

7-15-1975

Interview no. 185

Ray Daguerre

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Interview with Ray Daguerre by Oscar J. Martinez, 1975, "Interview no. 185," Institute of Oral History, University of Texas at El Paso.

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UNIVERSITY OF TEXAS AT EL PASO
INSTITUTE OF ORAL HISTORY

INTERVIEWEE: Ray Daguerre (1912-)
INTERVIEWER: Oscar J. Martínez
PROJECT: Bicentennial
DATE OF INTERVIEW: July 15, 1975
TERMS OF USE: Unrestricted

TAPE NO.: 185
TRANSCRIPT NO.: 185
TRANSCRIBER: Rhonda Hartman
DATE TRANSCRIBED: November 11, 1975

BIOGRAPHICAL SYNOPSIS OF INTERVIEWEE:

Former Administrative Assistant to the United States Commissioner,
International Boundary and Water Commission.

SUMMARY OF INTERVIEW:

Biography; differences between Sunset Heights, South El Paso, and Ciudad Juárez; Commissioner Lawson; Boundary Commission and Agrarian Claims Commission; Border monumentation; Chamizal dispute; irrigation network system.

1 1/2 hours.
40 pages.

BICENTENNIAL

M: This is an Oral History interview with Mr. Ray Daguerre of the archives section of the Library at the University of Texas at El Paso. Interviewing is Oscar Martínez. July 15, 1975.

Ray, would you tell me where you were born and when?

D: I was born in El Paso, September 9th, 1912.

M: Did you grow up in El Paso?

D: I grew up in El Paso till the age of nine when I went to Santa Fe to a boarding school called St. Michaels. I was there till 1926 or '27. Then I completed high school in Lafayette, Louisiana, and from there I went to Manhattan College. I completed my college studies in 1936 and returned to El Paso.

M: Why didn't you stay in El Paso to go to school?

D: Well, oddly enough it was a thing involving events in the family such as the death of my parents. A maiden aunt by the name of Lupe Daguerre took both me and my sister; and she was a maiden aunt and not too used to having two noisy kids in the house. She had to work at the Popular. We were living with our aunts, the J.O. Nájera family, that is 711 Upson Ave. So through their intervention I obtained a half scholarship, you might call it, at St. Michaels College. And I went as a boarder at the age of nine, beginning in the third grade. My sister went to Loretto Academy at Las Cruces initially, and I think later on to the Sacred Heart School that the Sisters of Charity, I think it was, had near Washington Park.

So to a great extent this explains my absence from El Paso. Once I got into the educational system up there, I just went through-- stayed with it until I graduated and came back.

M: Now, from reading the book that you've put together on your family, I'm familiar with your family background in general; but for the benefit of putting it on the tape, could you tell me a little bit about your family background?

D: We're descended from a French forebear who came to the El Paso del Norte area when he was about nineteen years old; and this puts it around 1831, which is much earlier than the 1848 War. He probably began, from what I've been able to learn, in Chihuahua which is where he married the first time in 1848; he married Carmen Guerra. From this marriage was born my grandfather, Alejandro Librado Daguerre. His mother died that year, possibly at birth--we're not sure. The Frenchman came to El Paso del Norte where in 1849 he married Refugio Samaniego, the sister of Dr. Mariano Samaniego. It's not clear how or when he began his work as a trader and began to run covered wagons and mostly freight between Chihuahua and El Paso del Norte. But this is what he got into, and before long he owned wagon trains that covered most of the Southwest, using the Santa Fe Trail. Prescott, Arizona, San Antonio, all these points were covered. These things I know from hearsay within the family, in other words, relation of incidents. He did this until after the Civil War, really. The Civil War was what brought his operations to a low ebb, mostly because he seems to have sided with the Confederates and hauled freight against Confederate money which after the War proved worthless. He was said to have ended up with about \$90,000 worth of

Confederate money. While this sounds like a great amount, it's well to bear in mind that any covered wagon train involved an enormous expense just in mules and equipment, let alone the risk from losses. I understand that he had also suffered some misfortunes shortly after the Civil War from Indian raids; this was before the end of the Indian problem came about with the defeat of Geronimo and the other Apache depredators. But that caused some of his problems, and I understand, also, that some banks in the United States where he had what money he had, failed. While he had made himself quite a position, towards the end he died practically with very little. From this second marriage he had seven children of which only one was a boy, Alejandro Nicolás. Each of the children married rather well. The more famous of them--it's hard to estimate fame; you might look at it in terms of wealth or in terms of being well known--was one of the daughters, Hortensia, [who] married a Mr. Barrios who was a customs collector in Juárez. From that marriage there was born a daughter who married a Licenciado Muñoz who became head of the Tribunal in México. One of their sons was Rafael Felipe Muñoz of revolutionary fame as a novelist. He wrote several books that are easily available even today. Another of the daughters, the youngest one--Ana Daguerre--married another customs collector [by the] name of Ogarrio, a Basque descendent. He was customs collector in Juárez first and then at Piedras Negras. Of those children, three of them became rather prosperous. One of them was Rodolfo Ogarrio Daguerre, who became First Vice-President and then Director of the Texas Company, and was responsible for developing the Tampico oil fields for Texaco, and also their holdings in Venezuela and Colombia, I

believe. He died in 1950 in México City after retiring from the Texas Company. I think he died of lung cancer. But before he died he had several years of retirement and one of the things he did [was to] marry the daughter of ex-President Calles at México City. His family was well off. One of his brothers, Manuel Ogarrio, received some incidental notoriety in connection with the Watergate thing. He doesn't figure as directly culpable of anything except that he seems to have done a favor for a friend. This friend happened to be one of the principals in the money transfer business. He was with Gulf Research & Chemical Corporation, out of Houston, one of the clients of Manuel Ogarrio. Manuel Ogarrio was a lawyer specializing in labor law. Gulf Research & Chemical Corporation had some sort of labor activities in México, and he represented them; so it seems that on one of these occasions he was asked to obtain bank drafts in exchange for cash which the man thought would be easier to carry. He did [it] as a favor--signed his name to them. Then they figured later on in the investigation of what was called the laundering of political contributions in México; they called it the Mexican Laundry. Another brother of this Manuel Ogarrio was Julio Ogarrio who was an important member--a Vice-President I believe--of a chain of banks in México, mostly mortgage banks you might call them. The title of the banks is Cédulas Hipotecarias. They had a branch in Juárez and they still have. There were other members of the family. Alejandro, the son, did not have any children so that actually today the descendents of the original Frenchman are represented by the first marriage, of which we are direct descendents. The second family left nobody with the name.

M: You certainly have an interesting family background.

