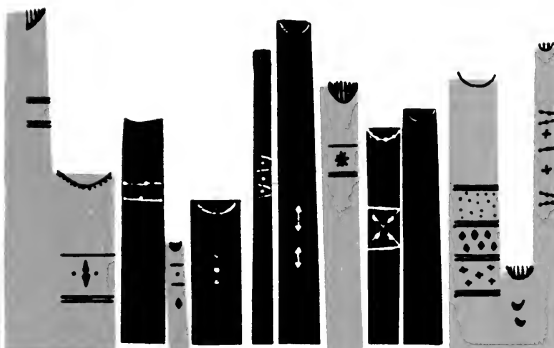


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THE NEW MEXICO
HISTORICAL REVIEW

VOL. IV

JANUARY, 1929

No. 1



PALACE OF THE GOVERNORS
1609
SANTA FE, NEW MEXICO

PUBLISHED QUARTERLY
BY
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AND
DEPARTMENT OF HISTORY
SCHOOL OF AMERICAN RESEARCH

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Vol. IV.

JANUARY, 1929

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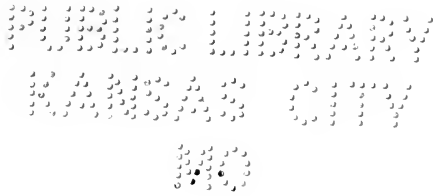
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PAUL A. F. WALTER

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THE HISTORICAL SOCIETY OF NEW MEXICO

(INCORPORATED)

ORGANIZED DECEMBER 26, 1859

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CONSTITUTION
OF THE
HISTORICAL SOCIETY OF NEW MEXICO

(as amended Dec. 15, 1925)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of twenty-five dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historical nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have by published work contributed to the historical literature of New Mexico or the Southwest may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election,

and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Each Member, upon election, shall pay a fee of two dollars, which shall include the dues for the current calendar year and annually thereafter a fee of \$1.00 payable in January of each calendar year. Members may be dropped from the rolls of the Society at the discretion of the Executive Council for non-payment of dues.

Article 7. *Publications.* All publication of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

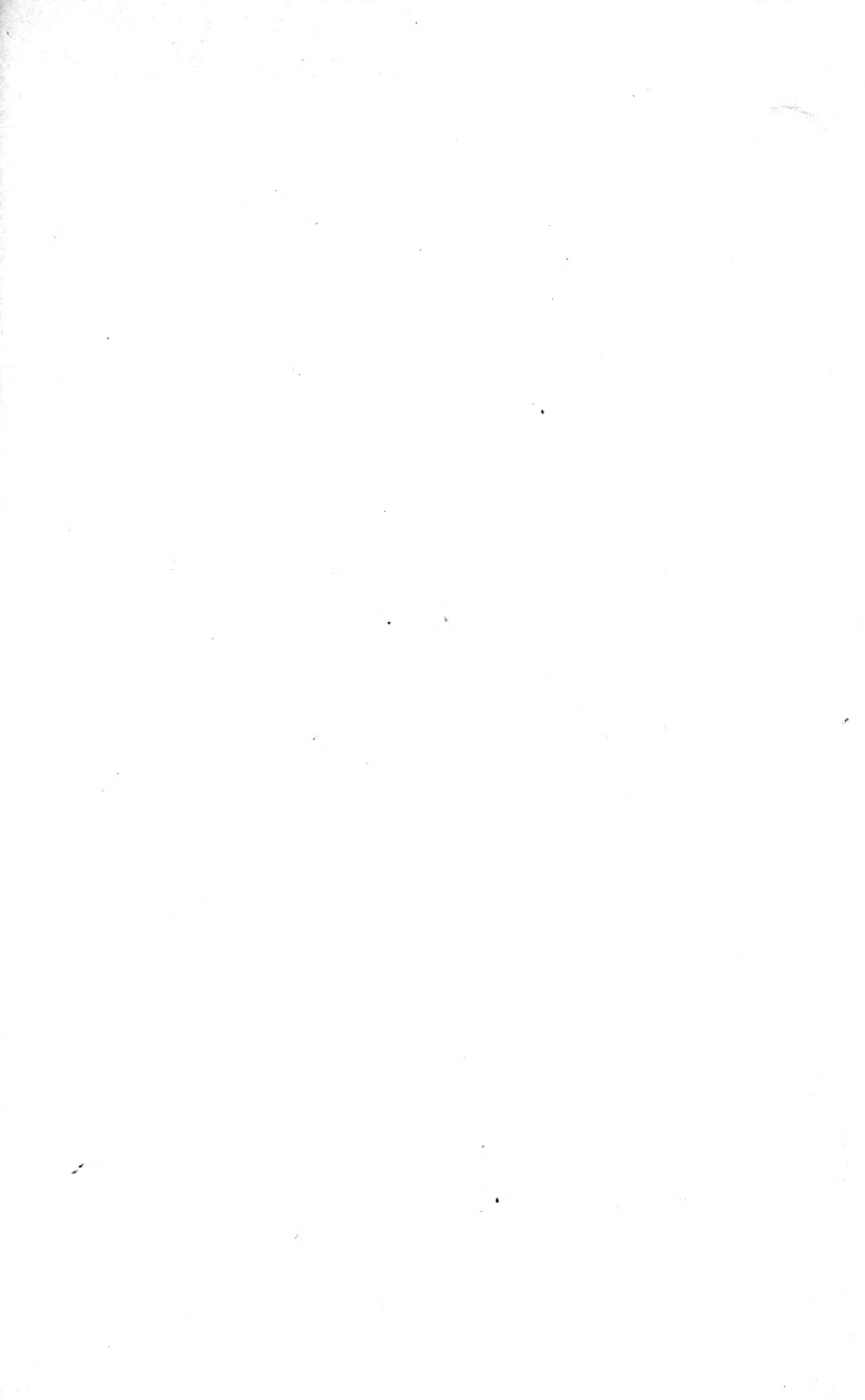
Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at Eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

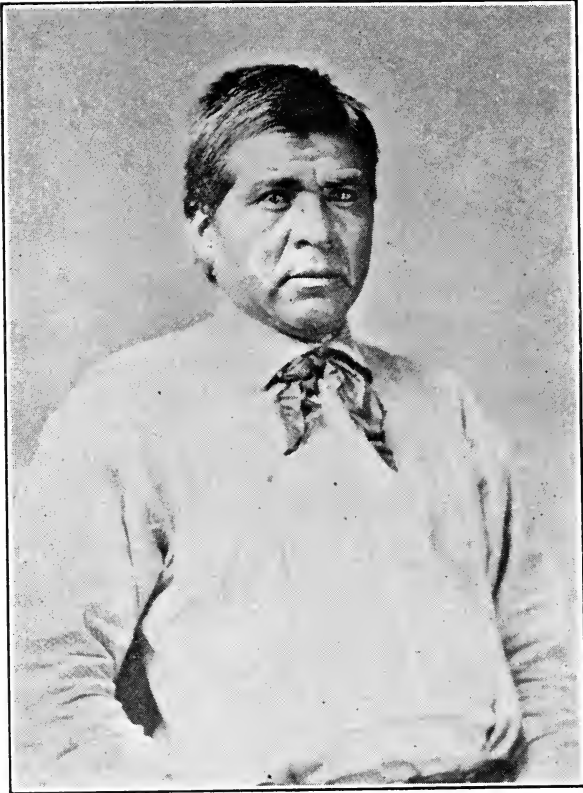
Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

Bulletins, as published, are mailed to members; subscription to the *Review* is additional.

Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Mr. Lansing B. Bloom, Santa Fe, N. Mex.





ES-KIM-IN-ZIN

Chief of the Pinal and Arivaipa Apaches. Photo taken at Washington, D. C., in September, 1876, while on a tour with a party of 20 Apaches under the direction of John P. Clum, United States Indian Agent

NEW MEXICO HISTORICAL REVIEW

Vol. IV.

January, 1929.

No. 1.

ES-KIN-IN-ZIN

BY JOHN P. CLUM

This was another of those moments in life that one never forgets. I was up against the real thing, and I began to consider my chances for success more seriously than I had done before. The thrill of the adventure had lured me to the canyon's rim. There I stood face to face with a more or less desperate situation. Everything depended upon the fidelity of the Apache police. I had been at San Carlos only about a month. Did I know these Indians well enough to trust them in such an emergency as this? If they failed me the agency employes would, doubtless, have additional gruesome reminiscences with which to regale my successor. Then, too, I reminded myself that our needle-guns were defective. The ejectors were broken, and after firing a shot the shell had to be forced out with a ramrod. These reflections were by no means reassuring.

But, whatever may have been my thoughts, I did not hesitate. The undertaking ventured upon must proceed to a finish. After a brief consultation it was decided that we would divide our "forces" into four attacking "columns." Es-kin-os-pas remained with me, while the other three policemen deployed by circuitous trails so that we might "surround" the camp of the moonshiners.

While the stalwart three were stealthily moving to the respective positions assigned them, my dusky retainer and I crept slowly straight down toward the hooch camp. When sufficient time had elapsed for our three "co-operat-

ing divisions" to arrive at the designated points, my side partner — brave and sturdy Es-kin-os-pas — broke the stillness of the night with a startling "war-whoop" that echoed and re-echoed savagely throughout the wild canyon. This was the signal agreed upon for the attack. Instantly our supporting "columns" repeated the "war-cry," and, judging from the number and quality of the fierce yells emitted by my grand army, the astonished Indians in the "tuh-el-pah" camp easily might have imagined that there were forty — or even four hundred — engaged in this attack instead of only four- or, I should say - *five*, for I vied in the yelling with the lustiest of the bunch.

Our approach had been so stealthy and the surprise so complete that the aboriginal brewers had no opportunity to resist. In an instant they found themselves covered by five needle-guns in the hands of men who looked as if they were not in a mood to be trifled with. Whether or not they thought we were supported by reserves I never knew. The women scampered for the brush and disappeared, but the men stood stolid, austere — seemingly unperturbed. I thought some of them looked a bit bored — but even so, that was better than being bored by one of our 50-caliber bullets. At all events they surrendered without a kick. Our search for weapons disclosed a few hunting knives, but no fire-arms.

Having detailed three-quarters of our army to guard the prisoners, Es-kin-os-pas and I busied ourselves with emptying the kettles of their precious contents. After the "still" had been *officially* dismantled we lined up our eleven prisoners (all men) and started on our return march to the agency, where we arrived during the wee hours of "the morning after." The prisoners were assigned to quarters within the temporary guard-house, while all four divisions of my faithful army bivouaced at the portal. As for myself, I found my humble couch most alluring after the experiences of my first midnight raid with the San Carlos Apache Police.

But only a few hours were devoted to rest and sleep — for there were matters of vital importance to the new administration demanding our attention that morning. At ten o'clock the Apache moonshiners were arraigned before the Apache Supreme Court. The Chief Justice having led the raiding party in effecting the arrest of the prisoners, addressed the court and explained to the Associate Justices the nature of the charges against the defendants and the evidence offered as proof of their guilt. This statement was unanimously corroborated by the Apache Police Force. Without hesitation or delay the Apache Supreme Court declared the Apache moonshiners guilty as charged; sentenced each of the defendants to a number of days' imprisonment at hard labor in the Apache agency guard-house, and remanded the prisoners into the custody of the Apache Police while serving the sentences imposed.

And thus it happened that my first mid-night raid at the head of this newly organized, experimental San Carlos Apache Police Force yielded important results which were not only immediate, but most wholesome in establishing the new administration on a practical and efficient basis. These results were of a three-fold nature. In the first place, the experiences of that night exerted a marked influence in establishing mutual confidence between the Apache police and myself. Secondly — and of the highest importance — was the fact that the raid offered an opportunity for a conspicuous demonstration of the just, swift and effective functioning of the Apache Supreme Court, — while a third and vital result of this vigorous prohibition enforcement gesture was its immediate discouraging effect upon the would-be home-brewers. Assuredly we had "put a crimp in the operations of local 'moonshiners' and 'bootleggers'." Thereafter offences against the bone-dry rule were of rare occurrence, — and never of an aggravated character.

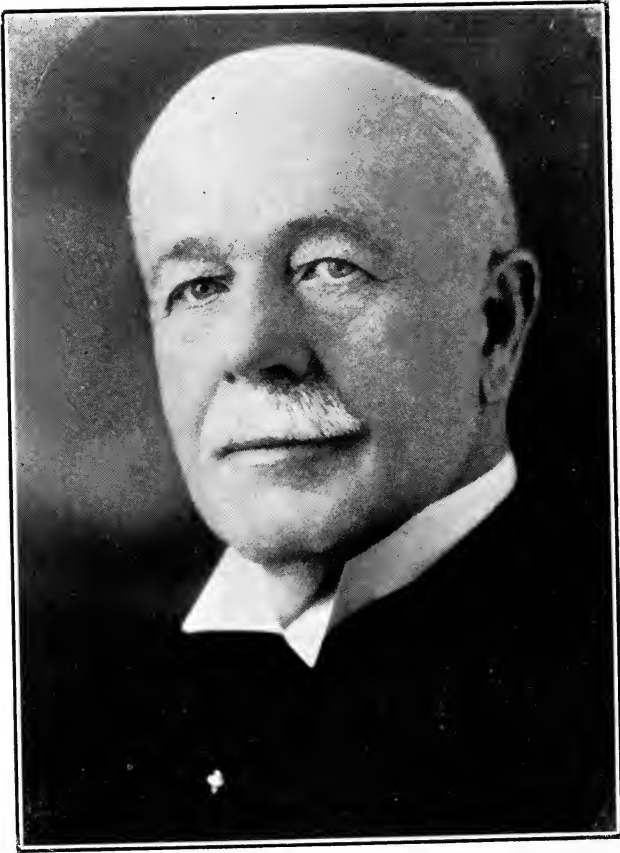
Es-kin-os-pas was not only a good policeman, but a

skilled tailor as well. And, moreover, he was independent of the foreign markets, as the material for all of his suits was home-made — from the skin of the deer. I was first made aware of his skill with the shears and needle when he presented me with a handsome suit of buck-skin, consisting of knee-pants and jacket, heavily fringed and neatly fitting. I liked the suit immensely and wore it often — and have always regretted that I lost it. Not long before I resigned from the agency a Yavapai Indian artist requested the privilege of placing some decorations on the suit. I left the suit with him to be “painted,” and, when I left the reservation — forgot it. Hence it is that now I have only the memory — and three photographs — of the buckskin suit.

The order releasing Es-kim-in-zin from confinement as a prisoner at Camp Grant was not issued until October 5, 1874, and about the middle of that month he returned to his family and people after an absence of nearly six months. Immediately upon his arrival at San Carlos he was re-instated as head chief and ever thereafter proved himself a worthy and faithful friend to me, to his people and to the peace. His conduct was most exemplary, and he was foremost among those making strenuous efforts toward self-support and civilization.

At his request he was given permission to occupy and cultivate several acres of vacant land on the Rio San Carlos a few miles from the agency, and he immediately set to work clearing this land of brush and constructing a ditch for irrigation purposes. I obtained for him a plow and a few other necessary farming implements and occasionally loaned him an ox-team from the agency. That he was fairly successful was demonstrated by the fact that two years later he sold \$65 worth of barley just before he left with me for the trip to the east.

Occasionally he would make a passing reference to the massacre of his family at old Camp Grant and his impri-



JOHN P. CLUM
(Author of Es-kim-in-zin)

sonment at hard labor in chains at new Camp Grant — but never in bitterness. He had been deeply wronged by the pale-face, but never by word or act did he indicate any desire on his part for revenge. He protested that his heart was not *bad* toward anyone; that he wished to forget the past and to think only of the future, meanwhile doing his best to improve his own condition and that of his people. He now had another family whom he treated with marked kindness and all seemed contented and happy. Doubtless the object of his deepest affection was the little daughter he had borne away in his arms from that awful scene of slaughter on the morning of April 30, 1871.

In the varying conditions which prevailed during my administration Es-kim-in-zin had numerous opportunities to demonstrate his loyalty, force and courage. During the week in March, 1875, when the newly arrived Indians from the Rio Verde reservation seemed determined to resist my authority I found that Es-kim-in-zin had not only been counseling these Indians in a wise and diplomatic manner, but that he had appointed himself as chief detective and had organized a sort of secret service force which, on two or three occasions, he had stationed as my special body-guard where they could render instant assistance in the event of an attack by the rebellious Rio Verdes. Later when I questioned him regarding the matter he confessed and defended his action by saying there were bad men among the Rio Verdes and he did not want to take any chances on having me killed — or even injured. I shall never forget that Es-kim-in-zin voluntarily faced the same danger he feared for me — and only a true friend will do that.

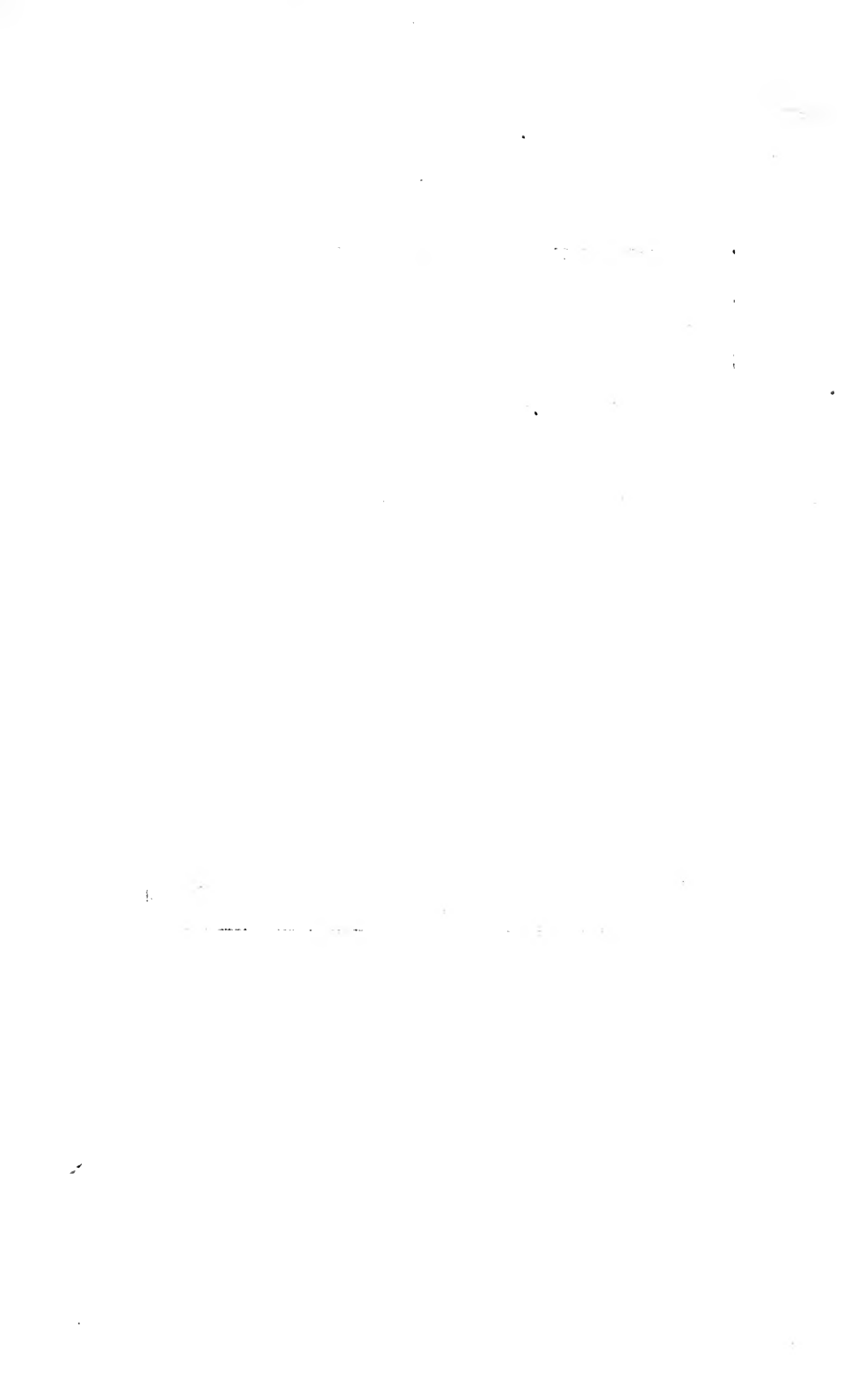
A little later in that same year I took Es-kim-in-zin with me to Camp Apache when I assumed charge of that agency, and in the serious and trying complications which developed there he proved himself a loyal and capable aide at all times and under all circumstances. These instances

will serve to indicate the general character of this Apache chief as displayed within my personal observation and experience, and will help others to understand the ever increasing friendship that existed between us.

From a retrospective viewpoint, the plan for taking a score or more Apaches on a tour of the east during the latter part of 1876 seems to me a very bold undertaking, but at the time the only feature that gave me pause was the question of finances. The story is worth the telling and will be entered later in a separate chapter. The taking of the Indians was absolutely unauthorized, and I departed from the reservation without leave. But the feature that astounds me now is my confident plan to take these "wild Indians" fresh from their (then) remote Arizona mountain trails and within a month transform them into effective actors on the American stage. And yet that plan was actually carried out with fair success in so far as the merits of our wild west stunts were concerned.

In making up my party for this trip Es-kim-in-zin was the first Indian invited to go. He was greatly pleased and entered into the project with his usual enthusiasm. Throughout the trip he exerted a most helpful influence in maintaining harmony and good cheer, which was a matter of no small importance. Moreover, he proved himself an actor of no mean ability.

On our return trip we went from Philadelphia direct to the end of the railroad at El Moro, Colorado. One evening as we were passing through a middle western state a robust conductor entered the car in which the Indians were traveling. I chanced to be in the car at the time and was standing with two or three other passengers near the door through which the conductor entered. He glanced savagely at the Indians and exclaimed: "The _____ _____' I'd like to have every scalp hanging to my belt." "Why so?," I ventured to inquire, "have these Indians harmed you, or your family or friends?" "No," he said,





TAH-ZAY

Oldest Son of Cochise and hereditary chief of the Chiricahua Apaches. Went on trip east with Agent Clum in 1876. Stricken with pneumonia and died at Washington, D.C., October, 1876.

He was buried in the Congressional Cemetery.

“they have not, but they are a bunch of blood-thirsty savages, etc.” After he had emitted a little more of his rough stuff, I pointed to Es-kim-in-zin, mentioned the cruel murder of his family and friends, his imprisonment at hard labor in chains, etc., and then I added: “That man is an Indian, an Apache — you call him a savage, and yet he has no desire for revenge; he only wants to forget the past and live a good and useful life. HE’S THAT KIND OF A SAVAGE, and has always lived in the Arizona mountains, while you have enjoyed the advantages of a Christian civilization. What do you mean by ‘blood-thirsty’? WHAT KIND OF A SAVAGE ARE YOU?” The menacing glance he flashed at me bespoke the hot blood of cruel barbarian forebears that surged in his veins. “Who has the tickets?”, he snarled. I handed him the tickets and the incident was closed.

AN APACHE DIPLOMAT

Soon after our return to the reservation from the visit to the East an extraordinary situation developed which afforded Es-kim-in-zin an opportunity to demonstrate his loyal friendship, as well as his rare tact and effective diplomacy. The episode had to do with a *good will visit* to the camp of the Chiricahuas. It will be remembered that Cochise — the noted war-chief of this sub-division of the Apache tribe — died in 1874, leaving two sons, Tah-zay and Nah-chee — then in the full strength and vigor of young manhood. Although brothers, these two young hereditary Apache chieftains differed widely in build, disposition and personal appearance. Both were tall, but Tah-zay’s broad and manly frame was well draped with solid flesh, and he was consistently even-tempered and genial — in fact, he was an all-round “good mixer,” while Nah-chee — slim and angular — was stern and taciturn, with

a serious cast of countenance and an inclination to haughty reserve. Included among those who accompanied me on the eastern trip was the young Chiricahua chief, Tah-zay — the older of the Cochise boys. While our party was visiting in the city of Washington Tah-zay developed a severe case of pneumonia which resulted in his death. He was buried in the Congressional Cemetery.

It is important now to recall the fact that about two months prior to starting on the trip to the East I supervised the removal of the Chiricahuas from Apache Pass to the San Carlos reservation, and that these Indians selected a location for themselves along the Gila river about twenty miles east from the main agency — where I established a sub-agency for their convenience. This was in June, 1876.

I returned from the eastern trip just in time to celebrate the first of the new year (1877) at the agency. Whenever called away from the reservation for any considerable time it was my habit, upon returning, to visit the several Indian camps in order to maintain personal contact and acquaintance with the different bands; to observe their general condition and attitude; to discuss any complaints or petitions that might arise, as well as to offer suggestions for their permanent betterment.

And so it happened that one bright morning in January, 1877, — having invited Es-kim-in-zin and half-a-dozen other Apache friends at San Carlos to accompany me — I gathered up the reins of a fairly good four-in-hand team and drove up to the sub-agency for a little heart-to-heart talk with the Chiricahuas. We discussed their affairs in most friendly fashion, and I was congratulating myself upon the satisfactory conditions which evidently had prevailed during my absence, when Nah-chee suddenly gave a very serious trend to the conference. Until that moment he had said very little, but I attributed his comparative silence to the habitual reserve of his nature.

His startling inquiry was in regard to the death of his brother, Tah-zay. He said I had taken his brother away in good health and had returned without him; that he had been told his brother was dead; that he could not understand why he had died unless someone who had influence with evil spirits had caused his sickness and death, for all of which he wanted explanation and satisfaction — and he distinctly intimated that he suspected I was responsible for the pain he felt in his heart, because I had taken his brother away when he was young and strong and well — and had not brought him back.

It was a serious moment. These Indians entertained dire superstitions. They feared evil spirits that could cause sickness and death. Their medicine-men were employed chiefly to drive away these unseen sprites — and they might kill, without fear of penalty, anyone suspected of being in league with such unwelcomed visitors from another world.

Nah-chee had me at a great disadvantage. His audience was in full sympathy with him — both in his bereavement and in his uncanny superstitions. Furthermore, he had about him a goodly company of stalwart warriors ready and willing to do his bidding, while I was alone with my half-dozen Apache friends from San Carlos.

There was a brief period of ominous silence during which I was making a frantic mental search for some reply that would appease — if not satisfy — the dangerous mood of Nah-chee. But that reply was never uttered. All necessity for a defence on my part vanished in an instant. The crisis had developed a genuine diplomat in the person of my staunch and capable friend — Es-kim-in-zin.

Abruptly he began speaking, and in a very grave and quiet manner he related the details of the illness and death of Tah-zay. Es-kim-in-zin's natural inclination to stutter lent an added impressiveness to his address. He told of the wise and serious pale-face medicine-men and the neatly clad nurses who had attended and watched over the

sick Indian; of our anxiety because of his illness, and of our great sorrow when he died; of the manner in which the body was prepared for burial, and of the coffin of polished wood with its plate and handles of bright silver. When he described the funeral he became eloquent as he spoke of the great men who came as a tribute of respect to the dead Apache. General Howard, who made the treaty of peace with Cochise — the father of the dead man — was there, and so was the Commissioner of Indian Affairs who represented the Great White Father at Washington.

There were other great men present whose names he did not know, but he would always remember the very good man* who talked about the "Great Spirit," and read about Him from a book, and told us that He was the God of the Apache as well as of the white man.

Then he described the wonderful "glass wagon" in which the coffin was placed, and the many grand "coach wagons" with glass windows and little doors and soft cushions — all drawn by beautiful black horses — and how General Howard and Commissioner Smith and the good man who talked to the Great Spirit, and the other great men and all of us Apaches got into the coach-wagons and rode to a beautiful place on the bank of a river (the Congressional Cemetery on the East Branch of the Potomac) where there were many trees and shrubs and flowers, and smooth gravel trails, and all about were hundreds of stones of different shapes with writing on them, and there was a great fence all around the place.

Here, the Chiricahuas were told, many of the great chiefs and warriors of the white men were buried, and the stones had been placed there to mark their graves, and the writing on the stones told the names of the dead heroes and what great things they had done. And now a grave had been prepared for Tah-zay in this beautiful place, and there we buried him — and we were all very sad — but we had

*Dr. J. E. Rankin, pastor of the First Congregational Church, Washington, D. C.

done everything that was right and good for Tah-zay while he was sick and after he died.

Having uttered this graphic recital my diplomatic friend paused and allowed a moment of absolute silence to precede his climax. Then, looking intently into the faces of the group of Chiricahuas about him, he declared with marked emphasis that he was glad and proud because he had been privileged to witness the very remarkable things of which he had spoken; that he was sure his words had seemed good to Nah-chee and to his friends; that Tah-zay had been a good and a brave man — the son of a great and famous chief; that he had lived well and had died in that wonderful city where the Great White Father lives — and his grave was there amid the tombs and monuments of those who had been great chiefs among the white men.

Again Es-kim-in-zin paused briefly, and then with dignified poise, his voice vibrant with suppressed emotion and his eyes beaming with a spirit of subdued exultation he concluded his masterful address with the following resistless appeal to the reason, pride and honor of the relatives and friends of the deceased: "My friends, I have spoken long and you have been very patient, but I had to speak because the story is good and true. And now I know you all feel as I do. A good man, a friend, a great chief is no longer with us. We are sad, and yet any family or tribe must esteem it a great honor and feel very proud to have had one of their members cared for in the grand city of the Great White Father as Tah-zay was while ill, and then buried amid the graves of pale-face heroes with the pomp and circumstance that marked the obsequies of the youthful Chiricahua chieftain."

The magical effect of this tragic recital was at once apparent. In a few words I corroborated the facts as related by my friend. Nah-chee's countenance was still serious, but when he spoke his voice was calm. He said he believed we had spoken the truth; that our words had

sounded pleasant in his ears, and that they had softened the pain in his heart. Soon after this the conference was concluded, and Nah-chee never again referred to the subject of his brother's death.

Es-kim-in-zin told his story in the Apache language — the only language he knew — , and while I have given it a liberal translation I have endeavored to record a literal presentation of the facts and sentiments expressed by my Apache friend.

The details of this narrative indicate that the illness and death of Tah-zay were not devoid of beneficial results, for they afforded the Indians with our party an opportunity to observe the civilized methods and customs of caring for the sick and preparing the dead for burial, as well as our funeral rites and ceremonies — all of which, under ordinary circumstances, were about the last things I would have thought of bringing to their particular attention.

In June, 1877, when I told Es-kim-in-zin that I was about to abandon my position as agent for the Apaches he was greatly depressed and pleaded with me to remain. "Nan-tan," he said, "we want you to stay and take care of all the Indians here on the San Carlos reservation, and then when you are very old we will take care of you." At that time Es-kim-in-zin held the clearer vision. He realized much better than I did what an orderly and sympathetic direction of their affairs meant to the Apaches. In after years when I have reflected upon the evil days which fell to the lot of the Apaches, always — unbidden — there has loomed a vision of what "might have been," and always I have regretted that I did not share that vision with Es-kim-in-zin in 1877, for, assuredly, if I had remained at San Carlos the subsequent life-story of this loyal but ill-fated Arivaipa chief would have followed fairer lines, while the mass of the Apaches, as I confidently believe, would have been led up gradually to a condition of reasonable comfort and substantial independence.

But fate decreed otherwise, and on July 1, 1877, I took my official departure from San Carlos. Just before I left I had an interview with Es-kim-inzin during which he said: "This is a sad day for me and for all the Apaches. We have had a good time since you have been with us. No one knows what will happen when you are gone. Many bad things happened to us before you came, and we had much trouble and sorrow. When some of these things happened I was blamed. You know all about these things. If there should be trouble here again I will be blamed. I have not made trouble and do not want to make trouble for anyone. I want to live at peace and make my own living and raise things for my family to eat. I can do this and I will do it. I will leave the reservation and then no one can blame me for what happens here. I will go down to the Rio San Pedro and take some land where no one lives now, and I will make a ditch to bring water to irrigate that land. I will make a home there for myself and my family and we will live like the other ranchers do — like the American ranchers and the Mexican ranchers live. Then I will be happy and contented and no one will blame me for what others do."

This was a brave step for Es-kim-in-zin to take, and the idea originated with himself. When he told me his plans I encouraged him, for I could think of no better way to avoid a repetition of his former difficulties. And so it happened that Es-kim-in-zin and I left the reservation about the same time — I for Tucson, and he for the San Pedro valley about 60 miles north of Tucson. During the next two years Es-kim-in-zin visited Tucson several times. I was glad of these opportunities to talk with him, and was greatly pleased to learn that he was both contented and fairly prosperous. But these visits from this friendly Apache soon came to an end, for in 1880 I established myself in Tombstone, and our Indian rancher was too busy with his crops and herds to make such a long journey. And so it happened that since he could not conveniently come

to see me, I finally went to see him. But that was years later — in 1894 — and I found this same Es-kim-in-zin away down in Alabama, at Mount Vernon Barracks, where he was then being held as “a prisoner of war.”

As I approached this prisoner of war in his Alabama exile I was not surprised to observe that he was not only well armed, but that he was engaged in a strenuous and aggressive combat. Neither was I surprised to learn that this situation met with the hearty approval of the commanding officer, for, as a matter of fact, the prisoner was armed with a pitchfork and was battling with natural elements for the common welfare. When I first caught sight of Es-kim-in-zin I thought he was stacking hay, but upon a little nearer approach I discovered that, with the assistance of a couple of squaws, he was arranging a hugh pile of leaves and straw as the basis of a compost with which to enrich the soil of the garden, for, be it known, he had voluntarily assumed the role of head gardener for the Alabama Apache community — which then consisted of upwards of 400 Indians.

Absolutely unaware of my identity Es-kim-in-zin gave a hasty glance in my direction and continued with his work. Evidently he was interested in his job and not in casual visitors to the camp. We had not met for about 15 years, but he must have observed something familiar in my form or stride, for his second glance was more prolonged. Nevertheless, he was still on his job as head gardener. By this time I was near enough for him to recognize my features and when he turned toward me the third time he stopped with a jerk. I met his eager gaze for an instant and then hailed him with a cheerful, “Hello Skimmy!” Instantly he forgot all about his job. Flinging his fork aside he abandoned the compost and hastened to meet me. I had seen Es-kim-in-zin excited before — but never demonstrative. He fairly hugged me. Whenever excited he stutted, but finally he managed to say: “Nan-tan Clum, high-u lah non-dah?” (Nan-tan Clum, where did you come

from?). I repeated the same query to him: "Skimmy, high-u lah non-dah nee?" As soon as he could control his speech he replied with a prolonged "en-zah-a-a-a-t," while with a wave of his hand he indicated that the "great distance" was to the westward. When I asked him *why* he was in Alabama he stuttered furiously as he exclaimed: "Cle-el-chew en-chy, Nee bu-kin-see." (Great lies. You know.) And after these informal greeting we commandeered some tobacco and sat down for a "nosh-tee" and a "yosh-tee" — meaning a sociable smoke and a heart-to-heart talk.

Es-kim-in-zin erred in thinking that if he established himself on the San Pedro he would not be blamed for what happened on the reservation. Whenever there was any sort of an "outbreak" indulged in by any of the numerous bands of Apaches then assembled on the San Carlos reservation it was easy for someone to allege that the ex-chief of the Arivaipas was in sympathy with the offending Indians and that he was aiding and abetting the renegades. While in Tucson I published the *Citizen*, and at Tombstone I established the *Epitaph*. In both of these publications I persisted in the defense of Es-kim-in-zin in the absence of competent evidence substantiating the charges made against him. Threats to attack him at his ranch were frequent. But in spite of many handicaps this friendly Indian lived and labored and prospered on his San Pedro ranch for *ten years* — and then came the attack. A friendly and timely warning enabled him to escape with his life.

Presently Es-kim-in-zin will tell his own story and I have sought to avoid unnecessary duplication of details. In fact, I have no personal knowledge of these details from the time of his last visit to Tucson in 1879 until I met him again in Alabama in 1894, but during this period I was always eager to learn all facts affecting the conduct and experiences of my ill-fated friend.

After my interview with Es-kim-in-zin at Mount Vernon Barracks I determined to make a vigorous plea in the name of simple justice in his behalf, but before filing this

plea I made a final effort to learn the nature of any crimes he might have committed, or had been charged with. I desired particularly to know the specific charges which had resulted in his exile to the renegade camp as a prisoner of war. I had not been able to obtain this information at the latter camp. On the contrary, Captain Wotherspoon, the commanding officer, and others in authority apparently regarded this prisoner in a most friendly fashion.

In my struggle to obtain a show of tardy justice for Es-kim-in-zin I had confidently expected that the Indian Rights Association would extend a helping hand, and with this end in view I addressed a communication on the subject to Mr. Herbert Welsh — the corresponding secretary. My dismay can readily be imagined when I read the following paragraph contained in a letter from Mr. Welsh under date of Philadelphia, February 1, 1894.

“I remember meeting Es-kim-in-zin, the Apache Indian of whom you speak, some years since at San Carlos. From what the military officers told me at that point, he had been guilty of many crimes. They seemed to regard him as a particularly cruel and treacherous man, although I suppose his history was not very different from that of many other Chiricahua Apaches.”

In the first place Es-kim-in-zin was not a Chiricahua Apache, and, secondly, while Mr. Welsh quoted hearsay charges he did not submit any evidence in support of those charges. I was seeking *evidence*, and so I sent the following reply to the corresponding secretary of the Indian Rights Association:

POST OFFICE DEPARTMENT

Washington, D. C.

February 7, 1894.

Herbert Welsh, Esq.,
Philadelphia, Pa.

I am in receipt of your letter of the 1st instant, and am disappointed to learn that you entertain a very poor

opinion of Es-kim-in-zin. I know him well and like him well. To me he has a very sad history. I am anxious, however, to learn the whole truth concerning this Indian before I enter any plea for him at this time, and if you have any evidence showing that he has "been guilty of many crimes," or that he is "a particularly cruel and treacherous man," I wish you would give me the benefit of the same. I have been a friend of Es-kim-in-zin for 20 years, but have been willing at all times to hear evidence of his faults — such evidence has been wanting in competency or wanting altogether. The Indian is not perfect, but he is better than those who persecute him. He may have done wrong, but the wrongs done him have been infinitely greater — or else a knowledge of his misdeeds has been kept from me in a most extraordinary manner. I only ask to know what his crimes are?

Very truly yours,
John P. Clum.

The only probable crime named by Mr. Welsh was the alleged killing of a man by Es-kim-in-zin soon after his family had been massacred at Old Camp Grant in 1871, and the survivors had been attacked a second time and fired upon by troops. That charge has been considered in connection with the story of the massacre.

At this time I was located in Washington as an official in the Post Office Department, and this position afforded me special facilities for obtaining information from other departments of the government. Having failed to secure satisfactory evidence from other sources, I addressed a communication to the Hon. Secretary of War, requesting information as to the crimes for which Es-kim-in-zin was being punished. In reply the secretary suggested that I come to his office and talk the matter over with Captain Davis, who had charge of all details connected with the Indian prisoners in Alabama. It was the latter part of February, 1894, when I called upon Captain Davis. The captain was exceedingly courteous and the interview very satisfactory — excepting that I was not advised of any *specific charges*. Captain Davis did say that the action

against Es-kim-in-zin had been taken as "a military precaution," but that the War Department was not desirous of retaining the custody of this prisoner.

Having been unable to discover any competent evidence of cruelty, treachery and crime on the part of Es-kim-in-zin after this long period of asking and seeking, I decide to submit my plea for justice through the office of the Commissioner of Indian Affairs, and the same was set forth in the following communication.

POST OFFICE DEPARTMENT

Washington, D. C.

May 31, 1894.

Hon. Daniel M. Browning,
Commissioner of Indian Affairs,
Washington, D. C.

Dear Sir:

I have the honor, herewith, to return to you my letter of March 24, 1890 (File No. 10830), and also four other papers which I have marked as exhibits "A", "B", "C" and "D", respectively, relative to the history and character of Es-kim-in-zin, an Apache Indian chief now held as a prisoner of war at Mt. Vernon Barracks, Alabama.

My letter referred to above was written more than four years ago and gives a brief history of Es-kim-in-zin — as I knew him up to that time. He is now a prisoner of war — I think unjustly so. It is alleged that he is a treacherous, cruel, bad Indian. I have sought for proof of these charges, but find that the unfortunate Indian has been condemned, sentenced and exiled, not only without trial, but without the filing of specific charges. The order exiling him from Arizona was "a military precaution" — it certainly could not be regarded as a military necessity. There are those who believe in Es-kim-in-zin as fully as I do, among whom are some officers of the army. General O. O. Howard, who knew this Indian before I did, still has confidence in him, and Captain Wotherspoon, who has had charge of him during his confinement at Mt. Vernon Barracks, has only good words to speak for him.

Let us consider, briefly, some of the details in the history of this Indian. Hon. Vincent Colyer says in exhibit

"C" that Es-kim-in-zin was the first Indian chief who came into the military post at Old Camp Grant, Arizona, in the spring of 1871, "and asked to be allowed to live at peace." While there under the protection of our flag and troops — and assured by our officers that he and his people could sleep at night in their camp "in as perfect security" as the officers could in theirs; he and his people — in the grey dawn of the morning, while yet asleep — were set upon by a band of assassins, under the leadership of Americans, and one hundred and twenty-eight of his tribe — his family, relatives and friends — old men, women and children, were brutally murdered and their remains savagely mutilated. Es-kim-in-zin saved only one member of his family from this horrible slaughter, and this was a little girl, two and a half years of age, whom he caught up and carried away in his arms as he fled from his terrible assailants.

If the conditions had been reversed and this had been a massacre of Americans by these Indians, how many pages of history would have recorded the bloody deed, and what chaste monument of purest marble would have marked the spot where defenceless women and helpless children had met such cruel death, — and how the memory of that crime would have steeled our hearts against mercy for the Apaches!

But not so with Es-kim-in-zin. The very next day we find him back in the military camp (see exhibit "A") where he is assured by the officer in command that no soldier had any part in, or sympathy with this horrible butchery. No one can read exhibits "A", "B" and "C" and then say that Indians have not hearts to feel as well as bodies to suffer.

Es-kim-in-zin still had faith in Lieutenant Whitman — and I may add that he still has to this day — and so he returned with the survivors of his band and once more placed themselves under the protection of the troops. But what followed? Within six weeks his camp was charged by a troop of white soldiers — mark the fact that these were soldiers — his people assualted, fired upon, driven out and scattered among the mountains. What excuse is it to say that this was "a very unfortunate blunder" (see exhibit "C")? What wonder is it that Es-kim-in-zin "became enraged," or as he said himself, "it made him mad;"

that his heart and his hand were stirred to seek revenge, and that a white man was killed either by himself or by his band? Is it not more wonderful that he stopped at the death of only one of a race with whom he had formerly maintained relations of perpetual war, and who, since a truce had been declared, had exercised so much treachery and cruelty toward him and his people?

