field. None of this is illegal nor is it unknown to those politicians who can afford the practice, but by its very nature it lends itself to misinterpretation rather easily. It is also not a tactic designed to placate less financially fortunate opponents. Coupled with his strength among many of the local patrons Cutting or his agent could oftentimes through a well-placed loan help to set up a rival economic leader in a village in the hope that the person receiving the loan might in time supplant or at least cut into the influence of an anti-Cutting local leader.\textsuperscript{19}

Once Cutting had lined up the bulk of the Hispanic vote, either through the liberal use of money as his enemies charged, or through a genuine empathy and understanding as his supporters contended, he was in an excellent position to bargain within the framework of the New Mexico electoral system. He could not control a large enough vote to elect a candidate by himself but he had enough to be a powerful

\textsuperscript{19}Apparently this tactic was followed in Mesilla, New Mexico. There a young, returning veteran received help from Cutting in the form of a loan to get established as a school teacher. Over the years, he has become the village's unofficial "mayor." He still aids the villagers in preparing tax returns, recommends lawyers to them if necessary, and in general helps them cope with the problems of modern society. Needless to say they follow his lead politically. This individual received a bequest of $500 in the Cutting will.
friend or a formidable foe. When, following the war, he consolidated this support firmly and also became the spokesman for the veterans, this both increased his power in absolute terms by gaining for him the friendship of the Anglo veteran and also strengthened his grip on the Spanish-American voters. Yet even this was not quite enough to elect him to a statewide office against strong opposition—something had to be done to neutralize the large and consistently growing Eastside Democratic vote. In both of Cutting's campaigns for elective office his opponents provided the necessary issues to aid Cutting. In 1928 the Republicans nominated Cutting and Larrazola for the United States Senate and thereby placed on the same ticket the two most attractive candidates in the state to the Hispanic voters. The Democrats nominated the Catholic Al Smith for President, thus driving many of the fundamentalist Eastside Democrats to the Republican ticket while Cutting and Larrazola, by their immediate attraction to the Spanish-American Catholic voters, were able to hold them to their traditional Republican allegiance. In 1934 the Democrats nominated the Mexican Catholic Dennis Chavez to run against Cutting and again alienated the Eastside Democrats who found Cutting
ideologically attractive. Under these conditions the Eastside again broke party ranks to vote for the New Deal, Anglo, Protestant, Cutting while Cutting's charisma, insofar as the Hispanic voter was concerned, held in the other sections of the state. That Cutting won at all in 1934 is unusual. Had it not been for his fairly high, albeit losing, vote on the Eastside his vote in the other part of the state could not have withstood the first manifestations of the shift in voting patterns which were to leave the Democrats all powerful in the state until the 1950's.

To attempt an appraisal of Cutting's achievements in state politics is in many ways an exercise in futility. He and his followers pre-empted most of the most attractive policies and reforms but they lacked the power to write them into law. Despite these programs they were apparently unable to develop a policy which could be carried over from one legislative session to another in the period 1923-1933 when they were the most powerful. They only once placed their full weight behind a policy in the state legislature when they came out in full strength for the Labor Commission Bill in 1929. Even then it is problematical whether they backed the bill on its merits or for the voter support they
stood to gain. Had Cutting been politically or psychologically able to remain tied to one political wagon for any length of time and to use his talents and resources to support that organization, he might well have gained all or most of his legislative goals.

To a very large degree the "Cutting machine" was a monolithic operation. Bronson Cutting called the tunes and his followers followed. It is difficult to ascertain exactly how he was able to gain this sort of political power but the best-probable reason lies in the nature of his control over the affections of the Hispanic voters of the state. When he shifted allegiances, they shifted their support to follow him. For the Cutting leaders at the local level to continue to lead they had to go along. This analysis, of course, does not apply to those leaders who were bound by financial ties to Cutting--their reason for following is very obvious. Why Cutting was unable to continue to support any single party or faction is quite impossible to determine. He always contended that he deserted an ally for the noblest of reasons and indeed it often appeared that way, "Cutting
always managed to be on the side of God, even when he arrived there by purely Machiavellian means."

To anyone familiar with Cutting's career the break with the President in 1934 could hardly have come as a surprise. The making of alliances and the breaking of them was Cutting's trademark. And yet the idea of a successful politician splitting, of his own volition, with the President in 1934 is very difficult to understand. It would not be a reasonable thing to do, but then it must be understood that Cutting's career and most particularly his support cannot easily be explained in terms of reason. That he had the support of the reform element in New Mexico is easy to understand, that he was the chosen one of the veterans is also simply comprehended. What cannot be explained in the traditional terms of political analysis is his charisma among the Hispanic elements. Here his support seems to have been almost completely non-programmatic and almost completely personal in nature. It can and has been explained in terms of a patron-follower relationship, but to a large degree this merely gives the phenomenon a name, it does not explain

it. This author is convinced that the very nature of the problem dictates that it be answered in terms of the social psychology of the Mexican-American in New Mexico in the 1920 and 1930's. This study is not such an attempt nor is this author competent to perform such a study. Perhaps it will be forthcoming. If such a study is performed, much of the mystery that surrounds a scholarly understanding of New Mexico politics will be removed.
SELECTED REFERENCES

A. Manuscript Collections

Holm O. Bursum Papers. University of New Mexico Library, Albuquerque, New Mexico.

Bronson M. Cutting Papers. Manuscripts Division, Library of Congress.


B. Public Documents


New Mexico Secretary of State. New Mexico Blue Book, 1911-1934. Santa Fe.

U.S. Congressional Record. Vols. LXIX-LXXIX.


U.S. Senate. Hearings Before the Senate Committee on Territorial and Insular Affairs. 72nd Cong., 1st Sess., 1932.

U.S. Senate, Committee on Public Lands and Surveys. Leases Upon Naval Oil Reserves. 70th Cong., 1st Sess., 1928.


C. Primary Sources


D. Unpublished Sources


E. Secondary Sources


Otero, M. A., Jr. *Report of the Department Historian, Department of New Mexico, The American Legion, April 1919, to August 1920.*


F. Articles


Cutting, Bronson M. "Is Private Banking Doomed?" *Liberty Magazine*, March 31, 1934.


"Paralyzed Progressives," Colliers, v. 87 (March 14, 1931).


G. Newspapers


Albuquerque Tribune, 1912-1935.
Christian Science Monitor, November 4, 1932.

El Paso Times, May 6, 1939.


Santa Fe New Mexican, 1912-1935.

H. Interviews

Cruz Alvarez, Cutting supporter and local leader, December 26, 1963.