D: I was able to pick this up from one of the grandchildren of the original Frenchman who was a reporter and who had quite a sharp mind and had a mind for detail. When I came back from the War in 1949 I had a little time on my hands. I was not resting on my laurels, but trying to get the war out of my system, as it were. So, I spent quite a bit of time at our home at 711 Upson. It was his home really; we were living with them. We had been living with the family all our life really. We used to have get togethers and he would recount. I was taking down notes because it had occurred to me, "Well, here's something I ought to know about and my children ought to know about." I had no ulterior purpose at all other than to put down on paper all these little stories I'd been hearing at the table all my life; stories about the grandfather, about all these people. So finally I had put them in a series of little entries, numbered entries, and this is what this compilation is based on--selected entries from my compilation.

M: This is your family genealogy book.

D: Yes. This is a family genealogy book. Now, many of the entries in my book related to the other side of the family, hence the gaps of enumeration. Frankly, not all of them are interesting, but my sister would like to see...everybody has a few little "pecadillos" here and there and I wasn't about to go into them.

M: It certainly is a good piece of work. When you were growing up, did you grow up identifying with both the Mexican and the American cultures?

D: Well, that's a hard question. Let me give you my experience.

First of all, I grew up in Sunset Heights as a kid. We were the children of refugiados--all 1911 escapees from México. Somehow they all gathered together there, and I recall many of the names: the Navarros, the Zozayas, the Argüelles, the Velardes, the Canales-- Judge Canales, Judge Cuen; there were Samaniegos there, too. This was the bunch of people that used to meet together, and the kids used to play together. Mostly [they were] members of Holy Family Church. I went to Holy Family School for Kindergarten. I don't know why I didn't last there. There must have been some reason; maybe I was not studious enough. But I don't remember that we made any distinction. There were a few "gringo" boys in the Holy Family Church and we used to play with some. One of my best friends was Ralph Goodman who lived on the corner of 700 Upson. But we were just kids. I mean, there was no line making at the time. Of course, on occasion, there was the guy that didn't understand us if he was coming from, shall we say, Austin High School or El Paso High School. Then we'd realize that there was a difference. What I'm trying to say is we were a bit homogenous there. There was no distinction. We were not exposed because of that. Frankly, we were a bit shielded, I guess, by the fact that the whole barrio was refugiados, as it were.

M: Did you notice an difference between the type of life in Sunset Heights and the type of life down in South El Paso?

D: Yes, we did. We noticed the difference. As a matter of fact, I recall distinctly I used to go with our criada. We still had criadas in those days, good faithful people who had been with the family for

two or three generations. She had grown up as a little Indian girl that had been picked up by our family, taken in. She was Tarahumara, I think. She was twelve years old, stayed with the family and raised the children of my aunt Eugenia Nájera, and who was with us still. As a matter of fact, she died in the late '60s. To show the affection that we had for these criadas, these Ogarrios came from México City to pick her up and take her to México City and put her with some sisters in an old-age home and give her the best possible care and treatment in her old age. She was blind, and they came and accompanied her on train all the way to México City because Chito wasn't able to. But as a child she used to take me down to South El Paso. Of course, I used to see the difference. There was a difference. They were not living well; the streets were not paved. We used to go down there to buy Mexican chocolate and things like that--products that you didn't find in a grocery store and that was part of our culture; that was all there was to it. You had this beautiful "Chocolate de la Abuela" and this kind of stuff that we didn't find. Piloncillos had to figure into Mexican food, so we couldn't find those in a store. There was no use looking, so we had to go down to South El Paso. This is when I noticed that there was a difference. But, here again, it was a difference that was similar to what we noticed when we used to go on the streets of Juárez. I used to get taken down to the bullfights, and sometimes afterwards we'd go and visit some friends in the Partida Mejía over here by the river. We'd go through all these charcos in this street and so forth; and the homes were humble but clean, and it wasn't hard to identify [with that culture and standard of life]. There was no shock. There was more cultural shock or economic shock between

South El Paso and Sunset Heights than between Sunset Heights and the old parts of Juárez. I don't know how I can explain it. It seemed to be something that was part of us in Juárez, whereas in South El Paso it seemed to be that they had failed to integrate with another economy.

M: Did you ever hear any references on the part of the people who lived in that neighborhood, or Anglo Americans from other parts of town, to distinguish the refugiado community--the Mexicans who lived in Sunset Heights--from the Mexicans who lived in South El Paso, as though they were different?

D: No. They didn't make much distinction. We were Mexicans and at worst they were to call us the usual epithets--not the word "Chicano"; that didn't exist. If they'd get real mad they'd call you "greaser" or something like that. But they didn't make a distinction between us and those down below. In other words, to my recollection, the South El Paso Mexicans had not yet brought attention onto themselves. They later did, when they began getting in the newspapers on a lot of incidents and stuff like that. It seems to me that later on they began to have these fellows with the long hair and strange ways of clothing, but that's much later.

M: When you were growing up, do you remember being proud of being a Mexican, a part of México?

D: I always identified with my immediate family, and I had a feeling that they had been people of some respect; because my uncle, in whose home I lived, was an international lawyer and I understood that he had been a jefe. Well, it turned out that he had been the jefe político to whom the Chamizal complaint of García was made. He was the one that signed it and forwarded it to the Commission for its 1896 hearings.

Then he knew all these judges that were jefes políticos that had come along and been chased out; so it was a rather select group of people. So I had no reason to feel ashamed; I'd say [I was] comfortable, that I was in a very respectable milieu as it were. We were not politically active--no reason to think along national lines at all. When you're growing as a kid you don't much worry about politics.

M: In your school experience in general, do you remember any occasion when you were made to feel differently because of your background?

D: No, none at all.

M: Let's get back to the time when you came back to El Paso. Was that around 1930?

D: About 1936.

M: What did you do then?

D: Well, it was a time of recession. There wasn't much to do, really, so I laid around a little bit. Then I decided to go to visit an aunt--the remaining sister of my mother--who lived in Douglas, Arizona. She had a small business there, a small grocery store. I went there and spent some time; and then my uncle got me a job at Phelps Dodge. I thought I was doing real good. I was making \$60 a month; whereas in El Paso, if you made \$40 working at the Popular you were doing pretty good. As a matter of fact, I remember working on Special Sales on Saturdays or something like that--you'd work from 7:00 in the morning to 10:00 at night, and your paycheck was \$40 a month. I worked there for a little while in Douglas, and the idea of "making it on your own" came to my head. Then reality caught up with me and I said, "My goodness. I'm not going to get very far just on my college training here. I have to get down to the business world." So I

came back to El Paso and went to Commercial School--learned typing and I took Stenotype. I got pretty good--I could go 120 words per minute on it. This was what led me to the Boundary Commission. I was taking commercial courses at the El Paso Business College run by Essie Rosenblatt on the fifth floor of the First National Building. It so happened that the Boundary Commission was on the sixth floor. Commissioner Lawson, the nice fellow that he was, used to like to come down and talk to Essie Rosenblatt and talk to the girls and tell them stories and break up the whole class and have the girls laughing; and he would roll his Bull Durham cigarettes. So on one of those occasions he spotted me in the back and he asked Essie, "Who's that young man?" She said, "Well, that's Mr. Daguerre. He speaks French." That's all he had to hear. He came over and started talking the few words of French that he knew and told me about his times in Paris as a young man. So, later I found out that he had told Essie, "When that young man is ready, send him up to me." So this is when I went to work for the Boundary Commission. [Laughter]

M: So you had your job right there. When was that? When did you start working?