The enemies of Es-kim-in-zin emphasize his crime by saying that the man he killed had be-friended him. They appear to lose sight of the fact that all this treachery, cruelty and murder toward the Apaches was enacted after the most solemn assurances of friendship and protection had been made to the Indians by the commissioned officers of the American Government. Is it not strange that we can pass lightly over the one hundred and twenty-eight treacherous and cowardly murders instigated by white men, while we carefully treasure the memory of a single killing by an Indian, and, after a lapse of twenty-three years - point to him and say: "this man murdered his friend" — without even giving him the benefit of the circumstances which instigated the crime?

Within the two years which followed the massacre at Old Camp Grant, Special Commissioners Vincent Colyer and General O. O. Howard visited Arizona. They did not find Es-kim-in-zin "treacherous, cruel and bad," but on the contrary they had great confidence in him, and when I was made his agent General Howard gave me a letter to him, and the general believes in the old chief to this day.

When I went to Arizona in 1874 I found Es-kim-in-zin at New Camp Grant in irons, engaged in making adobes for the soldiers, and then, as now, there were "no specific charges against him," I was told by the officers at the post that he was confined "because Major Randall did not like him" and regarded him as a "bad Indian" (see my letter of March 24, 1890, herewith.)

Soon after this I made an official request for the release of Es-kim-in-zin, and this request was complied with without opposition on the part of the military, from which I inferred that the Indian's offences — whatever they might have been — were not of a serious nature. From the time of his release (as stated in my letter herewith) until the day I left San Carlos no man was more faithful to the best interests of the reservation than this same In-

dian Es-kim-in-zin. We had many trying times at San Carlos from 1874 to 1877, and not once in all those years was Es-kim-in-zin found wanting in action or advice. I frequently depended upon his support when I felt my life was in danger, and he never failed to do his duty well.

When I left San Carlos Es-kim-in-zin expressed a fear that there might again be trouble on the reservation and so he said to me "I will go down on the San Pedro and take up some land and live like a white man — then they will not blame me for what happens on the reservation." I may state in this connection that Es-kim-in-zin had been industrious on the reservation, and before he left with me on the trip to Washington in 1876, he sold about \$65 worth of barley which he had raised that year.

It was under these circumstances that this Indian took up a ranch on the San Pedro in 1877, improved it with irrigation ditches and stocked it with horses, cattle and farming implements. I was then living in Tucson, Arizona. As soon as Victorio and his outfit left the reservation it was at once rumored that Es-kim-in-zin was "in sympathy with the renegades." At every fresh rumor of trouble with the Indians at San Carlos fresh charges were made against the ex-chief on the San Pedro — accompanied by frequent demands that he should be imprisoned or killed. I was then publishing the *Arizona Citizen*, and several times defended the Indian in its columns.

The subsequent story of Es-kim-in-zin is best told by himself in a statement made to Captain Wotherspoon under date of March 1892, and which is now on file at the War Department. This statement is substantially as follows: "Seventeen years ago I took up a ranch on the San Pedro, cleared the brush, and took out water in a ditch which I made. I plowed the land and made a fence around it like the Mexicans. When I started I had three horses and 25 head of cattle. I was on the San Pedro ten years; then I had 17 horses, 38 cattle, a large yellow wagon for which I paid \$150; four sets of harness for which I paid \$40, and another wagon which cost \$90, but which I had given to some relatives. I also had many tools."

"For about three years I drew rations from the agent. After that I did not draw any more till I was sent to the agency by Lieutenant Watson (seven years later). I bought all my family clothing and supplies with the money I made.

About four years ago (1888) Lieutenant Watson came to my ranch and gave me a paper from Captain Pierce, the agent, and told me I had better go to the San Carlos reservation; that citizens would kill me if I did not; that there were about 150 citizens coming with pistols. They came the next day after I left my ranch, and they shot at my women, putting bullets through their skirts, and drove them off."

"They took 513 sacks of corn, wheat and barley, destroyed 523 pumpkins and took away 32 head of cattle. I took my horses, wagons and harness with me to San Carlos. I am not sure that the citizens took the 32 head of cattle at this time, I only know that when I went back to my ranch the next time they were gone."

"After that I went to Washington, and when I returned they asked me if I did not want to go back to my ranch on the San Pedro, and I said 'no', I would not be safe there and would feel like a man sitting on a chair with some one scratching the sand out from under the legs. Then Captain Pierce said that I could select a farm on the reservation. So I went with Lieutenant Watson and selected a piece of land on the Gila just above the sub-agency. Lieutenant Watson surveyed it for me. I made a ditch for irrigating, and had water flowing in it, and had nearly finished fencing the farm when I was arrested."

"When I was arrested I had 21 horses and six head of cattle, and these have since increased to 38 horses and 68 cattle. Since I have been away one wife and some of my children have looked after the farm for me."

Such is a part of the story of Es-kim-in-zin as told by himself. But the drama does not end here. In 1871 his people were attacked and massacred by citizens, and in 1874 I found him a prisoner of war, in irons — disliked by some in authority and regarded by them as "a bad Indian." In 1888 (if we accept his own story as true — and it has not been denied) he was again compelled to flee from a company of armed citizens who were coming to take his life; his family were assaulted and fired upon and finally driven away, and his ranch looted. Although compelled to abandon the lands which he had improved and occupied for ten years on the San Pedro he was still undismayed, and once more set himself to work to make a new home on lands within the limits of the reservation, which had been

set apart by the government for the sole use and benefit of the Indians.

He has just completed some important improvements when some of his relatives commit a crime, and it is deemed judicious, once more, to make Es-kim-in-zin a prisoner of war, and a little later — without trial, without giving the accused the benefit of a single witness — the old Indian is taken from the reservation guardhouse at midnight and sent away into exile — as a military precaution. He is again “disliked” by some in authority, and it is once more alleged that he is “a bad Indian,” and that he “was liable to aid and abet the renegades,” — but the proof of these allegations does not appear to have been filed with the papers in his case.

And so it happened that when I visited Mt. Vernon Barracks last January I found there this Indian who has suffered and endured so much; who, through so many years, has striven against a cruel fate for the betterment of his own condition and that of his people; who has been accused so many times — justly in some instances, but falsely in more; who has been persecuted, humiliated, imprisoned, ironed and finally exiled — not only without trial, but “without specific charges.” I found him sharing the same fate with Geronimo, who was always a renegade while in Arizona. Though broken-hearted over his many misfortunes, I found him not only orderly but industrious — for he has charge of the Indians’ garden, and, true to his character, **HE IS GIVING THE COMMUNITY THE BENEFIT OF HIS LABOR AND INTELLIGENCE**, while Geronimo only makes little bows and arrows to sell — **FOR HIS OWN BENEFIT** — to travelers he meets at the railway station.

In conclusion I will quote from the final plea made by Es-kim-in-zin in the statement before referred to. He says: “Since I put down a stone with General Howard many years ago, and promised that I would never do anything wrong, I have not broken my promise. I ask to be sent back with my family to San Carlos, and given the land surveyed by Lieutenant Watson; that it may be given to me forever, and I will never ask for rations, or anything else for myself or my family from the government. I want to work like a white man and support my family. I can do it and I will always be a good man.”

The Secretary of War has referred the consideration of matters pertaining to the Apache prisoners of war to Captain Davis, and I have been advised by that officer that the War Department is willing, and even anxious to transfer the custody of Es-kim-in-zin — as well as the other prisoners — to the Indian office, or to any responsible parties (with the consent of your office) who may have in view a plan looking to the improvement of their condition and the permanent settlement of such Indians.

I regret that I am not in a position to make any recommendation in the matter of the future of Es-kim-in-zin. I have presented the facts in the story of his life as I believe them, and I trust that you will feel, as I do, that the plea of this Indian is entitled to prompt consideration. I have felt it an obligation which I owed to Es-kim-in-zin to present this statement in his behalf. It is my conviction that something should be done, and that speedily — to the end that Es-kim-in-zin and his family be permanently settled upon lands which shall be his during the remainder of his days, and — if he is not to be returned to Arizona — that stock and implements be furnished him at his new home, in just compensation for those he was compelled to abandon in Arizona.

Very respectfully,

JOHN P. CLUM.

It will be remembered that the corresponding secretary of the Indian Rights Association states that the military officers at San Carlos told him that Es-kim-in-zin had been guilty of many crimes and that they regarded him as a particularly cruel and treacherous man. Es-kim-in-zin tells us that about 1888 Captain Pierce, acting agent at San Carlos, sent Lieutenant Watson to his ranch on the San Pedro to warn him that about 150 "citizens" were coming to kill him, and would kill him if he did not flee to the agency at once.

These "citizens" had made various charges against Es-kim-in-zin and had repeatedly threatened his life during the ten years he had been living and laboring on his San Pedro ranch, and if the military officers at San Carlos believed that he had been guilty of many crimes and re-

garded him as a particularly cruel and treacherous man, it is not quite clear to me why Captain Pierce would take the trouble to send Lieutenant Watson 50 miles over a rough mountain trail to warn this criminal that he would be killed unless he, forthwith, fled for protection to these same military officers at San Carlos. In 1877 Es-kim-in-zin had voluntarily abandoned the reservation and the protection it afforded, and in 1888 the acting agent was under no official obligation to renew that protection, and assuredly not to a particularly cruel and treacherous criminal.

Had Captain Pierce felt convinced that Es-kim-in-zin was a criminal and merely desired to save him from assassination, he would have sent Lieutenant Watson with a squad of soldiers to arrest him and bring him to the agency as a prisoner. Instead of such action he warned him in a friendly and humane manner of the impending murderous assault. Later, when it was decided that it would be unsafe for Es-kim-in-zin to return to his San Pedro ranch, Captain Pierce told him he might select a new farm within the limits of the reservation. This permission greatly pleased Es-kim-in-zin, **EVEN THOUGH HE HAD TO BEGIN THE WORK OR RECLAMATION ALL OVER AGAIN.** Lieutenant Watson went with this friendly Indian and together they selected a piece of land along the Gila river just above the sub-agency, and Lieutenant. Watson **TOOK THE TROUBLE TO SURVEY THE LAND.** This action would indicate that both Captain Pierce and Lieutenant Watson felt that Es-kim-in-zin had been deeply wronged and that they desired to do all in their power — not only to express their sympathy, but to protect him in the possession of this land for the remainder of his life. As soon as the survey was completed Es-kim-in-zin set himself industriously at work digging an irrigation ditch and clearing, leveling and fencing the land.

Judging from the friendly and timely warning sent to the San Pedro ranch, and the kindly and sympathetic

assistance rendered in connection with the locating of the new ranch on the Gila, it is obvious that there were some military officers at San Carlos who did not hold Es-kim-in-zin guilty of many crimes and regard him as a particularly cruel and treacherous man.

After my plea in behalf of Es-kim-in-zin had been duly considered by the Commissioner of Indian Affairs I was advised by that official that he was in a quandary as to what action to take in his case, alleging that he feared that if the unfortunate Indian was returned to San Carlos he would be killed by some of the "citizens" who had formerly threatened his life and had finally attacked his ranch on the San Pedro.

Feeling that I had done all I could — all that was practicable in the circumstances to obtain a show of justice for my oppressed Apache friend, I waited. My official duties with the Post Office Department involved frequent trips to the Pacific coast. While glancing through a San Francisco paper on one of these tours I was startled by the following head lines: "NOTED APACHE CHIEF DEAD." "Es-kim-in-zin Ex-chief of Arivaipa Apaches Dies at San Carlos."

Later at Washington I was informed that the return of Es-kim-in-zin to Arizona had been accomplished with the utmost secrecy as a precaution against violence on the part of certain "citizens;" that only the officials directly concerned with his removal had any knowledge of the plan, and for this reason I had not been advised of the action decided upon by the Indian office.

Doubtless the officials at Washington were justified in maintaining such profound secrecy, but I felt they might at least have taken me into their confidence. I would like to have visited Es-kim-in-zin before his departure from the east. It would have been an inspiration to witness the renewal of his fine spirit in anticipation of his return; to observe his expressions of unfeigned joy; to watch his beam-

ing eyes; to hear him stutter; to have him tell me he knew I had pleaded for his delivery from prison; to grasp his hand in a final farewell, and hear him say once more: "She gee." "She kizzen." (My friend. My brother.)

Es-kim-in-zin's last wish was realized — his wish to return to San Carlos where he might spend his last days amid the mountains and mesas and valleys that were his before the pale-face came, and that his last breath might be drawn from the free air of his Arizona homeland. This happy realization must have flowed like a grateful balm to many cruel memories, soothing his chastened soul and making him — on the rim of the Great Divide — still capable of forgiving those who had wronged him.

THE DISCOVERY OF NEW MEXICO BY FRAY

MARCOS OF NIZZA

BY AD. F. BANDELIER

(The result of the research work of Ad. F. Bandelier, has stood the test of time and later discoveries, in most instances. His scholarship and scientific methods were thorough and most of his writings, now available only in research libraries will bear republication. The following appeared originally in *The Magazine of Western History*.)

The tale told by Cabeza de Vaca and companions¹—of their wanderings through the southwest, attracted attention, but it was not necessary in order to stimulate Spanish advance towards the heart of North America. Such an advance was already in progress since 1529, although it had not reached yet beyond southern Sonora. Confused rumors about a vast river flowing into the Pacific Ocean (Lower California was yet deemed an island) were gathered by Spanish outposts. That river was the Colorado of the West.²

The tribes of central Mexico knew nothing about the north, beyond that it was inhabited by fierce and savage tribes, and that somewhere in that northern country they themselves had possibly originated. The great quadrupeds of our west were unknown to them. One author affirms that, in 1530, Nuno de Guzman, then ruler of New Spain, heard of seven towns, lying forty days north of New Mex-

1. Alvar Nunez Cabeza de Vaca.

2. The expedition of Nuno Beltran de Guzman, successor to Cortéz, began in 1529. Garcia del Pilar *Relacion de la Entrada de Nuno de Guzman*, (Vol. II. of "Col. de Doe para la Hist. de Mexico," 1866, p. 248): "y mas de que salió ano de 29, tres dias antes de la Pascua de Navidad." The notice of the river is contained in the same volume on p. 303. *Segunda Relacion anonima de la Jornada de Nuno de Guzman*. It cannot have been any other than the Colorado, for the Spaniards had already discovered the Yaqui then.

ico, and which were rich in gold and silver. That story, it is said, prompted him to undertake his famous expedition to Sinaloa, and occasioned the spread of Spanish arms beyond the Mayo river.³

It should not be overlooked, that the story of the "seven cities," was in a measure of European origin. Even prior to Columbus, the tale of the island "Antilia" to which a Portuguese bishop fled with some Christians in the ninth century and where he founded seven settlements, circulated among cosmographers.⁴ It was a church legend. The discovery of the Antilles established that the seven cities were not there, but the story was not forgotten, and the mainland appeared vast enough to harbor, in some unknown nook, remnants at least of the legendary towns. Public mind was, therefore, prepared to find them.

The stimulus given to Spanish enterprise by the relations of Cabeza de Vaca did not arise so much from the fact that they conveyed startling intelligence. But the adventurers confirmed, in a measure, beliefs previously entertained thoughts long harbored. Whether the fixed abodes which they had seen, still more considerable ones of which they had heard, lay in the very distant north or in some other direction, the fact of their existence sufficed. But above all, it was considered that among those few men who had suffered so much, and had acquired such intimate acquaintance with country and inhabitants, one at least might prove invaluable as guide to further exploration. Such thoughts at once pervaded the mind of Don Antonio de Mendoza, viceroy of New Spain, and one of the greatest administrators America ever possessed.

3. Castaneda '*Relacion du voyage de Cibola*, (Chap. i, pp. 1, 2, 3.) '*Segunda Relacion anonima*,' (p. 303): "La demanda que llevábamas cuando salémos á descubrir este rio era las Siete Cidades, porque el gobernador Nuno de Guzman tenia noticia dellas."

4. See the inscription on the map of Jan Ruysch: '*Universalior cogniti Orbis Tabula*,' 1508. Also Fray Gregorio Garcio '*Origen de los Indios*' (second edition, 1729. Lib. iv., Chap. xx, p. 189.) The notice is inserted by the editor, Barcia.

The three Spaniards were unavailable. They returned to the mother country and Estevanico the negro, alone remained. Before however an expedition was started the viceroy cautiously determined to reconnoiter the country, with smaller apparatus, less risk of lives and minor expenditure. No better scouts could the Spanish administrator secure than missionaries of the church. They were wont to risk everything, to penetrate everywhere, regardless of danger. For one who perished, many were eager to follow. Such men could be implicitly trusted; they harbored no afterthought beyond the crown of martyrdom, which was their most glorious reward.

Ere the negro could be associated with any enterprise, it was prudent to test the truth of his statements. In 1538 two monks, Fray Pedro Nadal and Fray Juan de la Asuncion, traveled north as far as the Gila (or the Colorado⁵) river, but returned, being unable to cross it. They had started in January and came back the same year.⁶ This was the discovery of Arizona.

Meanwhile, Don Antonio de Mendoza had cast his eyes upon another friar who, he thought, would be specially

5. There exist but four notices of the trip, and they are very brief. The oldest one in my possession is from 1598. It is found in Fray Gerónimo Mendieta, *'Historia Ecclesiastica Indiana'* (Lib. iv, Chap. xi, pp. 399-400). It is quite confused and looks suspiciously like a copy of the report of Fray Marcos. Shorter, but very positive, is the notice given by Fray Juan Domingo Arricivita *'Cronica Seráfica y apostolica del Colegio de Propaganda fide de la Santa Cruz de Queretaro'* (1792.) He gives the names of the two friars and says they struck the river in 35° latitude, north, whereas Fray Marcos, who called it Rio de las Balsas, put it in 34°. The Gila flows, on an average, along the thirty-third parallel, and the error of one to two degrees is the usual one in determinations of latitude at those times. Arricivita (prologo) says it was the Colorado of the west; but Fray Marcos never reached that stream. Still it is possible, and at all events the fathers discovered Arizona. Finally José Cortés *'Memorias sobre las Provincias del Norte de Nueva Espana'* (1799, MSS. fol., 87) mentions Fray Juan de la Asuncion.

6. For a biography of Fray Marcos compare Mendieta *'Historia Ecclesiastica Indiana'* (pp. 400, 541, etc.) Fray Juan de Torquemada *'Los veinte i un libros rituales i Monarquia Indiana'* (second edition 1723, Vol. III, pp. 499-500). Fray Augustin Vetancurt *'Menologio franciscano'* (Reprint of 1871, pp. 117-119). Compare also my *'Historical Introduction to Studies Among the Sedentary Aborigines of New Mexico'* (p. 7, note 3.) He died at Mexico on the twenty-fifth of March, 1558.

fitted for an arduous task like the one northern explorations implied. Fray Marcos of Nice, in the Duchy of Savoy, had acquired considerable experience in Peru, Quito and Guatemala. He resided in Mexico since several years and was highly esteemed.⁷ To him the viceroy committed the enterprise, giving him as chief-guide, the negro Estevanico, and several Indians of the lower Pima tribe, who followed Cabeza de Vaca into northern Sinaloa. Those Indians had been brought to Mexico and taught the Spanish language on purpose that they might afterwards serve as interpreters and introduction with unknown Indians. Elaborate instructions were issued to the Franciscan monk in writing, those instructions speak highly in favor of the viceroy's perspicacity and tact. As an evidence I merely refer to the following sentences:

You shall always seek to travel with the greatest possible safety, to inform yourself of whether the natives are at war with each other. You shall avoid giving them any occasion to harm your person, lest it might in which case, in place of doing them good and enlightening them, the contrary would arise.

You will take the greatest care to note the strength of the people, if they are numerous or not, if they live scattered or together, the appearance of the country, its fertility, climate trees, plants, wild animals, the nature of the soil, if dry or traversed by rivers and whether those rivers are large or small, the stones and metals which that soil contains. If you can secure samples of all these objects, bring them along, or send them, in order that His Majesty may become thoroughly informed.⁸

Thus instructed—confirmed subsequently by a formal power and authorization of Fray Antonio de Ciudad Rodrigo, Franciscan provincial, (which document bears date:

7. Fray Marcos de Nizza '*Relacion*' (in '*Cibola*' appendix p. 206). Antonio de Mendoza ('*Lettre, etc.*' Idem p. 288). '*Histria General*' (Dec. vi, Lib. vii, Chap. vii, p. 155), "seis Indios de aquella Tierra, que eran Esclavos, i dió el visorrei al P. Fr. Marcos para su compania, que les havia tenito en Mexico, para que se hiciesen ladinos, i tomasen amor á las cosas de los Christianos."

8. Don Antonio de Mendoza '*Instruction donnee, au pere Marcos de Niza*' ('*Cibola*,' p. 251). Herrera '*Hist. General* (Vol. II, p. 156). -

Mexico, August 27 [old style], 1539), Fray Marcos left San Miguel de Culiacan (Sinaloa) on the 7-19 of March 1539. His companions were a lay brother of the Franciscan order called Onorato, the negro Estevanico, and a number of well-trained Indians.⁹ The negro was instructed by the viceroy, "to obey you in all matters as if you were myself. Should he fail to do it, he would render himself liable to the punishments inflicted to persons guilty of disobedience against officers invested by His Majesty with the right to command".¹⁰

Well-treated by the few Indians who occupied the country, the missionary reached Petatlan, on the confine of Sinaloa.¹¹ In that village he remained three days and here brother Onorato, having fallen sick, was obliged to return to Culiacan, while Fray Marcos, the negro, and the Indians moved onwards, traveling so far constantly near the coast. He now moved among natives belonging to the Yaqui stock. The country was thinly settled, sometimes uninhabited. The people told him that, four or five days beyond and inland, there were large towns whose inhabitants dressed in cotton. He showed his informants specimens of various metals which he had taken along. Their attention was at once attracted by gold which they pointed out saying: that the inhabitants of those settlements had bowls, also nose and ear pendants, made of that material.¹²

After moving for three days among people who received him in the most friendly manner, he arrived at a considerable village called "Vacapa." This was in all pro-

9. Fray Antonio de Ciudadrodrigo 'Attestation' ('Cibola,' p. 254). Marcos of Nizza 'Relacion' (p. 256).

10. Mendoza 'Instruction, etc.' (p. 250).

11. 'Relation' (p. 257). Herrera 'Hist General' (p. 156). The Rio de Petatlan is at present the Rio del Fuerte.

12. 'Relation' (p. 259). Herrera 'Hist. General' (II, p. 156) "dixeron, que á quatro jornadas la Tierra adentro se remataban las Cordilleras de las Sierras se hacia una Abra llana, i de much Tierra, donde la Gente andaba vestida, que tenian Vasijas de el Oro, que los mostr*, i lo traian colgado de orejas, i narices."

bability "Matape" of to-day.¹³ At all events it was about the centre of the present state of Sonora, and its inhabitants were "Eudeves." Here he resolved to send the negro ahead with directions to explore the country north of it for fifty or sixty leagues (135 to 162 miles). "I convened with him that if he learned of populous, rich, and extensive countries he should not advance any farther, but return in person or dispatch me some Indians with a token which we had agreed upon. In case that country was of ordinary size, he was to send a white cross of a hand's length, if more important the cross was to be twice that size, and if it was larger than New Spain the sign was a large cross."¹⁴ Estevanico left in the afternoon of "Passion Sunday,"¹⁵ and very soon Fray Marcos received a message from him in the shape of a cross or crucifix as high as a man. The Indians who carried it urged the priest to start after the negro at

13. 'Relation' (p. 260) says that Vacapa was forty leagues (108 miles) from the sea. Compare on the location of the place the map of Father Eusebio Kino (Kunhoe) in P. Joseph Stocklein 'Der neue Weltbote' (Vol. I, second edition, 1728). 'Noticia breve de la expedicion militar de Sonora y Sinaloa, etc.' (Vol. I, "Documentos para la Historia de Méjico," fourth series, Chap. viii. Trip of Father Juan Maria de Salvatierra and F. Eusebio Kino twenty-seventh of February to sixteenth of April, 1701. p. 327, no title). Bacapa is placed thirty leagues N. W. and six leagues N. and N. E. of Caborca, and the writer says: "y parece es por lo que pasó el ejército de Francisco Vasquez Coronado el año de 1540." He bases his opinion on the name and on the distance from the coast. The name proves nothing. Pima names, as well as Opata names, occur in Sonora and Arizona, sometimes half a dozen times. I know, from personal visit, two "Bamori," two "Bamochi," two "Nacori, etc., etc. Neither is the distance a criterion. Matape is not one hundred and twenty miles from the sea-shore. It is an old mission, having been founded among the "Eudeves" (a dialect of the Opata) in 1620. Orozco y Berra 'Geografía de las Lenguas' (p. 344). The distance from Vacapa to the "desert" (112 leagues or 312 miles) points strongly to Matape, so does the description of the country. But there is still another proof in favor of Matape. While sojourning along the coast, inhabitants of two islands, a larger and a smaller one, came to see the father, and they also visited him while at Vacapa (p. 262). The "Isla del Tiburon" and "del Angel de la Guardia" lie almost in the parallel of Matape, whereas from the Bacapa of Kino they are at least two hundred miles due south. It is not likely that Fray Marcos, having had intercourse with the Indians of these islands, would have waited until he was far to the north to send his people back after them.

13a. Orozco 'Geografía, etc.' (p. 344.)

14. 'Relation' (p. 260).

15. Idem (p. 260) "le dimanche de la Passion apres diner." Easter fell that year on the nineteenth of April, therefore Passion-Sunday on the fifth.

once, since the latter "had found people who spoke to him of a country, the biggest in the world, and he had with him Indians who had been there." One of these came to Vacapa with the others, and the substance of his tale was, that thirty days' march from the place where Estevan remained (about two journeys north of Vacapa a country called *Cibola* was to be found. He further said that "In this first province there are seven cities, very large ones, who all belong to one sovereign. There are large houses whose terrace walls are of masonry, the smallest are one story high with a terrace, there are others of two and three stories, and that of the ruler has four well-arranged floors. At the doors of the principal houses there are many ornaments of turquoises, which stones are quite common in that country."¹⁶

Fray Marcos was anxious to leave at once, still he had to wait yet for the return of messengers which he had dispatched to the coast. When these came they brought him shields of "cowhides," very large, and some of the coast people accompanied them. They were very poor, belonging evidently to the tribe of Guaymas,¹⁷ a branch of the "Seris."¹⁸

Leaving Vacapa two days after Easter Sunday, the missionary entered the Opata country, on the valley of the Sonora river. In his company went three Indians of a

16. Idem (p. 261) '*Hist. General*' (pp. 156-157).

17. The "Guaymas" were a branch of the "Seris" and spoke a dialect of their language. Orozco '*Geografia*' (p. 354). The Seris occupied, in the early part of the seventeenth century, the coast of Sonora from Guaymas north. Compare P. Ribas '*Hist. de los Triunfos de nuestra Santa Fee*' (Lib. vi, Chap. i, p. 359) "es sobremanera bozal, sin pueblos, sin casas, ni sementeras."

18. Compare '*Relation*' (p. 263-266) with the statements of Ribas '*Hist. de los Triunfos*' (Lib. vi, Chap. xviii, p. 392). It is the only valley in Sonora that could correspond to the description of Fray Marcos. I have examined it closely, under the auspices of the Archaeological Institute, as far south of the line as Babia-cora and am convinced that the friar took this route. This is further proven by the well established fact that, the next year, he led Coronado and his forces up the Sonora valley. Castaneda '*Cibola*' (pp. 44, 157, 158, etc.). Juan Jaramillo ('*Relation, etc.*' *Cibola*' appendix, p. 367). Castaneda says that when Coronado went from Culiacan to Cibola (by way of Sonora) all the Indians on the line of march knew Fray Marcos (p. 40). That the Opatas were, and still are, the inhabitants of the valley is a well known fact which requires no further proof.

tribe living east of Matape, and distinguished by the paint on their faces, chests and arms. "Relatives of theirs reside in the vicinity of the seven cities." These Indians were Pimas.¹⁹

While traveling up the Sonora river, (which he found well inhabited) Fray Marcos gathered further information about Cibola. All agreed about the number of turquoises found there, that the people dressed in long shirts of cotton and in cow-skins; the Opatas themselves owned greenstones and robes of cowhide which they acquired by trading at Cibola. "They added that besides the seven cities, there were three other kingdoms called Marata, Acus, and Totontec." But however earnestly the priest followed in the wake of his negro guide, the latter, disobeying orders, never stopped to wait for him, eager to reach Cibola first, regardless of the commands of the viceroy, Estevan, gradually increased the distance between him and his superior, limiting himself to messages urging the friar to greater haste.²⁰

The gray cloth in which the monk was dressed attracted the attention of the Opata Indians. They told him that at Totontec there was much of the same material, made out of the hair of animals as large as the two small grey-hounds which accompanied the negro, and that the people dressed in that cloth.²¹

The friar's route was constantly to the north. Beyond Bacuachi he left the Opata settlement behind and, entering a region which though, uninhabited, was by no means a waste, crossed the Arizona line of to-day. After four days of travel through this deserted country, reaching the valley of the San-Pedro river, he fell in with the villages of

19. The Pimas of Arizona inhabited, and still inhabit, the Gila within two hundred miles of Zuni. They paint themselves in a striking manner. East of Matape—or rather southeast—are the lower Pima missions and the "Valley of the Hearts."

20. 'Relation' (p. 264).

21. Idem (p. 267). Herrera (II, p. 157).

the Sobaypuris;²² a branch of the northern Pimas.²³ Here Cibola was almost a household word, and he received further information. It was stated:

(1). That the chief place of Cibola was called "Ahaus." (2). That Totonteac lay to the west of the "Seven Cities." (3). That there existed another "kingdom" named "Acus." (4). That Marata was south of Cibola, and that its power had greatly decreased on account of war with the people of the "Seven Cities."²⁴

This information he obtained from an old man, a fugitive from Cibola, who dwelt among the Sobaypuris in south-eastern Arizona. The last village of these people, the priest estimated to be one hundred and twelve leagues (three hundred and eight miles) north of Vacapa; beyond lay a desert which it required fifteen long journeys to traverse until Cibola was reached.²⁵

On the 9-21 of May he began this last painful march. On the first day he had to cross a river. Then followed eleven days more through an uninhabited country with abundance of game. It was consequently about the second of June, 1539, that he was "met by an Indian, son of one

22. The ruins of any consequence begin at Los Fresnos, but they are old, and Mutaicachi, about ten miles north of Bacuachi, was probably the last settlement of the Opatas along the Sonora to the northward. The village was abandoned in consequence of the Apaches. Beyond it the country was deserted until to the middle course of the San Pedro in Arizona, near Contention, a difficult stretch of fifty miles in a straight line, but of seventy at least in following water-courses.

23. 'Relation' (p. 267-269). "At this latitude," he says, "the coast turns and the Gulf of California terminates." "Elle tourne á l'Quest." This is absolutely true, though his altitude (35°) is of course wrong. It should be 32° latitude, north.

The Sobaypuris are a branch of the Pimas. Joseph Antonio de Villa-Senor y Sanchez 'Theatro Americano, etc.' (1748, Vol. II, Lib. v, Chap. xvi, p. 396): "hablan el Idioma de los Pimas, aunque alguna diferenciencia en la pronunciacion." They inhabited two valleys near Tucson (Id., p. 375), one of which was the San Pedro, but had to leave it in 1763 on account of the Apaches and retire to the vicinity of Tucson. 'Rudo Ensayo, tentativa de una prevencional Description Geographica de las Provincia de Sonora' (1761-62, published by Mr. Buckingham Smith, p. 102, 103, 105). Aricivita 'Cronica serafica y apostolica, etc.' (p. 410) says they compelled abandonment of the Sobaypuri mission in 1769. There are many ruins still extant on the Rio San Pedro and on the Arroyo Babocomari.

24. 'Relation' (p. 263, 267, 269, 271). Herrera 'Hist. General' (II, p. 157). These names are found yet in all the maps published as late as 1657, which shows what a firm hold the nomenclature of Fray Marcos had acquired.

25. 'Relation' (p. 272.) This would leave it in the neighborhood of Fort Grant.

of the chiefs who accompanied me, and who had followed Estevan, the negro. His face was all dejected and his body covered with perspiration; his whole exterior betokened great sadness." He indeed told a frightful tale, too often repeated to need detailed mention. Estevan had reached Cibola and its people had killed him.²⁶

It was a terrible blow to Fray Marcos of Nizza. At the very threshold of the promised land entrance to it was forbidden by the unexpected hostility of its inhabitants. His own Indian companions refused to go further, they rebelled against his weak authority. The course of prudence would have been to yield to their determination and turn back, but mindful of the instructions of the viceroy, Fray Marcos cut the cords which bound the boxes containing cloth and objects of exchange, and inviting his escort to help themselves, beseeched them to take at least one step further, enabling him to catch a glimpse of the "Seven Cities," and thus report to the viceroy on what he had actually seen.

His inducements prevailed. Even at the risk of their lives the whole party moved on toward Cibola. On their way they met two of the companions of Estevan. They arrived covered with blood and wounds. Here his Indians again refused to go further, and even decided to kill him, but he succeeded in appeasing them and finally came in sight of the desired place. "It is built in a plain on the slope of a hill of round shape; it appears very pretty; it is the most important that I have seen in these countries." He noted that the houses "were built as the Indians had told me, all of stone, of several stories and covered with terraces. This town is more considerable than Mexico; several times I was tempted to go into it, for I knew I was

26. The catastrophe has been often enough described.

only risking my life which I had offered to God the day I began my journey. At last, considering the danger, I feared that if I should be killed, the knowledge of the country might be lost." So he limited himself to take formal possession of "the seven cities, the kingdoms of Totontecac, Acus and Marata," in the name of Don Antonio de Mendoza, erected a cross, and left, regretfully though hurriedly.²⁷

The return was a flight. The Sobaypuris were angry at the death of their relatives at Cibola and received him with marked unkindness. Only among the Opatas he felt safe again, and further on he thought of reconnoitering the towns of which he had heard in southern Sonora as being inhabited by the people who knew and used gold. From the neighborhood thereof he observed, "seven villages of reasonable size and tolerably distant, a handsome and very fresh-looking valley, and a very pretty town whence much smoke arose. I learned that there was gold in quantity, that the natives manufacture bars, jewels for the ears, and little scrapers out of it."²⁸ Here also he planted two crosses and took formal possession. On the 2-14 of September, 1539, Fray Marcos handed in his official report, written on nine leaves or sheets of paper, consequently he must have returned to Mexico already in August, if not in July, of the same year.

On the strength of the official report, about whose genuineness there is not the slightest doubt, Fray Marcos of Nizza, has been, since more than three centuries, repeatedly accused of cowardice and of mendacity!

The accusation of cowardice is too silly to merit much attention. In not persisting to enter Cibola, the friar acted faithfully and judiciously. He exposed his person enough during the whole journey to show that he was true to his mission, to the letter and spirit thereof. The simple words: "I feared that if I should be killed, the knowledge of the

27. 'Relation' (pp. 274-280).

28. Idem. (p. 281). Herrera.

country might be lost," explains his action and justifies it.

Now to the question of veracity. There is no doubt but that the Franciscan monk reached Cibola, for the following year he accompanied Francisco Vasquez Coronado thither. That commander took the route which the friar led him, and arrived safely and swiftly. But once there, the Spaniards grew angry at the priest, charging him with having grossly misrepresented the state of the country, enormously exaggerated both resources and culture of its inhabitants.²⁹ Therefore, Fray Marcos must have been a great liar and deceiver. He retired to Mexico, and his order honored him for what he had done.

Where was Cibola? The name furnishes no clue. There is "Civonaroco," the "rock where people slide or fall." In the Opata Idiom, there is "Chivano-ki," the house of Civano, in the Pima dialect of Arizona, and the proper name of Casa grande. But Casa grande was abandoned long before the sixteenth century.³⁰ There is "Shi-wa-na," the name by which the Zuni Indians designated their home, their tribal range. In 1583, Antonio de Espejo positively asserts: "Zuni, which the Spaniards call Cibola."³¹ Mr. Frank Hamilton Cushing, whose model ethnological researches have thrown such a flood of light on the Indians of New Mexico, and on Zuni in particular, has determined that in the sixteenth century the Zuni tribe dwelt in seven villages. Six of these are named in an official Spanish document of 1598.³² The statement that Cibola was Zuni is repeated after 1583.

It must be remembered that Fray Marcos always tram-

29. See the certificate of Juan Baeza de Herrera, notary, appended to '*Relation*' (Civoli,' pp. 282-284.)

30. Castaneda ("*Voyage de Cibola*," pp. 13, 42, 48) is very bitter. He slanders the friar even by the incorrect statement that he knew nothing about Cibola but what the Indians had told him.

31. Compare my report in the '*Fifth Annual Report*' of the Archaeological Instituté of America (1884, pp. 67-72, 80-82).

32. Espejo '*Relacion del Viaje*' (Vol. XV, p. 177) has: "Amé, y por otro nombre Cibola." Hackluyt's version says: "Zuny, y la llaman las Espanoles Cibola."

ped as near as possible due north. We have followed him from the Culiacan to the Yaquis, to the Pimas of central Sonora, the Opatas of northern Sonora, into the valley of the San Pedro in Arizona, to the banks of the Gila river, where he camped. Thence, fifteen days of march would bring him to Cibola.

In the sixteenth century, only two groups of Indians, dwelling in houses of stone and mud, lay north of the Gila: the Moquis or Arizona and the Zunis of western New Mexico. All the other "Pueblos" were far to the north-east. In a straight line, the Moqui villages are only about one hundred and eighty-five miles from Fort Thomas, where the friar probably forded the river Zuni, only one hundred and sixty. But the straight line is utterly impracticable, even for Indians. The shortest trip from Zuni to the Gila is about two hundred and forty miles, if we take Fort Thomas or "San Jose del Pueblo Viejo" as terminal point. On his flight, Fray Marcos made at most ten leagues (twenty-seven miles) daily.³³ During the advance, when he proceeded cautiously and slowly, with Indians carrying on their backs casks and bales filled with goods for exchange, fifteen to eighteen miles would be a good average. It could have brought him to Moqui as well as to Zuni.

Aside from the fact that the Indians of Sonora, trading as they did periodically with Cibola, would, in case of going to the Moqui villages, scarcely have passed Zuni unnoticed—the report that a similar cluster, called Totontec, lay still to the *west* of Cibola, points to Zuni, and not to Moqui settlement. In the following year the Spaniards visited "Tusayan," west of Cibola, and thence reached the Colorado river, but found no villages between that river and the for-

33. *Obediencia p vasallaje a Su Magestad por los indios de la Provincia de Aguascobi* (Zuni, 9, November, 1598, in Vol. XV of "Documentos inéditos," pp. 132-133).

mer. No Pueblos existed west of Moqui in the sixteenth century. Totontec is an old word in Zuni Idiom.³⁴

South of Cibola, Marata was another tribe, similarly organized, but in condition of decadence from war. Marata, as Mr. Cushing has ascertained, is properly "Ma-tyata," and is the Zuni name for the group of Pueblos around the salt lakes *south of Zuni*, whose well preserved ruins are still visible. These villages lay abandoned in 1540, but it must be considered that Fray Marcos reports, not from ocular inspection, but after the story of an old fugitive who probably spoke of times long past. Still, the fact is interesting as intimating when and how the Pueblos at "el Carrizo" were given up.

"Hacus" is Acoma, the nearest Pueblo east of Zuni. Its proper name is "A-qo," the Zuni call it "Ha-cu-quin," the Navajos, "Hacu."

"Ahacus," designated as the largest Pueblo of Cibola, re-appears under the name "Aguascobi," as the principal Zuni village—in 1589.³⁵ It is the "Aguico" of Espejo³⁶ the "Havico" of Fray Geronimo de Zarate—Salmeron,³⁷—the "Ha-vi-cu" of the Zuni Indians, whose ruins are still visible at the hot springs, fifteen miles southeast of the Zuni-Pueblo.

All this points strongly to Zuni as the Cibola of old. It also indicates that, so far, Fray Marcos, allowing for the insufficiency of his sources, is *singularly reliable*.

The description of the houses applies perfectly to the many-storied, terraced, Pueblo-buildings. The custom of

34. In 1600. Also in 1626. Fray Gerónimo de Zárate-Salmeron: "Relacion de todas las cosas que en el Nuevo Mexico se han visto y sabido, así por mar como por tierra, desde el año de 1538, has a el do 1626." (In Vol. I of third series of "Doc. para la Historia de Mexico," p. 7) Coronado: "Llegó á la provincia de Cuni alojó su réal en el pueblo de Zivola que es la cabecera de aquella provincia."

35. 'Relation' (p. 281): "Le premier jour, je fis dix lieues, puis huit, puis dix."

36. In November, 1539, the viceroy sent out an expedition to test the credibility of Fray Marcos. The report of its commander, Melchior Diaz, is contained in the second letter of Don Antonio de Mendoza ("Cibola," pp. 292-297). It mentions Totontec and fully confirms the missionary's statements.

37. 'Obediencia p Vasallaje a Su Magestad' (p. 132).

laying in the frames of trap doors with small turquoises prevailed at Zuni in former times, as Mr. Cushing has found out. The Zuni dressed in cotton and had buffalo robes, which they obtained plentifully through trade. Turquoises they always had in abundance, and as there was a communication between Sonora and the north, the statement of Fray Marcos: that the Opatas and Sobaypuris wore them, is very rational and highly probable. Indian commerce goes slow but reaches remarkably far.

The cloth, woven from the hair of the quadrupeds about as large as small greyhounds, and worn at Totontec, can be found to-day at Moqui. It is no cloth, but a heavy blanket, woven with strips of *jack-rabbit* hair wound around a core of Yucca-fibre. That garment was abundant at Tusayan and even at Cibola when Coronado reached the latter place.³⁸

Lastly, we come to a statement which seems to place the mendacity of Fray Marcos beyond the possibility of palliation or doubt. It is his assurance: that Cibola was larger than the city of Mexico. But how large was Mexico in 1539? The Indian settlement had been destroyed in 1521; its ruins even were obliterated. The Spanish town sprang up in 1524, and it is questionable whether in 1539 it had much over one thousand inhabitants.³⁹ A many-storied Indian-Pueblo always looks, from the distance, twice as large as it really is, and even if Mexico had two thousand souls, the comparison far from being exaggerated, was very proper and truthful indeed.

When Coronado captured Cibola in the succeeding year, the largest Pueblo of the seven was called "Macaqui."⁴⁰ The ruins of "Matza-ki" lie four miles east of the present Zuni

38. '*Relacion*' (p. 118).

39. '*Relacions*' "El pueblo mayor y Cabeza de todas es el pueblo de Cibola, que en su lengua se llama Havico" (p. 30.)

40. Fray Toribio Motolinia '*Relacion posterera de Sivola y de mas de quatrocientas leguas adelante*' (MSS. 1549, in "Libro de Oro," unpublished): "tambien hacen mantas de pellejos de Liebres y de conejos."