D: I started working with the Boundary Commission in 1940. I had been working in between with small jobs here in town--the Popular and then with Meyer Blanke; I was office manager of a dairy supply firm located on Piedras Street. Finally, when I got called, it was about 1940. I worked with the Boundary Commission and then came the War. I went to San Antonio, and from there into the Army.

M: How long were you away?

D: I was away from El Paso from 1940 till about 1948, '49. I came back in December of '48, I think.

M: You were in the Service all that time?

D: Well, I was four years in the Service and about four years in the Civil Service overseas. I could have continued, like many of my friends did, in Civil Service and retired overseas by bouncing around from one Civil Service job to the other, from one country to the other; but the whole thing looked to be a little bit, I would say irresponsible to one's own roots. But I realized that sooner or later I had to come back to my roots--and I did. So I had to come back to the country here and pick up my life again.

M: Back to the same job?

D: I came back and joined the Boundary Commission again, yes.

M: The first time, then, how long did you work before you went to the Service?

D: Two full years; January '40 till January '42.

M: What was your position during those two years?

D: I was the secretary to Mr. Winters. He was the Foreign Service Officer. I was just a secretary.

M: What big issues were taken up by the Commission during those two years?

D: Well, let me explain this. Mr. Lawson had two Commissions under his wing. He had the Boundary Commission and they had also given him the Agrarian Claims Commission between México and the United States, which consisted of two sections--the United States section and a Mexican section. The Agrarian Claims Commission was charged with studying and appraising claims by American citizens for agrarian

lands expropriated by México. This was completely different from the oil thing; it was another facet of a series of expropriations. We had a docket of about 40 or 50 claims by American citizens for very good lands that they owned in México and had developed; some of them had been there 50 years. México had taken these lands and had not paid them anything for them. Of course, the Commission I was with thought that their claims were exaggerated, and they possibly were. I remember that one time we totaled the total claims of the Americans presented and it was thirty million dollars. Well, I later learned, after I left, that the whole amount of claims had been settled for something around three million dollars. There was possibly some political connotations with it--I don't know what it was. Some of these lands were extremely fertile and in various parts of México.

M: And the headquarters was right here in El Paso?

D: Yes, the headquarters for this Agrarian Claims Commission was sitting here in El Paso. They had a mining engineer, they had an agrarian engineer, they had an expert land appraiser, they had two international lawyers; then they had a Foreign Service Officer as sort of an international contact man, and an administrator, and some secretarial help. I was part of that at the time. It was very interesting work and it's in line with some of these things that we've been studying in the Parral Collection here. It was British and hence I don't know what the British did about their claims, but it was a similar operation--the number of haciendas run by foreigners.

M: How long was it in existence?

D: This Commission had started in '39. As a matter of fact, it had met first in México City to start organizing their dockets through the

cooperation of the United States Embassy in México City. Then they would see under whose wing they'd put it. Well, Lawson loomed very large as a fine international administrator of a Commission, in view of his experience with the Boundary Commission. So they put it under his wing. There was a corresponding section in México and it was not under the corresponding Mexican Commissioner of the Boundary Commission; it was under somebody else--I don't recall who. I never had a chance to know who they were. But I know that they were doing their work, too. But there was not this working together as is the case with the Boundary Commission. The two sections worked together on a problem. The Agrarian Claims Commission each considered its own claims and counterclaims separately and then referred them to a diplomatic level, and at some point there they reached these nebulous agreements.

M: With the national governments?

D: This is right--with the national governments involved.

M: Was this funded with federal funds?

D: Yes, sir. It was funded by federal funds.

M: When did it end?

D: It must have ended around '44 or something like that. I heard about it later when I came back. I was off to war. But I saw the report and it exists. There are probably reports in our Government Documents Section by the Mexican-American Agrarian Claims Commission. It will list all the American claims, what they asked and what the decision had been. It's of record. It's a very interesting study.

M: Most of these claims that were filed, what part of México were they from?

D: Well, you'd have to go to the agricultural lands; many of them in the Mexicali Valley. There were some beautiful lands there owned by Jenkins; that name sticks out because he was a fantastic operator. What happened, from my recollection, is that some of these guys had taken raw agricultural land and made beautiful installations with hard work and a lot of ingenuity and by sinking a lot of money into it. It is probable they'd already gotten their investment out, but they had contributed, in their way, to development; but it was not the political thing. México, later on, had to go to the ejido system which is a very fine political system, even though it may not be the most efficient in the world. For example, compare the Mexicali Valley with the Imperial Valley and you see the difference immediately, and the land is more or less equivalent. But it's a fine political thing. You have to realize that the people have to have land, and I can go along with México completely in the ejido system. It would be impolitic to have anything else.

M: Let me ask you some questions about the Boundary and Water Commission.

D: Let me say this. Up till 1944 it was called the International Boundary Commission. Then, in 1944 a treaty was signed and that treaty changed its name to International Boundary and Water Commission. For the first time it recognized, you might say, the water component of its activities.

M: This Commission goes back a long time.

D: In its present form it goes back to the Treaty of 1889. Pursuant to that treaty, the Commission met in El Paso on January the [8]th, 1894, I think for the first time --Anson Mills and Mexican Commissioner Canalizo. From then on till this date it has operated in much the

same fashion. It operated under the Treaty of 1889 up till [1944].

M: What treaty was that?

D: This was the Boundary Treaty of [1889]. It was called the Convention of 1889--the one that started up the Boundary Commission.

M: Why did they set it up at that time?

D: Well, I guess I shall have to go further back. Start with 1848 and the need to delimit the new boundaries. There was set up a Mexican Boundary Survey to do that job. When it completed its work, there was nothing further for it to do. It completed its work after the 1853 Treaty. In 1856, Emory wrote his report and then the Commission disbanded. Then people started looking at the boundary and it's going to fall into pieces. The monuments are getting destroyed by the Indians so there's need to restore the boundary. So in 1882 a

boundary monument restoration treaty is agreed to and then Barlow comes in and remonuments the land boundary. He does nothing to the river boundary.

M: What do you mean "the monuments"?

D: I'm referring to these piles of rock or masonry monuments that the original surveys had established to delimit the land boundary. This was the boundary from the Smelter over here, Monument #1, all the way to the Pacific Ocean. There are no natural markings, there are no natural dividing lines. It has to be monumented. Emory put [up] about 58 rock monuments. Some of them are only piles of rock--the best they could do in a hurry. Others were masonry, if they had time. But the Indians came and turned these over, or Lord knows other people had interest in destroying them; so that by 1882 a survey was made by the corps of engineers, and they found that many monuments

CHAPTER III.

GENERAL DESCRIPTION OF THE COUNTRY.

SUITABLENESS AS A BOUNDARY.—GREAT PLATEAU OF AMERICA AND MOUNTAIN RANGES.—DEPRESSION OF MOUNTAINS NEAR THE PARALLEL OF THIRTY-TWO DEGREES NORTH LATITUDE.—GEOGRAPHICAL ERRORS.—METALLIFEROUS REGIONS.—LAKES.—SAND DESERTS.—VEGETATION AND AGRICULTURAL CAPACITY.—CHARACTER OF THE RIO BRAVO.—RAILWAY.—ASTRONOMICAL DETERMINATIONS.

The boundary between the United States and Mexico, extends entirely across the continent from ocean to ocean. That portion of it which is formed by the Rio Bravo, below the mouth of the San Pedro, or Devil's river of Texas, makes a boundary, which, in the absence of extradition laws, must always be a source of controversy between the United States and Mexico.

In other respects, the boundary is a good one; and if the United States is determined to resist what appears to me the inevitable expansive force of her institutions and people, and set limits to her territory before reaching the Isthmus of Darien, no line traversing the continent could probably be found which is better suited to the purpose.

In this respect it is fortunate that two nations, which differ so much in laws, religion, customs, and physical wants, should be separated by lines, marking great features in physical geography.

The boundary is embraced in the zone separating the tropical from the temperate and more northern regions. Here, waters unite, some of which are furnished by the melting of northern snows, whilst those from the south are supplied from mountains watered by the tropical rains. To the north of this zone, the showers from the tropics cease to refresh the earth, and within it, all the flora and fauna which characterize the northern and temperate regions almost disappear, and are not entirely supplanted by those of the tropics.

It is indeed a neutral region, having peculiar characteristics, so different as to stamp upon vegetable and animal life features of its own.

The most remarkable and apparent difference between this region and those of the States of the Union generally, and that which, perhaps, creates, as much as any other one cause, the difference in its botanical and zoological productions, is the hygrometric state of the atmosphere; for, while the plants and animals assume new forms in life, the crust of the earth, the soil, and the rocks, are everywhere familiar, and have many types, indeed fac similes, over the rest of the American continent.

It is very arid; but this is also the character of all the country north of the tropics, and west of the 100th meridian of longitude, until you reach the last slope to the Pacific—a narrow belt, seldom exceeding 200 miles in width, and sometimes not more than ten. The zone extending from the Gulf of Mexico to the Pacific, embracing the boundary, contains a large proportion of arid lands; yet this dry region is, perhaps, narrower on the line of boundary than on any portion of the continent north of it, within the limits of the United States, and is occasionally refreshed by showers in the summer season, and so far presents an advantage over the arid belt to the north.

were missing. There was no way to tell where the boundary was. So in 1882 a treaty is entered into and Barlow and Blanco--Barlow the United States Commissioner, Blanco's the Mexican Commissioner--began operating. They began checking the remaining monuments that are still extant on the land to see if they're correct according to the geodetic positions that have been agreed to in the reports that had been prepared on the previous survey. So, those that were OK they rebuilt on the spot in solid masonry monuments or established cast-iron monuments. They had agreed to a form of monument, which is what you see on the boundary today, with a deep base. They were hoping for solid ground but half the time they had to work on sandy bottoms, and then they would stick great big piles to support the monument. But whereas Emory, the first Commissioner, had 58 monuments, Barlow and Blanco ended up with 258.

M: How far apart would these be?

D: The distance apart was not to exceed, I think, 8,000 meters. That's several miles. Generally they attempted to maintain line of sight--meaning that on a good clear day you could see to the next monument. But they couldn't always do that, for the reason of the terrain. When you're in rocky areas you just can't do it because you'd be putting one every 20 yards. So, as you can see, even despite their efforts, there still were a lot of gaps. Recently, intermediate monuments have been placed, especially now that the urbanization of the boundary is continuing. It is getting built up, urbanized; and there is great need to see and know where the boundary is or people will build on the other side, as has happened in the last few years, in the Calexico-Mexicali area. As a matter of fact, some Mexicans have built their

homes in the United States, and there are diplomatic protests that are on file with México. The thing is a slow-proceeding thing and they're trying to get it fixed up somehow, because it involves a lot of problems for México and everybody else. We have to tell somebody that he's wasted his money building that home--he has to destroy it.

M: So then they came to another agreement to put up new monuments?

D: Well, yes. The survey crews working under the Treaty of 1882 put 258 new monuments. Now, since then there have been further treaties to refine their monumentation system and also further agreements between the two sections. You realize that the United States section and the Mexican section of the Commission can enter into formal agreements that are, for practical purposes, executive agreements once the two governments have approved them. Well, what you have here is two international agencies that enter into agreement without necessarily getting prior approval on engineering matters. And then, when the two governments do give approval--they have an option not to, of course--these become binding agreements on the two governments. This is an odd governmental thing that people will find hard to understand sometimes.

M: It's unique and it's good.

D: It has a practical aspect. But you can see that this works only in very physical situations, namely engineering questions. You would have difficulty making this kind of agreement involving economics, demographic problems, sociological problems--this would be very difficult. But on a physical thing involving things on the ground--water or encroachments, international sewage problems--that can be entered into, and it has. It's a very effective Commission. It has a fine record of performance that very few in the world really have.

M: Has it handled problems for all the border cities--the entire border area?

D: Right, including the river boundary, because, you see, much of the boundary is river boundary. About 1248 miles of the international boundary is the Río Grande. The Colorado River accounts for 23 miles of boundary. The land boundary accounts for some 700 miles of land boundary, and that is monumented.

M: Did the problem of the Chamizal enter into the negotiations that early--in the 1800s?

D: Yes it did. As a matter of fact, Mills was the first Commissioner under the 1889 Commission, which is really what is extant today. The International Boundary and Water Commission today is a continuation of the 1889 Commission. There's no question about it; it has had continuous existence, and you might say it's an integral part of the same picture. Now, Mills and his Mexican counterpart were very successful in solving the problems that were presented to them. Many of these problems we don't have today, but they were very keen in those days, because in those days, remember, the Boundary Commission was not concerned with water questions as such. They were concerned with movements of the river, because the river was the boundary. Some of these movements were avulsions, erosions, accretion, this kind of thing. So, the 1889 Treaty had set what was known as the Thalweg concept; namely, agreement that when the river moved slowly by erosion, the national boundary moved with it no matter if it ate into your country or ate into the other country.

M: That was included in the [1889] agreement. Was it included in anything prior to that?

D: Yes. It's a basis of extant international law from way back.

M: But between México and the U.S., had that been written down?