'*Voyage de Cibola*' (the French translation, p. 163) has "Muzaque," but the original MSS., on fol. 107, has very plainly "Macaque."

village, at the foot of the high mesa. The place was inhabited until 1680, then permanently abandoned.⁴¹

In view of all these facts, it appears absolutely certain that Zuni was the Cibola of the sixteenth century, of Fray Marcos and of Coronado.

But where, in which one of the Zuni villages, was this negro Estevan killed? Mr. Cushing tells the tale. There are two traditions to that effect among the tribe. One relates that the first "Mexican" whom they saw was accompanied by two dogs, that his greedy insolence angered the people and they did away with him during the night. The other, more positive one, was that a "black Mexican" arrived at the Pueblo of "Caquima" and was killed there for his outrageous conduct. Soon after the "Mexicans" came in numbers and made war upon the Zunis. Estevan had two dogs with him, he was black, and the year after his death Coronado took Cibola by storm.

Caquima lies in a niche of the southern slope of the great mesa of Zuni, and is plainly visible from the south side only, whence Fray Marcos approached Cibola. His description of a plain—a hill or height on whose slope the village was built—agrees completely with Caquima, as it is seen from a distance.⁴²

It is noteworthy that Fray Marcos never mentions mineral wealth in connection with Cibola—Zuni; only tur-

Vetancurt '*Cronica de la provincia del Santo Evangelio de Mexico*' (p. 321) mentions "Mazaquia" as a hamlet, still extant in 1680. I know the place well, having surveyed the Ruins in 1883.

41. Herrera '*Hist. General*' (Vol. I, "Descripcion," p. 17) says that at his time (1610, about) Mexico had four thousand Spanish settlers. At the time of Sir Francis Drake, Mexico, and its surrounding towns, harbored seven thousand Spanish families, three thousand unmarried Spaniards and two hundred thousand Indians. Even this appears an exaggeration. Sebastian Munster '*Cosmography*' (1628, p. 1714).

42. Herrera '*Hist. General*' (II, p. 159) says: "en la falda de un Cerro redondo." This is even more appropriate than the French translation, and applies perfectly to Caquima as seen from the south. I surveyed the Ruins in 1883, while enjoying the hospitality of Mr. Cushing. It is well situated for defense.

43. The father was deceived by his own experience in Peru, where the natives knew gold as gold and not simply judged by the color.

quoises. When he mentions gold, it is only in southern Sonora. He speaks of it from hearsay, and may have been deceived. The Indians judged of the metal by its looks, and not after qualities unknown to them.⁴³

Cabeza de Vaca never having trod New Mexican soil, Fray Marcos of Nizza must stand in history as the real discoverer of New Mexico, and of its Pueblo Indians. Long mistrusted, often criticized, assailed, nay defamed, he appears at last as a courageous, devoted, sagacious, and thoroughly truthful man.

DOCUMENTS FOR THE HISTORY OF THE NEW
MEXICAN MISSIONS IN THE SEVEN-
TEENTH CENTURY
FRANCE SCHOLES

In the past our knowledge of the New Mexican missions in the seventeenth century has depended very largely on the writings of Benavides and Vetancurt. During the year 1927-28 I found a mass of new documentary material for the history of New Mexico in the archives of Mexico and Spain, and in these documents there is a great fund of new information concerning both general mission policy and the history of the individual missions which will make it possible to present a fairly detailed study of the New Mexican missions in the seventeenth century.

Most of the information is incidental, but there are several documents which consist entirely of descriptions of missions or of statistics concerning missions. These documents are presented here for separate publication because of their importance and interest.

I.

The first of the documents consists of a list of missions together with brief descriptions of the church, *convento*, *visitas*, and number of Indians in connection with each mission. It is a list which seems to have been part of or supplementary to the *Relation* of Fray Gerónimo de Zárate Salmerón. The edition of Salmerón's *Relation* which is printed in the *Documentos para la Historia de México*, third series, does not contain such a list, so that apparently the *Relation* as we have had it is not complete.

It is interesting to compare the list with the informa-

tion contained in the *Memorial* of Benavides, for, in certain respects, it contains more definite and more complete information than the Benavides account. It is possible also to check up some of the information presented in the new list by reference to statements in the papers of the Inquisition in the Archivo General de la Nación in Mexico City.

The document is part of a larger *expediente* which is in the Archivo General de Indias, *legajo* 60-3-6, and which has the title: *México. Ecclesiastical. 1664. The Provincial of the Order of Saint Francis of the Province of Santo Evangelio concerning the matter of granting 40 friars to the said province.*

A translation of the document follows:¹

Certification of the notices which exist concerning the Custodia of New Mexico which is part of the Province of Santo Evangelio of México; the state of the missions, churches, *conventos*, and provision for public worship, which are described below according to the relation and notice which were given concerning that Custodia by Padre Predicador Fray Gerónimo de Zárate Salmerón, exemplary minister in that Custodia, and remitted to the Very Reverend Padre Fray Francisco de Apodaca, Padre of the Province of Cantabria and Comisario-general of the Provinces of New Spain; from the year 1538 to the year 1626.

The Villa of Santa Fé, capital of that Custodia, in which live the Governor and the Spaniards, has a very good church in which is kept the Blessed Sacrament; everything pertaining to public worship is very complete and well arranged; it has a fair *convento*, and there are 200 Indians under its ad-

1. I have not tried to make any elaborate commentary, in the form of notes, on any of the documents translated. Such a commentary, to be complete, would necessitate a more careful study of the documents in the Inquisition papers than I have yet been able to make.

ministration who are capable of receiving the sacraments. 200

The said Villa also has a *visita* in the pueblo of Tesuque, with a church and 170 Indians under its administration. 170

The pueblo of San Ildefonso has a very good church, in which is kept the Blessed Sacrament; it has whatever is necessary for public worship, a choir, and an organ; it has two *visitas* and 400 Indians under its administration. 400

The pueblo of Santa Clara has a very good church, whatever is necessary for public worship, a choir and organ, a fair *convento*, and a *visita* in the pueblo of San Juan. It also has eight estancias under cultivation, and their serving people; and it has 993 souls under its administration. 993

The pueblo of Nambé has a very good church and *convento* and the rest pertaining to public worship, a choir, and an organ; it has a *visita* which is called Cuyamungué; and there are 300 souls under its administration. 300

The pueblo of Santo Domingo has a very good church, in which is kept the Blessed Sacrament, a choir, an organ, and many musical instruments; everything pertaining to public worship is very complete; it has a good *convento*. This pueblo has a *visita* called Cochiti; it has a church. There are 850 souls under the administration of the mission. 850

The pueblo of San Felipe has a good church, and the provision for public worship is very well arranged; it has a choir, an organ, and other musical instruments; it has 350 souls under its administration. 350

The pueblo of Pecos has a very good church, provision for public worship,² and organ and choir;

2. The Spanish phrase "culto divino" is used throughout the document to include the things necessary for worship as well as the act of worship itself.

there are 1189 souls under its administration. 1189

The pueblo of Galisteo has a good church, provision for public worship, an organ and choir; and a good *convento*. It also has a *visita* called San Cristóbal which has a good church and dwelling. There are 1000 souls under the administration of the mission. 1000

The pueblo of San Marcos has an ordinary church, and the provision for public worship is poor; the *convento* is not finished. It has two *visitas* called San Lázaro and La Ciénega, with poor provision in every respect.³ There are 777 souls under the administration of the mission. 777

The pueblo of Chilili has a very fine church and *convento*, choir and organ; in this pueblo there have been assembled many people from the other pueblos; there are 250 souls under its administration. 250

The pueblo of Tajique has a very good church and *convento*, choir and organ, and there are 484 souls under its administration. 484

The pueblo of Cuarac has a very good church, an organ and choir, and very good provision for public worship; there are 658 souls under its administration. 658

The pueblo of Abó has a church and *convento*, organ and choir, and provision for public worship. It has two *visitas*, the one for the Jumanos, the other is Tabirá. It has 1580 souls under its administration. 1580

The pueblo of Jemez has a splendid church, a good *convento*, a choir and organ, and 1860 souls under its administration. 1860

The pueblo of Sia has a church, *convento*, choir,

3. "Todo pobre."

and organ, and a *visita* called Santa Ana; it has 800 souls under its administration. 800

The pueblo of Sandia has an excellent church in which is kept the Blessed Sacrament; there is a choir and organ, and very complete provision for public worship; it has a *visita*, and estancias under cultivation, and the *visita* of the pueblo of los P-----⁴ (Puaray?); and 640 souls under its administration. 640

The pueblo of Isleta has a very fine church and *convento*; it has very good music and organ; there are fourteen estancias under cultivation. In this pueblo is kept the Blessed Sacrament. The pueblo has 750 souls under its administration. 750

The pueblo of Alameda has a fair church and *convento*, music and organ, and poor provision for public worship; and 400 souls under its administration. 400

The beautiful rock of Ácoma has on its summit the church which is the most handsome (in the Custodia?), the paraphernalia of public worship is abundant and unusual; (the church) has a choir and organ; there are 600 souls under its administration. 600

The pueblo of Oraibi has a very good church, very good provision for public worship, a choir with many (musical) instruments, a good *convento*, and 1236 souls under its administration. 1236

The pueblo of Aguatobi has a church and *convento*, and a *visita* called Gualpi, and it has 900 souls under its administration. 900

The pueblo of Xongopavi and its *visita* of Moxainavi have churches, a good *convento*, the provi-

4. It is not clear whether there was one *visita* or two, but probably only one. The word "P-----" was illegible. Inasmuch as Puaray is not mentioned elsewhere in the document it seems reasonable to assume that "P-----" may refer to Puaray.

sion for public worship is well arranged; there are 830 souls under its administration. 830

The pueblo of Socorro has a church and *convento*, with two *visitas*, Alamillo and Sevilleta; there is very good provision for public worship; there are 400 souls under administration. 400

The pueblo of Picurís has a very good church and *convento*, provision for public worship, music, and 564 souls under its administration. 564

The pueblo of Taos revolted, killed its minister, destroyed a handsome church and *convento*, and profaned everything pertaining to public worship; a very barbarous people; and of them 600 souls are reduced. 600

The province of Zuñi, severely punished for having destroyed churches and *conventos* and for having killed one of the ministers who served in the work of conversion; in this province there are 1200 Indians who have asked for ministers once more. 1200

The pueblo of San P-----o,⁵ which is being populated again, has 200 souls that have been converted. 200

20,181

All the churches and conventos, together with all the rest pertaining to public worship have been built (or provided) by the ministers of the Province of Santo Evangelio of México, without trying to avoid the hardships of those lands; thinking only of the spiritual future of so many converted souls, who now live peacefully in the missions of that Custodia; and in such a holy ministry is recognized the service of God Our Lord, and the solicitude of fulfill-

5. I do not know to what mission this refers.

ing with what His Majesty (God protect him) has ordered us to do for the advancement of Our Holy Catholic Faith.

I, Fray Bartolomé Marquez, secretary-general of the Indies certify that at the request of Padre Fray Antonio de Aristoi (?), Procurator-general of the Province of Santo Evangelio of México, I made this copy of the original which is in the archive of the Secretariat of the Indies, and it agrees with the original. Madrid, May 24, 1664.

Fray Bartolomé Marquez (Rubric)
Secretary-general of the Indies.

II.

The second document, which is a report to the officials of the Hacienda in Mexico City, describes the status of the missions during the years 1663-1666, and contains a statement of needs for the future.

The manuscript is in the Museo Nacional, Mexico City, in *Asuntos de Conventos y Colegios*, vol. 191, ff. 21, 22.

A translation follows:

Certification concerning the Friars of New Mexico.

I, Fray Domingo Cardoso, of the Order of the Lesser Brothers of the Regular Observance of Our Seraphic Padre San Francisco, Preacher, and Minister — Provincial of this Province of Santo Exangelio, Custodias of Tampico and New Mexico, Nuns of Santa Clara and Brothers of the Third Order, etc. —, certify to the Judges and Officials of the Royal Hacienda of this New Spain who reside in this City of Mexico, that from the third of August of the year 1663 to the third of August of the past year of 1666 the friar-priests who will be noted (below) have served and are serving in the missions of the Custodia of New Mexico, and that they have served during the three years referred to, being occupied in the administration of the Blessed Sacraments to the natives of the Custodia, converting to our Holy Catholic Faith and catechising innum-

erable others of the different tribes that are being converted there by means of their teaching and preaching; and they will serve in the same manner during all of the triennium following, and in the same work, fulfilling in so far as is possible on our part, the ministry in which His Majesty (Whom God protect) has placed the said friars, and for which effect he aids them with his royal alms; and for which reason there is due the said friars the grant (of alms) for the three years which are beginning and which are to be counted from the third day of August of the past year of 1666 and will be completed on the third of the aforesaid month of the year 1669; there being complete the number of friars, contained in this our certification, in each of the *conventos* of the aforesaid Custodia; and also the urgent need which exists for a greater number of priests. In the following form:

1. In the *convento* of La Concepción of the Villa of Santa Fé there serve and will serve three friar-priests,⁶ who will administer the said Villa, three *visitas*, and several *estancias*; and it is necessary that there should be five friars, four priests and one lay-brother.
2. In the *convento* of Nuestro Padre San Francisco of Nambé there serve and will serve two friars, one priest and one lay-brother; the priest will administer the pueblo, two *visitas*, and several *estancias*; another priest is needed.
3. In the *convento* of San Ildefonso there serves and will serve one friar-priest, who will administer the pueblo and six *estancias*; and because of the lack of friars he visits the *convento* of Santa Clara of the Tewas, and that of San Juan of the same nation, distant and separate pueblos; and at least three friars are needed, two priests and one lay-brother.

6. "Religiosos sacerdotes."

4. In the *convento* of San Lorenzo of the pueblo of Picuris there serve and will serve two friars, one of them a priest who will administer the pueblo; and because the said pueblo is in the mountains and suffers isolation from the beginning of October to the end of April, (the way) being impassable because of the frequent and severe snowstorms, and because the number of natives is increasing, it is necessary for the spiritual welfare of them, as well as of the friars, that at least four priests should serve in the said pueblo, three of them priests.
5. In the *convento* of Nuestra Señora de los Ángeles of the pueblo of Pecos, which is established in the mountain region, there are and there will be two friar-priests for its administration.
6. In the *convento* of the San Gerónimo of the pueblo of Taos there serves and will serve one friar-priest, who will administer the pueblo, which is on the other side of all the mountain ranges; and for that reason it is absolutely necessary that there should be two priests.
7. In the *convento* of Santa Cruz of the pueblo of Galisteo there is and will be one friar-priest who will administer it and also a *visita*; it is necessary to ask for one more priest.
8. In the *convento* of San Marcos of the pueblo of the same name there is and will be one friar-priest who will administer it, together with two *visitas* and three *estancias*; and in the said pueblo, which is of the nation called Tanos, it is necessary that there should be at least two priests.
9. In the *convento* of San Miguel of the pueblo of Tajuque there serves and will serve one friar-priest for the administration of the said pueblo, and who also looks after the affairs of the pueblo of

Chilili in which there is established a *convento* with the title of La Natividad de Nuestra Señora; and (because) both are in the mountain region and surrounded with the hardships of mountainous country, it is absolutely necessary that two priests should serve in these pueblos.

10. In the *convento* of the Immaculate Conception of the pueblo of Cuarac there serves and will serve, for the administration (of the pueblo), one friar-priest; and because (the pueblo) is in the rugged part of the mountain area, it is necessary that there should be at least two priests.
11. In the *convento* of San Gregorio of the pueblo of Abó established in the mountain area and surrounded with similar hardships, there serves and will serve one friar-priest, who will administer it; and the service of two priests is absolutely necessary.
12. In the *convento* of San Buenaventura of the pueblo of the Jumanos there serves and will serve one friar-priest for the administration of the Blessed Sacrament in the pueblo and in a *visita* which is also in the mountain area; for this reason it is regarded that the assistance of two more priests is indispensable.
13. In the *convento* of Nuestro Padre Santo Domingo, established in the stated *peaje de sierra*⁷ there serves and will serve one friar-priest for the said administration in it and in a *visita*; and for lack of friars he will also administer the pueblo of Cochití in which there is the *convento* of San Buenaventura. Moreover, in the *convento* of Nuestro Padre Santo Domingo there is a *sagrario* and in it is a lamp which burns continuously and in it there serves the Padre Custodio together

7. The meaning of this phrase is not entirely clear.

- with a lay-brother who assists him as companion to the said Padre. It is indispensable that there should be at least three priests and the lay-brother.
14. In the *convento* of San Diego of the pueblo of Jemez there serves and will serve two friars, one of them a priest who will administer the pueblo; and it is necessary that one more priest should be added.
 15. In the *convento* of La Asunción de Nuestra Señora of the pueblo of Sia there serves and will serve one friar-priest, who will administer it and also a *visita*; the service of two priests is necessary.
 16. In the *convento* of Nuestro Padre San Francisco of Sandia there serve and will serve two friars, one of them a priest who will administer the said pueblo, two *visitas*, and thirty estancias, more or less; for this reason three priests and one lay-brother are indispensable.
 17. In the *convento* of San Antonio of the pueblo of Isleta there serves and will serve one priest for the administration (of the mission) and as guardian of the *sagrario* which is there and of the lamp which burns continuously; and he also has charge in fourteen estancias. For this reason the continual assistance of two priests is indispensable.
 18. In the *convento* of Nuestra Señora of Socorro there serves and will serve one friar-priest for the administration of the (pueblo), two *visitas*, and two estancias; and another priest is necessary.
 19. In the *convento* San Antonio Glorioso of the pueblo of Senecu there serve and will serve two friars, one of them a priest who will administer the said pueblo; and one more priest, at least, is needed.
 20. In the *convento* of San Estevan of the Rock of Ácoma, which is twenty-four leagues distant from

the nearest settlement, there serves and will serve one friar-priest for the administration (of the pueblo) and it is positively necessary that three priests should serve (there).

21. In the *convento* of Nuestra Señora de la Candelaria of the pueblo of Halona there serves and will serve one friar-priest, who will administer the Blessed Sacrament in it and in a *visita*; and also because of urgent necessity he serves the pueblo of La Purísima Concepción of Hawikuh, with also another *visita*, which is distant thirty six leagues from the nearest settlement; and for these reasons it is almost inaccessible; and it is necessary that there should be at least three friars to serve (the pueblos).
22. In the *convento* of San Miguel of Orabibi there serves and will serve one friar-priest who will administer it and also a *visita*; and also, for lack of a friar, he looks after the pueblo of Moxainavi in which there is a *convento* and also a *visita*; it is necessary to add one priest.
23. In the *convento* of Xongopavi there is one friar-priest who will administer it and a *visita*; and it is necessary that another priest should be added.
24. In the newly established *convento* of Nuestra Señora of Guadalupe in El Paso⁸ there serve and will serve two friar-priests who will administer more than seven hundred new christians and a large number of neophytes."
25. In the new conversion of the nation of the Sumas there has been erected a hermitage and dwelling whose title is that of Las Lagas de Nuestro Sera-

8. The mission was founded in 1659, the corner stone of the church dedicated in 1662, and the completed church dedicated in 1668. Hughes. *The Beginnings of Spanish Settlements in the El Paso District*. pp. 305-308.

9. "Catechumenos."

fico Padre San Francisco; and there serves and will serve (the conversion) one friar-priest who will administer a single family of christians and several neophytes, and he is reducing a large number of gentiles to Our Catholic Faith, with great hope that they will receive Holy Baptism, Another friar is requested to aid him.

And that the said Judges and Officials of the royal Hacienda who reside in this City of Mexico may reply to the aforesaid, and that there may be granted the customary alms, which His Majesty (whom God Protect) has formerly granted to the said friars of Our Holy Order, for all the three years which have begun and will be completed on the third day of August of 1669, as more fully noted and explained in the first part of this document — I make the present certification and swear on the word of a priest, with my hand on my breast, that in the conversion of the stated Custodia of New Mexico neither I nor the Reverend Father Provincials, my predecessors, have admitted into the (said conversions) any friar who may have come from the Kingdom of Castile with stipend from the King Our Lord (whom God protect) and destined for the Philippine Islands or for other parts of these kindgoms, nor will I admit them. And I also swear, in the same form as aforesaid, that in all the stated *conventos visitas*, and *estancias*, of this our said Custodia, in which it is customary to celebrate ths Holy Sacrifice of the mass, I have ascertained that they have ornaments, chalices, and the remaining things necessary to celebrate properly; and also that in the *conventos* there are books in which are registered and inscribed the natives of the said Custodia, with individual notation for those who are baptised, married, or who die; and that the *conventos* which are noted in this certificate as having *sagrarios* there are lamps which burn continuously before the Blessed Sacrament. And by the present (certi-

fication) I certify the truth of the (aforesaid); signed with my hand, sealed with the great seal of our office and countersigned by our secretary. In this City of Mexico the sixth day of-----?-----¹⁰,1667.

Fr. Domingo Cardoso, (rubric)

Minister Provincial

By order,

Sr. Felix de Pandateguis

Secretary.

(To be continued)

10. Month omitted.

REPORT OF COUNCIL PROCEEDINGS

WITH THE

JICARILLA APACHE INDIANS

Indian Agency

Cimarron, N. M.

Dec. 21, 1873.

To the Hon:

E. P. Smith

Com. Indian Affairs,

Washington. D. C.

Sir:

In compliance with your instructions dated 17 Nov. 1873, directing me, as Agent of the Government, to assemble a Council of the Jicarilla Apache Indians, and obtain their consent to an agreement for their removal to and permanent location upon a Reservation, defined in said Agreement, etc., etc. I have the honor to report as follows:

Upon the receipt of your instructions the Apaches were scattered in small bands in different parts of the Territory. —I immediately sent messengers to the Camps of those, whose locality I could learn, directing them to meet me at this Agency on the 1st inst, but was only able to get together a small number on that date, owing to their camps being so far apart and so distant from the Agency — I explained to those of the Apaches, who answered my summons, that I was empowered by the Government to enter into an Agreement with them for their permanent location upon a Reservation and requested them to select a Representative Delegation to proceed with me to Tierra Amarilla, New Mex., for the purpose of holding a council to transact business entrusted to me but owing to the fact that at that time the

weather was very stormy and the snow in the mountains between this place and Tierra Amarilla was very deep, they positively refused to comply with my request, but stated that as a greater part of their number was then at Tierra Amarilla, they would agree to whatever was done in the Council Relying upon their good faith after I had exhausted every means of persuasion, I proceeded to Tierra Amarilla by way of Santa Fé, at which point I arrived the afternoon of the 4th inst., and as directed by your telegram of the 29th inst. I made requisition upon Supt. Dudley for funds to defray necessary expenses, which requisition was duly honored by that officer on the morning of the 6th inst.—Immediately upon the receipt of funds I hired a conveyance and at once started for the place of holding the Council accompanied by a competent translator and interpreter whom I deemed it prudent to employ, where I arrived at noon of the 9th inst.—, having travelled most of the time through a blinding snow storm, with the snow on the ground from 1 to 2 feet in depth, and over a country where there is only one place of shelter for a distance of about 50 miles Upon my arrival at Tierra Amarilla very much to my disappointment, I found that the Indians had left, scattering in small bands in search of winter quarters, but determined to do all in my power to accomplish your wishes, I immediately despatched messengers on the different trails made by the Indians on their march, and they were fortunate enough to overtake them, and in compliance with my request they at once returned to their agency at Tierra Amarilla. Late in the day on the 10th inst., all of the Chiefs and principal men of the Apaches, located at the Tierra Amarilla Agency, having arrived, I at once convened a council in due form. After reading to them, my authority for calling them together in Council, I read to them the proposed Articles of Agreement — They listened attentively throughout the reading, frequently expressing their approbation — After I had concluded reading the article of agreement,

as I had expected, many of them positively refused to have anything to do with it, stating that the Government had no right to take them from the home, which they had occupied for so many years. Time will not permit me to embrace in this report, the speeches made by the different Indians. After talking to them I adjourned the Council for the purpose of obtaining refreshments, and to give the Indians opportunity to talk amongst themselves. Immediately upon arriving at Tierra Amarilla, I had made up my mind that the Indians had been tampered with and prejudiced against any agreement, which might be offered for their acceptance. Their talk during the Council confirmed me in my belief. On my way to Tierra Amarilla I requested the attendance at the Council of Mr. John Townsend, a personal friend of mine, whom I knew would render me all the assistance in his power, and of whom I will speak hereafter. Also, before the assembling of the Council, I asked the assistance of two other gentlemen, of whom I will also speak hereafter.

During the recess of the Council these gentlemen used their personal influence in disabusing the minds of the Indians of the evil influence which they had been subjected to by evil disposed persons and pointed out to them in the most forcible way the great benefits the Agreement proposed to confer upon them. I have reason to congratulate myself upon my prudent forethought in securing the assistance of these friends, for without their help I might have been several days in accomplishing that which was accomplished in only a few hours.

On the reassembling of the Council, after some preliminary talking, I am pleased to state that the Jicarilla Apache Indians, in Council assembled gave their unqualified consent to the Articles of Agreement, presented for their acceptance, and desired me to convey their thanks to the Government for the liberal provision proposed for them.

During the Council there was at the Agency about four hundred Indians, men, women and children. Most of them arrived after the Council had concluded — I was compelled to make some presents in the shape of clothing to some of the Indians, who were almost destitute, but not having your instructions to buy any goods I made my purchase as light as possible. I was unable to secure the attendance at the Council of any of the Ute Indians, they being from 30 to 40 miles west of Tierra Amarilla, where they had gone in search of winter quarters. I, however, despatched a messenger to their nearest camp, with directions to request them to send a Delegation of their principal men to meet me in Council at their Agency as soon as possible — I waited for them 3 days when my messenger returned, bringing with him Ute Indians, who stated that they were not Delegates, authorized to act for their people, but that they had only come to see what I wanted — I stated the object of my mission, explained to them the Articles of Agreement, accepted by the Jicarilla Apaches and the clause therein to which the Government asked the assent of the Utes. They stated, that they could see no objection whatever to the Apaches having access to their Agency and being cared for by their Agent, but, that, as they were not authorized Delegates, they could not take upon themselves to sign the Agreement, but were sure that their people would give their consent at any time, when they could be got together and the matter presented to them.

My thanks are due to Agent W. D. Crothers for his efficient and kind assistance during the Council. He did everything in his power to make my mission a success. Mr. Thomas D. Burns, of Tierra Amarilla, a personal friend of my own, rendered me very efficient service, for which I am truly grateful. He is one of the few gentlemen, possessing the entire confidence of the Apaches, which he has acquired by kind treatment and fair dealing with them, Of Mr. Townsend's invaluable assistance, I feel it is but

just to make a special mention. Having a long thorough acquaintance with several of the principal Apaches, who had been tampered with by parties hostile to the Treaty and actuated by most unworthy motives, I regarded him as the person most likely to disabuse their minds of the false impressions in regard to the character of the Treaty and the objects and purposes of the Government that had been imposed upon them — and upon my summons he left his business nearly 100 miles away and joined me at Tierra Amarilla, riding alone through an unsettled country made dangerous by the heavy snowstorms that had blocked and concealed the roads. The condition of things I found at that place indicated my action in the matter and proved that my foresight was fortunate. Although the Treaty would undoubtedly have been made without Mr. Townsend's assistance, I am free to admit that it was made much more easily and at an expenditure of less time and money by his efficient help.

On the morning of the 14th I started for Santa Fé, where I arrived at noon on the 16th inst. I was detained in Santa Fé one day and on the morning of the 18th left for Cimarron, where I arrived about noon on the 19th. I immediately sent word to the Apaches, located at this agency, and who were encamped only a few miles distant, to meet me in Council at my Agency on the morning of the 20th. In compliance with my request the two principal chiefs José Largo and San Pablo with all their principal men and about 100 of their braves arrived early, and at about ten o'clock, I assembled them in Council and read to them with the assistance of my Interpreter the Articles of Agreement; after which I stated to them the result of the Council at Tierra Amarilla and reminded San Pablo and found a Delegation of Monache Utes, who were awaiting my arrival and very anxious to join their people, who are out on the plains hunting. I stated to them the nature of the Agreement with the Apaches, and the part thereof to which the

Government wanted the assent of the Utes, who were to be located at the Southern Ute Agency. They said it was a good thing, and that they were glad that the Apaches were to continue their neighbors, as many of their people were married to Apache women, and that it was right they should live together, and directed me to write their names to the paper, they making their mark, which was done in the presence of witnesses, after which they mounted their horses and started for the hunting ground. I wanted them to remain to meet the Apaches in Council, but they said they did not wish to do so, as they feared they would not be able to find their people, if they delayed longer. After they had stated and several others present, that they had agreed to assent to what ever might be done at that Council, but, as I had expected, they ignored their promise, and wanted to wait until next Spring, giving as a reason, that they were not satisfied that I was properly authorized to enter into an Agreement with them. Candidly stating, that they had been informed by men, whom they had known for years, that I was not properly authorized, and that they had been advised to enter into no agreement with me, and that if they waited until next Spring, the Government would send a Commission to treat with them, or would authorize someone to treat with them, whom they had known for many years. I found that the influence exerted against me was quite as bad, if not worse than that at Tierra Amarilla, but by patient labors, and some very plain straightforward talking, I satisfied them that I was the duly authorized Agent of the government to enter into an Agreement with them and that their advisors were actuated entirely by selfish and unworthy motives. Still they wanted to temporize — wanted time to consider, and, as it was growing late in the day, I adjourned the council for supper, but here during the recess of the Council I had nobody to assist me to counter act the influence that had been exerted against me. After supper I reassembled the Council and with patient

labor succeeded in explaining to them the necessity for prompt action, explained that unless the Agreement, duly signed, reached Washington in time to receive the confirmation of Congress, that next year, they would be unprovided for, San Pablo said that he believed I was talking the truth, that all that I had said sounded to him like the talk of a friend, and although he had not been acquainted with me many months, he was sure I would not ask him or his people to enter into any Agreement which was not for their benefit and best interest and that he was ready to sign the paper. José Largo said, that, although he had never met me before, he had heard of me through his people and that he agreed with his friend San Pablo in all that he had said, but still there were many things connected with the Agreement, which he was not able fully to comprehend. The paper was so very long, and contained so many things, that it was hard for a man as old as himself, who could not read, to remember all that it contained. He wanted to know more about that part referring to farms and schools and becoming civilized. After reading the article again, and explaining it to him to the best of my ability, he said it was good, and that he hoped his grand children would when they grew up to be men and women, have so improved the opportunities offered them, that they would be able to live like white people and have at least sufficient education to transact their own business. One more question, he said. "How many people do you want to sign this paper." I replied, "Yourself, San Pablo and all your principal men." He replied "It is not necessary to have many names — San Pablo, myself — the Captains and a few of the young men are enough. I am ready to sign the papers". Whereupon the Articles of Agreement were duly signed, and attested.

During the evening session of the Council I received very material assistance from Mr. I. C. Winter to whom my thanks are due.

The whole cost to the Government including Travel-

ling expenses — pay of Interpreter — amount paid Mr. Townsend for his services (\$100) — presents to Indians— etc., etc., amounts to the sum of \$627.60 dollars. The expenditure is greater than I thought it would be, when in Washington, but considering the embarrassments which I have had to meet and overcome — the inclemency of the weather — and the many drawbacks which I have had to contend against, if the success of my mission is of the importance which I believe it to be, I am sure you will consider the cost very trifling indeed — I feel that I have accomplished the most hopeless and disagreeable task ever assigned to and undertaken by me — hopeless because everything and nearly everybody seemed to be against me — disagreeable, on account of the long journeys I have had to make in the most inclement of weather, the necessity for prompt action, and the embarrassments that I have met with, where I had every reason to expect assistance. But if what I have accomplished and the means I have used to accomplish the mission intrusted to me, meet with your approval, I shall feel well satisfied.

Very respectfully

Your obedient servant

THOMAS A. DOLAN

In charge of Indian Agency

Cimarron, New Mexico.

THE AGREEMENTS

Articles of Convention made and concluded on the____ day of _____ in the year of our Lord, one thousand eight hundred and seventy three, by and between, Thomas A. Dolan on behalf of the United States, and the undersigned Chiefs, head men and braves representing the Jicarilla Apaches.

Witnesseth, that whereas the Jicarilla Apaches now living in the vicinity of Cimarron, Terra Maria and Abique in the Territory of New Mexico, claim and live upon lands

ceded to certain parties by grants of the Government of Mexico, prior to the ceding of said Territory to the United States (said grant having been approved by the Congress of the United States) and in consequence the said Jicarilla Apaches have no place on which they can take up land and settle as permanent homes, which they greatly desire to do.

Now, therefore, I Thomas A. Dolan, acting under instructions from the Commissioner of Indian Affairs dated November 15, 1873, on behalf of the United States and the aforesaid representatives of the Jicarilla Apaches, do solemnly enter into and make the following agreement.

ARTICLE 1st.

The United States agree that the following district of country to wit: Commencing at a point where the head water of San Juan river, crosses the southern boundary of the Territory of Colorado following the course of said river until it intersects the Eastern boundary of the Navajo Reservation, thence due north along said Eastern boundary of the Navajo Reservation to where it intersects the southern boundary line of the Territory of Colorado; thence due East along the said southern boundary of the Territory of Colorado to the place of beginning, for the absolute and undisturbed use, and occupation of the Jicarilla Apache Indians, and for such other friendly tribes or individual Indians, as from time to time they may be willing with the consent of the United States to admit amongst them, and the United States now solemnly agrees, that no person except those herein designated and authorized so to do, and except such officers, agents and employes of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon or reside in the Territory described in this Article for the use of said Indians.

ARTICLE 2nd.

It is agreed by the Jicarilla Apaches, parties hereto, that henceforth they will, and do hereby relinquish all claims and rights to any portion of the United States or Territories, except such as are embraced within the limits defined in the preceding Article, and that upon the ratification by Congress of these Articles of agreement, they will remove to and settle upon, and reside within the limits of the above mentioned country.

ARTICLE 3d

The United States agrees to appropriate for the aid and encouragement of the Jicarilla Apaches, annually for and during the period of five years, the sum of ten thousand dollars to be expended by and under the direction of the President of the United States; for the benefit of the said Indians, and at the expiration of that period, they shall be entitled to an annual appropriation of three thousand dollars per year, for educational purposes for and during the succeeding period of ten years.

ARTICLE 4th.

The United States agrees (the Utes consenting thereto) that the Jicarilla Apaches shall be attached to the Southern Ute Agency, (so soon as it may be established) and that the Agent for the said Southern Ute Agency shall exercise the same care of them, and their interest, that he does of the Utes attached to his Agency; and that the said Jicarilla Apaches shall at all times have free access to the Agency, and enjoy all the benefit of it, except in the matter of appropriations for annuity goods, provisions, and special treaty appropriations for the Utes.

ARTICLE 5th.

If bad men among the whites or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Jicarilla Apache Indians, the United States will, upon proof made to the Agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also re-imburse the injured person for the loss sustained. If bad men among the said Indians shall commit a wrong or depredation upon the person or property of any one white, black, or Indian, subject to the authority of the United States and at peace therewith the tribes herein named solemnly agree that they will, on proof made to their Agent and notice to him, deliver up the wrong-doer to the United States, to be tried and punished according to its laws.

ARTICLE 6th.

If any individual belonging to said tribe of Indians or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the Agent then in charge, by metes and bounds, a tract of land within said reservation not exceeding one hundred and sixty acres in extent, which tract, when so selected certified, and recorded in the land book as herein directed, shall cease to be held in common, but the same may be occupied and held in exclusive possession of the person selecting it, and his family so long as he or they may continue to cultivate it. Any person over eighteen year of age, not being the head of a family, may, in like manner, select and cause to be certified to him or her for purposes of cultivation a quantity of land not exceeding eighty acres in

extent, and thereupon be entitled to the exclusive possession of the same as above directed.

For each tract of land so selected, a certificate containing a description thereof, and the name of the person selecting it, with a certificate endorsed thereon, that the same has been recorded shall be delivered to the party entitled to it by the Agent after the same shall have been recorded by him in a book to be kept in his office, subject to inspection, which said book shall be known as the "Jicarilla Apache Land Book."

The President may at any time order a survey of the reservation, and when so surveyed, Congress shall provide for protecting the rights of such Indian settlers in their improvements, and may fix the character of the title held by each. The United States may pass such laws on the subject of alienation and descent of property, and on all subjects connected with the government of the Indians on said reservation, and the internal police thereof as may be thought proper.

ARTICLE 7th.

In order to insure the civilization of the Indians entering into this treaty, the necessity of education is admitted, especially by such of them as are or may be engaged in either pastoral, agricultural, or other peaceful pursuits of civilized life on said reservation, and they therefore pledge themselves to induce their children, male and female, between the ages of seven and eighteen years, to attend school; and it is hereby made the duty of the Agent for said Indians to see that this stipulation is complied with to the greatest possible extent.

ARTICLE 8th.

The said Jicarilla Apache Indians agree that the Con-

gress of the United States may authorize the passage of roads, highways and railroads through the reservation herein designated.

In case the Indians parties hereto, refuse to live upon their reservation, or engage in hostilities against the United States, then the appropriation herein provided, shall not be available for their benefit.

It is expressly understood between said Dolan and the Indians, parties thereto, that this agreement is subject to the ratification, or rejection of the Congress of the United States, and by the Jicarilla Apaches in Council assembled.

We the undersigned, Chiefs, representative delegates of the Ute Indians do agree to the several provisions in the aforesaid articles of convention, that mutually interest the Utes and the Jicarilla Apaches.

FRENCH INTRUSION TOWARD NEW MEXICO
IN 1695

BY F. W. HODGE

An original manuscript of 1695 in the library of the Museum of the American Indian, Heye Foundation, New York City, is presented here in translation in order that it may be available to students of the subject of French encroachment in the Southwest and to show the relations between the Spaniards and the Indians, especially the Apache (probably the Jicarillas), at that time. The document is of additional importance because it bears date only three years after the reconquest of the Pueblo Indians following their rebellion of 1680, the natives remaining independent of Spanish authority for twelve years. Documents of this period were rendered the more rare because practically all the originals in New Mexico were destroyed by the Indians in their endeavor to rid themselves forever of the effects of Spanish contact.

In connection with the subject of this document the reader should consult Dr. H. E. Bolton's French intrusions into New Mexico, 1749-1752, in *The Pacific Ocean in History*, by H. Morse Stephens and Herbert E. Bolton, pp. 389-407, New York, 1917.

REPORT OF THE INFORMATION GIVEN BY THE BAND THAT
CAME TO PICURIES ON SEPTEMBER 29, 1695.

Señor Governor and Captain General:

I received your Lordship's letter, and my soul is grieved at the illness that has befallen your Lordship. May His Divine Majesty grant you some improvement.

I give an account to your Lordship of the coming of Captain Mathias Lujan from his alcaidia of Picuries. The news which he brought is that on Saturday of this week the band entered for the purpose of barter into the said town of Picuries. The news which the Apaches bring is that a large number of French are coming toward the plains of Cibola; That the Apaches are retreating to this neighborhood on account of the frequent attacks made on them by the French. This information I impart to your Lordship. I have already caused the said Captain Lujan to return to his alcaidia with orders to examine the said Apaches to ascertain whence come these people whom they describe as French or Spanish, and how many leagues or days' journey they may be from this town. Of any news that there may be I will give an account to your Lordship. Whom Our Lord may preserve for many years as I desire.

City of Santa Fe, September 29, 1695.

I kiss the feet of your Lordship,
your humble servant

LUIS GRANILLO.

Don Diego de Vargas Zapata Lujan Ponze de Leon. Governor and Captain General of this kingdom and provinces of New Mexico, its new Restorer, and Conqueror at his expense, Reconqueror and Colonizer in it, and warden of its forts and garrisons for His Majesty, etc.

Natives of different bands of Apaches being in the town of Picuries, having entered therein, informed the Alcalde mayor of that town, Mathias Lujan, that in the interior of the country there were certain men, white and ruddy like Spaniards who were making frequent attacks on the Apaches whose country is settled, and that they had killed many, and were still killing those whom they found, and that for that reason the said Apaches were leaving and retreating toward these parts. I, the said governor and Captain General, being on a visit to the Queres and Jemes

of the cordillera in a district of the said kingdom and town, my lieutenant as Governor and Captain General, the Field-master Luis Granillo, by a letter dated September 29 last of this present year gives me the aforesaid information of their marching toward the plains of Cibola, and how the Apaches are retreating to this neighborhood on account of the frequent attacks they make on them. Accordingly, pursuant to the receipt of said letter and the information it contains, I came with all speed to this said town, where I ordered the said lieutenant as Governor and Captain General, and at the same time in his company the Lieutenant General of Cavalry Roque Madrid, together with my secretary of Government and War, Domingo de la Barreda, to set out at once, and that the said lieutenant should make for the said town of Picuries with all speed, before the said band of Apaches left, and, with the two interpreters to be found in the said tribe of Picuries, to wit, the above-mentioned Alcalde mayor Mathias Lujan and the Sergeant Mayor Alonso Garcia, they should receive the declaration of the said Apaches, in the presence of my said secretary of Government and War, the said Picuries making a transcript in the said Apache language, in order that the said two interpreters, the Alcalde mayor and the Sergeant mayor Alonso Garcia, may express clearly and distinctly in our Spanish language the said declaration and relation of what they shall say and declare in so doing. My said lieutenant as Governor and Captain General is to do this by the questions and in the form here following.

First: Did the said Apaches see the said white and ruddy men, and how far away are they, and what time might be required to pass from where they are to this town or pueblo of Picuries where they are; whether they will make stops in coming on foot, as they say they are coming; or whether that which they have told was told them by other Apaches who had fled from that region; how long ago is it that they told them this, and if they informed them

whether the white and ruddy men were in great number; and whether they brought horses or mules with their provisions, or if they were settled in the immediate vicinity of their rancherias, and sallied forth to make those attacks for the purpose of securing for themselves alone the said herds of cibola [bison] to make themselves masters of them and of the said land. And whether they know how the said men came, and how long since, and whether they are settled, having built their houses, and whether they sow (fields) for their sustenance. The said Lieutenant general is to ask these questions in a familiar manner, so that the said interpreters may express and declare them with full understanding and they in like manner are to do as their reason shall tell them, without adding or omitting anything. And he will bring to me with this order and mandate the said original declarations which he may obtain, that there may be evidence of this said order and mandate, which he will execute while none but the said Indians are present, taking care to that end that the others do not join in, lest they should infer that the said information of the coming of the said white and ruddy men causes us apprehension or fear. And before he comes, he will say that if they come in great numbers, it will be better that they should have more clothes and cloaks than that they should rob our people and them (the Apaches) as well, seeing that they are our friends and brothers. And let them take care to advise us, and of the road by which they come, that we on our part may make such preparation as seems best to us and. . . .

Done in this town of Santa Fe on the 2d of October of this present year 1695, together with my secretary of Government and War.

D DIEGO DE VARGAS

ZAPATA LUJAN PONCE DE LEON.

By order of the Lord Governor and Captain
General, Domingo de la Barreda

Secretary of Government and War.