D: It had not been written down before. But it was drawn directly from existing international law--the Thalweg concept. Since we were dealing with an alluvial river--namely, one running in shifting sands--it also provided that if the river all of a sudden abandoned its existing channel and opened a completely new one, the boundary remained in the old channel. So you could see immediately what that forms. It forms islands of foreign sovereignty within one country or the other. This was similar to the Córdova Island setup. That was a man-made change. But the river could have very well done it itself. Córdova Island was a cut that was made by men with the agreement of the two governments. But frequently the river did exactly that--all of a sudden it jumped and did this. Or first it would start eating, eating, eating and then all of a sudden you get more water and it cuts right here. This opens a completely new channel so all this land that was in México is now in the United States because the river's over here. So that was the concept. As I said. Mills had a very great success in operating under the 1889 Treaty. The only thing that they could not solve was the Chamizal, and they attempted to. In 1896 the Commission held extensive hearings, and the Commission was unable to agree. Later on, in 1911, the thing went to arbitration.

M: What was the problem in 1896? Why couldn't they agree?

D: Mostly lack of data. Nobody knew exactly what the dimensions of the changes were, and there were conflicting testimonies. They took testimonies from Samaniego, from Flores; Inocente Ochoa testified.

Cerna, I think, was another one of the witnesses, and there were American witnesses, too. What happened was this, the way the facts seem to have now gelled: From 1852 till about 1860 the river moved south gradually by erosion. Now, mind you, the 1889 Treaty did not yet exist, so that there was no reason to apply a treaty that existed only later. So then, the river continued moving south till about 1864, when this great big flood came. Now here was a flood so strong that it was eating into the south bank at the rate of many yards a day. This was no longer slow and gradual erosion like the 1889 Treaty contemplated. This was a case of just eating into the river at a terrible rate. So, in short, this was a situation that was not contemplated by any existing international law. Most of the rivers that international law had studied were rather fixed rivers, not in alluvial situations like the Río Grande. So there was disagreement, then, as to what had happened and what should be followed. Mexico for a while mentioned the possibility of avulsion, but there was no avulsion because nobody could establish that there was a completely new channel. At the same time, it was just changing rapidly instead of gradually. So the Commission got nowhere on the 1896 hearings. And that was the only one they could not agree on. All the others they had pretty good success with.

M: They had other matters that were resolved?

D: Yes, they had other matters. Then the question went to arbitration. In the case of arbitration, the two governments agreed as to the terms of reference. Well, I think it's undeniable that the finding, the judgment of the judge went beyond the terms of reference. This was

the reason the United States turned it down, to my thinking. I can see where it looks bad on the record, but on the other hand there had been prior agreement as to what the terms of reference were.

M: What were these terms of reference?

D: I don't have them all present, but it seems to me that it was agreed that the judge would find in a certain way--either/or. It was an either/or situation. And he went beyond and found that up to such a time the river had moved by erosion, another time it was by a new thing--rapid erosion. In other words, he introduced a new concept. They had agreed on the two terms, whether it was by slow erosion or by avulsion. He came up and said it had happened by rapid erosion.

M: How did he define avulsion?

D: Avulsion is opening a new channel--completely new.

M: Man-made or natural?

D: Made by the river; like when the river abandons its own channel and goes off in another direction.

M: "Rapid erosion" just means "moving rapidly"?

D: Well, "rapid erosion" was not a concept that they had agreed to. They had agreed to "slow erosion" or avulsion. "Erosion" naturally means "eating"; when they said "slow," well, that was gradual. But then here we had a different concept that was beyond what anybody had contemplated. So, anyhow, that thing stayed that way and the Chamizal lasted about 50 years before it was solved, even though many Presidents had tried. As a matter of fact, some of the proposals for solving it were not too different from what was actually agreed to in 1963. What seems to happen, in my estimation, is that frequently a thing has to come when

the time is right. It's an odd situation. You could have proposed the Chamizal settlement years ago, and the moment would not have been right. And as a matter of fact, some of the proposals, including a Mexican proposal, resembled the actual one that was finally given effect. But either one country or the other didn't have the right political climate. But at the Kennedy visit it seems that things came to a head: the right people were in the right places; the right attitudes seemed to prevail, and here they came with a very enlightened settlement. Simplistically you might have said, "OK. México wants to claim so many acres; let's agree to what we should give them or what they'll agree to take. All right. They agree to take X acres; here they go. Here are their X acres, now; that's it." That's too simplistic. What they came up with was a very enlightened settlement that respected, for example, the urbanization that had taken place in the area that México claimed to have lost. This was the Chamizal area. This meant much of South El Paso would have gone to México, an area which is pretty built up and would have represented an enormous loss of tax base for the city of El Paso. So instead of giving México the agreed-to 437 acres in the Chamizal area, it seems to me that México agreed to take only 366 in the Chamizal area. Then [they] divided Córdova Island, giving half (193 acres) to the United States, the other half stayed in México. To make up the difference of what México lost in Córdova Island and the balance needed between 366 and 437 over here, they gave México 264 acres (193 + 71) east of Córdova, an area which had never been involved in this Chamizal dispute. This permitted a river alignment that was feasible for flood control purposes. It saved part of the tax base of El Paso and at the same time it offered new lands beyond

over there for Mexican use. Now, the thing to remember is that whereas the Chamizal claim began as a private claim--namely the loss of lands by Pedro García, a private citizen--when the settlement was made, none of the lands that were turned over to México went into private title; they went into Mexican federal title.

M: What happened to the private land owner? He never recovered?

D: He may have been taken care of in ways that I don't know. Be that as it may, his claim was quashed; all the legalities were taken care of, be they what they may. I have no way of knowing what they did with Pedro García's heirs. The fact remains, if you look over on the Mexican side, all those lands are federal lands. This is how enlightened the settlement was. They're building beautiful [things]. Not only the Pronaf, which had already begun and which by now has run into 15 million dollars easily in improvements, but these new lands: the Chamizal Memorial; the new customhouse; these new malecones--it's not only a river-side road, they're boulevards; and 10,000 trees that they've planted; new wells to water those; baseball fields; handball courts; sports stadiums. I think if you go talk to the Junta de Mejores Federales they will show you on a map all the extensive plans that are on the drawing boards and are slowly being implemented on these lands that México maintained in federal possession. So the settlement from México's point of view is extremely enlightened, so was it from our point of view. We went into \$44 million of improvements and relocations; it was really a landmark settlement.

M: In general terms, México has always felt it was an injustice that the settlement had not come earlier and that it was under dispute for so long. What is the general consensus in the United States

about that?

D: Well, the feeling was set by Kennedy. The reason he did it, I'm sure, was to salve México's feelings. He admitted outright that it was a mistake not to have accepted the arbitral settlement of the 1911 Commission. He said that in so many words and it was repeated all over México; it was a "mía culpa" thing. It's hard to be impartial, I realize, but it seems to me that when you read over the arbitration hearings you begin to see a number of things. First of all, México changed its position several times during the arbitration discussions. There were times when it adhered to a fixed line theory, which would mean that if a river changed, the boundary stayed in its former place, no matter what. In other words, it was foregoing all these international laws that they had agreed to in the 1889 Treaty. Other times in the hearings it went back to the Thalweg [concept]. They were playing for, it seems to me, advantage, for angles. They were perfectly in the right to try every way to win, but nobody expected the opinion that would have come out--the opinion of Lafleur. The third judge was the one that threw that out. The United States Commissioner was Anson Mills. The Mexican Commissioner, it seems to me, was Beltrán y Puga. Each went for his country's argument. Lafleur, the third Commissioner, was the one that came up with this novel finding that the United States did not accept. Be that as it may, it's all water under the bridge.

M: Let me get back to the time when you started working for the Agrarian Claims Commission. At that time, being close to the Boundary Commission, were you familiar with some of the problems that we had here from the lack of water being received by people in the Juárez Valley?

D: Not at the time, because the Agrarian Claims Commission didn't care much about water problems; we were a separate body. I had little knowledge then of the Boundary Commission's work at the time. I didn't have a chance to get into it in any depth. It was later, when I re-joined the Commission. In '49, I went to work with Redstone Arsenal, Huntsville, Ala. The German scientists were up here at Fort Bliss. Then we moved down to Redstone; and I was down there for a number of years. I returned over here and then joined the Commission '51, I think. Then is when I began to get a little bit of knowledge of the lack of water question.

M: What do you remember about that?

D: Well, it seems to me that there was a little bit of stir in the newspapers, and protests. It seems to me at one time they even threatened the bridge. They were protesting the lack of water extensively in the Juárez Valley. It seems to me also that at that time we looked into the question of adverse diversions. This was a very delicate thing--the question of adverse diversions--because it brings up the difference in interpretation between two countries of a basic treaty--the 1906 Treaty. According to the United States' understanding, México, by signing the 1906 Treaty, had foregone all right to any additional water for the Juárez Valley than that which would be delivered to them at the acequia madre under the terms of the treaty. Hence, if there was free water in the river, México could not use it. México, on the other hand, interpreted on higher grounds than the particular treaty--namely, on an international law basis--that any water in an international river is subject to diversion by both countries.

M: As they wish?

D: Absolutely. If there are no governing agreements for that specific diversion, they take it as they can, as it were. To that extent, then, any time that the local users here would use the channel to convey their water, the Mexicans would make adverse diversion. So that both sides had something to complain about, each being right by their own terms of reference, which is often the case in disputes--everybody's right by his own definitions.

M: How much truth is there in the charges that were made by the Juarenses about not receiving the amount of water that they were supposed to receive under the treaty agreement?

D: There's probably a lot of truth. However, very few of them stopped to look at the adequacy of their delivery systems. When you deliver water in a sandy channel, you should hardly expect to receive what you put in at the head of the channel. You know darn well that a great amount goes into the sand. You never satisfy the sand. You can dig a well right near the river [the Río Grande] and you know darn well as soon as you do you're getting river water--the underground river, as it were. As a matter of fact, all this irrigation that's done for these 10,000 trees in the Chamizal developments here in México get beautiful water. We know it's just water from the river that hasn't even settled into strata. It's almost flowing underneath. So to that extent they were right--they were not getting the water. But there were other reasons that they didn't consider that could have influenced. This was my thinking. On this side they recognized that this possibility existed, so what did they do? They concrete lined their canals.

M: How much of a factor was it?

D: To my thinking, it's a sizeable factor. It also may be that there were defects in deliveries. There's no doubt. Delivery of waters from 120 miles up to down here is not a simple thing. To get 60,000 at the head of the canal you'd be surprised what they have to deliver up there. They have to account for transportation losses, evapo-transpiration--that's what the plants draw off, especially with all these salt cedars, evaporation, and everything else. To get 60,000 over here, it wouldn't surprise me if they have to let out 80,000 up there.

M: You lose 20,000 gallons?

D: There's a large proportion, depending on how clean your channel is, how well kept; there are a number of variables. For any given situation you would have to almost survey the situation before you can talk sensibly in quantitative terms.

M: Do you remember any specific incidents?

D: I remember complaints, yes; as a matter of fact, some strong complaints. You see, it is not so much that the water gets lost between Elephant Butte Dam and the Juárez Valley. What México complains about and what could very well be justified is this: Let us assume that you have an X quantity of water available for both countries a certain year, and you have a certain amount of development in the United States. Now, assume that a new development comes in--a new irrigation project or increased acreage is put in--and they get water somehow from that. Well, then, you're going to have less down here, that's all there is to it. So what México seems to be saying is that developments in the United States have reached the point and are reaching the point beyond available supplies. This was also the basis of the complaints that led to the 1906 Treaty. México was

filing suit due to the fact that developments in the United States had just about taken all the available water, they said, and leaving the Juárez Valley high and dry. As a matter of fact, they were already talking quantitative terms, in terms of damages of up to \$30 million dollars. This is what scared the United States into the 1906 Treaty and the building of Elephant Butte Dam to control water, because part of the picture wasn't so much that water isn't there--it's that water wasn't controlled. Because you can get rain water that will flood you out, and tomorrow you're dry. So the United States said, "If you want, we'll give you water. But, let's control it; that's the only other way." Well, in the early years Elephant Butte was beautiful. In 1940 it spilled--it was just loaded with water. Then changes come in and out. Are these changes weather (that can be established), or are these changes increase in uses, greater acreage that is being brought under cultivation, Indian rights? I'm sure there are bound to be some and nobody seems to want to touch the Indians. They seem to have prior rights every place; they get the water they want. This is a whole story itself. Anybody that studies Indian water rights has a life study. Arizona, for example, is full of Indian water rights that have to be considered in any federal planning because as soon as they hear about a project, boy, they up the ante.

M: You say that in 1950 when you first started working for the Boundary Commission, there were some strong complaints. What were the nature of those complaints?

D: As I said, it was newspapers. I used to review Mexican newspapers.

M: Did you clip them out and save them for the files?

D: I didn't clip them, but they were clipped by the girls in the office. Extensive files exist on that at the Boundary Commission. I think the 1906 file is pretty complete--the 1906 Treaty file is really complete.

M: Locally?

D: Locally, and I think it's kept all over there. At least I have told them not to rotate them to the records center at Fort. Worth, because 1906 is always a very interesting thing and there are times when you have to go back all the way. I think that'll be found right here.

M: Then the incidents or the complaints during the '50s would also be included in there?

D: [They] would also be included there--both the official complaints and the correspondence, and the clippings will show you the tenor of the static that was created by these incidents. As a matter of fact, if I'm not mistaken, there were some pretty hot ones here on the river--some shooting, some firing across the river, people shooting at the other guy's pumps, this kind of thing.