In this town of San Lorenzo de Picuries, on the 4th of October 1695, I, the field master Luis Granillo, lieutenant as Governor and Captain General, in fulfilment of and obedience to the above decree and order of the Lord Governor and Captain General, caused to appear before me two chiefs of the Apache tribe, who, being interrogated by Sergeant mayor Alonso Garcia and Captain Mathias Lujan, Alcalde mayor and Captain of War of the said pueblo, and also by Antonio Surpatu, interpreter of the said language of the said Apaches, there being present Don Lorenzo, Governor of said town, I told them that the Lord Governor and Captain General was pleased that they came with good intent, and how we Spaniards were already on terms of friendship with all these nations of New Mexico, and that His Lordship was pleased that they too were friends. And the said Apaches replied that it was well that they were our friends.

And being asked whether any white Spaniards who were beyond their territory on the plains of Cibola made frequent attacks on them, they said that seven nations beyond the region where they live, very far from these parts, had informed them that certain white men came to the bank of the water and made war on the people of Quivira [the Wichita] and other parts, and presently they go away, and again return and make war and go away, and that it is very far off, and that they have not seen them, and that they have this report from other nations hostile to them, giving to understand that they who have given them the said information are their enemies and slaves. And that the said report may be accredited, I have signed it together with the said secretary of Government and War and Alonso Garcia. The others did not sign as they did not know (how to write).

LUIS GRANILLO
ALONSO GARCIA

Done as above Before me
Domingo de la Barreda
Secretary of Government and War.

THE ROUTE OF THE CORONADO EXPEDITION IN
TEXAS

DAVID DONOGHUE in the January *Southwestern Quarterly*.

A casual reading of "The Coronado Expedition, 1540-1542," by George Parker Winship,¹ led me to suspect that this first Spanish army that marched on the great western plains of America explored an area much less in extent than has been heretofore ascribed to it by historians. I am convinced by their own statements that the explorers never left the flat Llano Estacado, that they never traversed the rolling plains of Oklahoma, Kansas or Nebraska. It is the purpose of this discussion to correlate the various accounts of this eastern portion of Coronado's journey as set forth in the narratives of Castañeda, Jaramillo and Coronado, the *Relación del Suceso*, and the *Relación Postrera de Sívola*, and to check them with the actual topography of the southern part of the Great Plains. I shall undertake to show that the routes proposed by previous historians are clearly impossible, and that it is highly probable and reasonable that the route of the expedition at this point never left the Llano Estacado.

The crux of the problem is fixing the correct situation of Quivira, the settlement at which the explorer turned and started back. In locating the site of Quivira, modern writers put much stress on the distances, directions, and number of days' march given in the narratives, and especially on Coronado's statement that Quivira was in the 40th degree of latitude. My own experience in becoming acquainted with

1. Winship, George Parker, *The Coronado Expedition, 1540-1542. Fourteenth Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution, Part 1, pages 329 to 637, Washington, 1896.*

the geography and geology of Texas during the past twenty years prompts me to make the assertion that directions are seldom accurate, that distances are usually over-estimated, and that the length of a day's march too often represents the best day's march. Quivira is generally placed by historians in the state of Kansas upon the Arkansas, the Kansas, or the Missouri river. All descriptions of the country traversed are thereby ignored in order to put Quivira on a river running to the northeast in the 40th degree of latitude!

It is a well defined principle of law that boundaries are more certainly established by descriptions and references to natural objects or features than by calls for distance and direction. It is this more certain method that I shall use to prove that the expedition never left the Llano Estacado, and that Quivira was within the present limits of the Texas Panhandle.

The principal accounts of Coronado's route are the narratives of Castañeda and Jaramillo, the letters of Coronado, the *Relación del Suceso*, and the *Relación Postrera de Sívola*. These narratives vary widely as to the distances, directions, and the number of days that the expedition spent in traveling from place to place. However they all agree on one important point, that the eastern part of the journey was entirely upon plains, "so level that men became lost when they went off half a league."

Upon Winship's translations of these narratives as given in the *Fourteenth Annual Report of the Bureau of Ethnology*, I have based the following summary:

In May, 1541, Coronado's army, with "1000 horses and 500 of our cows and more than 5000 rams and ewes and more than 1500 friendly Indians and servants"² left Cicuye, with a treacherous Indian guide known as the Turk. After a three or four days' march a bridge was built across

2. *Ibid.*, 542.

the Rio Cicuye. The march continued to the plains, passing a village of Querechos, and in about 35 days the army reached a "ravine like those of Colima."³ Here Coronado with 30 horsemen (and 6 men on foot?) left for Quivira and the army returned to the Rio Cicuye.

Coronado went north or northeast from the ravines, keeping on the plains, and on Saint Peter and Paul's day reached the river "below Quivira," crossed, and up the north bank to Quivira. Coronado returned by way of the river crossing where he left the road by which he had come, and took the "right hand" back to the Querecho village and into Cicuye.

The army under Tristan de Arellano returned directly to the Rio Cicuye from the ravines, passing some salt lakes on the way and striking the Rio Cicuye "30 leagues or more" below the bridge, marched up the river to this structure and into Cicuye.

Routes Proposed by Simpson and Winship

Simpson⁵ assumes the route of Coronado's expedition out of Cicuye to have been to the northeast over the mountains, crossing the New Mexico-Colorado state line at about Raton, thence east, keeping south of the Arkansas, until a point near Kingman, Kansas, was reached, where Coronado left the army and proceeded northeast to Quivira on the Missouri River in northeastern Kansas and southeastern Nebraska. Coronado's return to Cicuye is not traced on Simpson's map. The return of the army was in a southwestern direction by the Salt Plains near Cherokee, Oklahoma, across the Texas Panhandle, to the Rio Cicuye at about Fort Sumner and thence up the river to Cicuye.

3. *Ibid.*, 505.

4. *Ibid.*, 508.

5. Simpson, J. H., "Coronado's March in the Search of the 'Seven Cities of Cibola,' and Discussion of their Probable Location." *Annual Report of the Board of Regents of the Smithsonian Institution for the year 1869*, pages 309-340. Washington, 1871.

Winship,^{5a} in his account of the route in the American Explorers Series presents a map showing the path of the expedition from Cicuye down the Pecos, over the Llano Estacado in the southern part, the region of the salt lakes, down the Colorado to a point south of the town of Coleman, Texas, thence north across the Brazos, the Pease, the Red, the Canadian, and the North Canadian, into Kansas, where he locates Quivira on the Arkansas and Kansas Rivers. Coronado's return from Quivira was in a southwesterly direction along the old Santa Fé trail, through southwestern Kansas and the extreme western part of the Oklahoma Panhandle, into New Mexico at about Clayton, and to Cicuye. The return of the army to Cicuye is shown on this map to have been along the route followed in the outward march until about midway between the headwaters of the Brazos and the Texas-New Mexico state line, where the army took a more direct road and marched in a northwesterly direction to the Rio Pecos, where at about Fort Sumner the outward route is again joined.

These routes are clearly impossible. As one may easily discern by looking at a geologic or topographic map, the character of the country over which Winship and Simpson assume the expedition to have passed is entirely different from that described by Coronado and his fellow explorers.

Coronado's statement that the "plains were so vast that I did not find their limit anywhere I went"⁶ obviously applies neither to the rolling plains of Kansas nor to the typical Permian topography of western Oklahoma and west central Texas but to the flat barren region of eastern New Mexico and western Texas, extending from about the 32nd parallel of latitude north to the Canadian River, and from the Rio Pecos east to about the 101st meridian, and known as the Llano Estacado or Staked Plains. Furthermore the

5a. Winship, George Parker, *The Journey of Coronado*, American Explorers Series, New York, 1922.

6. Winship, George Parker, *The Coronado Expedition, 1540-1542*, p. 580.

Salt Plains on the Salt Fork of the Arkansas near Cherokee, Alfalfa County, Oklahoma, and the salt plains at other points in western Oklahoma, are not salt lakes but salt springs or salt marshes in the midst of rolling or rough, broken country.

Winship's route would take Coronado close to the Wichita Mountains in southwestern Oklahoma, and across all the rivers of north central Texas and western Oklahoma; yet in all the narratives it is said that no mountains were seen and only two rivers, the Cicuye, and the one "below Quivira," are mentioned as having been crossed.

And where, in these proposed routes, may we ask, are the ravines?

Very slow progress should be credited to an expedition of 1500 men, more or less, or of 30 men for that matter, on foot and on horseback, during the hot months of May, June, July, August and September of the year 1541, when we consider the difficulties under which they labored, dressed in armor, with cumbersome equipment, the men having only meat for food, the horses eating only grass, with bad water, and a guide who hoped to lead them astray in a country where they could see only "cows and sky." It is doubtful that the expedition marched more than one day out of two or three and when it did move forward it probably averaged less than ten miles per day, instead of six or seven leagues, as stated by Castañeda.⁷ The map measurements of Winship's proposed route indicate a journey of about 2000 miles, and of Simpson's route about 1600 miles, from Cicuye to Quivira and return. While the Spaniards have said little of their troubles and hardships, let us be assured that they had them and that only under the most favorable circumstances could the expedition have penetrated to Kansas.

⁷. *Ibid.*, 507.

Identifiable Natural Features

Simpson and Winship put Quivira on the 40th parallel of latitude, and then attempted to construct a road from Cicuye to that province. I propose to follow along the road described by the explorers to see where it will lead.

The starting point is Cicuye, now known as the Pueblo of Pecos, the ruins of which are about 25 miles southeast of Santa Fé, on the west side of the Rio Pecos in San Miguel County, New Mexico.

The remaining natural features along Coronado's route to be identified are the Rio Cicuye, the plains, the salt lakes, the ravines, the river "below Quivira," and Quivira.

From the narratives of Coronado, Castañeda and Jaramillo, the *Relación del Suceso*, and the *Relación Postrera de Sívola*, I have selected quotations describing these objects. I will identify them, and, using them as landmarks, will trace the route out over the plains to Quivira and then back to Cicuye.

Rio Cicuye. Castañeda, Part 1, Chapter 21: "On its return the army reached the Cicuye more than 30 leagues below . . . the bridge they had made when they crossed it, and they followed it up to that place. . . . The guides said this river joined that of Tiguez more than 20 days from here and that its course turned towards the east. . . . As I said, the army followed the river up as far as Cicuye. . . ."

I identify the Rio Cicuye as the Pecos which joins the Rio Grande (Tiguez) about 400 miles southeast of Pecos, and its course is to the southeast. This fits Castañeda's description. The location of the Rio Pecos at the western edge of the Llano Estacado is another point that serves this identification.

The Plains. Coronado's letter of October 20, 1541, to the King: "After 9 days march I reached some plains,

so vast that I did not find their limit anywhere I went, although I travelled over them for more than 300 leagues. . . . I travelled 5 days more as the guides wished to lead me, until I reached some plains, with no more landmarks than if we had been swallowed up in the sea, where they [the guides] strayed about, because there was not a stone, nor a bit of rising ground, nor a tree, nor a shrub, nor anything to go by.”⁹

Castañeda, Part 2, Chapter 7: “In traversing 250 leagues, the other mountain range was not seen, nor a hill nor a hillock which was three times as high as a man. Several lakes were found at intervals; they were round as plates, a stone’s throw or more across, some fresh and some salt. . . . The country is like a bowl, so that when a man sits down, the horizon surrounds him all around at the distance of a musket shot.”¹⁰

Castañeda, Part 3, Chapter 8: “The country they [the cows] travelled over was so level and smooth that if one looked at them the sky could be seen between their legs. . . . When one was near them [the cows], it was impossible to see the ground on the other side of them. The reason for all this was that the country seemed as round as if a man should imagine himself in a three-pint measure, and could see the sky at the edge of it, about a crossbow shot from him, and even if a man only lay down on his back he lost sight of the ground.”¹¹

Relación Postrera de Sívola: “The country is so level that men became lost when they went off half a league.”¹²

Relación del Suceso: “It was so dangerous to travel or to go away from the camp in these plains, that it is as if one was traveling on the sea, . . . and they are so level

9. *Ibid.*, 580, 581.

10. *Ibid.*, 527.

11. *Ibid.*, 543.

12. *Ibid.*, 571.

and have no mountain or prominent landmark, that if one went out of sight of it [the camp] he was lost. . .¹³

To prove that the plains thus described by the explorers were the Llano Estacado, we can do no better than quote R. T. Hill:

"The Llano Estacado is a vast region so nearly level that it has no relief perceptible to the eye. Its extreme northwestern corner (in New Mexico) has an approximate altitude of 5000 feet, and its slope is about 8.6 feet per mile eastward. The general flatness, which continues up to the very brink of its surrounding escarpments, is marked only by long swales, like the faintest troughs of the gentler swells of the ocean, and the depressions are so slight that their shallowness has been appropriately described by Castañeda, the historian of the Coronado expedition, as being like a bowl, so that when a man sits down the horizon surrounds him on all sides at the distance of a musket shot.'"¹⁴

Salt Lakes. Castañeda, Part 1, Chapter 21: "They found many salt lakes on this road and there was a great quantity of salt."¹⁵ (Referring to the return of the army from the ravines to the Rio Cicuye.)

Castañeda, Part 2, Chapter 7: "Several lakes were found at intervals; they were round as plates, a stone's throw or more across, some fresh and some salt."¹⁶

Castañeda, Part 3, Chapter 8: "Another thing was a heap of cow bones . . . which was found on the edge of a salt lake in the southern part, and this in a region where there are no people who could have made it. The only explanation of this which could be suggested was that the waves which the north winds must make in the lake had

13. *Ibid.*, 578.

14. Hill, R. T., *Physical Geography of the Texas Region. United States Geological Survey Topographic Atlas of the United States*, Folio No. 3, Washington, 1900, p. 6.

15. Winship, George Parker, *The Coronado Expedition, 1540-1542*, p. 510.

16. *Ibid.*, 527.

piled up the bones of the cattle which had died in the lake. . . .”¹⁷

The southern part of the Llano Estacado contains many salt lakes, the most northerly of these lakes being in bottom of which he found a large settlement of people.”¹⁸ Bailey and Lamb Counties, Texas, and in Roosevelt County, New Mexico. Therefore the army in returning to the Rio Cicuye (Rio Pecos) must have marched at least as far south as the salt lakes in these counties.

The Ravines. Castañeda, Part 1, Chapter 19: [Maldonado] “reached a large ravine like those of Colima, in the Castañeda, Part 1, Chapter 20: “The ravine which the army had now reached was a league wide from one side to the other, with a little bit of a river at the bottom, and there were many groves of mulberry trees near it. . . .”¹⁹

Castañeda, Part 1, Chapter 21: “Many fellows were lost at this time who went hunting and did not get back to the army for two or three days, wandering about the country as if they were crazy, in one direction or another, not knowing how to get back where they started from, although this ravine extended in either direction so that they could find it. Every night they took account of who was missing, fired guns and blew trumpets and beat drums and built great fires, but yet some of them went off so far and wandered about so much that all this did not give them any help, although it helped others. The only way was to go back where they had killed an animal and start from there in one direction and another until they struck the ravine or fell in with somebody who could put them on the right road. It is worth nothing that the country there is so level that at midday, after one has wandered about in one direction and another in pursuit of game, the only thing to do is to stay near the game quietly until sunset, so as to see where

17. *Ibid.*, 542.

18. *Ibid.*, 505.

19. *Ibid.*, 507.

it goes down, and even then they have to be men who are practiced to do it. Those who are not, had to trust themselves to others."²⁰

Castañeda, Part 2, Chapter 7: "There are no groves of trees except at the rivers, which flow at the bottom of some ravines where the trees grow so thick that they were not noticed until one was right on the edge of them."²¹

Jaramillo: "We all went forward one day to a river which was down in a ravine in the midst of good meadows."²²

Palo Duro Cañon and its various branches, at the head of the Red River, in Briscoe, Armstrong, Randall and Swisher Counties, Texas, are the "ravines" described above. Palo Duro Cañon and Tule Cañon stretch out to the northwest and to the southwest into the Llano Estacado forming a large V. It is not surprising that Coronado wandered into it, for among other reasons, the creeks in the cañons were the first running water that he encountered after leaving the tributaries of the Pecos, at the western edge of the Llano.

Geologists, who have been in the State of Colima, Mexico, describe the "ravines" there as deep *barrancas*, or steep-sided cañons, eroded down through the volcanic rocks that compose the high plateaus.

Palo Duro Cañon is about 70 miles in length, has a maximum depth of about 1000 feet, and varies in width from a half mile to fifteen miles. Its sides are precipitous, and its appearance in this regard caused Castañeda to say it was like the *barrancas* of Colima. One is at its brink before the chasm is noticed. Palo Duro Cañon is the gem of the plains. Its rocks are much more variegated in color than those of the Grand Cañon of the Colorado. In its deeper parts the walls of Palo Duro are composed of brick red clays with lenses of dazzling white gypsum, maroon,

20. *Ibid.*, 508, 509.

21. *Ibid.*, 527.

22. *Ibid.*, 539.

yellow and violet shales and grey sands, with a rim of white caliche, the Cap Rock.

The River "below Quivira" and Quivira. Castañeda, Part 2, Chapter 8: "Quivira is to the west of those ravines, in the midst of the country . . . for the country is level as far as Quivira, and there they began to see some mountain chains."²³

Relación del Suceso: . . . "after 30 days' march we found the river Quivira which is 30 leagues below the settlements. While going up the valley, we found people who were going hunting, who were natives of Quivira. . . . Francisco Vasquez went 25 leagues through these settlements, to where he obtained an account of what was beyond and they said that the plains come to an end, and that down the river there are people who do not plant, but live wholly by hunting."²⁴

Jaramillo: . . . "on Saint Peter and Paul's day we reached a river which we found to be there below Quibira. . . . We crossed it there and went up the other side on the north, the direction being towards the northeast."²⁵

"The country is level as far as Quivira" indicates that Quivira was on the edge of the Llano Estacado.

Apparently Coronado marched north or northeast from the ravines (Palo Duro Cañon). Only one river is mentioned as being crossed, that "below Quivira." This can be none other than the Canadian. If Coronado had gone to the Arkansas, he would have crossed the Canadian, the North Canadian and the Cimarron, an experience which I believe no explorer would have forgotten.

The March to Quivira

With the principal landmarks located I now give a sketch of the route. It must be remembered that the Turk

23. *Ibid.*, 528.

24. *Ibid.*, 577.

25. *Ibid.*, 539.

hoped to get the expedition lost and then let hunger and thirst take their toll. This object could not be better accomplished than by leading the Spaniards out into the southern part of the Llano Estacado, a barren region without water, except in the occasional salt lakes; a desert at that time.

Leaving Pecos (Cicuye) in western San Miguel County, New Mexico, the expedition proceeded down the west side of the Rio Pecos for three or four days. North of Santa Rosa, in Guadalupe County, the course of the Rio Pecos turns more to the south, but still flows in a southeasterly direction. In the vicinity of Santa Rosa the bridge was built.

An arm of the Llano Estacado extends toward this area and it is the divide between the Canadian and the Pecos. This forms the most direct and convenient road to the plains from Pecos. Crossing the river the expedition made its way to the Llano Estacado, passed through Quay County and northern Curry County, New Mexico, and into Parmer County, Texas, thence across Castro County and Swisher County to the ravines, already identified as Palo Duro Cañon and its tributaries, of which Tule Cañon is the largest, in Briscoe, Swisher, Armstrong, and Randall Counties, Texas.

In Palo Duro Cañon, or in one or more of its several branches, the army camped, and explored the surrounding country. Here Coronado selected 30 horsemen (and six men on foot?) and set out for Quivira.

Jaramillo says Coronado marched to the north;²⁶ the *Relación del Suceso* says the course was "by the needle;"²⁷ and Castañeda states that a detour was made towards Florida.²⁸ Traveling north or northeast across Armstrong and Carson Counties and into Hutchinson County or Pot-

26. *Ibid.*, 589.

27. *Ibid.*, 577.

28. *Ibid.*, 509.

ter County the river "below Quivira" was reached on Saint Peter and Paul's Day.

Jaramillo states that after reaching the river "below Quivira," Coronado followed up the north bank towards the northeast to the settlements.²⁹ In Potter, Hutchinson, and Roberts Counties the Canadian flows in a northeasterly direction.

Here, then, was Quivira, on the Canadian River near the northeastern border of the Llano Estacado in the counties of Hutchinson and Roberts, in the Texas Panhandle.

The return journey was made by way of the river crossing, where Coronado turned west and followed along the Canadian, keeping up out of the rough lands, on the edge of the plains, passing the Querecho village where the Turk first led him astray, and thence on into Cicuye.³⁰ This road is through Potter, Oldham, and Deaf Smith Counties, Texas, into Quay County, New Mexico, where at the edge of the plains it joined the outward path.

Return of the Army

We have left the army under Tristan de Arrellano in camp in Palo Duro Cañon. After Coronado's departure the army obtained Teya guides to lead the way by the most direct practical route to Cicuye. As water and food were the practical considerations the army marched south of west to the Rio Pecos, striking it at about the bend south of Fort Sumner, and then northwest along the river to the bridge into Cicuye.

Salt Lakes were encountered on the march to the Pecos. The most northerly of the salt or alkali lakes of the Llano Estacado are in Bailey and Lamb Counties, Texas, and in Roosevelt County, New Mexico. This would bring the line of march south of Clovis. It should be noted that the

29. *Ibid.*, 589.

30. *Ibid.*, 591, 592. Narrative of Jaramillo.

course of the Rio Pecos south of Fort Sumner in DeBaca County, New Mexico, changes from southeast to slightly west to south. This bend is the nearest point on the river to the "ravines" of Palo Duro and Tule.

The return march of the army, therefore, was through the counties of Swisher, Castro, Lamb, and Bailey in Texas, and Roosevelt, DeBaca, and San Miguel in New Mexico.

I am aware that in outlining this route I may be in error in some of the details. I am not familiar with the country west of the Rio Pecos in New Mexico, and my observations must necessarily be confined to that part of the journey that appears to me to have been made in what is now the Texas Panhandle and in that part of New Mexico east of the Pecos.

Of this much I am certain: The expedition never left the Llano Estacado; Palo Duro Cañon and its tributaries are the only ravines that fit Castañeda's descriptions; the salt lakes are found only in the southern Llano Estacado; Quivira was on the Canadian or on some of its tributary creeks at the edge of the plains.

REVIEWS

Obregon's History of 16th Century Explorations in Western America.—Translated, edited and annotated by George P. Hammond, University of Southern California, and Agapito Rey, Indiana University. Published by the Wetzel Publishing Company, Inc., Los Angeles, Calif. 1928, 351 p.p.

This translation of the Chronicle of Baltasar Obregon is a much wanted scholarly piece of work. As stated in the "Introduction" by the translators: "The Chronicle will always remain the standard contemporary account of Francisco de Ibarra and his times in the same manner that Castaneda's narrative is the principal record of the Coronado expedition. It is a historical record of real lasting value." The translators state further: "A faithful attempt has been made in this translation to adhere strictly to the thought and meaning of the original. Any translator must seek to convey to his audience the ideas that animated the author, rather than a mere rendering into English of his words in about the same order. Such practice cannot be condoned and has not been attempted. We have sought to make the translation as readable as a faithful adherence to the original permitted. The paragraphing, punctuation and capitalization are our own." For which the translators be praised. Special tribute is paid in the preface to Dr. F. W. Hodge of the Museum of the American Indian of New York City.

Obregon completed his Chronicle in April, 1584, in Mexico, the city of his birth. He was then only forty years of age. The account of happenings between 1564 and 1584, is firsthand and therefore of chief value. However, he begins his story with the story of the Deluge as it was told by the Aztecs and follows it with the legend that they had

of an earthquake and eclipse of the sun which occurred on the day of the Crucifixion on Mount Calvary in Jerusalem. However, the history of pre-Spanish times is very brief and is followed by an account of Cortez, Narvaez and Mendoza. He refers to the tradition that Cortez was born on the same day as the infernal, abominable, contagious and pernicious basilisk Martin Luther," "this perfidious opponent and enemy of our holy Catholic faith." In Chapter III Obregon plunges into the story of Cibola, Quivira and the Coronado Expedition. The Mizton War and other events from 1540 on are reviewed with some detail, especially the valiant achievements of Alvarado and Cristobal de Onate in subduing the rebellious Indians. It is with Chapter VI, that Obregon begins to tell of the events which he either witnessed or which were contemporary with his service under Francisco de Ibarra. It is a stirring tale interlarded with descriptions of country, people and customs. He does not spare the Spanish conquerors when their licentiousness brought disaster but also accepts as true miraculous stories brought to him and the exaggerations of the chroniclers of Spanish history. In Chapter XXIX, Obregon reverts to Alvar Nunez Cabeza de Vaca and his companions and in the next chapter tells of the ruined city of Paquime and its seven story houses. In Chapter XXXIII New Mexico and the great Rio Salado are described. However, it is Book II "which deals with the discoveries and explorations in the lands and regions of San Felipe of New Mexico, Cibola, Ciquic, Tuzayana and nearby regions, by Francisco Sanchez Chamuscado and Antonio de Espejo and those who accompanied them." While, perhaps, nothing of material nature, is revealed of the history of these expeditions that has not been known heretofore, yet, excellent translation makes available to students of Southwestern history much that is interesting and amusing, and helps to give a clearer perspective of a period of American history that is of importance.

The Southwestern Frontier, 1865-1881. A History of the Coming of the Settlers, Indian Depredations, and Massacres, Ranching Activities, Operations of White Desperadoes and Thieves, Government Protection, Building of Railways, and the Disappearance of the Frontier. By Carl Coke Rister, Ph. D. With analytical index, bibliography, and specially prepared maps in color to illustrate the Indian campaigns, reservations, settlements, forts lines of defence, etc., and plates. Handsomely printed in large Caslon type and handmade deckle-edged paper. 8 vo, 350 p. p. cloth. \$6.00 The Arthur H. Clark Company, Publishers, Cleveland, Ohio.

The frontier moved steadily westward after the first colonies were planted on the Atlantic Seaboard. A counter movement eastward from that portion of the Far West colonized by the Spaniards never took place although there were Spanish expeditions which came in contact with forces from the east at a very early date. In fact, eighty years before the Pilgrims landed at Plymouth Rock, Coronado was seeking the Quivira and in his quest penetrated almost to the Missouri.

The building of the railroads obliterated the frontier. From the close of the Civil War to the time that the Santa Fe railroad system expanded into New Mexico, less than twenty years elapsed but that was sufficient to break down the last serious opposition of the Indians to white settlement and to make the Far West an integral part of the Nation. Those years were interesting ones, marked by complex political movements and social upheavals. The book by Dr. Carl Coke Rister, therefore, is a valuable contribution to the summing up of the events that marked the passing of the Frontier. In his opening chapter he tells how immigrants poured into the Southwest after the traders of the Santa Trail had broken the path and the Argonauts had taken possession of California. "There were many problems to be solved, and much work to be done, before

it (The Southwest) could become the land of prosperous communities and happy homes," writes the author, and in the 300 and more pages that follow he tells vividly and accurately how these problems were solved and difficulties overcome. The military and land policies of the federal government do not escape censure. "It is shown how the federal military policy lacked cohesion. Since the energetic campaign did not comprehend the whole of the Southwest, the Indians soon forgot the punishment inflicted at this time. . . . When summary punishment was inflicted on the Indians, and they were forced to give up their claims to the unoccupied portion of the Southwest, the ranchers and farmers occupied the land. Paving the way to this new era came the destruction of the buffaloes, the building of railways, and the abandonment of the frontier posts. These evidences of a changing order of things are discussed in the closing chapters of the book."

The Southwestern Frontier in 1865 covered the area now embraced in the states of Oklahoma, western Texas and New Mexico. The author describes at length conditions in that region at the close of the Civil War. The Indian tribes of that vast section are enumerated and their characteristics sketched. The building of forts and posts, the establishment of the Overland Mail, and other episodes of that day, are reviewed. "In respect to the New Mexico posts there was only one of these built before the Civil War (as protection against Indian raids). Fort Stanton was established May 4, 1855, for the purpose of controlling the Mescalero Apache and was situated on the Rio Bonito, rising in the White Mountains. It was abandoned on August 2, 1861, but was reoccupied after the Civil War. Fort Bascom, the other post in this region, was located on the east bank of the Canadian River in San Miguel county."

"Indian Traders and Thieves," is one chapter heading. "The Defensive Policy," is the next chapter, telling of sudden Indian attacks on settlers and settlements and the slow-

ness of the federal authorities to provide adequate protection. The passage of a frontier defense act by the Texas legislature in 1866 and the raising of battalions of Texas Rangers to protect the frontier, aroused suspicion and bitter comment in the north and east. The appeals of the Governor of Texas for federal aid drew the comment of General Sheridan: "During the last six months, Indian depredations have taken place on the remote frontier. Their extent is not defined as yet, but they are not very alarming, and I think that the Governor, to some extent has been influenced by exaggerated reports gotten up, in some instances by frontier people, to get a market for their products and in other instances by army contractors to make money." But it wasn't long before General Sheridan perceived that he had been misinformed concerning the conditions on the frontier, and there followed the succession of Indian campaigns that after much loss of life and treasure finally brought the unruly Indians into subjection. An entire chapter is given to "The Jacksboro Indian Affair of 1871;" there follows an outline of the Indian Campaigns of 1874 to 1875 and the Indian warfare along the Rio Grande frontier from 1865 to 1881. The war with Victorio is given a chapter, possibly the most vivid one in the book. "The Buffalo as a Factor in the Development of the Southwest," "Problems of Frontier Life," "Influence of the Cattle Industry on the Frontier," "Building of Railways" and "Bibliography" are the remaining chapter headings that present some inkling of the interest between the covers of this excellently printed book.

This volume is prepared almost entirely from hitherto unpublished documentary material preserved in the Records divisions of the various departments of the Federal government, and from manuscript sources in the Library of Congress and elsewhere, from the unpublished records of commissioners, department commanders, officers at frontier posts, manuscript journals, official and semi-official

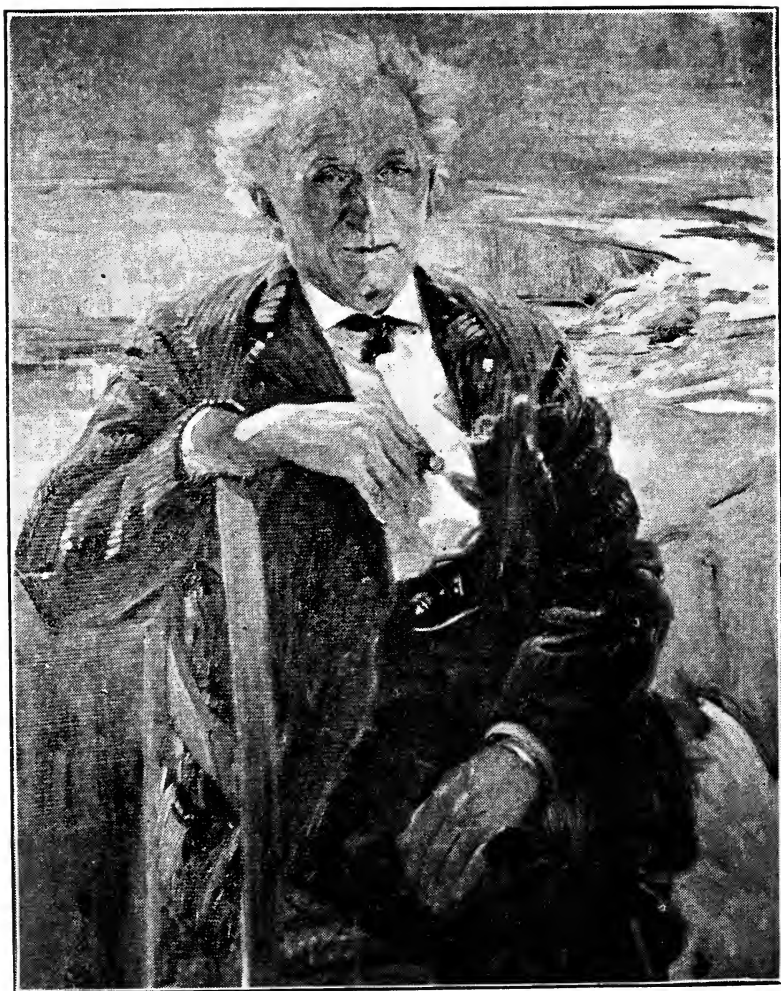
letters, contemporary newspapers, etc. The Author is one of the leading authorities and students of Southwestern history — a contributor to various historical publications including the Southwestern Historical Quarterly, Southwestern Political Science Proceedings, etc., professor of history, Simmons University; secretary West Texas Historical Association. The author has spent a large amount of time in studying available material from which to compile original maps that will present to the reader a clear understanding of the territory and conditions. These maps present the topographical features necessary to an interpretation of the difficulties of defence, the frontier settlements, the Indian campaigns, the trails and forts.

NOTES AND COMMENT

AMERICAN HISTORICAL ASSOCIATION

Election of Dr. James Harvey Robinson of New York, former professor of history at Columbia University, as president of the American Historical Association for 1929, has been announced. He took office at the forty-third annual meeting of the association held in Indianapolis and succeeds Professor Breasted of the University of Chicago. Ivy Lee of New York was named chairman of the national endowment committee which is to seek an endowment of \$1,000,000 for historical research. The chairmanship was formerly held by the late Albert J. Beveridge. Other officers include: Vice-presidents, Prof. Evarts R. Greene of Columbia and Prof. Ephraim Douglass Adams of Stanford; secretary, Prof. Dexter Perkins of Rochester, N. Y.; treasurer, Charles Moore of Washington, chairman of the National Fine Arts Commission.





From Painting by Gerald Cassidy

THE LATE DR. CHARLES FLETCHER LUMMIS

IN MEMORIAM

CHARLES FLETCHER LUMMIS

True to his prediction that he would not live out the year, Dr. Charles F. Lummis, a member of the Managing Committee of The School of American Research, closed his eyes in his last sleep, at his home in Los Angeles, on Sunday afternoon, November 25, after an existence that had been remarkable for fullness of experience and richness of achievement. It seems certain, that with time, the luster of his fame will increase rather than diminish, and that he will find a biographer who will discover in the life just closed, one of the most vivid and interesting careers that it was ever given a mortal to live.

It was Lummis who gave to America the slogan "See America First," a slogan which definitely turned streams and torrents of tourists into National Parks, to the Pacific Coast, to Florida from the great travel routes of Europe and the Far East. It was he who with his pen made the world realize that in the Spanish Southwest, America had a land as alluring in its scenery, its archaeology, its history, its romance, its ruins, as any in the Old World. Such travel agencies as "The Detour" of the Santa Fe System, may well ascribe to him its beginnings, and Santa Fe must thank him for the inauguration of the movement that brought to it a great Museum, a School of American Research, a constantly growing flow of tourist visitors, artists, writers, and well-to-do residents. It is due to the fact that he walked and horsebacked and lived among the people of the Southwest for decades, that his books descriptive of their antiquities, their history, their folk-lore, their drama, are so human and vivid and have become classics written for all times.

The fact that Lummis built his beautiful home in Los Angeles with his own hands, stone by stone and beam by beam throws a clear sidelight on his character. As the founder of the Southwest Museum, at Los Angeles, he gave his large collections and willed his home, in which he so often entertained friends generously, to that Museum.

Lummis had a genius for friendship. He hated sham and yet was romantic and idealistic to his end, despite the rebuffs he met and the battles he fought without quarter on either side. He broke many a Quixotic lance in behalf of forlorn hopes and led many a victorious minority to triumph in altruistic causes. He ever championed the American Indian, and the Spanish American of the Southwest. He gave of himself liberally and yet knew how to drive a close bargain, but generally on behalf of others. He was a poet at heart, loved music, worshipped beauty. Those who were privileged to attend the first summer session of The School of American Research in the Rito de los Frijoles well remember him as he sat by the campfire at night time strumming his guitar and singing in clear resonant voice "Mandalay" and other sentimental songs. They will never forget his boyish enthusiasms and will always look to him for models of vigorous writing and realistic word painting. A year ago he visited Santa Fe for the last time, attended the annual meeting of the Managing Committee of The School of American Research, revisiting his old haunts and bidding them farewell for he knew that the end was not far off. This year he sent cheerful and yet pathetic greetings to the annual meeting, pathetic because every line breathed the homesickness for his beloved New Mexico, for the Santa Fe he called his own and which he adored with a passion that only those who have spent years amidst her hills can fathom. In 1912 he suffered an attack of blindness, the result of jungle fever contracted in Guatemala in 1911. He recovered his eye-

sight in the rarified atmosphere of the mountains of New Mexico, where he had begun his explorations twenty-five years before. As a result he published his booklet, "My Friend Will," an analysis of the power of the human will. His books on the history of Spanish America have become standard, here and abroad, and at least one of them has been translated into French as well as Spanish. He would often work until 3 A. M., sustained by liberal libations of strong coffee. When informed that he could not live out the year Dr. Lummis decided that there was yet another achievement with which to round out his eventful life. He wished to complete his life's poems and publish them, and sheer strength of will bent him to the task. He worked at top speed, with the aid of Henry Herbert Knibbs, also formerly of Santa Fe, prepared his manuscript and submitted it to his publishers and it was accepted on October 28. Usually a book taken at this late date is published the following spring, but, knowing Dr. Lummis's condition, his publishers hastened the work of bringing the volume out. Thus "Bronco Pegasus," his last work, was returned from the bindery on the 8th inst., and to get the book in Dr. Lummis's hands before his eyesight failed, a copy was sent to him by air mail. He was in coma for three days before death. Funeral services for Dr. Lummis were conducted at 3:30 p. m., Wednesday, November 28, at his home, El Alisal, 200 East Avenue 43, Los Angeles. The trustees of the Southwest Museum were in charge of the funeral arrangements.

"Who's Who" in the 1928-29 edition summarizes the bare facts of a life rich in labor and results as follows:

Lummis, Charles Fletcher, Americanist, author, explorer; b. Lynn, Mass., Mar. 1, 1859; s. Henry and Harriet Waterman (Fowle) L.; ed. Harvard, class of 1881; (Litt. D., Santa Clara Coll., 1903); A. B., Harvard University, 1906; married three times; children — Bertha,

Turbese, Amado (dec.), Quimu, Jordan, Keith. Edited newspaper in Ohio, 1882-84; in 1884 walked from Cincinnati to Los Angeles, Calif., by roundabout route, purely for pleasure, 3,507 miles, 143 days. City editor Los Angeles Daily Times, 1885-87; lived 5 years in Indian pueblo of Isleta, N. M., learning Indian languages and customs; travelled all over Southwest on horseback; also in Mexico, Cenarl and S. A.; had explored continent from Canada to Chile. Founder, and editor 1894-1909, Out West Mag.; Librarian Los Angeles Pub. Library, June 21, 1905 — Ap. 1, 1910. Founder and pres. Landmarks Club (to preserve historic landmarks, Calif), 1895; has preserved Missions San Juan Capistrano, Pala and San Fernando; founder, 1902, and chmm, exec. com. Sequoia League (to make better Indians); pres Warner's Ranch Indian Comm., which secured better homes for 300 evicted Indians. Founder and sec. Southwest Soc. Archaeol. Inst. America, 1903; one of incorporators, 1906, and life mem. Archaeol. Inst. America; founder The Southwest Museum 1907, and its unique 125 ft. tower named, "Lummis Caracol Tower;" hon. mem. Davenport (Ia) Acad. of Sciences; mem. Nat. Inst. Arts and Letters; charter regent Mus. of N. M. till 1912; mem. mng. bd. and exec. com. Sch. of Am. Research; an incorporator Modern History Records Assn; hon. mem. Calif. Writers' Club. First life mem. Hidalgos of America; 1st hon. mem. Hispanic Society of Calif.; 1st hon. life member Gamut Club; corr. mem. Royal Acad. of Spain; knighted by King of Spain, 1915, for researches in Spanish-American history, as comendador con place de la Real Orden de Isabel la Catolica; Socio de Honor, Casa de Espana en Porto Rico; corr. mem. Hispanic Society of America; mem. Authors' League America. Made, since 1905, phonographic records of 550 old Spanish songs of Southwest and 425 Indian songs in 37 langs. Author: Birch Bark Poems, 1879 (on real bark); A New Mexico David, 1891; A Tramp Across the Continent, 1892; Some Strange Corners of Our

Country, 1892; The Land of Poco Tiempo, 1893; The Spanish Pioneers, 1893, 16th edit. (Spanish transl. 1915;) The Man Who Married the Moon, and Other Pueblo Indian Folk-Stories, 1894; The Gold Fish of Gran Chimu, 1896; The King of the Broncos, 1897; The Enchanted Burro, 1897; The Awakening of a Nation, Mexico To-day, 1898; My Friend Will, 1911; Spanish Songs of Old California, 1923, 2d book, 1928; Mesa Canon and Pueblo, 1925; also critical articles in Ency. Britannica, Ency. Americana, The Nation, etc., and hist. and lexicographic work on Spanish America, popular science articles, stories and poems in leading periodicals.

TRIBUTES

Brilliant, eccentric, lovable, picturesque to a degree, sometimes startling in his unconventionality, a man whose religion was the American Southwest, Charles F. Lummis stamped on the past fifty years the impress of a vivid and pungent personality which will not be forgotten for another half century. News of his death brings up a picture of a corduroy clad, small figure, with a red bandanna around his head, a bundle in another handkerchief tied to a stick, probably moccasins on his feet, marching along with a preoccupied air; a striking individuality noticeable in any crowd. His originality was *sui generis*, his ability to make words sing, dance and leap was unique. He was one of the outdoor men of the century, a frequenter of woods, deserts, cliffs and caves, mountain summits and canyon deeps, a lover of the primitive, an apostle of simplicity. Once he was editor of a magazine wherein his personal page was

called "In the Lion's Den," and he could roar with indignation when occasion arose. He was untamably independent in his views and considerable of a Philistine.—*Santa Fe New Mexican*.

TRIBUTE BY JOHN STEVEN MCGROARITY

If it was so ordained that when a man passes out of this life into the spiritual world he would appear before the Gates of Paradise in the familiar guise by which he was known on earth it would have been interesting to witness the arrival of Charles Fletcher Lummis at St. Peter's watch-tower yesterday when his blithe soul had taken wing upon the journey that leads beyond the tracery of the stars.

The folk loitering on the high ramparts of heaven would have seen a little old fellow arrayed in corduroy, a red sash around his waist, a soft shirt and collar, a red cravat and a cowboy Stetson banded with leather on his head; a little old fellow with a face tanned by sun and wind, his eyes deep and eager, a challenge on his lips.

Mostly it would be the old pagans who would flock to greet him, for he was essentially one of them by reason of some strange throwback which made him so, although he was New England born and bred and steeped in the pools of Pilgrim tradition at his birth. He was pagan in the way that he resented conventions and that he lived his life in his own way. I often told him he was lawless, and so he was. Which is to say that as far as his own life was concerned he framed it to laws of his own. He had the courage to do it, as many of us have not. And if he is now and ever was to be blamed for it, let us dwell upon the fact that if there are no pagans in heaven it must be because there is no such place.

Not that he was without reverence for beliefs other than his own is it fair to speak of him as I have now done.

I knew him well and admired him tremendously. All of us who scribble at the history and tradition of California and the Southwest are indebted to him for inspiration. He was the master. No other man was so steeped in our lore or had the same embracing sympathy that he had for the things and the people who were here before we came. The dust of the road was not off his sandals before the Spanish Californians had taken him to their hearts and he had taken them to his.

He will be missed in many quarters and not the least where scholars foregather and among whom he sat palm-crowned. There were many who loved him and, after all, that's the best that anyone can say above a dead man's pulseless clay. God rest his soul, and may peace be with him.—*Los Angeles Times*.

LUMMIS OBSEQUIES

Under the giant sycamore trees in the patio of the home which he built with his own hands, and with Spanish troubadours playing old California folk songs which he had gathered and translated himself, final rites for Dr. Charles F. Lummis, author, poet, explorer and historian, were conducted at Los Angeles on the day before Thanksgiving, November 28, 1928. While several hundred old friends of the distinguished Californian gathered in the patio to do him homage the Jose Arias orchestra, the band of players Dr. Lummis had play for him many times during his life, struck up the soft strains of "Adios, Adios, Amores." It was the favorite selection of the historian and his friends stood with bowed heads listening to one of the many compositions left by Dr. Lummis to California

and the world. "La Hamaca," another Spanish number composed by Dr. Lummis, was sung by Senora Alma Real. When she completed the last bars of the song Joseph Scott, close friend of the deceased, stepped before the casket in which Dr. Lummis's body lay in state to deliver the non-sectarian address of praise. A few withered leaves from the sycamore branches overhead drifted away on the afternoon breeze as Mr. Scott began, leaves which Dr. Lummis had seen grow green last spring, during the course of his final fight against an incurable disease which ended his life after sixty-nine years of scientific research and writing. "The spirit within us is quickened as we are surrounded by the place our friend loved," Mr. Scott said. "This immortal shrine which is the work of his own hands covered him during the nights when he worked unceasingly to preserve for all generations the results of his scientific researches into the treasure lands of the Southwest. To those of us who remain behind, his friends of many years who have loved him, as well as for those who have had the privilege of his recent acquaintanceship, let me urge the need of preserving his precious work and carrying on the ideals of his life by making this home, El Alisal, a shrine to attract the scholar, the student, the lover of the finer elements of life, and that we of California, where his real heart has been all these years, can in very truth say, 'He shall not be forgotten forevermore.' In scholarship he opened up a new field for labor and industry and plodding perseverance. It was no bright noonday adventure, but in the silent watches of the night, through dusty tombs and in the remote fastnesses, far from the white civilization, he gathered together piecemeal the threads of truth and brought them into a cable of historical certainty that has been the admiration of the scholars of the world. Therefore he is revered and respected far beyond the confines of this country. His name will live for his scholarship and courage and intellectual sanity in the high places of

education and learning. This unique home, with the big sycamores shading it from the white sunlight, has been the scene of many social gatherings, which could be the envy of most of the exclusive salons of the Old and New World. He was of the Spartan mold in his attitude toward human suffering. Without thinking and without a trace of weakness he faced physical adversity. He came to California wrecked in body. Our friend literally had walked with the Grim Reaper at his elbow during the last several months, defiant and unafraid. His end came as he would have wished—quietly in his sleep, the shadow thickened and darkness came over his mortal remains.”

Two lines of honorary pallbearers formed in the patio as Mr. Scott finished his eulogy, and Dr. Lummis's body was escorted to Forest Lawn Cemetery for cremation. His ashes are to be placed in a vault built in the wall of the Spanish home at 200 East Avenue 43. At the cremation services Dr. James A. B. Scherer, director of the Southwest Museum, which Dr. Lummis founded, read the poem, "Top O' the Hill," last from the pen of the writer. The manuscript was completed when Dr. Lummis knew that death was near and it was rushed to his publisher as part of his last book, "Bronco Pegasus." Reading of the poem completed the afternoon's services.

“One rests here who still was young,
 Still aflame with songs unsung;
 In his threescore years and ten
 Lived the lives of many men;
 Live to learn and learn to live—
 Love, achieve, keep faith, forgive,
 Worked and loved—and loved it best
 After work, to work for rest.”

Never turned away unfed
 That long hunger in his head.
 Dreamed, and helped his dreams come true—
 There's so much for dreams to do!
 Sorrow knew in every guise—
 Found it came to make him wise.

Learned from failure, all and each,
 What success could never teach.
Held the old and faced the new,
 Questing only for the true,
Serving the future with the past.
 Turned a quiet smile at last—
As who should challenge the flickering heart:
 'We had our share—did we do our part?'"

Active pallbearers for Dr. Lummis were Mr. Scott, M. H. Newark, Harry Knibbs, R. F. Del Valle, James A. Montgomery and Dr. Scherer.

PUBLICATIONS FOR SALE

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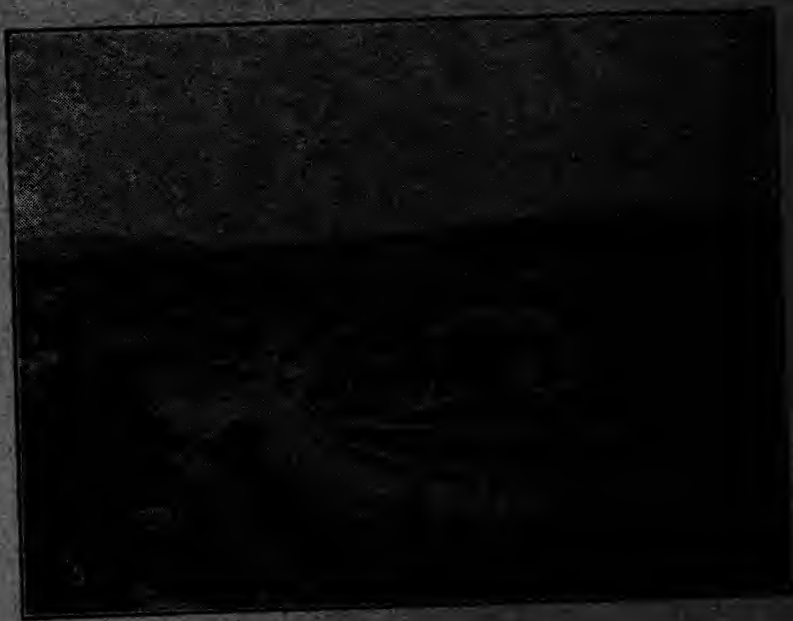
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APRIL, 1929

No. 2



PALACE OF THE GOVERNORS
1609
SANTA FE, NEW MEXICO

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FRANCIS T. CHEETHAM

FRANCE V. SCHOLES

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THE HISTORICAL SOCIETY OF NEW MEXICO

(INCORPORATED)

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1861 — Maj. James L. Donaldson, U. S. A.
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CONSTITUTION
OF THE
HISTORICAL SOCIETY OF NEW MEXICO

(as amended Dec. 15, 1925)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of twenty-five dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historical nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have by published work contributed to the historical literature of New Mexico or the Southwest may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election,

and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Each Member, upon election, shall pay a fee of two dollars, which shall include the dues for the current calendar year and annually thereafter a fee of \$1.00 payable in January of each calendar year. Members may be dropped from the rolls of the Society at the discretion of the Executive Council for non-payment of dues.

Article 7. *Publications.* All publication of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

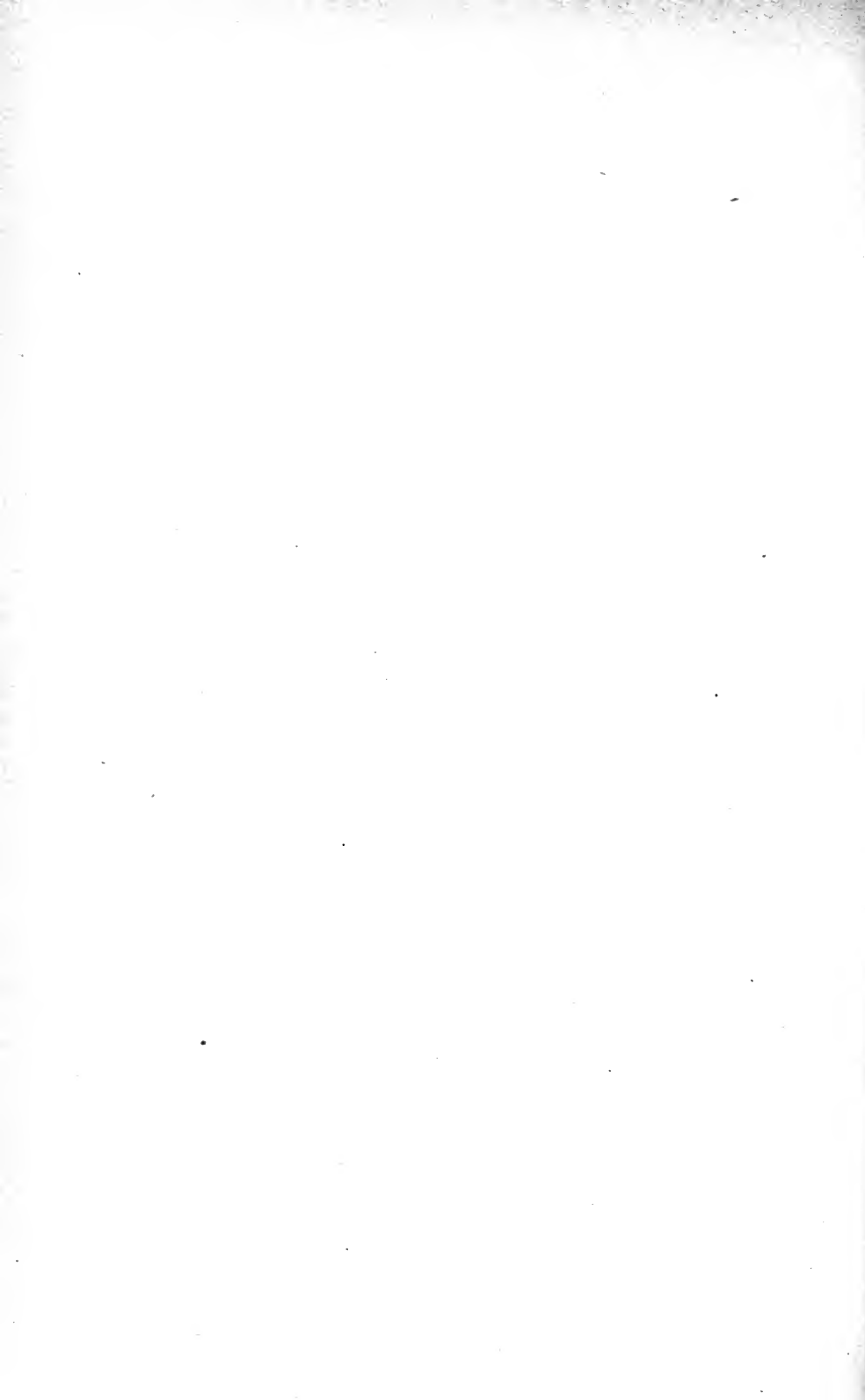
Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at Eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

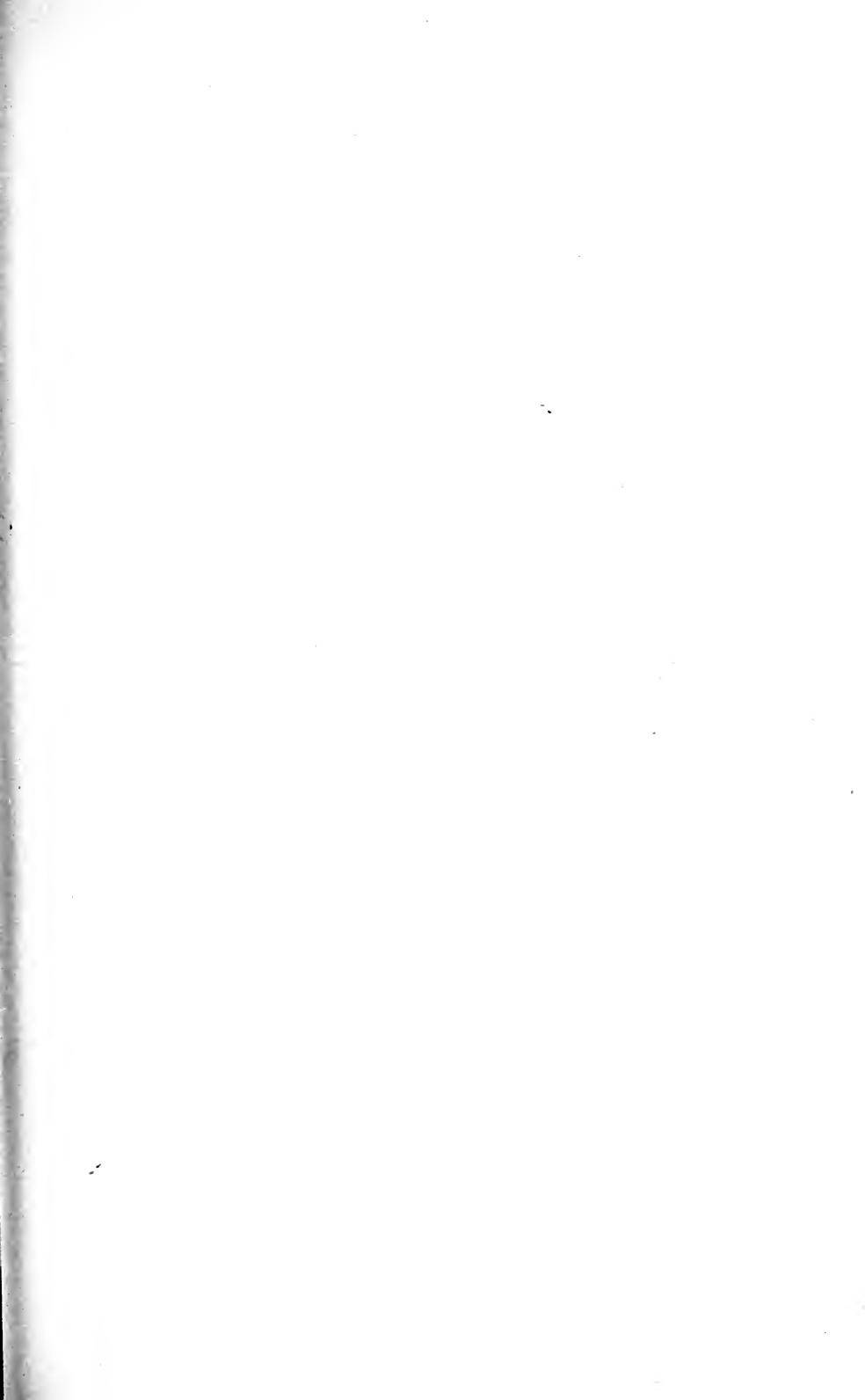
Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

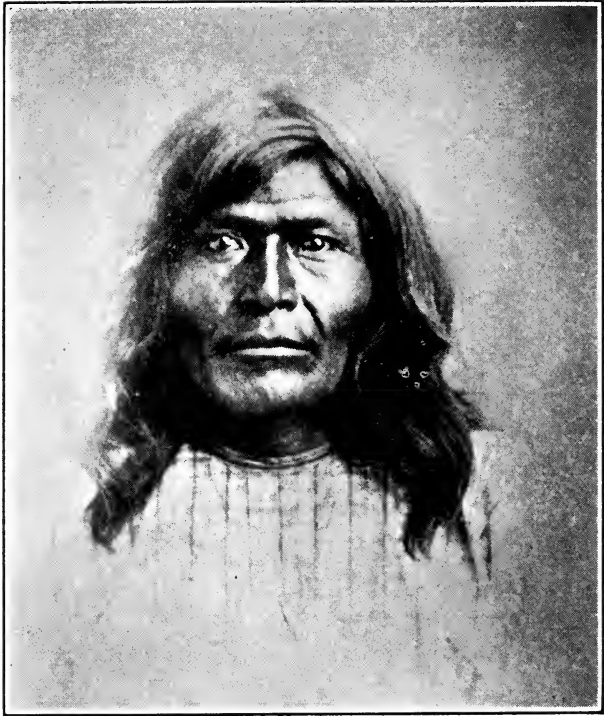
Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

Bulletins, as published, are mailed to members; subscription to the *Review* is additional.

Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Mr. Lansing B. Bloom, Santa Fe, N. Mex.







VICTORIO
HEAD CHIEF OF THE WARM SPRING APACHES
In 1877, at Ojo Caliente, Mew Mexico

NEW MEXICO HISTORICAL REVIEW

Vol. IV.

April, 1929.

No. 2.

T H E A P A C H E S

BY JOHN P. CLUM

(Copyrighted — 1929.)

During the past year it has been my great privilege to contribute to the pages of *The New Mexico Historical Review* some facts relative to the history of the Apache Indians. These recitals have dealt more particularly with the biographies of two conspicuous Apache characters — Geronimo and Es-kim-in-zin.

If I may be permitted to occupy additional space in these valuable pages I shall find inspiration for the task in the hope that I may be able to present convincing evidence in support of the opinion I have expressed from the time of my earliest associations with these Indians, viz; that *if from that time the Apaches had been given a fair chance under firm, just, intelligent and sympathetic direction, their orderly development and gradual progress would have been assured, and the miserable record of the campaigns against Geronimo never would have been written.*

And further, if, from this review, it shall appear that the mass of these Indians have been the unfortunate victims of the tragedy of misrule and of unhappy, variable and demoralizing conditions which they were not afforded the least opportunity either to prevent or correct; if the *neglected truth* shall thus be rehabilitated and established, that these facts may arouse such genuine interest in the matter as will inspire a sincere endeavor to measurably redeem our

past transgressions against these primitive people by encouraging and aiding the maturing generation of this race of FIRST AMERICANS in a sensible and practical way.

In concluding my somewhat extended narrative of Geronimo I stated that my official report of the capture of this renegade was confined to a single paragraph, and I deem it only fair to the reader as well as to myself, that the paragraph referred to should be reproduced in this review as an essential feature in the development of the record.

My final official report was dated at Florence, Arizona, September 18, 1877 — about three months after I had relinquished my official responsibilities at San Carlos, and about five months after the exciting capture at Ojo Caliente. This report was made a part of, and printed with the annual report of the Commissioner of Indian Affairs for 1877. The paragraph in question reads as follows:

“The capture of several noted renegades at Hot Springs (Ojo Caliente,) New Mexico, and the removal of the Indians of the Hot Springs agency, New Mexico, to San Carlos, Arizona, is one of the most important movements with which I have been connected while in the Indian service, and the result of this movement was a complete success. The co-operation of the troops under General Hatch and Major Wade was perfect. On April 21 my Indian police arrested ‘Heronemo,’ ‘Gordo,’ ‘Ponce,’ ‘Francisco’ and several other noted renegades, who were immediately lodged in the guard-house, *in irons*. The entire tribe of the Hot Springs Indians, numbering 453 souls, left the agency on May 1 by trail for San Carlos. I started the same day by road with the prisoners. On May 20 the Hot Springs Indians were located peacefully, and with satisfaction to themselves, on the San Carlos reservation — twenty miles east of the main agency buildings.”

In those days we gave Geronimo’s name the Spanish pronunciation, hence the spelling, “Heronemo.” I reported the co-operation of the troops as “perfect.” I had asked

that troops be stationed at strategic points for the protection of citizens in case of emergency. This was done, but no emergency developed. Major Wade was a day late in arriving at Ojo Caliente, but we did not allow his failure to keep his appointment to defeat the chief purpose of our campaign, and when the troops did arrive at the agency my police had already arrested the principal renegades and were holding these prisoners in the guard-house, in irons. In these circumstances there had been nothing for the troops to do except to "co-operate" by marching to their respective positions in the field and then return to their respective posts, and, inasmuch as I had attained my objective, I was quite willing to overlook the tardy arrival of Major Wade and to give the troops a "perfect" score. Moreover, in view of the *unwilling support* or open hostility which quite uniformly characterized my experiences with the military authorities in Arizona, I was eager to extol the *genuinely cordial spirit of co-operation* displayed by General Hatch and his staff in New Mexico.

The original campaign against Geronimo in 1877 was undertaken in the interest of the public welfare, and, notwithstanding the renegade chief and several of his fellow outlaws were apprehended and brought to San Carlos *in iron* — no banquets, or medals, or promotions, or pensions were ever tendered to any of the members of the successful expeditionary force. The public we served complacently regarded the campaign as a feature of our official job, and the capture of a few renegades was merely a part of the day's work. Thus it happened that with the exceedingly brief official record already quoted, the more or less thrilling and important episode enacted at Ojo Caliente on April 21, 1877, passed silently into history — and *near oblivion*.

Late in September, 1881, Geronimo resumed his role as a dangerous renegade, and in the sorry drama that followed he held the center of the stage for five years. Notwithstanding the military campaigns waged against him he was able to extend his world-record series of surrenders

from 1883 to 1886. Meanwhile graphic accounts of the savage prowess of the renegade chief and of the brilliant maneuvers of the pursuing troops filled countless front-page columns throughout the land. It is not remarkable, therefore, that the modest record and the faint recollections of the campaign and capture of 1877 were hopelessly submerged in this veritable sea of spectacular literature.

Conscious of the fact that my official report of the campaign into New Mexico was lamentably deficient in supporting details, I felt inclined to allow the story to continue to slumber as a part of the forgotten past. However, as time passed I felt that, in justice to the Apache Police — if for no other reason — the details of this campaign should be given its proper place in the story of the Apaches. Nevertheless, I hesitated until a couple of years ago, when, to my great joy, I discovered the convincing documentary evidence which I had so much desired, in the form of a letter I had written at Ojo Caliente *only three days after Geronimo had been placed in the guard-house in irons*. The reader will appreciate that the citizens of Arizona were very anxious to know what was happening in New Mexico, and that in the letter to my friend, John Wasson, editor of *The Citizen*, I was merely outlining in an off-hand manner, some of the most important facts relative to our activities at Ojo Caliente from April 20th, to April 24th, 1877. The letter follows:

(This letter was published in *The Arizona Citizen* at Tucson on May 5, 1877. See copy of said paper on file at the Library of Congress, Washington, D. C.)

“Southern Apache Agency, New Mexico,
April 24, 1877.

Mr. John Wasson:

On the afternoon of the 20th I took an escort of twenty-two police and came into the agency, leaving Captain Beauford with the remainder of our grand army about ten miles

out. On my arrival, which was just before sundown, I learned that Eronemo, or Geronimo, had been here the same day for rations. The troops would not be here until the 22nd, but I determined to make a strike at once. I accordingly sent a messenger out to Captain Beauford to ask him to come in with his command before daylight of the morning of the 21st. At 4 o'clock on that morning Beauford was here, and his men all shut up in the main commissary building. I at once sent for the chiefs of this reservation to talk with them. About fifty of them came up to the agency, and as they supposed I had only my escort of twenty-two police they were prepared to be very mean. But when I got them all ready to hear what I had to say the commissary door was opened and eighty more police were thrown into a formidable skirmish line, which completely surprised and surrounded the Hot Springs gentry.

Some of the boys who were mounted made an attempt to ride away in disgust, but several needle-guns were leveled on them and they were persuaded to return and hear what I had to say. I told them my orders in a few words and took a needle-gun from Eronemo, a Winchester from another, and several other guns from various red brethren. Then Eronemo was ordered to march out and surrender to Captain Beauford — which he did with reluctance, and was evidently undecided whether to fight to the last with his knife or to give himself up. Just here Sergeant Rip of Captain Beauford's company stepped up and took the knife from Eronemo's belt, Captain Beauford came down with his needle-gun and Eronemo was our prisoner.

We then took Gordo's son, and after a few remarks explaining our new relations the men were permitted to go to camp, having been ordered to attend count in the afternoon. About one hour before sundown we counted 434. After the count I arrested one of the three Indians who stole the seven head of horses from San Pedro on the 8th instant, of which I wrote you from Camp Bowie. You will remember Captain F. Apodaca was following their trail.

These three Indians reached the reservation three days before I did.

During the night of the 21st the Indians got drunk and went to the hills, badly scared at their own shadow, so that at count on the 22nd I had only about 175. Major Wade and his command arrived here on the 22nd, and it was feared that the Indians would not appear again at the agency, but yesterday most of them came back, and to-day I have about 400 men, women and children.

I have fourteen prisoners; among them Eronemo, Gordo, a son Gordo, and two of the three Indians who stole the horses on the San Pedro on the 8th instant. Eronemo, Gordo's son and another Indian I have in chains.

Today I had a talk with the principal men and they have consented to move to San Carlos. There will be no fighting here and I will get nearly every one.

Pi-on-se-nay and four men left about four weeks ago and are now raiding in Sonora and Arizona. I am officially informed by the acting agent that at least forty Indians are now on raids in the southwest who draw rations here.

I will leave here as soon as arrangements can be made for transportation, etc. Captain Beauford left here yesterday morning with his company and thirty days' rations, and will pick up anything he can find between here and the Dos Cabazas mountains. He has a good company and is an excellent scout. I gave him three thousand rounds of ammunition just before he left.

Colonel Wade and his command are doing all in their power to assist and insure success.

Very truly yours,

(Signed) JOHN P. CLUM,

U. S. Indian Agent.

In the same issue of *The Citizen* containing the foregoing letter there was also published the following telegram:

"Fort Craig, N. M., April 26, 1877.

Governor A. P. K. Safford,
Tucson, Arizona.

"I have Heronemo, Ponce, Gordo and fourteen other prisoners. The worst are chained. Expect to start on thirtieth with all Indians for San Carlos. Entire success thus far. Pi-on-se-nay, Nol-gee and about forty others now absent in Arizona and Sonora. Beauford started back on the 23rd."

Signed) John P. Clum,
Agent."

The letter and telegram above quoted are of great historical value since they contain details of important events recorded at the time and place of their occurrence. They also furnish some evidence of the deplorable conditions then existing in connection with the affairs of the Southern Apache Agency at Ojo Caliente. It is noted that Geronimo was supplied with rations at the agency on April 20th; that Pi-on-se-nay with four men had left the agency a month previous on a raid into Arizona and Sonora; that at least forty Indians who drew rations at Ojo Caliente were then on raids in the southwest, and that Ponce with a small party had just returned from a raid bringing some stolen stock with him, but it is not indicated that any action had been taken by the local agency authorities with a view to apprehending and punishing any of these bold and defiant renegades.

As a matter of fact I was astounded when I learned the actual conditions existing on that reservation. There was an acting agent, but he did not pretend to exercise any control over the Indians who were supposed to be under his direction and management. He knew that the Ojo Caliente reservation was the rendezvous of some of the most active of the hostiles. He knew the desperate character of Geronimo, Pi-on-se-nay, Nol-gee and others, but when any of these appeared at his agency he did not even report their presence. His principal occupation was to issue rations,

and his chief concern was to preserve his own life. With this end in view he had obtained a detail of ten soldiers as a body-guard, whose sole duty it was to protect him from violence and assassination at the hands of the Indians he was feeding, and I was told that notwithstanding this special guard it sometimes happened that the Indians would brush the agent aside and help themselves to rations.

To me this condition of affairs seemed monstrous and incomprehensible. In my experience at San Carlos order and discipline and harmony had been maintained through the friendly and efficient co-operation of the Indians themselves, and every symptom of insubordination was speedily controlled and suppressed. Our rules and regulations were neither numerous nor unreasonable. We were feeding and protecting the Indians on the reservation, and in return for these valuable considerations we insisted upon the strict observance of at least two features of discipline as being vital to the success of my administration; viz, first, respect for the authority of the agent, and, second, orderly conduct on the part of all the Indians. In these circumstances the one offense I could not tolerate was that of insolent insubordination, and any display of this nature instantly aroused my Dutch fighting blood to vigorous action. And so it happened that the rebellious and defiant spirit which had prevailed among the Indians at Ojo Caliente speedily led to my first and only honest-to-goodness, hand-to-hand combat with an enraged Apache on murder bent.

But before reciting the details of this spirited and more or less thrilling episode I beg the indulgence of my friends — as a matter of personal privilege — while I undertake, briefly, to emphasize three points, viz: First, that I did not belong to the popular type of so-called "Indian fighters," for the reason that it was my habit to fight for the Indians and in their ranks: Second, that the success of my administration at San Carlos was not so much the result of *what I did with the Apaches*, but rather *what I was able to encourage the Apaches to do for themselves* under

judicious and sympathetic direction; and, third, that as a "publicity stunt" I effected the capture of Geronimo much too early in the game, because when that wily Apache was placed *in irons* at Ojo Caliente on April 21, 1877, our prisoner had had only about *nine months* in which to "get a reputation," whereas, in 1886, when this same Indian surrendered to General Crook, and then — about five months later — surrendered to General Miles, he had been doing his special brand of renegade stuff for about *nine years*, and during all of those years an innumerable throng of enthusiastic press agents vied with each other in spreading the name and fame of Geronimo, not only throughout the United States, but throughout the civilized world wherever newspapers were read.

And now for the "scrap" with the Apache. A trusted employee had been sent to Ojo Caliente in advance for the purpose of "spying out the land," and immediately upon my arrival there late in the afternoon of April 20th he informed me of the insubordinate and defiant attitude of the Indians belonging to that agency. Very promptly I determined to challenge that attitude at the earliest opportunity, and this opportunity developed the next morning as soon as Geronimo and several other principal leaders had been taken into custody by the Apache Police.

Victorio was the chief of this band — all of whom had accompanied Geronimo to the agency that morning, and had been thrilled by the swift and effective maneuvers of the San Carlos Police. The desired arrests having been made, I assembled the main body of the Indians in a more compact group and forthwith precipitated a "heart-to-heart talk", — substantially as follows: "I understand that you have been disorderly and have defied and threatened the local agent; that you say you are dangerous fighting men and will never submit to discipline or control, and that everyone is afraid of you because you are brave, desperate and deadly warriors. Now listen!" (and here I met their bluff with a stiff one of my own) "You have seen what the

San Carlos police have done here this morning. WE ARE BRAVE WARRIORS, TOO, and are always looking for those Indians who boast they are so dangerous that everyone is afraid of them. We have subdued all of that sort of bad men in Arizona — and were out of a job, so when we heard how brave and bad some of the Indians at Ojo Caliente claimed to be, we started at once for New Mexico. Now you see us here with our *fighting harness* on. It is our business to fight all bad Indians. We are always ready. We are not afraid. Therefore if any of you feel that you must fight we are here to oblige you — and none of you will ever find it necessary to wear out your moccasins trying to find us. We will always be ready with good rifles and plenty of ammunition, because we know we will not have good order and live well and have peace UNTIL ALL INDIANS WHO ARE TRYING TO BE BAD AND DANGEROUS are held as prisoners in chains — or have been killed.”

As I paused to roll a cigarette Victorio protested that his people had been grossly misrepresented; that they were good Indians, and their great desire was to live peaceful and orderly lives.

Promptly I replied: “You know that a number of your people are now absent on raids into Sonora, or along the trails leading from Ojo Caliente through New Mexico and Arizona into Mexico. My police have just followed the trail of a raiding party with stolen stock returning to the reservation. Ten soldiers have been stationed here to protect the agent because the Indians have been insolent and threatening. Indians who commit such offences have bad hearts and do not care to live peaceful lives.”

“At San Carlos the Apaches do not go out on raids. The Indian Police enforce discipline and maintain order. All troops were sent away from the reservation two years ago. We have peace and no one is afraid. You can learn from the policemen with me how well the Apaches are living on the Arizona reservation and how contented they are.”

"Your chief, Victorio, says you want to live at peace and improve your condition. Very good. I will give you a chance to live as the Apaches do at San Carlos. But there must be no more raids. No more insubordination. I will give you a fair chance — and I believe nearly all of you will be glad to settle down and be friendly with everyone.

"We will begin this new plan of living to-day. There has been no regular system of counting the Indians at this agency — and you have told the agent that you would not be 'counted like sheep.' You said that because you do not understand. I do not want to count you 'like sheep,' I want to count you LIKE MEN. For many months I counted all of the Indians at San Carlos every day. Now they are all counted every week. All our white soldiers report for roll call — are counted — every day. From time to time I will explain everything to you that you do not understand. If we are going to be friends we must understand each other. I will explain one point about the count now. Some stock might be stolen in Arizona to-day and someone might say that Victorio was the leader of that raiding party. Then I would tell them that the charge against Victorio was false — because he was present at the count made at Ojo Caliente, New Mexico, on April 21st. You see the count protects you. There are other reasons why the count is necessary. We will begin to-day. Now you may go to your camps — but this afternoon, about one hour before sunset, I want ALL OF YOU, men, women and children, to assemble here at the agency for a count."

The reaction of this common sense appeal was that practically the entire band were assembled at the agency as the sun was approaching the western horizon, and the record shows that we counted 434 individuals that afternoon, whereas, the complete round-up of these Indians on the morning of May 1st when they started over the trail to San Carlos showed a total of 453 men, women and children — only 19 in excess of my original count.

This result was, of course, very gratifying, and I was hopeful that no serious clash would occur in the future. However, the advent of some "bootleg booze" and the troops under Major Wade produced much excitement and some alarm in the Indian camp for a couple of days, during which time comparatively few reported at the agency for the count, but there were no acts of defiant insubordination. I assured the Indians that the troops would not molest them if they followed my advice and instructions, and within three or four days the excitement had subsided and nearly all reported for the daily count.

Again I was gratified and felt hopeful that none of my new charges would manifest a spirit of open rebellion, but this hope was doomed to be shattered in a most abrupt and unexpected manner. We had counted the Indians six times without opposition of any sort on their part, but the seventh count was destined to produce a genuine thrill for the benefit of a goodly throng of spectators that included officers, soldiers, citizens and Indians.

In my original talk with these Indians, after calling their attention to the fact that the San Carlos Police were there with their "fighting harness" on, I had boldly added that Captain Beauford and myself could be relied upon to take a hand in a scrap — *if necessary*. Whether there was a conspiracy to "try me out" along these lines cannot be known now, but it is certain that this episode put me to the test. It was about an hour before sunset, and the men were forming in line on the parade ground in front of the agency for the purpose of the daily count.

My costume and equipment for trail trips in those days consisted of a broad brimmed hat, double breasted blue flannel shirt, pants and boots — the pants tucked into the boot-tops, a belt with cartridges a hunting-knife and a Colt's "forty-five," and a rifle which was carried in a short sling looped over the pommel of the saddle. Such a costume offered little resistance to either a bullet or a knife.

Ordinarily at San Carlós I went about unarmed, but as we were "in the enemy's country" at Ojo Caliente I wore my belt with its knife and six-shooter most of the time. Inasmuch as the Indians were assembling on the parade ground in an orderly manner I left the details of the count to the chief clerk and stepped into the agency office. Having worn my belt all day it was beginning to feel a bit heavy, so I unbuckled it and laid it aside with its handy weapons attached. This I have always regarded as a *very fortunate circumstance*, as I will indicate later.

Glancing out of the window I saw that something was going wrong with the count. It was my habit to nip trouble while it was still in the bud, so, seizing my hat, I hastened to the scene of the disturbance without even thinking of my knife and six-shooter. When I asked what the trouble was about, the interpreter pointed out a young Indian who was seated on the ground near by and who, he said, refused to go into the line to be counted. I ordered the young man to take his place in the line, but he showed no inclination to obey. I then ordered two of my Indian police to take him to the guard-house. They each took an arm of the insubordinate Indian, raised him to his feet and started for the guard-house. At first the prisoner made no resistance, but after going a few steps he suddenly wrenched his bare arms from the loose grasp of policemen and deliberately went back and sat down. Thereupon I entered actively into the affair.

Taking a rifle from one of the policemen — and to this day I do not know whether it was loaded or not — I stepped beside the defiant Indian, grasp his left arm with my right hand, raised him to his feet and started to conduct him to the guard-house — even as the policemen had done. The way led down the entire front of the line of Indians who, while waiting for the count to proceed, were intensely interested in the impromptu entertainment provided by this rebellious member of their band.

Perhaps I should have paid more heed to the cunning of my prisoner which had enabled him to break away from the policemen so easily, and, obviously, it would have been a wise precaution to have disarmed the Indian before I started with him to the guard-house. But, as a matter of fact, I had not observed the knife he carried in his belt and which was almost hidden by his loose shirt.

However, he went unresistingly until we had reached about the middle of the line of waiting Indians, then, with a violent effort, he wrested his left arm from my grasp — at the same instant drawing his knife with his right hand and raising it high above his head as he poised for the deadly thrust. His effort to break from my grasp threw him about two paces from me.

Fortunately I had neither knife nor pistol, or the fight would have been deadly indeed. The rifle handed to me by the policeman I had grasped by the barrel so that it balanced in my left hand with the stock to the rear. The instant I saw the Indian draw his knife I swung the rifle up to a horizontal position at the height of my head, thus reversing it, and seized the small section of the stock with my right hand. As the infuriated Indian leaped forward to stab me I bumped him squarely on the forehead with the butt of my rifle. That was a lucky strike — for me. With both arms thus upraised, I shudder to think what probably would have happened had the butt of my gun failed to connect with that red-skin's *bean*. The defense I made was instinctive, instantaneous and effective.

The blow from my gun was of sufficient force to stun my antagonist, and he fell backward upon the ground. In an instant I was over him and had seized his right wrist with the intention of disarming him. But he was not seriously hurt. Fierce and quick as a panther at bay, he caught the knife with his left hand and made a vicious thrust at my bending form. Being alert and active myself I executed a graceful side-step and the keen blade *never touched me*. Instantly I swung the butt end of my rifle and dealt the

blood-thirty savage a glancing blow just over his right ear. The Indian was dazed, but not disabled. However, the fight was over.

While this encounter was exceedingly spirited, it was equally brief. Only two blows were struck, and the interval between those blows could not have been more than ten seconds. I wish I might give the same speed to the story — but that is impossible. Although my opponent was not knocked out, I WON ON POINTS, for — fortunately for me — mine were the only blows that landed.

Just as I struck the Indian the second time two of his friends in the line came forward and volunteered to disarm him. I stepped back a pace and, watching “the enemy” closely, I told his friends to take the knife and hand it to one of my policemen — several of whom were “standing by” awaiting a signal from me to take a hand in the fray. Having secured and delivered the knife, the “friends” were ordered back to their places in the line.

My opponent having been deprived of his weapon, it seemed only fair that I should place myself on the same footing, so I surrendered my good rifle to one of the idling policemen. The belligerent Indian was still my prisoner and I determined to take no chances on his wriggling away from me a second time. With my left hand I grasped his left arm, while my right hand took a firm and generous grip on the abundant hair of my frenzied foe — and in this particular grip I had a hundred per cent advantage over the Apache (see one of my high-brow photographs). Feeling quite sure of my prisoner, I raised him to his feet, marched him past the second half of the waiting line and on to the guard-house — where I literally “threw him into prison.” A little later he was placed in irons.

Returning to the line of waiting men I reiterated my “declaration of war” — *if they insisted on fighting*, but at the same time *I strongly advised peace*. The Indians were then counted and allowed to retire to their camps. Thereafter I had no trouble with the Ojo Caliente Indians.

Looking backward I recall that during this encounter I had no sense of fear — in fact, I did not have time to get scared, nor was I particularly excited at any moment. Neither did I have any purpose or desire to kill the Indian, although it was evident that he was endeavoring his utmost to use his knife with fatal effect. The first blow I struck the Apache with my rifle was in self-defense. Its delivery was instinctive and without reserve. If the time and distance had allowed me an inch or two longer stroke I probably would have crushed the Indian's skull, because the rifle was very heavy — one of the old-pattern, long-barrelled, three-band needle-guns. If my first blow had resulted fatally it would have been without "intent" on my part, and while my second blow would also be classed as "self-defense," it was, nevertheless, deliberate. The Indian had been knocked down and was still on the ground. My personal danger was not so imminent, and although the knife still flashed its deadly menace, I deliberately planned to hit the Indian just hard enough to knock the fight out of him.

This "scrap" might be rated as a combat, or even as a fight, and yet it was merely an incident in the execution of my general administrative plan, and WAS IN NO SENSE A SPECTACULAR GESTURE of the "Indian fighter" type, and it is evident that I had no desire to have it appear as such from the fact that I have allowed more than fifty years to elapse before giving any publicity to the episode.

It was of vital importance that the Indians should respect my authority as agent, but, at best, I was seldom given an opportunity to pose as anything more than a "pinch" fighter, for the reason that my loyal and vigilant Apache Police were ever on the alert to intercept any danger that menaced me, and they were amazed when I abruptly thrust myself actively into the affair at Ojo Caliente. But, in the circumstances, that Indian's defiant attitude appealed to me as a personal challenge — and I promptly accepted that challenge. I took the chance — and won, and

the moral effect was greatly to my advantage, both with my police and with the other Indians. And, furthermore, the incident demonstrated the fact that my purpose was merely to enforce discipline and not to *kill* — or even to inflict unnecessary punishment.

There was one other brief, exciting and bloodless incident in connection with this campaign that occurred about twenty miles from Ojo Caliente about mid-afternoon on April 20th, and which may be worth while recording as an illustration of how completely people may be misled by circumstantial evidence; how one may be thoroughly frightened at nothing, and — of special importance — as affording another example of the loyal attitude and true soldierly deportment of the Apache Police in an apparent emergency. I have said that during the scrap at Ojo Caliente I did not have time to entertain a sense of fear, but in this bit of impromptu wild west comedy I had plenty of time — and was *plenty* “scared.”

The trek from Silver City to Ojo Caliente was not an unmixed hardship. About the middle of April the weather is very delightful in the mountainous country over which our trail led. On every hand were blooming flowers in endless variety and of rare beauty — the varieties constantly changing with the varying altitudes. Antelope and deer were quite plentiful, affording pardonable entertainment for our skilled hunters and daily replenishing our commissary with delicious steaks and chops — and always there was the exhilaration of enchanting mountain vistas and the tonic of the pure, clean, arid atmosphere. To these very agreeable conditions were added the charm of intimate association with vast forest areas, the flash and song of sparkling mountain brooks, the mysterious depths of rugged canyons — with here and there the soothing aspect of a velvety-green mountain meadow.

Thus each day yielded its generous tribute of good things in compensation for the fatigue involved in our strenuous march, and each evening discovered in our camp a

more or less weary, hopefully hungry, happily husky and uniformly good-natured bunch of swarthy masculine humanity lounging in small groups about the sparkling campfires, toasting choice bits of venison set on "spits" near the fire after the fashion of the "well greaved Greeks" — meanwhile puffing cigarettes and "telling old tales beneath a tree with starlit skies for canopy."