M: In the '50s?

D: Yes. [Laughter] On other occasions, for example, our own Boundary Commission people have been fired on from across the river while they're on their duties here at the river. Sometimes you think it's a lark. Nobody's been killed, but little things happen.

M: What was the relationship between the U.S. members of the Commission and the Mexican members of the Commission? Were there times when there was conflict between the two groups, or was it an amiable situation?

D: It has always [been amiable] to my recollection. As a matter of fact, my connection with the Commission coincides with the tenure of the Mexican Commissioner Herrera Jordán. He has outlasted three U.S. Commissioners. He entered in in [1947] and he's still there today. He's a prince of a man who has vast knowledge of this area here and of the boundary. He was Mexican Commissioner when we had Commissioner Lawson, then Commissioner Hewitt, and now with Commissioner Friedkin. Those three Commissioners span his time from [1947] till today. My recollection is that they were always perfect gentlemen, even when they were standing staunch on their contrary positions or, shall we say, conflicting positions. They were always diplomats of high caliber. And to this extent they have each influenced their governments to the extent possible to solve these problems, to bring them together; and it has been very helpful. This was one of the points of conflict frequently--the interpretation of the 1906 Treaty, not only as to the specific delivery of water (that happened sometimes) but on a higher level as to interpretation of the treaty. That, on occasion, has been brought forth in conversations between the Commissioners. The two governments are aware that there is still a certain amount of difference in interpretation.

M: Who appointed the Commission members?

D: You mean the men in charge--the Commissioners? There's only one Commissioner on each side. They're Presidential appointments in our case, and I'm sure in the Mexican case, too.

M: Are these local people or do they come from other parts of the country?

D: Just looking at the past, there have been Commissioners from New Mexico, Commissioner Curry. We never had a Commissioner from Arizona,

none from California. Oh well, you can consider Lawson from California, because I think he was educated in California even though he was born out east in Massachusetts somewhere. To a great extent you can say that almost all of the border states have been represented on the Commission as Commissioners. The same thing on the Mexican side. They generally rotate up from other technical agencies of the Mexican government, like the Ministry of Hydraulic Resources or its predecessor, the National Irrigation Commission. These are political appointments and, theoretically, they serve at the pleasure of their President. But, what happens in practice, if they're doing a good job--and they always are--the next President just keeps them on unless he's very politically oriented. It is not a patronage job to a great extent. It's one that your man gets a chance to assert himself, to prove himself; and if he does that he generally stays on.

M: You say there are two Commissioners?

D: A Mexican Commissioner and a United States Commissioner.

M: Who else aids them in arriving at decisions?

D: Each is in consultation with his corresponding Foreign Relations elements in his government. The Mexican Commissioner deals with the Secretariat of Foreign Relations. In other words, they are his guidance on policy matters. The theory is that the Boundary Commission is an independent agency. The United States section is under the policy guidance of the Department of State.

M: When one thinks of a **commission**, one thinks of a committee--several people coming together. But this is not the way this works?

D: It is a Commission here, but each Section has one Commissioner. You're

thinking of a bunch of Commissioners and a Chairman. This is another structure, like for example, the International Joint Commission between Canada and the United States. It's that way, a number of Commissioners and a Chairman.

M: An equal number from both sides?

D: Generally it's that way. This is not. Each Commissioner has his assistants. He has a Secretary--generally a Foreign Service man. He has whatever number of international lawyers he needs. And he has one principal engineer. These were treaty officers. And then he has all the complement of technical and administrative people that he needs in the way of supporting services.

M: Let's talk a little bit about the evolution of the irrigation network system that we've had on this side of the border, that we were talking about before.

D: I'm not extremely knowledgable on that, but I'll give you a name of a person who you can contact. His name is Daniel Farias. He's with the Bureau of Reclamation here. He's very knowledgable. He is the chief Hydraulic Engineer for the Bureau of Reclamation in El Paso. He's a young man, very cultured, from a fine old family. He may know something, too, about the areas that interest you. I've been in contact with him and he's extremely helpful. But let me tell you what I know about the origin here. It goes way back. First of all, there has been irrigation in this valley even before the Spaniards. The Indians even knew how to divert water here at the International Dam where there [were] falls. They were able to build a head of water so that it was all occasional irrigation, but they managed to grow something. When the Spaniards came, they continued that dam right at that spot there, and this gave origin for the name acequia madre in the Spanish tongue,

I think. Then, of course, after the War of 1848 the Mexican Survey Commission had no interest in irrigation at all, no interest in division of water between countries; the only interest was, let's say, that the river was the boundary. They didn't even care what the river did. They were just lucky to map the river and say, "This is it." The question began to arise in the late '80s--what to do when the river moves? This is what led to the determinations in the 1889 Treaties--and the formation of the Boundary Commission to administer those treaties. Since one of the big developments where the river moved was the formation of bancos--that is, enclaves of land belonging to one country but physically located in the other country due to a sudden move of the river channel, then they entered into another convention on how to handle bancos--the elimination of bancos specific to that situation which obtains only in an alluvial river like the Río Grande. But still there was no concept in the Commission as to division of water. It was still a question of the marking of the boundary. That was its only interest with rivers. Well, when Anson Mills came in, the pressure by México as to development of irrigated lands in the United States to the detriment of the Juárez Valley began to mount. The Department of State contacted Mills, and Mills looked into the aspect of this thing. So he had his engineer Follett make an extensive survey from the head waters of the Río Grande up in Colorado all the way down to El Paso charting the uses, the acreages, how much water was being diverted at the various heads, the canals all the way to down here, trying to see what the picture was. Well, it wasn't hard to realize that the uses in the United States were very great and increasing; and that there was a lot of

land that could be brought into cultivation if water was available. So Mills, then, and the Department were beginning to think already in terms of a dam because it was all right to have water in floods but what was needed was a stable, secure supply of water that could be released when it was needed. So the Department must have told him to scout around and see where a good place was for a dam. Somehow Mills got some corps of engineer people because that was all that was available, and I think some geological survey people, to look around here. They seemed to have come up with a first idea that the best place was right here near El Paso. What better place than the pass, they thought. So Mills pushed for an international dam at El Paso. He conducted studies, he tried to compose the parties to bring interests together. It takes a lot of accommodation of interests when you're going to do something like that. But at about the same time I think New Mexico objected. They didn't want to see half of Mesilla Valley go under water, which is what would have happened. All of this Upper Valley here up to the state line would have been under water. It seems, also, that by then studies were being made of possible sites further up. So that instead of having all this lake right here to deliver the water instantly, you would have it further up. There was an English company involved. In those days the English were real business tycoons and they had a company out there scouting and trying to build a reservoir with British funds--of course, to get paid back by the users, by the irrigation interests for their investment and make profit. They had done that in other places and they thought this could be done. Well, the government, I think, acted against this. I'm still not too clear, but it's known

as the Elephant Butte Affair and there are tomos [volumes] of books this big on this thing. And this is when the Bureau came into the picture. In the meantime, the 1906 Treaty was signed when México was beginning to threaten arbitral action because of the downgrading of Juárez agriculture due to the lack of a steady supply of water. Then the 1906 Treaty was signed and it provided, as part of the Treaty, the United States was to build Elephant Butte. About 1906, by the way, they had established the Río Grande Project. This was the first beginning of the Bureau of Reclamation irrigation project in El Paso and New Mexico, right here in the Valley here. The first little dam was the Leesburg Dam which was just a sort of a small diversion dam in the river. This was before Elephant Butte came in. But it was sufficient to enable a canal system on this side.