And ours was a democratic assembly. There was no saluting of superior officers. We were engaged in a serious undertaking. Just how much actual hazard might be involved in our mission none knew, — but each one was there for service at all times and for instant and effective action in any emergency. The best information obtainable had warned us to be constantly on our guard in order to avoid an ambush or a surprise attack by those desperate renegades whom we hoped ultimately to meet. Rumor had cautioned us that there were probably between 200 and 300 of these renegades — all seasoned, well armed and determined fighters. It was these persistent and ominous rumors of possible combat at any turn of the trail that lent zest as well as gravity to the enterprise.

Thus we went on our way ever eager and watchful. The morning of April 20th found us at the summit of a range about forty miles from Ojo Caliente. We were early on the trail and completed a march of twenty miles by ten o'clock. Our mid-day camp was ideal. We had reached a beautiful mountain meadow about a mile in diameter, near the center of which was a wooded hillock with a spring of clear, cold water at its base. Among the trees on this elevation we made our camp.

As I had agreed to meet Major Wade at Ojo Caliente the following morning I planned to start out about two o'clock and complete the march of twenty miles to the agency that afternoon. Two members of my police force had been over this trail before and they informed me that there was good water about half-way between our noon camp and the agency. There-upon I told Captain Beau-

ford that I would take with me a score or more of the police who had good mounts and ride on to the agency, but inasmuch as nearly all of the other police were on foot and had already marched twenty miles that day, he might bring them to the half-way spring that afternoon and come on to the agency the following morning.

When I rode out of camp with my escort of twenty-two mounted police there was nothing to indicate that I was riding into the *prize scare* of the campaign. Lunch was over and our "buddies" who remained in camp were lounging under the trees — some asleep. The ugly rumors that had been so gleefully repeated to us regarding the multitude of roving renegades liable to be abruptly met with on our march had failed to develop any alarming signs, and this fact had engendered a feeling of assurance that nothing serious would occur prior to our arrival at Ojo Caliente.

It was in this confident mood that we rode bravely away from the bunch of drowsy comrades lounging and napping about the camp, crossed the half-mile of meadow and disappeared as the trail curved into the canyon. We had followed the trail along the floor of the canyon for five minutes or less when we were startled by the quick reports of rifle shots from the vicinity of the camp we had just left. The first reports were in the nature of a volley followed by scattering shots — then another volley merging into desultory firing for a minute or two, and, to our ears, the echoes in the canyon announced a genuine battle.

The time occupied by the shooting was very brief — probably three minutes, but three minutes is ample time in which to develop a *high-grade scare* — provided conditions are favorable. And existing conditions were unusually favorable for myself and my escort during those few exciting moments. At the instant the firing began we all thought our noon camp had been attacked by a force of lurking renegades. This unanimous conclusion was spontaneously expressed by actions rather than by words. Orders

were unnecessary. While the keen reports of the first volley were still echoing from the canyon walls we wheeled our horses about and started on a run back to the camp.

It was in this moment of apparent sudden emergency that the Apache Police once more demonstrated their alert loyalty. Promptly my escort deployed in skirmish lines on both sides of the trail, covering as broad an area as the sloping walls of the canyons would permit, with a view to securing the strongest formation possible for meeting and repelling an attack, and at the same time offering the best protection for me. With instinctive good judgment fully three-fourths of the police took positions on the side of the trail toward the camp and all eyes were scanning that rim of the canyon watching for the expected foe.

To our excited minds the situation was clear. The renegades had learned of our approach and the trail we were following, and they had anticipated that we would halt at this ideal camping ground. With all their natural caution and cunning they had avoided any signs that might warn us of their presence in that vicinity, and had carefully concealed themselves in the forest adjacent to the camp. When they observed our small party preparing to leave they had allowed us to go — thus dividing our forces, and as soon as we were well out of sight in the canyon they had attacked our noon camp while many of the police were asleep — and thus had literally “caught us napping.”

Such a bold attack at that time of the day indicated that the renegades were out in sufficient numbers to give them confidence, and surely they would detail a formidable party to oppose us if we came to the relief of our comrades in the camp. Each second as we were charging back along the canyon we were expecting that the fusilade echoing from the camp would be supplemented by the cracking of rifle shots and the whiz of bullets in the canyon — and as I was the only pale-face in the canyon I figured that my chances of effecting an exit alive were reduced to the lowest terms.

It is frankly admitted that we were as thoroughly

alarmed and excited as though the situation, as we imagined it, had been absolutely real. Perhaps we were all the more alarmed because our position in the canyon was untenable. But whatever fleeting emotions may have seized upon us, we still rushed on toward the open grassy meadow where we might join in the fight on an equal footing with the enemy. We were "scared" all right — and were *on the run*, but we were *running in the right direction*, and we did not hesitate until we halted in the open field — and *then we all laughed*.

A small herd of antelope had strolled along the edge of the meadow on the windward side. They did not scent the Indians — but suddenly the Indians discovered the antelope. Those who were fully awake caught up their rifles and fired in the direction of the herd — thus producing that first "volley" which had startled our little company in the canyon — as well as the herd of unsuspecting antelope. By this time the sleeping scouts had been fully aroused and they, too, joined in the shooting — thus giving the effect of the "second volley." Very promptly the antelope scattered into the forest, but as long as any of the animals remained in sight the Indians maintained the "desultory firing."

Without stopping to inquire whether any of the antelope had been killed — or whether they had simply shared the "prize scare" with our little party, we again headed our horses for the canyon and continued our march to Ojo Caliente.

THE EXPLOITATION OF TREASON

EDWARD D. TITTMANN

The retreating hoofbeats of the Confederate Cavalry had scarcely stopped echoing down the Valley of the Rio Grande when the pent up emotions of the people they had tried to rally to the Southern Cause burst like a bottle of home brew. The invasion had been so sudden, so poorly resisted and so apparently successful that these people of New Mexico who were accustomed to be led rather than to lead had hardly time to think about it before the tide swept out again. The Colorado troops, followed by the California Column, checked the rebel successes as swiftly as they had been won. To many of the leading men of the territory the flareup was too confusing to be meditated upon. Most of them had, during the invasion, maintained that equilibrium for which merchants and traders are famous the world over. Some, however, especially among the wealthier Mexicans who saw in the abolishment of slavery also a disappearance of the peon system and who had cast all their resources and their influence for the South received a severe and terrifying shock when they realized that the Confederate government would not be able to maintain a footing in New Mexico.

There were among the leading families of the country certain powerful individuals who had trusted the invaders with a large portion of their wealth. These as well as less fortunate residents found it desirable to follow the southern troops down the Rio Grande, into Texas and beyond. And they were the first objects of the vengeance of the so-called Loyalists.

As is often the case in time of public excitement suspicions, jealousies, hatreds and greed joined hands with pure patriotism and revelled in attempts to get even with the sponsors of the lost cause.

That there should be high passions and much resentment among the adherents of the North should not, probably, be surprising. The Southern sympathizers, resident in New Mexico, belonged largely to the ruling classes and their followers: rich merchants, ranchers, mining men, lawyers, doctors and a sprinkling of saloon men and gamblers. Those who came either with or as a part of the army of the South were largely adventurers spurred on by the promise of rich loot. These men were accustomed to the wild life of the frontier, life was cheap in their eyes and they committed many outrages. John Lemon, who was later County Clerk of Doña Ana County, testified in a libel proceeding against the lands of Ammon Barnes, that Barnes had done everything in his power to help overthrow the Union Government. On January 18th, 1862, he testified, Barnes and a party attacked Lemon and some of his friends "and hung Crittenden Marshall" because "we were friends to the United States."

The California Column had reached the Rio Grande on August 7th, 1862. Some ten days later the first indictment for treason was found by a Grand Jury of which Jose Manuel Gallegos was foreman in the United States District Court at Santa Fé. There were only four citizens of eastern stock on the Grand Jury, the rest being Mexicans. This Grand Jury returned 26 treason indictments of which only one was against a man with a Spanish name. Some of those indicted were quite prominent citizens. Spruce M. Baird, Attorney General in 1860 and member of the Territorial Council in 1857 was one of them. One of them was again selected as a member of the Grand Jury in the same court at the August term two years later in 1864. An attempt to indict the former delegate in Congress Miguel A. Otero failed and the Grand Jury made a special return "not a true bill." The District Attorney who signed the indictments was Joab Houghton, a zealously Northern man and who was afterwards severely criticized in connection with the confiscation cases. Probably on that account he secured indict-

ments in many cases where the evidence must have been flimsy. For none of these men were ever tried. There were but a few who were arraigned, Among these was one Patrick McIntire whose bondsmen were Richard M. Stephens and Valentine Shelby, the latter a gambler of note. At the March 1864 term, McIntire did not show up neither did his bondsmen and Judge Kirby Benedict ordered the bond forfeited. It is not, however, on record that the sum was ever collected and the McIntire indictment was dismissed August 6th, 1864. Shelby was later known as Col. Shelby and was a familiar figure among the gambling element at Santa Fé for many years after the war terminated. James McLing, one of the indicted citizens was held in \$3000.00 bond which was furnished by Albert Elsberg, José Ortiz and Francisco Ortiz y Salazar. These sureties did not have to worry long because at the next term of the court in March 1863, the indictment against McLing was dismissed. F. E. Kavanaugh, who was indicted, had been a member of the territorial legislature and was a sutler at Ft. Fauntleroy. His property was confiscated by the U. S. Army and was sold for \$1657.28. The last of these indictments were dismissed at the July term 1867. According to the few remaining papers the witnesses against every one of these men were Merrill Ashurst, one of the leading lawyers of the territory, James L. Johnson, Alexander Valle, Joseph Mercure, Jesus Maria Baca and Mendel Debus. It seems from the sparse records left behind that some of these men had taken part in a demonstration in the plaza of the capital. And, speaking of sparse records it is amusing to quote a special report by the Grand Jury of the May Term, 1866. The Grand Jurors had evidently some difficulty in getting what they needed and they complained to the court in the following manner:

“They have visited the office of the Clerk of the U. S. District Court for this District and find that there is neither desk, case, table, chair or other article of furniture pertaining to said office; that the papers and files are necessarily

kept in boxes and owing to frequent removals, both of offices and clerks, these papers are so mixed up and disarranged that it is the work of days to find any particular paper."

The grand jurors recommended that the court purchase such furniture as the clerk could not afford to furnish them at his own expense because of the small emoluments of the office. And the writer of these lines can affirm that this confusion has never been overcome because he has found Doña Ana Court Records in Bernalillo County and Bernalillo Court papers in Santa Fé.

In the territorial days the court officers from the District Attorney down received fees and not salaries. So the attorney general and the circuit attorneys received \$5.00 for each case in which they represented the government and an additional \$5.00 for every judgment against a defendant, except in felony and capital cases where the fee was \$10.00 and \$20.00 respectively for each conviction. As a result the records disclose that at each term of court, in Santa Fé and Albuquerque at least, a large number of indictments for misdemeanors were returned. At the March term 1863 in Santa Fé 76 indictments for "betting at faro," "keeping faro table," "permitting gaming," and similar charges were returned. One of these indictments was against Merrill Ashurst, United States Attorney and one of the most prominent lawyers of the territory. Mr. Ashurst plead guilty, was mulcted in a fine of \$5.00 and \$15.00 costs, of which the Attorney General Charles P. Clever* got \$5.00, and Ashurst probably went right back and copped the queen again.

The excitement over the treasonable activities of the Southern sympathizers therefore furnished the prosecuting officers what must have been a pleasant variation from the

*Clever not "Cleaver" is the correct spelling, though every New Mexico Blue Book calls him Cleaver. He was German by birth and in the Albuquerque court records a letter in that language from a complainant addressed to Clever is still preserved.

usual humdrum of court terms, for it is quite surprising that indictments for major offenses were few and far between, and generally resulted in acquittals, to the detriment of the prosecutor's income.

A large number of treason indictments may have been anticipated by the officers of the court because all the original indictments still in the files appear to be written in the hand-writing of the clerk according to one form with the name of Defendant inserted in a blank space by another hand. They uniformly charge the defendants with having conspired, compassed, imagined and designed to stir up and excite insurrection, rebellion and revolt and to levy war against the government, with Henry H. Sibley, and other false traitors.

At each succeeding term in both the second and third judicial districts additional indictments were returned. At the February term 1863 in Bernalillo County twenty treason indictments were returned. Eleven of them were either quashed or nolleed at the same term. Four of the accused were tried. Antonio Maria Garcia was the first one to face a jury of his peers on the fifth day of the term, February 7th, 1863, and the jury promptly brought in a verdict of not guilty. On the next day, Thomas J. Hill was tried and he also was acquitted by the jury of twelve Spanish speaking citizens. The only trial of which any record is left is that of Manuel Barela, who had been indicted at the October, 1862 term, his indictment is typical and is herewith reprinted:

“United States of America,)
 Territory of New Mexico,) S.
 Third Judicial District.)

In the United States District Court for the said District of October A. D. 1862.

The grand jurors for the United States of America duly impanelled and sworn for the body of the said third judicial district in said territory, upon their oaths do present that Manuel Barela, late of Bernalillo County

in said district, being a citizen of the United States aforesaid, and rightfully subject to the authority and laws thereof, not weighing his duty and allegiance to the government of the said United States, but wholly withdrawing the same, and as a false traitor and enemy of said government, conspiring to stir up and excite insurrection, rebellion, and civil war, against the said United States, and to overthrow, destroy, and wholly subvert the government and laws thereof, on the fourth day of March, in the year of our Lord one thousand, eight hundred and sixty-two, and on divers other days and times, as well before as after, at the County of Bernalillo, in said district, did, with one Henry H. Sibley and divers other false traitors, whose names are, to the said jurors, unknown, falsely, maliciously and traitorously, conspire, compass, imagine and intend, to stir up and excite insurrection, rebellion, and to levy war against the government of the said United States, and wholly destroy and subvert the same. And in order fully to perfect, fulfil and bring into effect the said traitorous compassings and imaginings of him, the said Manuel Barela, he, the said Manuel Barela, afterwards that is to say, on the day and year aforesaid, and on divers other days and times as well before as after, at the County and district aforesaid, with force and arms, together, with said Sibley and divers other false traitors, whose names are to said jurors unknown, did conspire, compass, imagine, and intend to stir up, move, and excite insurrection, rebellion and revolt, and to levy civil war against the government of the said United States and wholly to destroy and subvert the same.

And in order to fulfil and perfect, and bring into effect the said treasonable and traitorous compassings and imaginings of him, the said Barela, he, the said Barela, afterwards, that is to say, on the day and year aforesaid, and on divers other days and times, as well before as after, at the county and district aforesaid, with force and arms, and with said Sibley, and a great multitude of other persons whose names are, to said jurors unknown, and to a great number, to wit, to the number of five hundred and upwards, armed and arrayed in a warlike manner, with cannons, guns, howitzers, pistols, dirks, knives, and other weapons, being then and there, maliciously and traitorously gathered together against the government and authority of the said United States, did maliciously and traitorously declare, ordain and levy war against the government of the

said United States. And in order to fulfil, perfect, and complete the said traitorous imaginings, designs and compassings of him, the said Manuel Barela, he the said Manuel Barela on the day and year aforesaid, and on divers other days and times, as well before as after, at the county aforesaid, did traitorously and maliciously adhere to, comfort and abet the said Gleenry H. Sibley and others, they the said Sibley and others being so at war with and enemies to, the said United States as aforesaid, by then and there traitorously furnishing and providing them, the said Sibley and others with food, clothing, lodging, entertainment, advice, counsel, information, arms, ammuniton, military and other stores and otherwise aiding and assisting the said Sibley and others, in perfecting and carrying on their said traitorous resistance and rebellion, and waging and levying war against the said United States as aforesaid, contrary to the duty of his allegiance, against the peace and dignity of the said United States, and contrary to the form of the Statute in such case made and provided.

(Signed) Theodore D. Wheaton,
U. S. District Atty.,
New Mexico.

The Jury was impanelled on February 13th. The presiding judge was J. G. Knapp, the United States attorney was Theodore D. Wheaton. Attorneys for the defense was the law firm of Ashurst and Clever. The jurors were Francisco Montolla, foreman, Juliano Griego, José Lucero Juan Apodaca, Juan Antonio Garcia, Jesus Candelaria, Juan Francisco Apodaca, Juan Guitierrez, José Lucero, Santiago Gonzales, Marcos Lobato and Manuel Antonio Jaramillo. The witnesses were Louis Zeckendorf, a German merchant, Salvador Armijo, F. L. Russ, W. C. Crawford, Charles Huning, Louis Behler and John Hill, a member from Bernalillo Co., of the lower legislative house. At the end of the first day the jury was kept together over night. The District Attorney's requested instructions numbered six of which the court gave four and refused two. Although the U. S. Constitution expressly prohibits a conviction of treason except upon the testimony of two witnesses to the same

overt act the United States Attorney asked the court to tell the jury:

“That there is no necessity of the evidence of two witnesses to the same act, but that the evidence of one witness to one act of levying war and other witness to other acts during the same insurrection or rebellion is sufficient.”

This the court refused to give.

The other requested instruction refused by the court was as follows:

“That in treason by levying war against the government all persons who aid and abet the traitors are principals in the first degree and are equally guilty and actually levy war to the same extent as those engaged in actual hostilities.”

The Court's instructions on the whole were quite favorable to the Defendant. They were as follows:

“If the jury believes from the evidence that the accused Manuel Barela did at the time and place mentioned in the indictment levy war against the United States of America and that the accused owed allegiance to the said United States then the jury will find the Defendant Barela guilty of treason.

To constitute a levying of war within the meaning of the Statute there must be an assemblage of persons for the purpose of effecting by force a treasonable purpose.

To justify a verdict of guilty under the count in the indictment which charges a levying of war the jury must believe from the evidence that “the same overt act of Treason” whereof the accused stands indicted is proven by the “Testimony of at least two witnesses.”

“If the jury believe from the evidence that the accused Manuel Barela, did, at the time and place charged in the Indictment, adhere to the enemies of the United States giving them aid and comfort and that the accused owed allegiance to the United States and that the same overt act of adhering to and giving aid and comfort to the enemies of the United States is proven by the testimony of at least two witnesses, and that the enemies to which the aid and comfort were given was a foreign enemy” then the jury will find the Defendant Barela guilty of Treason.

“To constitute the crime of Treason against the United States by “adhering to their enemies giving them aid and comfort” it must be shown that the “enemy” is a “foreign enemy” for if the “enemy” be merely rebellious citizens and others “owing allegiance” to the United States, in insurrection against the United States, it is not such an enemy as is contemplated in the 3rd section of the 3rd Article of the Constitution of the United States, that being the source from which is derived the authority to punish persons guilty of the crime of treason against the United States.

“The jury will give the accused the benefit of any reasonable doubt.

To these instructions the court added the four requested by the United States District Attorney, which were as follows:

“If the jury believe from the evidence that the Defendant Manuel Barela, being a citizen of the United States, jointly with a party of persons armed with guns, pistols and other weapons assembled together with an intention to levy war against the Government of the United States they must find the Defendant guilty as charged in the indictment. That the acts and declarations of the Defendant are evidence of his intentions.

“That it is no excuse for party charged with treason that was acting under compulsion unless at the time of committing the alleged Treason or Treasons he was in the immediate danger of losing his life, and if he had time or reasonable opportunity to escape or was not under threats of immediate danger as aforesaid he will be guilty of treason.

“That in Treason for levying war against the United States it is no excuse that the party so acting was paid for his services.

“That if the jury find the Defendant guilty they are to bring in their verdict accordingly and the court will assess the punishment.

From the indictment and these instructions it is possible to reconstruct a fair idea of what the charges and the defences were. Evidently there was lacking the testimony of two witnesses that the defendant had assembled with others to levy war with arms. That lack was the reason

why the prosecution sought the instruction which the court refused. Evidently the defense of the accused had been in part that whatever aid he gave the rebels was by secured force, that he sold goods to the rebels and that he had no choice but was forced to sell and that he received pay for the goods sold. But the mere selling of goods or giving aid to the rebels was, under the second instruction of the court, insufficient to prove the second count, namely "giving aid and comfort to the enemy" because the enemy was not a "foreign" enemy. The court ruled correctly on the number of witnesses necessary and thus evidently eliminated the first count "levying war" and as to the construction of the word "enemy" in the second count there is good authority for such interpretation of the meaning of that word. No wonder then that the jury, after being out but a short time brought in their verdict:

"Los del Jurado unánimamente somos de opinion que el acusado no tiene culpa.

Albuquerque 14 de Febrero de 1863.

Franco Montolla, presidente."

It is reasonable to suppose that the prosecution tried what it considered its strongest cases first and that the failure to secure even one conviction out of four cases tried had a dampening effect on the ardor of the prosecutor.

Nevertheless the indictments remaining were by no means dismissed at once. Some of them dragged on until the May Term 1867. Among these were the indictments against Rafael and Manuel Armijo.

These two were among the wealthiest native merchants and ranchers in the territory. Manuel Armijo had been Governor under the Mexican Republic. Rafael Armijo had stores in several villages and was heavily interested in the country around La Mesilla in Doña Ana County. Both men sustained heavy financial losses thru their confidence in the success of the southerners. They were not only indicted but as will appear hereafter, their property was con-

fiscated. They had left the territory with the departing troops of General Sibley and it was not until October 7th, 1866, that Manuel Armijo was arraigned at the bar of the court, and plead not guilty. On May 4th, 1867, Rafael Armijo appeared in Court and gave bond in the sum of \$10,000.00, a very high amount in those days and almost twice what had been required of Blas Lucero, the indictment against whom had been dismissed two years before. The bondsmen were Eugenio Moreno, Cesario Duran, Charles P. Clever and Merrill Ashurst. On May 9th the defendant was served with a copy of the indictment, a copy of the witness list and a list of the petit jurors, as required in capital cases. That was as far as the matter went. On May 11th the case against him was nolle. S. B. Elkins had become United States Attorney, and other things had happened not only to soften public sentiment but to change political aspects.

There were also dismissed at the same term of court indictments against Spruce M. Baird, Alexander M. Jackson the former Secretary of the Territory and later Adjutant General with H. H. Sibley, Samuel Magoffin, the well known rancher at Franklin, and Gen. Sibley himself.

The only indictment that apparently was lost sight of was the one against Hugh N. Beckwith who had been a saloonkeeper near Ft. Stanton, and his indictment recited as one of the overt acts of treason that he had sold liquor to the Apache Indians and incited them to rise against the government.

But criminal prosecutions did not satisfy the northern adherents in seeking vengeance on the rebel sympathizers. On July 17th, 1862, Congress had passed an Act for the confiscation of the property of rebels and their sympathizers, during their natural lives. As soon as copies of this act became available proceedings were started to libel the property of those most noted for their sympathies. The proceedings apparently commenced with a letter dated October 24th, 1862, signed by one R. H. Ewan, Informer,

and addressed to Theodore D. Wheaton, U. S. District Attorney for the Territory of New Mexico. The letter originally was signed by some one whose first name began with an "A", such as Abraham, but the signature was erased, all but the "A", and the other signature was substituted. It was probably instigated by the U. S. Marshall, Abraham Cutler. The letter reported the seizure of certain lands in various localities of the County of Doña Ana, Territory of Arizona (sic). On a lot in Las Cruces stood an eleven room house, on a lot in "Messella" stood a store and the property was described as belonging to "Rafael Armijo, a disloyal citizen of the United States." There was also a great quantity of goods "taken from Rafael Armijo by order of Gen. James H. Carleton and now in the quartermaster's possession in the town of Mesilla." According to an inventory of the confiscated goods signed by Jeremiah Phelan, Lieut. & R. Q. M. 1st Infantry, C. V. On the docket of the court appear in all twenty-two libel cases each with a separate number, but there were many others in the Doña Ana County Court. These were mainly against Texas men.

Among the prominent men whose property was thus libelled, were John R. Baylor, Lt. Col. in the Confederate Army, Samuel Magoffin who was a leader of the confederates in Franklin, Texas, Simeon Hart a wealthy miller and merchant of the same town, Josiah F. Crosby, lawyer and aid to General Sibley, John S. and Henry Gillett, James W. Magoffin, whose property was described in detail and then summarized as the property on which stands Magoffinville, Samuel Maverick, Jesse W. Arnold's "old ten-pin alley" and seventeen others whose properties lay along the Rio Grande as far as Ft. Quitman. The issues of the Santa Fe Gazette of September 23rd to October 14th 1865 contained a special supplement of ten columns devoted entirely to notices by publication for the final hearing and judgment in these matters. In New Mexico the property of James A. Lucas, former prominent politician of that territory and years after the war a prominent resident of Grant

County, of Roy Bean and his brother Samuel G. the latter once a U. S. Deputy Marshall and Justice of the Peace under the Confederate regime at Mesilla, of Sylvester Mowry, owner of the famous Patagonia Silver Mines in the Santa Cruz mountains, of Hugh Stephenson who held the Brazito tract and some of the mines in the Organ Mountains and of many others, was confiscated.

In every case the court had to have some testimony showing that the owner of the property had been a traitor. Depositions were taken in some of the cases and in others witnesses were brought several hundred miles, at great expense. Yet in most cases the testimony was of the flimsiest kind. So in the case of the property of José Maria Chavez of Valencia County, a neighbor of Miguel A. Otero who had been Delegate in Congress, the chief witness was W. H. Henrie, one of the leading lawyers of the Territory and who afterward was counsel for Abraham Cutler. For a lawyer he gave mighty meagre evidence. "His conduct," says the deposition, "actions, deeds and speech up to the time of his leaving with the so-called Confederate troops, in April 1862, was adverse to the government of the United States and in favor of the Confederate States." Just that and nothing more. No specific allegations of what he said or did, or in what particular manner he conducted himself were vouchsafed.

A man named Fletcher who deposed against Rafael Armijo was a little more explicit. He swore as follows:

"When the Confederate troops retreated from this territory Rafael Armijo came down to Las Cruces in company with General Henry H. Sibley. He told me that he had trusted the Confederate government to upwards of \$400,000.00 and he left the Country with the said Confederate troops and took his family with him. I saw the Confederate troops under command of one General Henry H. Sibley. There were over 2000 armed men. Their avowed object was to fight the troops of the United States to take New Mexico and establish its government under the laws of the

so-called Confederate States of America. — I have not seen Rafael Armijo since he left with the rebel troops.”

The leading spirit in starting these proceedings was Abraham Cutler who had taken the office of U. S. Marshall on August 16th, 1862. It can hardly be doubted that this man saw big fees and substantial returns possible in these proceedings against the rebel sympathizers and that he believed that the shiboleth of patriotism and the old flag would be a sufficient rallying cry to make the enterprise successful, which it probably was from his point of view. His idea of proceeding against the property of departed southern sympathizers was, perhaps, suggested to him by the words of Brig. General James H. Carleton, who had confiscated a considerable number of stores and supplies and had endorsed on the inventory the following observations:

“Although it would be better if these articles could be sold under a Decree of the Court yet, as it may be a long time before such courts will be organized, and go through all the tedious process to arrive at such result — the goods meantime deteriorating in value — it is ordered hereby that the General Commanding the District of Arizona cause public notice to be given for the sale of all the said articles at a public auction for cash. The proceeds of the sale will be placed to the credit of the United States and a schedule of the price received, together with this inventory will be forwarded to the Department Headquarters. The cash received will be taken up on his account by the Chief Quartermaster of the District of Arizona.”

The proceedings were by no means regular. True, they were approved by the court in the person of Joab Houghton whose rulings brought him such severe criticism, but on May 12th, 1864, the court in the person of Judge Kirby Benedict caused an order to be entered that new papers should be allowed to be filed nunc pro tunc and default entered against Rafael Armijo and several others. The papers that were filed under this order attempted to provide the necessary jurisdictional allegations some of which

had been insufficiently set forth in the hurry of the first passion to confiscate the tempting properties.

To get an idea of the extent of the proceedings and of the sums involved which, for those days, were considerable, one may look at the report of C. B. Clark Receiver, of Confiscated Property which was filed September 30th, 1862, for the period beginning April 16th and ending September 30th. It must be understood that these seizures were not of real estate nor made under order of any court but by the military and constitute the proceeds of the inventory commented on by Gen. Carleton.

From Rafael Armijo	goods,	\$19,812.23,
	cash,	38,964.30
F. E. Kavanaugh,	goods,	630.29
	cash,	1,657.29
S. M. Baird,	cash,	260.04
Jose Maria Chaves,	cash,	34.00
Manuel Barela,	cash,	115.00
Julian Tenorio,	cash,	88.00
Blas Lucero,	cash,	96.25

Turned over to Lt. Colonel J. H. Donaldson,
\$33,504.54.

Garnished by claimants,	\$1162.81
Service of assistant,	306.00
Repairs on Armijo house,	75.89
Merchandise transferred to Army.	
Receiver's fees, 10%	\$6165.73

When the court proceedings were started claimants began to appear in the persons of creditors of the various alleged traitors. So for instance, Doña Lucy Lopez filed a claim for capital she put into the Armijo business in 1850 amounting to \$12,000.00 principal and \$9,000.00 interest as well as some notes past due. The principal or capital put into the business, she alleged, consisted of six oxwagons and teams and merchandise, principally groceries.

The residents of Texas whose property the New Mexico Territorial court had attempted to confiscate for the period

of their natural lives retained counsel and appealed the case to the New Mexico Supreme Court on the ground that the jurisdiction of the United States territorial courts of New Mexico could not be extended into Texas. The lower court had sustained the jurisdiction on the ground that the matter came within the provisions of the statute extending jurisdiction of those courts to matters arising in the custom district of El Paso. The New Mexico Supreme Court rendered an opinion reversing the district court and dismissing the libel suits brought against Texas residents. This opinion is not reported in the New Mexico Supreme Court Reports. But it is referred to and approved and confirmed by the judgment of the United States Supreme Court, to which the government attorneys took an appeal, in the cases of *U. S. vs. Simeon Hart*, and two companion cases, to be found in 6 Wall 770-773. The U. S. Supreme Court decision was rendered March 30th, 1868, but long before that time the remaining New Mexico confiscation cases had been dismissed after proceedings that not only aroused public sentiment but which have the appearance of a pre-arranged plan.

Kirby Benedict was succeeded as Chief Justice by J. P. Slough in March, 1866, and on April 23rd of the same year John Pratt succeeded Abraham Cutler as U. S. Marshall. At the next term of court the Grand Jury indicted Cutler for embezzlement.

Almost simultaneously with the indictment a rule was entered "to Abraham Cutler, late Marshall, to make return under oath to this court of his proceedings as Marshall of the Territory of New Mexico upon the warrant of sale and final decree of this Court" in the various confiscation cases and this rule was returnable Saturday the sixth. Cutler had filed a report in January, 1864, and this had been "Approved by Joab Houghton, Ass. Just. Sup. Crt." But the report which Cutler filed October 5th did not receive the same kind consideration of the court. From this report it appeared that the Marshall collected from the estates of the Southern sympathizers the total sum of \$52,065.80.

His expenses in connection with the proceedings were enormous. Attendance of witnesses mainly from Las Cruces, cost \$479.80. Printing the advertisements resulted in a bill of \$841.00, most of which went to the Santa Fe Gazette (which fact may have had something to do with the opposition of the Santa Fe New Mexican.) Fees already allowed by the court amounted to the neat sum of \$30,994.22. In addition Abraham Cutler, Marshall, paid to Abraham Cutler "as Captor and Informant" the pretty sum of \$13,047.07. The Marshall's account disclosed that the sums collected lacked \$571.29 of paying the costs and fees!

On the same October fifth Cutler demurred to the indictments against him but his demurrers were overruled and at the same time the treason case against Rafael and Manuel Armijo was continued.

On the seventh the court ruled that "it appearing to the satisfaction of the court that the return of A. Cutler late Marshall is incomplete and insufficient the said Cutler is given further time" to comply with the rule. The same day Cutler was held under \$10,000 bond to answer the embezzlement charges. Simultaneously all libel and treason cases were continued. On the ninth Cutler was committed to the custody of the Marshall to be "detained in such manner as shall secure the presence of said Abraham Cutler until he shall make a satisfactory report and return of the matter and things of which he is required."

Whether or not Cutler was kept in durance vile does not appear. He had plenty of friends and good counsel and there was really no danger of his leaving the country. Nothing however was done either about the treason, the libel or the Cutler embezzlement cases until May 5th, 1867. Cutler then plead not guilty. On the eleventh he filed his report and was released from the rule. What the report was does not appear. It is not in the files. All the matters pending went over until the October term 1867. At that term Cutler was tried on the first of the indictments. S. B. Elkins prosecuted and Ashhurst and R. H. Tompkins

defended. The trial lasted only a day. It was on October 11th that the native jury brought in its verdict of not guilty. Immediately the other indictment was nolle, immediately all the libel suits were dismissed at the cost of the plaintiff, and leave was granted to Cutler to file his returns in all confiscation cases in which no return of his doings was on file.

And that was the end of the episode.

At the next terms of court the District Attorney reverted to the usual occupation of bringing indictments for gaming, for selling liquor without a license, for practising law without being admitted to the bar, and for other misdemeanors calculated to produce \$5.00 or \$15.00 in revenue without either too much effort on the part of the prosecutor or too much criticism on the part of the prosecuted.

The old records in El Paso County, Texas, and in Doña Ana County, New Mexico, show numerous deeds by Abraham Cutler as U. S. Marshall granting life estates in the so-called Rebel estates. In at least one instance in Doña Ana Co., the record shows that the Marshall bought back, as a private citizen, some of the property sold. This was the property of Samuel G. Bean and Cutler gave \$100.00 for a half interest.

DOCUMENTS BEARING UPON THE NORTHERN
FRONTIER OF NEW MEXICO, 1818-1819¹

Edited by ALFRED B. THOMAS

Introduction

The following documents concern the interest officials of New Spain took in the activities of Americans, who, in 1818-1819, were disturbing New Mexico. Others, closely associated, which reveal points of contact between Spaniards and Americans from the Sabine to the Yellowstone, the writer has translated elsewhere, with detailed introductions.² All together they not only show a growing rivalry for control of Indian tribes in the western Mississippi Valley, the defensive measures imposed by Spain, but add valuable information concerning the location of many places, the names of which have since disappeared.

Briefly the Declaration of Hernandez is the evidence of a Spaniard who escaped from the Pawnee to warn Governor Melgares in New Mexico of an impending attack by Indians and Americans. The Diary is that of Don Jose Maria de Arce whom Melgares sent north to investigate and impede the approach of these invaders.

1. The following article presents an aspect of the writer's study of *Spanish Activities North and East of New Mexico 1593-1821*. The writer is indebted to the American Council of Learned Societies for assistance in gathering this material in the Archives of Mexico.

2. A. B. Thomas, "The Yellowstone River, James Long and Spanish Reaction to American Intrusions, 1818-1819" in *West Texas Historical Year Book* 1928, pp. 3-15; "An Anonymous Description of New Mexico, 1818" *The Southwestern Historical Quarterly* (in press.) In these articles identifications have been made of the various Indian tribes mentioned in the present paper and a map also provided to indicate the location of the various places mentioned.

DECLARATION OF HERNANDEZ³

Number 3.

Don Felipe Griego, Second Ensign of the
 Naming of the Presidential Company of Santa Fe, New
 Scrivener Mexico, was commissioned verbally by the
 Senor Governor of this Province, Captain
 Don Facundo Melgares, to take the declaration of a country-
 man, a captive among the Nations of the North, whom the
 Alcalde of Taos sent to this Villa. Having proceeded to
 examine this individual, he appointed to serve as Scrivener
 in the matter, a soldier of the same (Company) Joaquin
 Alarid who, having taken notice of the obligation which he
 is undertaking, accepts, swears, and promises to maintain
 secrecy and fidelity in whatever judicial acts he performs.
 In order that it may appear so, the said Senor Ensign duti-
 fully required that both will sign for the required validity.
 In Santa Fe, 2nd day of the month of September of 1818.
 Felipe Griego. Joaquin Alarid.

Immediately on the said day, month, and
 Declaration of year, I had appear before me the captive
 Jose Cayetano spoken of, and before me, the Scrivener
 Hernandez had him raise his right hand and make the
 sign of the Cross. I interrogated him
 in the following terms:

Asked: Will he swear to God and on this sign of the
 Cross to tell the truth in whatever he knew or might be
 asked? He said, yes, I swear.

Asked: (What is) his name, family name, religion,
 and employment? He said that he called himself Jose Manuel
 Cayetano Hernandez of R. C. A. R., that he obtained em-
 ployment as a soldier in the Presidial Company of Carrizal,
 now six years ago because he had left the service in 1812.

3. Declaracion de Jose Cayetano Hernandez Numero 3, Junio de 1819. Pro-
 videncias tomadas sobre invasion de la Provincia del Nuevo Mexico proyectada por
 los facciosos de los Estados Unidos. Historia, Notas Diplomaticas, Tomo 4, Archivo
 General, Mexico.

Asked: Why did he solicit permission to leave the Company in which he served? He said that he became ill as was seen by the Surgeon of the Hospital of the Province.

Asked: Is he married or has children in Carrizal? He said that he is married in the same Presidio of Carrizal⁴ to Maria Josefa Lucero, and that there he has two sons, that all three are there.

Asked: How long ago had he left his wife and sons, and what provisions or assistance he left them for their maintenance? He said that it was going on three years since he left his family and that he provided for the subsistence a flock of brooding hens and three pair of oxen.

Asked: What particular ends or what motives moved him, the declarant, to go from the side of his family, when by natural reasons, the speaker ought to have been in his home as much as to look after his interests as to secure forthwith the necessities of his family which will have suffered perhaps in the time of his absence? He said that the interest that caused him to undertake this absence from the side of his family was solely the object of looking for lands in this Province that would be sufficient to establish himself with it (his family), as Lieut. Don Miguel Ortiz could testify, from whom he had asked a passport to that effect. He proposed that his interests would never decline because of the good opinion which his wife holds of him and that his sons would care for them

Asked: Why did he not return to his land as soon as he finished the affair which brought him to this, since three years that he had to achieve his desires are sufficient (to accomplish) any other thing of greater import? He said that he had not returned to the side of his family at the very moment of having accomplished the affair which brought him to this Province, as he desired to carry back to his sons some little buffalo hides, and that in effect he undertook to go from this capital to Taos to join there some people

4. Carrizal was the presidio and town about seventy-five miles south of El Paso.

to trade with the Nations; that having made his journey from that point with Don Pablo Lucero, the speaker, and the rest of his companions had the misfortune to be robbed of the horseherd by Cuampes and Cayguas (Kiowas). His owners could not retrieve more than a small part with which they returned to this Province. He, the speaker, not having been able to secure even a single horse of those he brought, saw himself in the position of remaining on the spot on the Huerfano hoping that an Indian whom he had paid would bring him some beasts; that this was made plain to Don Pablo Lucero with whom he had gone, and that the latter told him that he could do what he pleased because of their small forces, he was not able to recapture the horseherd from the enemies; and that having remained on the Huerfano, as he said, he joined there at that point Don Julio and Sotó,⁵ Anglo-Americans, and the same nation Caygua who carried off the horses from them, to await the Indian who had offered to bring him his own. He returned with two mares which he gave him. He knew at once that one of these was his own and the other of the Nation. The same Indian having told him that since, after having gone about a great deal, he had not encountered his beasts, he should take that which he gave him. In view of all set forth, he remained to talk among those to see if he could recover his beasts or others, with the little skins to take to his sons. This he did not succeed in doing because of other affairs which he undertook. Don Julio having set out with two Frenchmen from the Huerfano for this Villa, he who is speaking, also did so with the Cayguas together with Sotó and other Americans to look for his horses and buffalo. After fourteen days time, more or less, had passed Lieutenant Don Francisco Salazar appeared on the same spot on the Huerfano with Don Julio and his two companions who were going from this Villa at the order of the Governor to

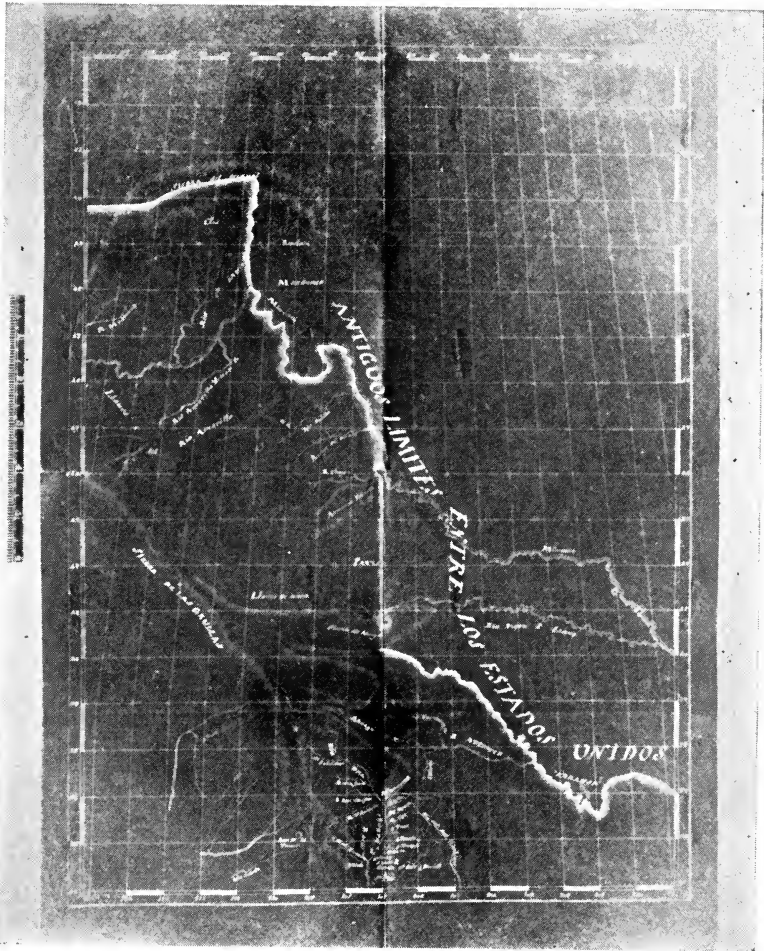
5. Julius de Mun and A. P. Chouteau. See De Mun's account of his arrest in his letter to William Clark in *Annals of Congress*, 15th Congress 1st Session, Vol. 2, 1818 pp. 1953-66.

arrest them. The speaker presented himself to Lieutenant Salazar, setting forth the reasons that he had for being among that people, saying he supposed that not having encountered his beasts nor acquiring nothing to take to his sons, it was his desire to return with him at once to this Villa. To this the same Lieutenant answered that that was well and they would go at once. This he could not verify because on his going to flesh a bull which he killed on the other side of the same Huerfano toward the hill to replenish supplies, Pawnees captured him and carried him to their lands.

Asked: Why does he say that Don Julio with two other Frenchmen were brought to this Villa when it is publicly and widely known that the Governor commanded them brought from the same Huerfano by Sergeant Don Mariano Bernal? He said that it is certain that Sergeant Don Mariano Bernal brought Don Julio and all the rest of his companions from the Huerfano, but that would be after Lieutenant Salazar had come for them to march at the order of the Governor, which, accordingly, the speaker could not give an account because he was already a captive among the Pawnee, as he said.⁶

Asked: How could the declarant have been a captive among the Pawnee, when it is known in that Capital, because Don Julio has said it, that the declarant, at the moment of having described the detachment of Bernal, which was coming to bring them back, fled on a horse of Sotó, and in the night had told Don Julio to send him his luggage because he intended to go from there to St. Louis. Accordingly, as this is known, all that the captive has testified is false and that it better pleases him to go about among the gentiles and the Americans than to be at the side of his family. He said that all Don Julio said in this Capital is untrue as it is known that he had now presented himself when he had the opportunity to the Alcalde at Taos, and

6. De Mun states Salazar arrested them, in his letter to William Clark.



that he would have done so, that he is a Christian, he loves his family, and loves his King, and would to God that Don Julio were here to say so before him and prove his truth.

Asked: How long was he a captive among the Pawnee? He answered from February of the past year until January of the present.

Asked: Where he had hidden the seven months of the year, and what reason he had for not presenting himself to the Alcaldes of the Jurisdictions of this Province? He said that after his flight, having passed through a thousand difficulties among the mountains, he came upon a little mountain opposite El Almagre. Therein was a nation called Orejones who trade with the people of this Province, and there he took refuge with them to see if he could not secure his transference to the side of his people, but that after being with the Orejones about twenty days, some two hundred Indians of the Panilori also came there who knew that the speaker was a captive of the Pawnee, and they shifted him again to the pueblo of the latter; that had been the reason why he had not presented himself to the Alcaldes of this Province in the seven months which were asked about.

Asked: How did he secure his liberty a second time from the Pawnee? He said that a few days after having arrived again in captivity, according, as he remembered, it would be at the beginning of April, an American general with two negroes arrived from down the Missouri, going up, in a pirogue to the Pueblo of the Pawnee. Without leaving the water, he said, by means of one of the negroes who understood the language of the Pawnee, to Aricara, General of this Nation, that Pajato, a general of the United States, was calling on him and to Chief Charara of the said Pueblo of the Pawnee, to let them know that the Spaniards were already taking possession of their lands; and that he was carrying this information up the river to the generals of the rest of the nations; that on the return, after having concluded his commission with the nations, he would carry all of them in his pirogue to the United States, and that

having finished saying this, he continued his travel. The American general Pajato having returned, according as he remembered in May, along the same Missouri River he went ashore opposite the Pawnee with twenty-two or twenty-three generals of the nations which he was to convoke. After having been there about half a day, he embarked again with the Indians, Aricara and Charara, for the United States, to stir up the other generals below. The American general having gone away with the rest of the generals of the Nations for the United States, the Chiefs who remained in the pueblo of the Pawnee told the declarant that they were going as soon as the Chiefs below came to unite to attack this Province; but that meanwhile, when the leaves were falling from the poplars, which was the time set for the expedition, a chief of the Pawnee would come with a party of their people to leave for the land of a chief of the Cayguas, whom they called La Estrella, who had just come from the United States with many presents to join him and the rest of the nation. They will call together all the Nations so that when the leaves fell from the poplars they would all be in La Agua Gerbidora,⁷ to which (place also there would come many people from the United States to begin, united, the war which they were to make on this Province. The declarant on this occasion agreed with the chief who came with Caygua general La Estrella that he would take him in his company to attack the Spaniards, and that gentile having listened to him, he led it as far as three Sieras which have a river which runs north from where the sun sets.⁸ This was the very spot where he succeeded in escaping a second time. Nine Cheyenne gentiles arrived there and all the people went forth to attack them. On this occasion he secured a gun and pouch of powder from the same nation and left the river, gaining the sierra, and although they captured it (the sierra) he succeeded in fleeing.

7. Manitou Spring, Colorado. The location of this spring is worked out in the reference in note one above, "Anonymous Description of New Mexico, 1818."

8. The present South Platte River runs in this general direction.

After having traveled through the mountains with a thousand difficulties, he reached the Huerfano and from this, as is verified, (reached) in two days the Plaza of the Colorado and presented himself to its Lieutenant who gave an account of his arrival to the Alcalde of Taos.

Asked: What does the Alcalde of the Plaza of Colorado, whom the declarant says he presented himself, call himself? He said that he is named Francisco Chavez, as he remembers.

Asked: How much did he explain to that Justice at the time of his presentation? He said that arrived at the Plaza, the report that he gave to the Justice, Chavez, was that it was more than twenty days since he had escaped from the gentiles to whom he had already made reference; that he was for a long time a captive among the Pawnee, and that he was a Spaniard; and that he had learned that the Nations were uniting in La Agua Gerbidora to attack this Province at the time when the leaves fell from the trees. He told no more to the Justice. He asserts this again and to prove it will go and point it out in case the government should so dispose.

Asked: Does he say that the French are those who are uniting with the Nations to make war on this Province as appears from the report which the declarant made to the Alcalde of Taos because of which exposition he had begun the punishment of the Navajoes who are attacking it (the Province) and that this government is already having an expedition for this purpose? He said no, he had not told the Alcalde that any French were among the Nations, but that if he has communicated thus to the government, he is quite mistaken, since he only said that the Americans were to unite in La Agua Gerbidora at the time when the leaves were falling from the trees; that surely to these explanations he gave another meaning.

Asked: If in all the time of his captivity and while he had wandered among the barbarous nations, he had noticed if there were among them Insurgents, foreigners,

or unknown persons who were trying to prejudice us? He said that he had noticed among the nations, no French, Insurgents, or persons unknown, other than the Americans who commonly are among them trading, and that he saw on the Missouri General Pajato, the only unknown person, who was commissioned by the United States to incite the nations against this Province.

Asked: What preparations for war do the Nations, called together by General Pajato in the name of the United States, count on to make war on this Province? He said that up to now, none, but that the nations of Chen, Human, and Panil were awaiting with their corresponding pueblos, many arms, and more which the Americans, who are to join them at La Agua Gerbidora, were to bring them and further than that they count on also many presents of guns and powder which the Americans have made them by means of General La Estrella.

Asked: Does he say with frankness under the honor of a good man and the oath that he has taken, if he has come into this Province with the object of injuring it, if he is serving as an emissary of the foreigners, and Nations, or if he is a spy to ascertain the dispositions of the government and strength on which it counts, as the truth is to be presumed in this case, because of the three years that he has been in union with those, apostating from the religion of Jesus Christ, Our Lord, forgetting entirely that he is an Apostolic Roman Catholic Christian, and that he has a wife and sons? He said that the same Lord who created us and whom he called on as a witness knows very well that he has come into this Province only to direct himself to the side of his sons, without proposing to do any other thing than the objects about which they have asked him; and although it has been three years that he was among the gentiles, he never has apostated from the Law of Jesus Christ rather he has always commended himself as a good Christian to the Most Holy Virgin, Our Lady.

Asked: If he says finally how much there may have

occurred to him in all the time that he had been among the nations and unknown people, that there was among them for the information of this government which could dictate in consequence active measures for the defense of this precious Province, part of the monarchy of the King, remembering that he is a Christian and that if does not do so, God Our Lord, will demand it of him? He said that he had no more to say to this question than what he has said already. It is affirmed, ratified, and read that this declaration was his. He said he was forty years of age and because he did not know how to write made the sign of a Cross. Said Senior Ensign having done so with me the Scrivener, to which I swear. Felipe Griego. Before me, Joaquin Alarid.

Declaration of
Hernandez
follows

The same day having passed, another interesting question was put to the same Hernandez. The aforesaid Ensign had him appear and in his presence he took the oath as a good Christian. Having been asked what particular conversation he had with the Senor Governor of this Province concerning three thousand men that the United States paid with salary who were being disciplined in the territories of the Pawnee, he said that it was true that a little more than three thousand men, under salary by the American government, are being instructed in the management of arms in their own pueblos which are those of Huma and Chen, and that it is true that they are enlisted by the Americans as the daily supplies of arms, munitions and presents of provisions testify. This is what he has said to the Señor Governor and that because it is the truth, the oath below affirms. Placing the sign of the Cross for the required validity, I, said Señor, signed it before me to which I swear. Felipe Griego. Sign of the Cross. Before me, Joaquin Alarid.

It is a copy. Durango, 23 of September, 1818. Francisco Velasco. (Rubric)

Diary which Second Lieutenant Don Jose Maria de Arce made and copy of other documents.⁹ 1818.

Number 3. Number 356. Señor Commandante-General. Sergeant Invalid Juan Lucero, charged with observing the conduct of the gentiles, returned without having noticed any new development. In order to have more exact information, I directed among other measures that he go out again to the Comanche country and see if foreigners were among that nation. After twenty-three days he has returned, declaring that everything was found quiet and tranquil, and that there were no unknown people among this nation. He brought with him more than a thousand Comanche with the General Soguara to trade with the settlers of this Province, according to custom, telling me that the General of the Cuchunticas died on the road. I advise your Lordship of this for your superior knowledge in reply to your order of June 18 last, informing you that I had notified this group that they inquire in council who must succeed Tanquigui and as soon as they name him I shall confirm him accordingly, giving your Lordship an official account of who it may be for your information. Your Lordship will already know that this numerous company has left me little or nothing of that used as Indian presents; that if people of some other group come, I shall find myself perplexed to satisfy them. I supplicate that your Lordship may be pleased to arrange as soon as possible to send me whatever your goodness may have best intended for this purpose. May God guard you many years. Santa Fe, 8 of October, 1818. Facundo Melgares. Señor Field Marshal Don Alexo Garcia Conde. It is a copy. Durango, 16 of November 1818, Francisco Velasco.

Number. 565. Señor Commandante-General. The diary subjoined, which I duly send to the superior hands of your Lordship, is that of the expedition made to the north

9. Diario que forma el 2o teniente don Jose Maria de Arce y copia de otros documentos. 1818. Estado, Mexico No. 13. Archivo General de Indias Seville.

by Lieutenant Don Jose Maria de Arze as I have informed your Lordship before. According to it your Lordship will be interested to see that countryman Hernandez deceived us and that Arze returned to this Villa without having noticed any new development. Facundo Melgares. Señor Field Marshal Don Alexo Garcia Conde. It is a copy. Durango, 16 of November 1818. Francisco Velasco.

Diary which Second Lieutenant of the Company of Santa Fe Don Jose Maria de Arze formed on the expedition which he made through the frontier to the north to protect the places and destroy or detain a force of foreign enemies approaching, according to the order of the Señor Governor interim, Don Facundo Melgares, on the 31 of August, last.

August 31. After having received the order of this date, and the verbal orders which the said chief gave better to advise me concerning the commission, I began the march at eight in the morning with the greatest possible speed to the Pueblo of Taos, accompanied with the carabineer Jose Vaca, of the same Company, giving an order to the Alcaldes and the rest of the Justices of the Pueblos through which I passed, so that having united the armed men who were to go, they should follow me without losing a moment. At half past six in the afternoon I arrived at the Pueblo of Taos without mishap. There I examined the settler, Jose Manuel Hernandez, fugitive from the tribes, who brought the said news. I saw through his conversation that the report was not of the validity that I considered before. I ordered him sent to the Señor Governor so that he could hear him verbally, ordering the Justices (whom on passing through their pueblos I had set in motion) to suspend their march until the new decision of the above mentioned Chief.

September 1. At four in the afternoon I was able to collect one hundred and twenty male settlers and Indians of the pueblo of Taos, twenty-nine of them mounted, and twenty-three on foot with thirty-three guns, thirty-nine lances, two hundred and twenty-four cartouches, and the rest bows and arrows. I followed the march at a regular

pace and at seven of the same afternoon made camp on a dry arroyo without accident. On this day I communicated my departure by official letter to the Señor Governor.

2. At five in the morning I continued the march, made camp on the Rio del Datil; the night passed there without mishap. At three in the afternoon of this day, I received a despatch from the Señor Governor in which he informed me that he had advised the Alcalde of La Cañada, Don Matias Ortiz, to continue his march to Taos with more than three hundred men whom he commanded. To this I replied in the same hour, and of the afore-mentioned Alcalde Ortiz I asked that fifty men with fire arms come to me at double time, because those who accompanied me were not going well armed nor mounted.

3. I continued the march at five in the morning, and at six in the afternoon halted on the Rio de la Culebra. I passed the night there tranquilly. On this day ten settlers reached me who were bringing the balance of my account, two boxes of cartuches.

4. I undertook the march at four-thirty in the morning, and made camp in the Vallecito del Puesto of Sangre de Cristo at six in the afternoon; the night passed there without accident. On this day at five in the afternoon, a trail of ten tracks was found which on that very day crossed the road with direction toward the Sierra de lo Yutas. I sent a detachment of forty horsemen under the command of a settler of Taos, Jose Antonio Martinez, who followed them until set right concerning who the people were. At eleven at night he returned giving me an account of how he had encountered a horse that they just killed and that they themselves were fleeing. Because of the route they took to the Sierra, dwelling place of the Yutas and Xicarillas, they could be no others than the Indians of those two nations. They certainly had stolen animals from the Nations of the North, and were fleeing post-haste so that the said nations were close to the Sierra and at that point they could not be described in it. At eight in the evening,

a soldier from Santa Fe, Jose Alari, presented himself before me with a despatch from the Señor Governor, in which he informed me that I should try to dispose by political means of the reunion of gentiles whom Hernandez said were in Agua hirviendo.¹⁰ For this purpose he had sent to join me a detachment of four hundred and sixty men who were going on my account under the charge of the Alcalde Don Juan de Dios Peña. At twelve at night, I replied to the said Chief, offering to make the best terms which were possible for me.

5. I continued the march at six in the morning. I crossed the Sierra of Sangre de Cristo, and at eight at night halted on the Rio Huerfano. I rested there without trouble.

6. Remaining on the said river to await for the four hundred and sixty men who were to join me under the command of Don Juan de Dios Peña. No news.

7. Waiting; this day fifty men joined me, whom, in the despatch of the second, I asked as aid from the Alcalde of La Cañada, Don Matias Ortiz.

8. Waiting; without news.

9. Remaining; without news. At eleven o'clock in the day, I received a despatch from the Señor Governor to wait for the four hundred and sixty men whom were referred to before under the command of Peña.

10. Without news.

11. id. id.

12. Waiting without news. I ordered a detachment of twenty-five horsemen under the command of the settler, Don Jose Antonio Martinez of the Pueblo of Taos, to go off and reconnoitre the pass which they call the Gap of the Sierra Blanca¹¹ and the valley of San Luis, advising him that he should not give notice to any nation he should discover; and having (discovered) one should return to advise me. If he did not find anything, he should reconnoitre where the Rio Napete comes out from the sierra, all the

10. La Agua Gerbidora is also referred to as La Agua Hirviendo.

11. This Gap was either Sand Hill or Mosca Pass, probably the former.

Sierra de Almagre, and where the water boils,¹² and ought to unite with me at the junction of the Rio del Almagre with the Napete.

13. Waiting on the above mentioned Rio Huerfano without news.

14. Id. Id. The Alcalde Don Juan de Dios Peña joined me with three hundred and thirty-eight men mounted and ninety-four on foot, delivering to me a despatch, a box of cartuches, and a supply of clothes and other effects which the Señor Governor sent me as presents for the Indians for peace who might be found at the council which Hernandez said (would be) at the Agua Herviendo.

15. The encampment composed of four hundred and seventy-nine horsemen and one hundred and seventeen infantry continued the march at seven in the morning and at two in the afternoon halted on the Rio de San Carlos,¹³ where it passed the night without news.

16. At five in the morning I marched, and at twelve of the same day at the spot where the Rio de Almagre¹⁴ joins with the Napete, and on which was found the detachment which had gone out on the twelfth, having reconnoitred the spots which was set forth in the remark of the said day. They did not encounter any nation, nor any other old trail or new except the track of Hernandez in Agua Herviendo afoot and alone. Fearing that the reunion of the gentiles might be in other spots of those immediate neigh-

12. "Where the water boils" refers to La Agua Herviendo.

13. The present San Carlos stream which flows into the Arkansas River near Pueblo, Colorado. This reference is the earliest that the writer has seen to this stream under the name of San Carlos. In 1786 the Spaniards aided some Yupe Comanche to settle on the Arkansas apparently near the San Carlos. On the map the San Carlos is called Dolores, a name applied to it by Governor Anza who campaigned in this territory in 1779. See A. B. Thomas, San Carlos, A Comanche Pueblo on the Arkansas River, 1786. in *The Colorado Magazine* (in press).

14. The Rio de Almagre is the present Fountain Creek. It will be noted that the map here has Almagre on the Arkansas River. This instance is the only known one in which the Arkansas has been so designated. The Rio Almagre derives its name from the fact that it has its source in the Sierra Almagre. The name on the map here for Rio de Almagre is Sacramento, a term also given to it by Governor Anza.

borhoods, I decided that a detachment of fifty horsemen should go out to reconnoitre under the command of the settler Antonio de Herrera of the Jurisdiction of La Cañada, equally cautiously as those who had just done so and returned.

17. Waiting on the cited spot without news.

18. Id. Id.

19. Id. Id.

20. Waiting on the cited spot. Advice was received from the detachment that was going out that having reconnoitred as far as the Rio Chafo and noticing nothing new their return was being made little by little because they were bringing some tired horses.

21. I began the march down along the Rio Napete. At six in the morning, and at three in the afternoon halted on the banks of the same river; on it the night passed without news.

22. At half past five in the morning I continued the march and at two in the afternoon halted on the same Rio Napete, where I remained without news. As eight in the evening the detachment of fifty horsemen which Herrera commanded joined us, without any other news than that of bringing some tired horses, and the rest of the horseherd very footsore.

23. Waiting; I held a consultation with the settlers, most experienced in these lands, to agree among ourselves as to what we should do to make certain whether or not there were developments among the nations. In my council they decided that they should reconnoitre for two days more further down where the Rio de las Animas¹⁵ joins the Napete, because there are various points in which the said nations were accustomed to have their council; that at least they could be there because some days ago some settlers of the Province had traded with them in the place of La Nutria (The Otter) and they said that they were going to penetrate

15. The present Purgatoire River is not shown on the map here.

or return to the countries of their origin along the Napete above, according to their conversations. With this news on the same day, I despatched a detachment of fifty horsemen to reconnoitre those spots, as has been said, under the command of the settler, Francisco Sanchez of La Canada.

24. Waiting; without news.

25. Id. Id.

26. Id. Id.

27. Id. Id.

28. I marched at five in the morning for the spot in which I was to join the detachment which set out, and at four in the afternoon halted on the Arroyo de la Tempa, and rested without news.

29. Marched at five-thirty in the morning and halted at three-thirty in the afternoon in the arroyo del Chico, and spent the night there without news.

30. At five in the morning I continued the march, and at four-thirty in the afternoon halted on the Rio de las Animas, where I slept without news.

October 1. Waiting; in the said day at eleven in the morning the detachment under the command of Sanchez joined me, giving me an account of having reconnoitred as far as the banks of the Arroyo Tikuin,¹⁶ and of not having encountered any rancheria, nor old tracks from which it could be suspicioned that any gentiles had been there. I sent a despatch to the Señor Governor of all that had occurred up to this date, and the news of Hernandez had turned out to be false.

2. At five in the morning I undertook the march to retire to the Pueblo of Taos. Halted on the Rio del Sicorica¹⁷ at six in the afternoon. The night passed there without mishap.

3. I continued the march at four-thirty in the morning

16. With such meagre information it is impossible to identify the arroyos de la Tempa, del Chico and Tiquin.

17. The Rio del Sicorica apparently refers to some stream coming down from the Mesa Sicorica, the term then applied to Raton Mesa of today.

and at four in the afternoon halted on the Rio de las Vrracas, where the night passed without accident.

4. At six in the morning I continued the march, and at four in the afternoon halted on the Rio Colorado;¹⁸ the night passed there without news.

5. I marched at seven in the morning and at five-thirty in the afternoon halted in the spot of Agua Fria, on the Sierra of Taos. I slept there without news.

6. Marched at eight in the morning, and at five thirty in the afternoon arrived at the Pueblo of Taos. At ten in the morning I received a despatch from the Señor Governor in which he advised me to continue the return as far as the Villa of Santa Fe, taking leave of the detachments of people of Taos and La Cañada.

7. Waiting in Taos to deliver the division to Captain Don Andres Sanudo according to the disposition of the Señor Governor. At five-thirty in the afternoon, I received a despatch from the same chief in which he ordered me not to alter my return from the manner in which I had been advised.

8. At eight in the morning I set out from Taos, leaving in it the settlers of that Jurisdiction, and taking of them at the Vado at their houses, and at four in the afternoon halted in the settlement of Embudo. I passed the night there without news.

9. At seven in the morning I continued my return, taking leave of the settlers of the Jurisdiction of La Cañada at their houses and at five-thirty in the afternoon halted in the Cerro del Pujague. The night passed there without accident.

18. It is hard to tell whether the reference here to Colorado is to the Rio Colorado del Natichtochas (Natichos on the map), or to the Rio Colorado which enters the Rio Grande above Taos. Inasmuch as Arce refers both to a Rio del Sicorica (a Raton Mesa stream doubtless) and in the next day's journey to the Sierra of Taos, it seems that the present Canadian or one of its headwaters is referred to here. If so, his route back from the Las Animas would be over Raton Mesa to the Taos Range, probably via the San Fernando Creek.

10. At four in the morning I continued the march, and at eleven of that morning, arrived at this Capital. I presented myself to the Señor Governor, giving him an account of what occurred, and at his order the settlers took leave for their houses. Santa Fe, 10 of October, 1818. Jose Maria de Arce. It is a copy. Durango, November 16, 1818. Francisco Velasco.

THE YELLOWSTONE RIVER, JAMES LONG AND
SPANISH REACTION TO AMERICAN INTRUSION
INTO SPANISH DOMINIONS 1818-1819.¹

ALFRED B. THOMAS

Introduction

A significant aspect of the American frontier conflict of 1818 and 1819 is presented herewith in a letter of Viceroy Venadito of New Spain. The document, a digest of various official reports from Philadelphia to Acapulco, Mexico, gives details of the threatened American invasion, Spanish preparations, and the Spanish point of view bearing on the approaching danger. Regarded as a whole the report of Venadito calls attention to the essential unity that characterizes American history in its widest sense. The problem, for example, of defending Spanish frontiers at such widely separated points as the mouth of the Sabine and the mouth of the Yellowstone was exactly the same. So too, the American danger in the early nineteenth century must be closely associated with French and English encroachments that constantly disturbed the Spaniards in the pre-

1. The following article presents an aspect of a study of Spanish activities beyond New Mexico 1592-1821, material for which the writer obtained in the Archivo General de Indias, Spain, during the years 1925-1926.

ceding two centuries; indeed, the fear of foreign invasion from the north was first brought home to the Spaniards when they opened the rich mines of Mexico in the later sixteenth century. A brief survey of New Mexican and Texan frontier history will reveal the continuity of this theme in western American history and provide, as well, a background for the understanding of the Viceroy's report on this threat to Spanish dominions.

A principal cause for the founding of New Mexico between 1598 and 1608 was the fear that the English pirate, Drake, had found the mythical Strait of Anian, believed to be somewhere north of Mexico, and had thereby opened the way for English advance on the Spanish mines. Less than a century passed before the French came from Canada to settle in the Mississippi Valley, whence Indian tales, soon wafted into New Mexico, put the Spaniards there on the alert for the westward moving voyageurs. Shortly afterwards the establishment of the French in the Gulf Region brought another province, Texas, into the colonial history of the United States. Like New Mexico, its main purpose was to protect the mines of northern Mexico, this time from the French. Barriers were thus formed, but throughout the eighteenth century until 1763 actual intrusion into and the possibility of seizure by France of these two provinces constantly preyed on the Spanish mind.²

The expanding English settlements that filled in the French possessions, after 1763, east of the river only proved a more serious menace to the Spanish. When, shortly the revolt of the English colonies changed the name of the settlers from English to American, the Spaniards soon learned they had lost none of their virility. Thus the two-century old problem on the north and east continued to plague Spain as Venadito's letter here testifies.

One of the chief measures adopted by the Spaniards, particularly those of New Mexico, in protecting their pro-

2. Bolton, H. E. & Marshall, T. H., *The Colonization of North America 1492-1783*, *passim*.

vinces against invasion was to dispatch expeditions beyond the frontier to ward off the intruders. In the early eighteenth century, 1720 to be exact, such an expedition left Santa Fe, marched to the far away Platte in present western Nebraska, to investigate rumors of French in that quarter, reported by friendly Spanish Indians. From that time until 1819, so far as is known, this exploration remained the "farthest north" of Spanish expansion activities from New Mexico.³ At the beginning of the nineteenth century it is known that Spanish trading expeditions went yearly into that general region to visit the Arapaho.⁴ To this northward movement there now appears, reported by Melgares to Venadito, a new advance which carries the worried Spaniard far away to the mouth of the Yellowstone River, an achievement hitherto unknown in the annals of New Mexico. As such, Charvet's expedition adds a valuable detail not only to the subject considered here, but to the story of Spanish expansion in North America as well. The whereabouts of the diary of this exploration is unknown; its appearance will mean a contribution of value to many aspects of western history at this period.

One is tempted to speculate on the route taken by Charvet. The study of former expeditions in that direction from Santa Fe revealed that the Spaniards always crossed the Taos Mountains on their way to the plains of present eastern Colorado and then proceeded northward along the foothills of the Rockies.⁵ This route seems the probable one followed by Charvet and his fifteen horsemen since a direct march would involve the crossing of the mountain masses of present Colorado and Wyoming, which, as Melgares noted, present a barrier on the north.

3. Thomas, A. B., "*The Massacre of the Villasur Expedition at the Forks of the Platte River,*" in *Nebraska History*, Nebraska State Historical Society, Vol. VII, No. 3, pp. 68-81.

4. Bolton, H. E., "*New Light on Manuel Lisa and the Spanish Fur Trade,*" in *Southwestern Historical Quarterly*, Vol. XVII, pp. 61-66.

5. Thomas, A. B., "*Spanish Expeditions into Colorado,*" in *The Colorado Magazine* of the State Historical Society of Colorado, Vol. 1 No. 7, pp. 1-12.

It is particularly unfortunate that Melgares did not give us the full tribal name of the twenty-eight Indians who came to Santa Fe from the neighborhood of the Yellowstone River, but only set down their initial A. The discovery of Charvet's diary, it is hoped, will clear up this obscurity. Possibly the reference is to the Arapaho Ages tribe who lived on the plains of eastern Colorado and among whom Manuel Lisa tells us in 1812 the Spaniards were accustomed to send yearly expeditions.⁶ The exact range of the Arapaho is in doubt; no reference, however, indicates that they wandered as far north as the Yellowstone River.⁷

The details that Melgares gives concerning the Spanish parties that have been searching during 1818-1819 over a hundred leagues east of the fortifications at the Pass of Sangre de Cristo and the canyon of San Fernando contribute important information concerning Spanish activities beyond New Mexico.⁸ For one thing proof that there was a fort at the Pass of Sangre de Cristo establishes the first known Spanish post north of New Mexico, as well as the first in the history of the region which later became the state of Colorado.⁹ The term Sangre de Cristo in Spanish documents of the eighteenth century has reference to the "front" range of the Rockies, particularly the high mountain wall in the southern part of present Colorado. The Pass of Sangre de Cristo beyond doubt is one of the several well known passes through this range. The writer inclines to the belief that the pass fortified was La Veta Pass of today. The exact date on which this post was founded is unknown. It will be noted in Venadito's letter, however, that he himself ordered the construction. From

6. Bolton, "New Light on Manuel Lisa," *Southwestern Historical Quarterly*, Vol. XVII, pp. 62-63. Attention should be called to the fact, too, that the Assiniboines lived in the neighborhood of the Yellowstone.

7. *Ibid.*, pp. 63-63. There Professor Bolton notes the contemporary statements which give the range of the Arapaho in present Wyoming and Colorado.

8. For a summary of Spanish activities beyond New Mexico in this part of present Colorado, see Thomas, "Spanish Expedition into Colorado," *Colorado Magazine*, Vol. 1, No. 7, pp. 1-12.

9. Bancroft gives 1830 as the date for the earliest fort established in Colorado. See Bancroft, *History of Nevada, Colorado, and Wyoming*, p. 353, note 16.

this statement we may conclude that the posts were established between 1816, the year Venadito became Viceroy, and July 9, 1819, the date Melgares wrote Conde concerning these points and his defensive measures there.¹⁰

Canon de San Fernando is beyond doubt the well known canyon of San Fernando creek near Taos, New Mexico, customarily used by Spanish expeditions throughout the eighteenth century, journeying to the plains of present eastern Colorado.¹¹ Melgares' remarks are likewise too brief to indicate the extent of this exploration by these parties. In this connection, however, the writer has just received a number of interesting tracings made by Mr. William E. Baker of Spanish names, accompanied by dates, inscribed on rocks along the Cimarron River in the western panhandle of Oklahoma.¹² One of these, too weather-worn to be entirely deciphered, is as follows:

E my Terio Jueb ena

Maio 1818

It is fortunate in this case that the date Maio 1818, May 1818, is entirely clear. That the parties Melgares referred to were engaged in exploring east of the mountains as early as May 1818 is known from other reports by this official, so that it is not impossible that the Cimarron came within the compass of these explorations. Whether or not the Spaniard who left this inscription on the rocks of the Cimarron River was a member of one of these parties, the fact remains that we now definitely know for the first time that the Cimarron may be numbered among those streams east of New Mexico, the Platte, the Arkansas, and the Cana-

10. It is possible that the attempt of A. P. Chouteau and De Munn, who entered New Mexico from the north, to establish trade with that province in 1817, was responsible for the Viceroy's order to erect these posts. It is not without interest to speculate on the precise location of the fortifications, whether they were at the head or the foot of the pass. The discovery of ruins and evidence of Spanish occupation at any one of the passes would be significant in this connection.

11. Thomas, A. B., "*Spanish Expeditions into Colorado*," passim.

12. Mr. William E. Baker, of Boise City, Oklahoma, is doing commendable work in searching out and making known evidences of aboriginal, Spanish, Mexican, and early American historical remains in his county.

dian and others, which fell within the explorations of Spaniards from New Mexico.¹³

The part of Venadito's letter concerning news of Long's preparations is self-explanatory.¹⁴ It gives, particularly, enlightening details concerning the Spanish reaction and preparations to this invasion of Americans in the neighborhood of the Sabine. It should be noted among other things that the efficiency of the Spanish secret service in gathering news from such widely separated points as Philadelphia, St. Louis, and Havana and the resulting preparations for the invasion suggests one of the major causes for the prompt destruction of Long's expedition. On the other hand it should be observed that the diversion of such large bodies of troops, as Venadito mentions, to the northern frontier, while Mexico itself was in rebellion, undoubtedly operates as a cause of Spain's ultimate defeat at the hands of the rebels in Mexico.

In this connection, the strictures of Venadito on the government of the United States during this time deserve serious thought. If we view the position in which Spain found itself in Mexico in 1819, facing revolution within and threatened by foreigners from without, it is not surprising that Venadito should express himself so strongly concerning the "perfidious policy of the Anglo-Americans" and that the United States were trying "to take possession of the Province of Texas by adventurers, making a false show that they have not been able to restrain them, and keeping them in it (Texas) under the pretext that the King, Our Sovereign, cannot or does not desire to defend it, as they did in Amelia Island and the Florida region." This point of view, regarding the process of United States expansion is, of course, totally at variance with the usual American interpretation of our westward movement. It

13. The Cimorran River in Oklahoma and Kansas was undoubtedly crossed before this by Spaniards making expeditions to the buffalo plains east of New Mexico. See Thomas, A. B., "Spanish Exploration of Oklahoma," in *Chronicles of Oklahoma, Quarterly*, Oklahoma Historical Society, Vol. VI, No. 2, pp. 188-213.

14. For an account of Long's expedition into Texas see Bancroft, *North Mexican States and Texas*, II, pp. 47-51; also Garrison, *Texas*, pp. 122-124.

suggests accordingly that this and other similar movements in our history heretofore regarded by ourselves as purely national problems, are, in effect, profound international problems as well, and have a different interpretation in that field. The significance of the international character of United States expansion can perhaps be better understood when we consider that the details and the differing point of view provided by Viceroy Venadito are among those which make up the historical background and dominate, in a measure, the thinking of the Spanish American peoples with whom we are now dealing.

Translation of Viceroy Venadito's letter:¹⁵

Venadito to the First Secretary of State

No. 30.

<p>The Viceroy of New Spain, Count of Venadito, continues giving an account of the events that have occurred on the coasts and in the Internal Provinces of that Kingdom.</p> <p>the Minister of War under this date, I say among other things the following:</p>	<p>Most Excellent Lord:</p> <p>In the report of military occurrences of the present month, of which I am giving an account to His Majesty, through</p> <p>the Minister of War under this date, I say among other things the following:</p>
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* * * * *

Documents from number one to five of copy number three which I am likewise forwarding to Your Excellency subjoined are those from the offices of the Vice-Consuls of San Luis de los Yllineses and Natchitoches Don Juan Gual-

15. Venadito al Primer Secretario de Estado. Mexico Septiembre 30 de 1819. No. 30. Estado de Mexico. Legajo 14, Archivo General de Indias, Sevilla.

16. Several paragraphs not dealing with the subject considered here are omitted. The first two of the omitted paragraphs concern the visit of John Dowens, commander of the frigate Macedonia, to the port of Acapulco. The port captain there reported to Venadito that Dowens came ashore with his men, conducted himself with the greatest tact, and attempted to trade. The people of Acapulco, however, looked on the Americans with aversion and closed their doors while the former were passing through the streets! The next two paragraphs were devoted to explaining defensive measures the Viceroy had taken against some Chilean privateers who came to Mexico at the beginning of 1819 in an attempt to assist the Mexicans in their revolution; the Chileans were expected to return. The next paragraph deals briefly with a report from Melgares, stating that the Navajos have been defeated in their revolt and have signed a treaty of peace with the Spaniards. The remainder of the document is concerned with the subject considered here.

verto and Don Felix Trudeau, directed to the Consul of New Orleans Don Felipe Fatio, who has remitted them to me with his letters of the 16th and 24th of last July.

The first sets forth that there have been passing through the above mentioned San Luis which is the capital of Upper Louisiana, twelve hundred Anglo-Americans who intend to join three hundred others at the point called La Bellefontaine,¹⁷ all under the orders of Benjamin O'Fallen, with the purpose of invading the Province of New Mexico, working in concert with the major forces which are at the mouth of the Rio Roche Jaune or Piedra Amarilla (the Yellowstone River) near the confluence of this river with the Missouri.

In my reports numbers seventy-three of November 30, 1818, and ninety-one of June 31 of the current year, I told Your Excellency that from the same points of S. Luis there was setting out on the 30th of August of 1818 a battalion of three hundred men, Anglo-Americans, commanded by Lieutenant Colonel Talbot Chambers, with the object of ascending the Missouri and establishing themselves in the above mentioned spot of the Yellowstone, which is three hundred leagues to the north of Santa Fe, the capital of New Mexico, and two hundred and forty from the head of the river called Del Norte. Those are greater distances than there are from Santa Fe to S. Luis de lo Yllineses, according to the report which Lieutenant Colonel Melgares gave concerning these details which I forwarded to Your Excellency in report number ninety-one.

The said Melgares stated that because of the above mentioned distances, as well as because of the great obstacles which the deserts of that country and the mountain range, which serves as a barrier for New Mexico, present, he believed it very difficult for the Anglo-Americans to penetrate into the said Province but that nevertheless he was taking proper measures to impede them and was main-

17. Bellefontaine, probably this one, was a settlement about thirty-five miles northwest of Kaskaski. The name was applied by the early French to a large spring south of present Waterloo. Thwaites *Early Travels*, Vol. 27, p. 194, note 67.

taining spies and confidential agents who would communicate news of the movements of the foreigners. He was inclined to believe that the object of the Anglo-Americans in that expedition was to take away from the English of Canada the commerce in pelts which they have with barbarous tribes; concerning this point, office of the Vice-Consul of San Luis also speaks.

The same Melgares in an official letter directed to the commander of the Internal Provinces of the West and inserted in copy number four, which I am likewise forwarding to Your Excellency subjoined, states under date of July 9th of this year that there were just in Santa Fe twenty-four Indians and four Indian women of the gentile tribe A having come from the neighborhood of the Missouri. These knew nothing of the Anglo-American battallion at the Yellowstone. He states likewise that in spite of the detachments that are continually reconnoitering the plains country at more than one hundred leagues distance from the Pass of Sangre de Cristo and Canon de San Fernando, points fortified at my order in the Sierra of New Mexico, and of having despatched as far as the neighborhood of the Yellowstone the Interpreter Charvet with fifteen men well mounted for the purpose of making a reconnaissance of the above mentioned points, he has not been able to acquire any news of the march of the Anglo-Americans.

Notwithstanding these antecedents, since the Vice-Consul of S. Luis stated there had passed through there the twelve hundred Anglo-Americans who left word that they would unite in the place of Bellefontaine with three hundred others, and (since) the Consul Fatio painted a picture so lively of the enterprising and obstinate character of the commander of the expedition, Benjamin O'Fallen, as document number two of copy number three sets forth, I have notified General Garcia Conde to send him copies of the above communications, to order reconnaissances made at the points mentioned as the case may require, and if in view of these, it should appear necessary, that he prepare with despatch the troops that may be required to make

illusory the projects of the foreigners, giving me advice in detail by executive mail, according to my order, whatever he may dispose, as document six sets forth. I remain very watchful of what may occur in order to take other measures which circumstances may require.

The same documents from number one to five of copy number three concern the expedition which was being brought together to invade the Province of Texas (one of the four interior ones of the east) on the Sabine River, on the Trinity, at Nacogdoches and at Natches under the orders of the Anglo-American General James Long of which I spoke to Your Excellency in my report number ninety-nine of August 31, last. Consul Fatio states in number two that this expedition is the most serious that has menaced this kingdom since the beginning of the revolution as its undertakers neither lack the pecuniary means for its purpose nor the best organizing leaders who have directed previous ones. He judges that if the troops of the United States who are at Natches shall act with negligence in restraining these unruly ones (such negligence) can only originate in some secret order of that government.

Fatio himself states that the first body composed of more than three thousand men has already crossed the Sabine River, that it is being augmented daily by recruits whom they receive from all parts of those states; that they are also relying on a party of Spanish rebel commanders, which is considerable, under the revolutionary leader Bernardo Gutierrez who was in Nacogdoches. Considering the people of Louisiana who have taken part in the enterprise and favor it, he states that he must believe that the Anglo-American government not only will countenance it but that it will supply the assistance which it has always given these rebels in defiance of law and good faith whenever it suits their selfishness and particular purposes.

He likewise reports that he knows that near Galveston and the Trinity River that the number of adventurers are being augmented daily at that point; that those of the Trinity can be considered as the vanguard of those who have

crossed the Sabine, and that while they have connection with the Pirates who are maintaining themselves at Galveston it will be very easy for them to receive supplies and munitions of war through that channel and transport them to convenient points for the progress of the expedition. Consul Fatio believes that the French ex-General L'Allemand will join it with his resources and the Vice-Consul of Natchitoches says that there will be five generals, among them Robertson, Ader and Humbert. The Gazettes and map that Fatio says he has remitted to me with the first copy of his letter I have not received. When they arrive I shall send to Your Excellency a copy of the map and of the Gazettes.

Document number nine of the third copy is a letter from the charge d'affairs of His Majesty in the United States, Don Mateo de la Serna, written in Philadelphia on the 19th of July last, setting forth, with reference to an article in the Gazette of Natchez published there, what the revolutionists have achieved: that a plan of operations is being formed by a part of those citizens who have the means and that several parties have already set out secretly, and many more were preparing to set out with the same secrecy; that their object apparently was to form an agricultural project in Texas, but that no one would be mistaken as to its purpose.¹⁸ The writer of the Gazette believed that he would be able to give very soon circumstantial news of the outcome of the expedition which no doubt will be favorable to the adventurers. He (Serna) was just assured that the American authorities took strong measures to apprehend the leader of the rebels in Natchez, but that they were unable to do so. Serna judges that it is a pretext in order to have a safe position in reclaiming prisoners who may be taken by the Spanish troops.

Document number eleven is a letter which the Captain General of the Island of Cuba sent me, from General James Long written in Nacogdoches on the 24th of June last. In

18. That the Americans were in reality planning an agricultural colony is borne out by the later activities of Long. The principal feature Garrison, Texas, p. 122.

it the rebel says that he had at that point hoisted the independent colors of Texas. Of this country he promises to take possession, to destroy Arredondo; that they may put in revolution the provinces that the latter has in his rear. At the same time he sets forth that his resources are numerically very few; that they are without artillery, arms and munitions. He begs the Pirates to make common cause with him against the Spaniards that he aid him in these objects, that he unite with him to resist Arredondo and that he will give him a privateer's patent to make reprisals under the banner of Texas.¹⁹ These notices supposing that this letter is authentic, in no way agree with those which Fatio has communicated to me concerning the strength and great resources on which those rebels rely.

Notwithstanding the divergence which is noted in the assertions of one and the other, since I know the perfidious policy of the Anglo-Americans, the attempts they have made since the beginning of the revolution, either underhanded or in the open to assist it, giving all kinds of aid to the rebels and permitting them to take out of that country, people, arms, and munitions to continue the unjust war they have made against its legitimate sovereign, Senor Don Fernando VII, and finally that they are suspicious that His Majesty may not approve even the treaty to arrange the boundaries and cessions made recently by Minister Onis, that they are trying to take possession of the Province of Texas by means of adventurers, making a false show that they have not been able to restrain them and keeping them in it under the pretext that the King, Our Sovereign, cannot or does not desire to defend it, as they did in Amelia Island and the Florida Region, I judged accordingly not only to carry forward the measures I communicated to our Excellency in my last dispatch, number ninety-nine, that Brigadier Don Joaquin de Arredondo collect a body of five hundred cavalry and send them to make a reconnaissance on the Sabine River with the precautions which I spoke of to

19. Undoubtedly this is Long's letter to the pirate La Fitte. See Goodwin, C., *The Trans-Mississippi West*, p. 158, for La Fitte's refusal to aid Long.

Your Excellency, but that, having sent you by executive mail with all diligence, copies of all the cited documents, as I have been receiving them, as I have informed you, and as numbers seven to fourteen and sixteen of copy number three sets forth, it cannot be doubted that the rebels are at Nacogdoches, a pueblo of the Spanish territory of Texas, I shall labor with offensive celerity against them, not resting until ejecting them from the points which they are occupying.

Besides the troops which Arredondo can distribute in the Provinces under his command, I have notified the Commander General of those of the West to send to Saltillo, without losing a moment, under the orders of that chief, four hundred dragoons as a precaution. I ordered him since the 25th of August last to enroll and prepare them with all that was necessary to march at the first notice as I told your Excellency in the said dispatch, that they should take some supply mounts besides those of their complement in order to function with usefulness and energy, so that with this they would not have to await re-enforcement from the frontier Presidios as previously as has been ordered and stated in the cited document number sixteen, charging the said Commander Generals with the greatest activity and zeal in fulfilling these dispositions, and to communicate to me by executive mail the news that occurs.