M: When was that?

D: I think it was about 1911. The Project was established in 1906, I think--the legislation was signed in 1906; I don't know how long it took to establish the project. But the first little dam to serve the interest of the United States, you can find this in a book called The Bureau of Reclamation Projects. It's a great big book. I'm almost certain you have it here in Government Documents--if you ever need it, check with me and we'll look for it. It'll give you the date of the building of this small diversion dam--the Leesburg Dam--and there was a further small diversion dam across the river, and that enabled them to get water for this irrigated land both here in the Upper Valley below Las Cruces and here in El Paso.

M: Where was the dam located?

D: Leesburg.

M: Oh, it's still there?

D: It's still there. It's still being used to divert water into the various laterals that take it to irrigate acreages upstream. So that they had a little water to start with even before Elephant Butte came in. They began building Elephant Butte in about 1910 or '11. They completed it in 1915. The purpose of Elephant Butte was to secure a supply of water to divert to México--in other words, to fulfill the terms of the Treaty. Now, the Treaty says 60,000 acre feet. But when there is a shortage, both sides are apportioned the diminution in proportion to their acreage. In other words, everybody goes down to the same degree.

M: Here in El Paso you've got a canal that provides most of the water that is used.

D: Several canals.

M: How far back does that date?

D: The Franklin Canal goes way, way back. I think it was begun about the same time as irrigation began on this side--they had a canal. It may be that the Franklin Canal is probably the oldest one because what you have up there by the Smelter--the concrete-lined American Canal was built in 1936 by Commissioner Lawson. But the Franklin Canal has been here since early times, really.

M: And that's part of the Franklin Canal?

D: Yes, the American Canal goes into the Franklin Canal, and this goes off into town and keeps on until Ysleta--all sorts of laterals. You have a whole irrigation system here.

M: Was that the direct answer to the acequia madre?

D: Yes, it corresponds to the acequia madre. Now, the reason for the acequia madre in the case of Juárez is different. I believe that that was the only gravity-diversion they could have. You couldn't take water downstream because the river was always lower than the irrigated lands. So you had pumping and pumping is expensive. But over here you'd build a little head and you would get it into the acequia; the acequia goes sloping down all the way to the irrigated lands outside of Juárez. They used to go through Juárez. I think it still does, but it's covered up.

M: How far does it go?

D: It's miles and miles and miles. It goes all the way down to... let's see, irrigation in Juárez is not as extensive as on this side. I think you can speak in terms of easily ten miles of canals.

M: Zaragoza--all the way out there?

D: All the way out there. Some of it may even go into Porvenir, way over there.

M: They do have canals all the way to Porvenir--little ones.

D: Yes. There is not as much irrigable land on the Juárez side as there is on the United States side. There is much less. I think it's a one to three relationship.

M: Where does the American Canal start?

D: The American Canal starts at the American diversion dam right at the Smelter.

M: And then the Franklin Canal?

D: The Franklin Canal starts a little further down here about the beginning...you know where the Water Plant is on Canal Street?

M: I know where La Hacienda is.

D: Well, it's further down than that. Do you know where the river starts being concrete lined--where the Chamizal concrete lining starts?

M: More or less.

D: You can see it from the bridge. That's about where the Franklin Canal starts.

M: What's the purpose of having two canals?

D: Well, the thing is, one canal comes in this way and it ends right here. In other words, the Franklin Canal was there before the American Canal was there. This is the reason why you have two. And this one was built by the Boundary Commission. The Franklin Canal was built by the Bureau of Reclamation. The reason we built the Franklin Canal--we did it as part of the American dam. The American dam was built because, you see, before we used to get water from the river, too. But it was subject to adverse diversion. So then we built the American dam in the United States, in New Mexico, at the border really--just a little bit below the border. So it's before the monument. The monument's over here and there's a little difference. The American dam is just a few yards inside this country so that México has nothing to say about the operation of the American dam--it's not an international dam.

M: When was that put in?

D: 1936, as part of the canalization project. That dam puts the water into the concrete lined American Canal and then it reaches over here where the Franklin Canal was--the pre-existing Franklin Canal-- and it carries it off.

M: And they join together?

D: Right. Now, we concrete lined and relocated the Franklin Canal as part of the Chamizal settlement. Where it used to pass, which was in the center of 8th Street, is now a sort of a patio deal--open space thing for that part of the town. But we had to relocate the Canal as part of the deal, and fence it, to prevent drownings. But they still continue just the same.

M: It's always been a very dangerous channel.

[Interruption]

D: In the Lower Río Grande in the 1950s there was a great shortage of water. The cities of Brownsville and Matamoros were hurting for water. As a matter of fact, special releases were made from Falcón Dam specific for those cities to save them, as it were. Yet, as the water came down the river here there was adverse diversion going on and the United States' farmers there would send up a plane to take pictures and count how many adverse pumps were working at that time. Sometimes they'd count seventy pumps on the stretch from Falcón Dam to Matamoros, the city that was hurting for water, and Brownsville. Other times the Mexicans would complain and they'd send up their plane to count the United States pumps that were adversely diverting, they said. Well, actually, this was before the Falcón suit was determined. As you know, there was a suit--the state of Texas against a whole number of water users to determine the water rights and uses. After that suit was settled, all pumpers in the United States have meters on their pumps and are accountable to the state of Texas for water use within their allocation. The Water Master would make the allocation and nobody could exceed that--this kind of thing. [There's] nothing like that on the Mexican side, even today. This is what we mean by adverse

diversion versus controlled use within allocations. What the Boundary Commission does, it divides the water between nations. It is not concerned with the internal use within the state. That falls within the purview of State agencies. We have no trouble with México on the division of water. It's beautiful. We have operated the reservoirs to maximum efficiency to take advantage of inflows, to build up a water bank--I think that's what it is, it's an international water bank. For the last two or three years the thing's been beautiful on both sides. But I have seen, as I say, times of drought. Now, I don't know if that goes in cycles or not, or what's happening, but they will come again.

M: Well, I want to thank you very much for taking your time. This certainly has been a very, very interesting and enlightening interview for me. So, thanks again.

D: My pleasure!