If the news communicated by Fatio be confirmed concerning the forces of the adventurers, I shall augment those of Arredondo with the expeditionary regiments of Zamora and the Infante Don Carlos, the first of whom is in the province of Potosi and the second in that of Guanajuato, as I told your Excellency in despatch number ninety-nine. That official will bring together another thousand men of all arms in the provinces under his charge with a regular train of artillery, composed in all of a body of more than three thousand men with which, he promises me, the assistance of God intervening, to restrain the rebels and prevent them from establishing themselves in the dominions of His Majesty placed under my care.

Accordingly, I call to the attention of Your Excellency

the content of my letter number one hundred of the 26th of the present month, directed by extraordinary mail with the commander of the frigate Sabina and whose duplicate I am forwarding annexed, so that it may incline the spirit of His Majesty to send me substitutes of infantry for the Expeditionary Corps, a body of cavalry or dragoons, and the ships destined to Vera Cruz and San Blas, which I have petitioned, in order to act with the greatest ease and to stop the aggressions of foreigners which I suspect go on a great deal and will have no end while these provinces of my command are so near the vicinity of the United States. Concerning this particular, I have spoken to this Supreme Ministry and to that of the State in the several despatches I have sent since my entrance into this kingdom, according to the ideas which the facts and my experience have caused me to form.

The above mentioned occurrences are the only ones which have taken place the present month in the Internal Provinces of the East and West and the coasts of the South Sea, those districts continuing to remain in entire quiet and tranquillity, as the dispatches of their commanders inserted in the Gazette numbers 124 to 130 set forth, which, with the rest of the same month, I am sending to Your Excellency subjoined.

There is being transferred to Your Excellency, accompanying the copies referred to, the continuation of the dispatches that I have directed to this Supreme Ministry concerning the particular details so that Your Excellency may be pleased to place them before the royal notice of the King, Our Lord.

May God guard you many years. Mexico September 30, 1819.

Most Excellent Lord.

TE1 Conde del Venadito

Duplicate

(Rubric)

Most Excellent Lord, First Secretary of State and of the State Department of this Ministry.

—*West Texas Historical Year Book*, 1928.

YNSTRUCCION A PERALTA POR VI-REY

(Transcribed from the Archives of the Indias at Seville,
Spain, by Lansing B. Bloom)

La Ynstruccion a don pedro de peralta que de presente ba proveydo por Gouvernador y capp^{an} general de las prouincias y poblaciones de la nueua mexico en lugar de don Joan de oñate y por dexacion que a hecho de los dhos cargos es la siguiente—

Instruccion a Don P^o. de Peralta, g.^{or} y capp^{an}. gneral de la nu^a mex^o, en lugar de don Joan de Oñate.

Primeramente entregados que le sean su titulo y demas despachos saldra de la ciudad de mex^{co}. con la mayor breuedad que ser pueda con las doze soldados y Religiosos que lleba de socorro a las dhas prouincias procurando abreuuiar su biaje todo lo mas que sea posible por lo mucho que esto ynporta. y que los soldados en el camino bayan rrecogidos y sin causar unquietudes ni daños a yndios ni a otras personas haziendo que paguen el sustento y auio que se les diere por su justo balor—

Procurrar que la Cauallada y Boyada que se lleba se conserue en el Camino de suerte que llegue entera por ser precisamente nescessaria para las labranzas yniançal que desde luego se an de començar a hazer en aquella tierra para que se lleban cantidad de herramientas y demast apero nescesario—

Llegado que sea a las dhas prounizias se enterara del estado que las poblaciones de ella tienen procurando que antes todas cossas se ponga en execucion la fundacion y poblacion de la Villa que se pretende y ordena que alli se haga para que se pueda començar a thener y bibir con al-

INSTRUCTIONS TO PERALTA BY VICE-ROY.

(Translation by Ireneo L. Chaves.)

Orders to Don Pedro de Peralta who presented his appointment as Governor and Captain General to the provinces and settlements of New Mexico, in place of Don Juan de Oñate on account of his relinquishment of said office, are as follows :

Orders to Don Pedro de Peralta, Governor and Captain General of New Mexico, in place of Don Juan de Oñate. First his appointment (titulo) shall be delivered to him and other commissions. He shall start from the City of Mexico as quickly as possible with the twelve soldiers and religious which he takes along to said provinces as protection, he shall hasten his trip as much as possible on account of the importance of the same, and the soldiers on the way shall keep together and cause no trouble or injury to Indians or to any other persons, they shall pay a just price for their sustenance and for whatever equipment which might be given them.

He shall see that the horses and oxen shall be well cared for so they shall arrive in good condition for the reason that they are actually necessary for the purposes of agriculture which shall be started immediately on that land and they shall carry a quantity of tools and other necessary implements.

When he shall have arrived at said province he shall inform himself of the condition of said settlements endeavoring before any thing else the foundation and settlement of the Villa they claim and shall order the same to be made there so people may begin to live there with some cleanliness and stability, in which he shall allow the citizens to elect four councilmen, and two ordinary alcaldes each year who shall try civil and criminal causes which may occur in

guna pulcicia y fundamento en la qual permitira que los vecinos eligan quatro Regidores y estos dos alcaldes ordinarios en cada un año que conozcan de las caussas ciuiles y criminales que en la dha Villa y cinco leguas a la rredonda subcedieren señalandoselas por termino y jurisdizion sin perjuizio de tercero Guardando en el conocimiento de las Caussas criminales lo dispuesto y ordenado por derecho con que no puedan thener juridizion sobre yndios sino solo el dho gouernador o su lugartheniente y la elecion que hizieren de alcaldes y rregidores en cada un año la hagan los Regidores a los Regidores que vbieren de subceder el año siguiente y los asi electos eligan luego luego los dichos alcaldes aprouando la Eleccion el dho gouernador—

Que los dhos alcaldes ordinarios y Regidores de la tal Villa pueden por trienta años señalar a cada vecino dos solares para Casa y Jardin y dos suertes para guerta y otras dos para Viña y olibar y quatre cauallerias de tierra y para el rriego de ellas el agua necessaria aviendola obligandoles a hazer vecindad diez años continuos sin hazer avsencia con pena que si la hicieren quatro mesas continuos sin licencia del Cauildo y Regimiento lo pierda todo y se rreparta su vecindad a otro—

Podra dar facultad al dho Cauildo para elegir vn alguacil executor de la justicia y un escriuano con su aprouacion—

Señalara para propios de la dha Villa seis Vecindades y vna quadra de las Calles para hazer Cassas Reales y otras obrass pp^{ca}—

Podra el dho Cauildo y Regimiento hacer ordenanzas pp^a el Gouierno de su Republica con confirmacion del dho guernador—

Concedera al vno de los allessdes [alcaldes] ordinarios de primer boto que despues de cunplido el año sea Juez de mesta en la dha Villa y su Jurisdizion—

Aduiertesele que si aquella tierra se pusiere en estado que conuenga auer oficiales Reales avise de ello al Virrey de esta nueva españa y de las causas que le mueben para que se prouea lo que conuenga—

said Villa and within five leagues around it, which he shall mark to them by boundaries and jurisdiction without injury to third parties, keeping a record of criminal causes, decisions and what may be ordered according to law but they shall have no jurisdiction over Indians, only the Governor or his lieutenant shall have jurisdiction.

The result of the election held every year for alcaldes and councilmen shall be certified by the outgoing councilmen to the councilmen elected for the following year, and those elected shall elect the said alcaldes, the Governor shall approve the election.

The said ordinary alcaldes and councilmen of said Villa may mark out for each resident two lots for house and garden and two suertes for vegetable garden and two more for vineyard and for an olive grove and four cavallerias of land, and for the irrigation thereof the necessary water, obliging them to live thereon ten years continuously without absenting themselves, if they should absent themselves for three months continuously without leave from the council or regiment they shall loose all and it shall be given to others. They will give the council power to elect a constable of justice and a clerk with his approval. They shall mark out as belonging to said Villa six Vecindades and one square of the streets for the purpose of erecting Royal Buildings and other public buildings.

Said council and regiment may make ordinances for the government of its republic with the approval of said governor. It shall allow one of the ordinary alcaldes of first Boto after serving the first year to be Judge of the board of said Villa and its jurisdiction, cautioning it that if that land shall at some time be in condition to have royal officers it shall so advise the Viceroy of this New Spain and the reasons therefor so that what may be necessary shall be provided.

It shall be given power to recommend Indians as many as he may deem proper who served and who may be in those provinces, without renewing those made by said Juan Oñate

Que se le da facultad para que pueda encomendar Yndios en perssonas que ovieren seruido y bibieren en aquellas provincias en la cantidad que vien le pareciere no ynobando en las que estuuieren hechas por el dho don Joan de oñate por que estas se an de conseruar y las dhas encomiendas que asi hiciere se a de entender asta que su mag^d. consultado otra cossa prouea y para ello ynuiara Relacion de las que hiziese con los servicios y calidads de las personas a quien se encomendaren—

Y porque e sido ynformado que el modo y cobranza del tributo ynpuesto a aquellos naturales es con exsceso y mucha vexacion y molestia suya se encarga al dho gouernador de en esto el asiento que mas conuenga Procediendo en ello con toda justificacion y descargo de la rreal conciencia--

Supuesto que aquella tierra a de thener numero determinado de vecinos a parecido para que se ouien algunos daños e ynconuenientes que no aya gente alguna constrenida y que su asistencia y camino sea libre y asi se encarga y ordena al dho gouernador que quedando los vecinos nescesarios que tubieren obligacion a cunplir con su becindad no se apremie a los demas a asistencia forzossa sino fuere en casso que alguna precisa nescesidad obligue a ello por algun breue tpo—

Asi mismo se le encarga y ordena que en ninguna manera no desista de la defension de la tierra y gente poblada pretendiendo por vien o mal Reducir los enemigos o quitarlos por lo que ynporta a la quietud de los conuertidos y que se quisieren conuertir y para conseruar y aumentar la rreputacion de los españoles con ellos y aficionarlos mas a nuestra comunicacion, — Y aduirtiendo que proque vna de las cossas que mas avilantes a dado a los enemigos y mas A/Acouardado A los amigos y desaficionado a nuestra buena correspondencia a sido ber que no se an rremediado los daños que los enemigos les hazen antes an crecido conbendra que en esto se ponga mucho cuidado para cobrar Reputacion con amigos y enemigos entendiendo lo que ynporta su patrocinio y defenssa—

as these must be maintained and the other recommendations by him made shall stand until after consulting his majesty he shall provide otherwise, for that purpose he shall transmit a report of the recommendations made by him stating the services and kind of persons recommended.

Because I have been informed that the taxes imposed and collected from those natives are excessive causing them great vexation and trouble, the said governor is requested to attend to this in manner to suit himself proceeding in all justification and in discharge of the royal conscience.

Assuming that that land must have a certain number of residents so as to avoid some damages and inconveniences none of the people shall be restrained and that their assistance and way shall be free, said Governor is thus requested and ordered, there shall remain the necessary residents who are obliged to comply with their right acquired by residence. The others shall not be compelled to attend unless it is extremely urgent for a short time.

In the same manner, he is requested and ordered not to fail to defend the country and the settlers thereof. Pretending for good or evil to reduce the enemies or take them away for the peace of those converted or those who want to be converted and in order to retain and increase the reputation of the Spaniards with them and to attract them more to treat with us. And seeing that one of the things which has most emboldened the enemies and has intimidated our friends and destroyed our good relations is the fact that the damages have not been stopped and that the enemies increase the damages, it would be well to be careful about this in order to recover our reputation with our friends and with the enemy taking into consideration the importance of their relations and defense because I have been informed that the small population of that country is very scattered over it so that they are destitute of administration because very few reside in each place and are also too far to be helped and protected. And some people and nations are in proximity to the frontiers and country of the Apaches which

Y porque e sido ynformado que la poca Gente que en aquella tierra ay esta muy derramada por toda ella de suerte que no solamente estan desacomodados para la administracion por ser muy pocos los que asisten en cada lugar y lexos y estarlo tanuien para poder ser anparados y defendidos y algunos pueblos y naciones estan en fronteras y tierra de apaches que son de ordinario Receptaculo y ospedaje de los enemigos y ser en ellos las juntas consultas y conjuracion contra toda la tierra y de donde salen a dañarla y hazerle guerra y que asi para congregar a los vnos como para quitar a los otros de estos puestos ay sitios mucho mas acomodados y pacificos de cuya rreduccion no solamente se conseguira el vien que se pretende mas tanuien sera de Ylenos [Menor] trabajo la administracion y no nescessarios tantos Ministros y el daño que los enemigos hicieren se sabra con mas breuedad y con esa misma seran Remediados se ordena al dho gouernador que con consulta de los Religiosos y personas mas practicas se hagan estas Reduciones como mas conuenga atendiendo tanto a la cercania en que deven estar para ser mejor administrados quanto al sitio que conuiniere mas para su defenssa en que aya las tierras aguas y montes y lo demas nescessario para todo genero de crianza y labrança a al tenple que sea ygual de las partes donde se sacaren para congregarse en el lo qual se haga con tan maduro consejo que no se pueda presumir que aya de rresultar alguna Ynquietud o descontento en los yndios que pueda dar cuidado—

Y porque asi mismo se a entendido que aquella tierra esta poblada de barias naciones y muy poca gente en cada una de ellas que ablan barias lenguas dificultossas y barbaras de donde nazen muchos ynconuenientes para la buena administracion y consuelo asi de los ministros como de los naturales se encarga al dho gouernador que con muy particular cuidado tratandolo con los rreligiosos disponga esto de manera que de prinzipal yntento se procure que los Yndios todos y en particular los niños y mocos aprendan la lengua española y en casso que no se acomoden a ello en

is had a refuge for their enemies and there they have their meetings, deliberations and conspiracies against all the world and from where they start to damage it and carry on the war. And in order to gather the residents and in order to put out of these places the others, there are more convenient and peaceable places that by their reduction the good intended will be obtained and it will also be of less trouble. The administration and the ministers will be necessary and the damage done by the enemy will be known sooner and thereby will be avoided. The said Governor is ordered that with the advice of the religious and practical persons the reductions shall be made as may be more convenient taking into consideration the proximity in which they ought to be in order to be better administered, in the most convenient place for its defense where there might be water and woods and other things necessary for all kinds of stock and for agriculture and the temperature must be the same as that where they were taken from in order to get them together, all of which shall be done with mature consideration so as not to cause any trouble from the Indians which may cause apprehension.

It is understood that that country is settled by various languages very difficult and barbarous which cause many inconveniences for the good administration and consolation of the ministers as well as of the natives. The said Governor is requested to act with great care consulting with the religious in such a manner so that the main thing shall be to teach all the Indians and especially the children and ignorant persons so they may learn the Spanish language and in the event that they can not learn the same generally an effort must at least be made that those who have no natural fitness to learn the Spanish language must be taught the language most generally spoken in that country so that they may be better administered.

Before restoring and repairing the land in every way as above stated, the Governr is requested not to allow or

general se procure que a lo menos los que no tubieren dispucion para la lengua española se les enseñe la mas corriente en aquella tierra para que mejor pueden ser administrados--

Antes de conponerse y rrepararse la tierra en todas las cossas suso dhas se encarga la dho gouernador no consienta ni de lugar se ordene salida alguna para otra parte por auer mostrado la exsperiencia que con cudicia de lo de adelante se a dexado siempre de rreparar y fauorezer lo forçosso y de obligacion sino que principalmente se atienda a asegurar lo descubierto asi en lo espiritual como en lo tenporal y que asta thener hecha y asentada y poblada la Villa de susso Referida de prinzipal yntento no se acuda a orta cossa — Y en casso que despues se ayan de hacer algunas entradas contra los Yndios que no estubieren de paz permitira que solo las hagan los Religiossos que quisieren salir en la forma apostolica a fundar y plantar nra santa fe y esto de manera que quede dotrina bastante para los que al pressente estubieren de paz—

Y por que se pueden ofrezzer algunos otros cassos cuya direchion y Resolucion desde aqui no se puede preuenir y si se ouiese de esperar a consultarmelos podria correrse rriesgo y seguirse de ello algunos Graues ynconuenientes se encarga al dho gouernador que como quien tiene la cossa presente quando se ofrezcan cassos de esta forma con parecer y acuerdo de los rreligiossos y personas mas platicas y de buena opinion que oviere en aquella tierra Resuelva y execute lo que se acordare dandome auiso en la primera ocasion de lo que se hiziere y motibos que para ello vbo aduertiendo que se a de proceder en lo que a esto toca mucha consideracion y maduro consejo fecho en mexico a treinta dias del mes de março de mil y seiscientos y nueue años don luis de velasco Por mandado del Vi-Rey Martin Lopez de Gauna—

Sacado de vn libro de los de la gou^{on}. Correg^{do}.

MARTIN LOPEZ de gauna

[rubricado]

permit any order to be given allowing any one to move to another place as experience has demonstrated that cupidity for the future has always prevented favoring and repairing that which is indispensable and obligatory, but usually things that are manifest are attended to in spiritual as well as temporal matters. Until the above mentioned Villa shall have been founded and inhabited nothing else shall be attended to and in the event that afterwards campaigns should be made against the Indians which may not be peaceable it shall be done only by the religious who may want to do so in an apostolic manner in order to establish and plant an holy faith leaving enough instructors for those who may at present be at peace.

Other things might occur whose administration and solution cannot be foreseen from here, and if you should delay in order to consult me there would be danger of great trouble ahead. Said Governor is requested as he is there that whenever cases of this kind come up, he should with the advice and accord of the religious and of practical persons of good judgment which might be in that country, he shall resolve and execute whatever might be agreed upon by common consent advising me at the first opportunity of whatever has been done and the reasons therefor.

With the admonition that you should proceed with great care and mature consideration.

Done in Mexico on the 30th day of the month of March Anno Domini One Thousand Six Hundred and Nine.

Don Luis de Velasco, by order of the Viceroy Martin Lopez de Gauna, copied from a book of the Department of the Interior.

WHEN WAS SANTA FE FOUNDED?

LANSING B. BLOOM

The answer to our question still must be that we do not know exactly, but we can now add the definite statement that the founding occurred during the term of the third governor of New Mexico, Don Pedro de Peralta, who succeeded the two Oñates, and that the event took place in the spring of 1610 or shortly thereafter. On May 12, 1614, it had been for some time already established.¹ In other words, the dates *ante quam non* and *post quam non* between which the Villa of Santa Fe was founded have been brought nearer together by some three and a half years.²

There was no building activity on the present site of the city of Santa Fe before the spring of 1610. It is true that the proposal to move the colony from San Gabriel to a new site had been made long before Don Juan de Oñate,

1. The data upon which these two statements are based are from the *Archivo General de Indias, Sección de Contaduría*. In December, 1924, fire broke out in one of the *estantes* of this section and many of the *legajos* were badly damaged by fire and water. Considerable parts of some *legajos* have disappeared entirely; in others the writing of many pages is almost washed out; in most of them one or all sides are deeply charred. Fortunately wide margins were the custom, but beyond question New Mexico data in some important years were destroyed,—for in the corresponding parts of the accounts for other years a large number of data have been found.

2. In the year 1889, Bancroft, *History of Ariz. and N. Mex.*, 158-9, gave January 3, 1617, as the earliest dated reference to Santa Fe which he had found, and until now no closer limit, *post quam non*, has been discovered. Fourteen years ago, the present writer (in *Old Santa Fe*, I, 9, 226-7) showed that the founding could not have been prior to 1609, and that the year 1610 or even 1611 was more probable. The latest and best presentation of the whole subject is to be found in Hammond, *Oñate and the Founding of New Mexico* (Santa Fe, 1927), with references to the writings of Bolton, Vaughan, Twitchell, *et al.* In his monograph Dr. Hammond used some of the archive material from Sevilla on which the present short study is based, but the *Contaduría* material is wholly new.

in August of 1607, tendered his resignation as governor, but the instructions to Peralta show that nothing had been done, or even decided, up to that time,³ But what occurred after Don Juan wrote out that resignation?

Naturally he continued to serve until relieved in office. It was probably June of 1608 when Fray Lázaro Ximenez returned from Mexico with a few soldiers who brought dispatches which accepted Oñate's resignation and named Captain Juan Martinez de Montoya for acting governor. But the *cabildo* of San Gabriel refused to accept Martinez and, after Don Juan had declined their election of him to his former office, they elected his son, Don Cristóbal. The point of interest in this is that Cristóbal de Oñate was *de facto* governor for the next year and a half.⁴

In the summer of 1608 the general state of affairs was much more encouraging than it had been a year before, and Fray Lázaro again journeyed south to arrange for the mission supplies which were due for the next three years and to secure more missionaries. More than a month later (January 29, 1609) Fray Ysidro Ordoñez had just reached Mexico City from San Gabriel with Captain Gerónimo Marques and the *procurador general* Joan Guterrez de Bocanegra and bringing letters and information which led the viceroy immediately to hold a *junta* with three *oidores* of the *audiencia*. Among the dispatches which were prepared for Fray Lázaro and Fray Ysidro⁵ to carry back to New Mexico

3. The earliest recorded effort for such a change was in the fall of 1601. v. Hammond, *op. cit.*, pp. 142-143. For the instructions to Peralta, March 30, 1609, see *El Palacio* of June 16, 1928.

4. That he was so recognized both in New Mexico City is shown by three of the archives recently found. In this incident there are indications of a factional division in the little colony: the *cabildo* gave the viceroy what they considered sufficient reasons for rejecting Martinez, but other reports seem to have been sent the viceroy that Don Cristóbal could scarcely read and write, was young and inexperienced, etc. Hammond, *op. cit.*, 178. It does not appear whether Don Juan actively sought the election of his son, but we note in passing that, after a fashion, it recognized his right to the governorship "for two generations."

5. Fray Lázaro carried the dispatches. Fray Ysidro went later, with the eight new missionaries.

was one (dated Jan. 29, 1609) which gave Oñate permission to come, with his son Cristóbal, to Mexico City to represent his own cause—leaving Martinez as governor of New Mexico!⁶ Within five weeks after this date, the viceroy had given Don Pedro de Peralta the regular appointment as governor.

Evidently the viceroy did not really expect Oñate to use his "permission," for on April 7th he decreed that if Oñate did not wish to leave New Mexico *within three months* after the arrival of the new governor, the latter was to compel him to do so. This point is significant, because two soldiers of New Mexico, each on *April 30, 1610*, were given permission by Governor Peralta to go out with Don Juan and Don Cristóbal de Oñate "who had been governors of the said New Mexico." If the above requirement was complied with, the deduction is clear that Peralta could not have reached San Gabriel before the end of January, 1610.⁷

And the deduction seems corroborated by other facts which have appeared. Preparations for Peralta's *entrada* dragged along from March, 1609, until well into the fall. On March 4th he received one year's salary in advance, and also 500 *pesos* to help in the purchase of powder, lead and weapons; on March 5th the amount of 6,750 *pesos* was paid to fifteen soldiers who were to accompany him.⁸ In May, the nine Franciscan frailes were supplied with mules, clothing, breviaries, etc; and a long list of purchases was made for Peralta, including building tools, implements for cultivation, cloth, wine, oil, rope, mortars, carpeting, boxes and

6. This "permission" probably reached San Gabriel by June, 1609. So far as appears, it was ignored by the Oñates.

7. A. G. I., Contaduria, 713 (25 abril 1611) and 715 (27 junio 1612), payments to Juan de Lara and Melchior de Torras, soldiers of New Mexico.

8. The governor's salary began to run from April 16, 1609, the day on which he left Mexico City for Zacatecas. In view of the long delay in Peralta's arrival in New Mexico, it is somewhat amusing to note that later governors had their salary go into effect on the day when the governor received the baston of office from his predecessor in Santa Fe. In other words, the authorities placed a premium upon prompt arrival!

barrels, copper kettles, nails by the thousand, lead, powder, cannon, arquebuses. In June, clothing and other supplies to the value of over 10,000 *pesos* had been delivered to Fray Ysidro Ordoñez, who was to be accompanied by the eight new missionaries.

The above expenditures were all at Mexico City. Other expenditures during the summer and fall were paid by the royal officials at Zacatecas, including charges on four freight shipments from Mexico City to that place, and the purchase of thirteen carts and 210 oxen. In June 500 head of cattle were purchased, also 30 mares for the use of four soldiers who were enlisted in Zacatecas to herd and guard the cattle to New Mexico.⁹ A house in Zacatecas was rented where the shipments from Mexico City for Governor Peralta and the Religious were received and stored until the final start north was made. Meanwhile many additional supplies were purchased which would be needed during the three or four months of the long journey north from Zacatecas to the little colony in New Mexico. Six Indian slaves were taken from the jail in Zacatecas, and others were hired, both men and women, for all the work on the road and in camp.

On September 28, the viceroy had received advices from Governor Juan de Oñate and the Religious in New Mexico, and also from Governor Peralta; and he wrote to the latter directing him to proceed and to reach New Mexico before the end of the year and not to allow any persons to leave New Mexico except such escort as might be necessary for the Oñates.¹⁰ On October 19, the viceroy ordered expense

9. This stock seems to have been started on ahead. The four soldiers were paid for eight months in advance, time sufficient for them to get the stock to San Gabriel and to return themselves to Zacatecas. After reaching New Mexico they were to be under the orders of Governor Juan de Oñate! A. G. I., Cont., 850.

10. The urgency for Peralta to reach San Gabriel before the end of the year is explained in part by the fact that Governor Juan de Oñate and the colonists had been prohibited, under dire penalties, to abandon the colony before that date, so that there might be time to refer certain decisions to the king and council in Spain for approval. The viceroy had promised to have matters settled by that time, and he wanted Peralta to help him make his word good. v. Hammond, *op. cit.*, 174.

money from Mexico City to Zacatecas to be given to Fray Joseph Tavera who was carrying dispatches in the king's service for the Religious and for Governor Peralta, with instructions to overtake them wherever he might be able to. On the same day in Zacatecas payment had been made for 130 steers and 100 head of sheep, about half of them for Governor Peralta and the rest for the comisario and the other Religious; a week later still other purchases were made for the Religious (on authority from the viceroy dated October 4); and on November 2nd, 450 *pesos* were paid for flour and other supplies for them and for the governor.

Was Santa Fe founded in 1609? We should like to continue to think so, but we must remember that Peralta was not interested in justifying any historical date, and the factors in the situation are against us—as they were against him.

And what was the situation as revealed by the above date? Part at least of the expedition was still in Zacatecas at the end of October, when the days were getting shorter and the nights colder. Peralta and at least nineteen soldiers were horseback; the nine Franciscans were on mules; and there were probably at least a hundred Indian attendants, men and women, all on foot. There were at least 15 ox-carts,¹¹ and the slow-footed oxen would set the pace for the whole long journey northwards; and there must have been close to a thousand head of stock, horses, mules and oxen,

11. A total of 25 carts would be conservative estimate, based on the amount of supplies and equipment which had been assembled. Probably Peralta found at Zacatecas some carts "de la quinta de su magestad" which he might use, and others which had been brought back from New Mexico by Capt. Juan Velarde were turned in by him at Zacatecas on September 16, 1609. (the document in A. G. I., Cont., 713, is badly burned; and auditing note in the margin reads "por la certificación consta que el dho. cap'n Juan Velarde entregó a los dhos, oficiales R[eale]s Do—[dos or doce?] carros y diez y ocho m[ulas?] que volvi* del dho. [Via]je de quinta de su m'd.") On August 3, Peralta made three purchases of *carros*, 6, 6, and 1,—a total of 13. Also there were two *carros* loaded with effects for Gov. Juan de Oñate—ordered evidently before he knew of Peralta's appointment. On the same date 25 horses were bought for the Indians who were driving the carts for the governor and the Religious.

cattle and sheep, which would have to graze and water as well as travel. It was not the age of bridges and good roads and if the expedition arrived at San Gabriel by the end of February it did well; tho it is possible that Peralta with the frailes and a few of the soldiers may have pushed on ahead and arrived by the end of January. An earlier estimate would seem imposible, and more definite information has not yet been found.

The date *post quam non* which has been found can be told much more briefly. On July 7, 1616, one-third of the balance of salary which was still due Don Pedro de Peralta for his services as governor of New Mexico was paid to him by the officials of the royal treasury in Mexico City upon order of the viceroy, Marques de Guadalcázar. Previously he had been paid up to and including December 13, 1612, and it was stated that the time on which this payment was made "ran from the 14th of December, 1612 . . . and ended at the 12th of May, 1614, which was the day on which Bernardino de Zavallos who was named in his place *entered the Villa of Santa Fee* of the said provinces at three of the afternoon, as appears by the testimony of Francisco Perez Granillo, scribe of the said Government . . ."¹²

The facts which have been presented show definitely that Peralta was the founder of Santa Fe and that the move was an accomplished fact before May 12, 1614, when his successor arrived. They show further that there are no reasonable grounds for holding longer to the tentative date 1609 as the year of the founding; if Peralta did manage to arrive in person before the end of that year,¹³ his expedition of supplies and equipment could not possibly have arrived

12. A. G. I., Contaduria, 719; 6-11 julio 1616. The other two-thirds of the balance due Peralta were withheld until his *residencia* should be completed; final settlement was made with him on July 21st.

13. And as we have seen, the 3 months' restriction on the departure of the Oñates would seem to make this impossible.

before the early spring of 1610, and certainly no such move would have been begun in the month of December, had it arrived then. Lastly, as Peralta was under definite instructions to endeavor "before all else to put into execution the founding and settlement of the Villa,"¹⁴ it is probable that the change in location was accomplished in the spring of 1610, and that, before Governor Juan de Oñate and Governor Cristóbal de Oñate left for Mexico, the last of April, or early in May, the Villa had been laid out, building operations were well advanced, and surrounding milpas were under cultivation.

14. *El Palacio*, vol. xxiv, p. 467.

DOCUMENTS FOR THE HISTORY OF THE NEW
MEXICAN MISSIONS IN THE SEVEN-
TEENTH CENTURY

FRANCE SCHOLÉS

(Continued)

III.

The third document is a description of the dedication of the church of the mission of Nuestra Señora de Guadalupe at El Paso.

Successful mission work among the Mansos began in the 1650's, with Fray García de San Francisco y Zuñiga taking the leading part. The mission of Nuestra Señora de Guadalupe was founded in 1659, the cornerstone of the mission church was laid in 1662, and the church was dedicated on January 15, 1668.¹

The document, printed here in translation, is the official notification of the dedication drawn up by order of the custodio, Fray Juan de Talaban and sent to the superiors of the Franciscan order in Mexico City. The original and a copy are in the National Library in Mexico City in *Manuscritos para la Historia del Nuevo México*, legajo 1, nos. 30, 31. Its title is: *Testimonio del estado que tiene la conversion de los Manos y dedicacion de su iglesia.*

A translation follows:

Testimony concerning the status of the conversion of the Mansos and the dedication of their church.

1. Cf. Hughes, *The Beginnings of Spanish Settlement in the El Paso District*, pp. 305-308.

I, Fray Salvador de Guerra, unworthy son of our Seraphic Father St. Francis, preacher, *difinidor actual*,² commissary of the *Santa Concordia*, secretary of the Holy Custodia of the Conversion of San Pablo of New Mexico, and minister-guardian of the congregation of San Diego de los Jemez, do certify to our Reverend Father Commissario general Fray Hernando de la Rua and to all our very reverend fathers and the holy province of Santo Evangelio (as follows) :

How on Sunday, the fifteenth (day) of January of 1668, there was celebrated in the pueblo of El Paso del Rio del Norte, the dedication of the most beautiful temple to be found in these provinces and Custodia, in spite of the fact that some of those it has now could be displayed to advantage in any court. It was dedicated to the Blessed Virgin of Guadalupe in whose honor Padre Predicador Fray Juan de Talaban, the present custodio, sang the mass, Padre Predicador Fray Gabriel de Torija serving as deacon, and Padre Predicador Fray Juan Álvarez as sub-deacon. Padre Predicador Fray Nicolas de Freitas preached on the said day, in which the Most Blessed Sacrament was placed (in the tabernacle).

In addition to the divine services which were celebrated with great solemnity indoors, there was a great display of fireworks during the Mass, as on the previous night. In addition to shooting more than twelve dozen firecrackers, a beautiful *castillo*, *dos hombres armados*, rockets, bombs, and bombards were fired.

2. The custodia had a sort of governing committee which managed affairs of the custodia between sessions of the custodial chapter. This committee was called the *difinitorio*, and it consisted of friars with the title of *difinitores*. The *difinitores* were elected annually by the custodial chapter. There were usually four. A friar who had held the office usually continued to enjoy the use of the title as a sort of honor. The term *difinitor actual* indicates that a friar was holding office as *difinitor* for the current year. On these matters of custodial organization see: *Libro de regla y constituciones generales de la orden de Nuestro San Francisco de la Observancia*. Seville, 1607; and *Constituciones y leyes municipales de esta provincia del S. Evangelio* Mexico, 1667., the section entitled "Nuevo Mexico." Both of these works are in National Library, Mexico City.

There were more than four hundred souls, from oldest to youngest, present in the said church,—natives of the nation of Mansos who are henceforth Christians and informed concerning our Holy Catholic Faith; also many who are about to receive Christian Baptism, and other neighboring tribes who are being succored and who, it is hoped, will be reduced and will, like the rest, come to see themselves subjected to the voice of the two bells which this conversion now has.

This is a most wonderful Christian work, because the suffering which he has undergone since he raised the first cross and light of the Holy Gospel in this place, could have been endured only by the spirit (of a man like) Padre Predicador Fray García de San Francisco, minister and commissary of this conversion and Padre of this Custodia.³ No less has been endured by his comrade, Padre Predicador Fray Benito de la Natividad, *definidor actual*, who from the beginning has aided him with courage and apostolic zeal. There is also Padre Predicador Fray Juan Álvarez who has been here for three years and who, with considerable approval, helps them to make men out of brutes who died, as they were born, without crops and without clothing. In less than six years in which they have been continually assisted, many souls have been given to our Redeemer which were formerly kept blind and enslaved by the devil.

They have opened for them a beautiful *acequia*, and tillable lands; they (the Indians) have been fed, and even to day there are distributed among them three meals a day by means of pot and spoon; and they have become so courteous and well-behaved that we, who knew their brutality and depravity and now see their present condition and with what joy they come (to church?), how well they pray, what

3. "Padre de la Custodia" was a sort of title or distinction that seems to have been given to friars after they had served a term as *custodio*. I have not found evidence that Fray García de San Francisco was ever *custodio*, but he was *vice-custodio* in 1659. See numerous statements in the *proceso* of Governor Mendizábal, Archivo General de la Nación, Mexico, *Inquisición*, Tomos 587, 593, 594.

good husbands and wives they make, and the avidity with which they learn whatever is taught them, give thanks to our patron saint by whose aid this conversion has attained the said church of Nuestra Señora de Guadalupe del Paso del Rio del Norte.

The woodwork in the church, in addition to being very strong and unusual, is excellently finished. The church has a beautiful arch. The nave is ninety-nine feet long and thirty-three feet wide; the transept measures twenty-eight feet by forty-five feet; and the chancel is twenty feet long and twenty-one feet wide on the side of the transept. The altar steps are very beautiful.

There is placed, at the main altar, a beautiful canvas of Nuestra Señora de Guadalupe. There is also a statue of Our Lady, of wonderful workmanship and dressed in flowered silk⁴ and a silver crown; a beautiful Child Jesus half a yard high;⁵ a very handsome statue of our Seraphic Father St. Francis; and other little paintings, landscapes, and reliquaries. The altar was decorated with bouquets in such a way that it filled the eye.

In one collateral there is statue of the Immaculate Conception made out of wood, a rich piece; a canvas of St. Anthony; and landscapes. In another collateral there is a large and beautiful canvas of our Father St. Anthony finished neatly and decently.

The temple has a handsome choir-loft, so spacious that the services of fifty clerics and of the Mansito choir-boys could easily be celebrated there. It is enjoyable to hear them (the boy) sing in unison and to see them read.

The baptistry has its door under the choir-loft, and is fifteen feet long and of the same width. The sacristy has its door at the transept, and is twenty-four feet long and eighteen feet wide; (it has) a very suitable closet for sacristy utensils. This closet has a handsome chest of drawers

4. "Tela de primavera."

5. "De media vara."

of fourteen divisions, as elaborate as if it had been made in Mexico City, in which are kept the censer, manita, silver spoon, plate and wine vessels of the same material, three chalices, a beautiful white woolen ornament, another of white damask, two ornaments of chamelot, one red one white, and other very good ones, some beautiful albs, tablecloths, amices, and other necessary clothing. There are also a pair of candlesticks, and carpets.

The convent which has been built in this conversion has a good porter's lodge, a spacious cloister, and seven cells—one with a rear cell and little office, two with rear cells, and three, like the rest, spacious, well lighted, and nicely finished off in wood. In addition to these there is a little hall *de profundis*, a refectory with an office for the *intento*, a kitchen, and closets, all so spacious and orderly that it would be a pleasure to come to see them. Everything is finished with doors, windows, and keys.

In front of the church there is a garden, and the fruits of the orchard are already being enjoyed grapes, apples, quinces, plums, peaches, and figs.

All the work has been done as a service to our Saint of our Sacred Religion and to His Majesty, by Padres Fray García de San Francisco and Fray Benito de la Natividad. Everything has been done in such a short time and at the expense of (such great effort, hardships, and emulations, that it does not seem possible that two men, so loaded down with years as with ills, could have done it, but rather that it was done by angels assisted with heavenly courage.

For these reasons it can be assured that within a short time there will not be a gentile soul among the Mansos who will not, like the rest have done, come in quest of the milk of the Gospel and of the aid of these friars, truly their fathers; especially as they are such savages that their only care is their stomachs, and in their comings and goings they can see that the Indians who have been Christianized have little houses, half of them of adobe and half of them

huts,⁶ and some like cabins, and that they reap and sow, and are dressed; they also see that when they, the unfaithful, come to this post they are fed by the padres and are given cows and other fattened animals. They will come like fish to the fish hook, curious to see. They see these people who yesterday were as wild as themselves and will come desirous of the remedy.

Moreover, I find myself obliged to certify that a little more than three years ago in these parts, the padres Fray García de San Francisco and Fray Benito de la Natividad started the work of converting the Sumas who live twelve leagues beyond this post. They are a nation of a large number of people as poor and as naked as were the Mansos, who have never known, nor do they know now, how to sow, and that they might learn the foundations from the beginning it was first necessary to take them cows, sheep, corn and flour, and to give them food. By this means they kept them and helped them to dig a beautiful *acequia* which bathes much fertile land, a part of which they plowed and sowed. They also built huts in which the Padre Predicador Fray Juan Álvares who sustains and endoctrinates them had, and still has, his *asistencia*. And I know that in a few short years, God willing, the conversion of San Francisco de los Sumas will have the benefit of what is now a desire, that the doctrine of the Gospel be scattered beyond the Rio del Norte, whose meadows, it is reported, are populated by savage people on to the sea.

I also certify having seen the fourth day of the dedication of this church inaugurated with rich and handsome display of green silk (bunting), and that the Christian Manso Indians have celebrated the dedication of their church with a dance and signs of great joy.

In addition to the priests already mentioned as having officiated, there were also Fray Tomás Gallardo, a lay-

6. "Jacales."

brother, Captain Cristóbal Ruiz de Hinojos, Alférez Andrés de Peralta, Francisco López de García, Roque Gutiérrez and Juan de Escobar.

In order that this may be recorded as said, and a notification made to our most Reverend Father Comissario-General and to others to whom His *Paternidad Reverendísima* might give information, it has been ordered by the said Padre Custodio; and signed by me, in this Convent of Nuestra Señora de Guadalupe del Paso del Rio del Norte this twenty-third day of January, sixteen hundred and sixty eight.

—Fray Salvador de Guerra
Secretary.

(I.) Fray Juan Talaban, predicador and custodio of these provinces of New Mexico do certify that the preceding instrument by the padre Secretary of the Custodia, is true and legal and I approve it as such that it may be presented to our Reverend Father Comissario-General, to other Reverend Ministers, and to His Excellency the Viceroy of New Spain; after having duly thanked the padres Fray García de San Francisco, Fray Benito de la Natividad, and Fray Juan Álvares, who have worked in the name of our Sacred Religion.

I have signed (the instrument) and have had all the priests who are in this convent sign it.

Done this twenty-third day of the month of January of one thousand six hundred and sixty-eight.

Fray Juan de Talaban.
Fray Gabriel de Torija
Fray Nicolas de Freilas
Fray Tomás Gallardo

NOTES AND COMMENT

CHRONICLES OF OKLAHOMA

The March number of *Chronicles of Oklahoma* has as its leading feature a contribution by Grant Foreman on "Early Postoffices in Oklahoma." There follows an account of the Black Mesa, in the northwestern corner of the State and on the New Mexico boundary east of Folsom. It is the highest point in Oklahoma, its altitude being 4,978 feet. On its summit a sandstone monument was dedicated last year. The town of Kenton lies at the foot of the mesa. President E. H. Wells, of the New Mexico School of Mines was among those who made an address at Kenton, where the dedicatory exercises were held. The diary of Captain Nathan Boone, the youngest son of Danial Boone, covering his march with his Dragoons over the Santa Fe Trail, is another important and interesting contribution to the issue. A biographical sketch of Alexander McGillivray, Emperor of the Creeks, reads like a story from *Thousand and One Nights*. The text of a bill appropriating \$500,000 for a building for the Oklahoma Historical Society, is printed. It has been reported favorably to the legislature by the legislative committee to which it had been referred.

THE STORY OF ALVAR NUNEZ CABEZA DE VACA

The *National Republic* for April gives place of honor to an illustrated account of the march of Nunez Cabeza de Vaca. The text is by Louis H. Warner, chairman of the Pueblo Lands Board with headquarters in Santa Fe. Since coming to New Mexico, Mr. Warner has taken much interest in the history of the Spanish Southwest.

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PALACE OF THE GOVERNORS
1609
SANTA FE, NEW MEXICO

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FRANCE V. SCHOLES

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THE HISTORICAL SOCIETY OF NEW MEXICO

(INCORPORATED)

ORGANIZED DECEMBER 26, 1859

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1863 — Hon. Kirby Benedict

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- 1881 — Hon. William G. Ritch
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CONSTITUTION
OF THE
HISTORICAL SOCIETY OF NEW MEXICO

(as amended Dec. 15, 1925)

Article I. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of twenty-five dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historical nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have by published work contributed to the historical literature of New Mexico or the Southwest may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election,

and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Each Member, upon election, shall pay a fee of two dollars, which shall include the dues for the current calendar year and annually thereafter a fee of \$1.00 payable in January of each calendar year. Members may be dropped from the rolls of the Society at the discretion of the Executive Council for non-payment of dues.

Article 7. *Publications.* All publication of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

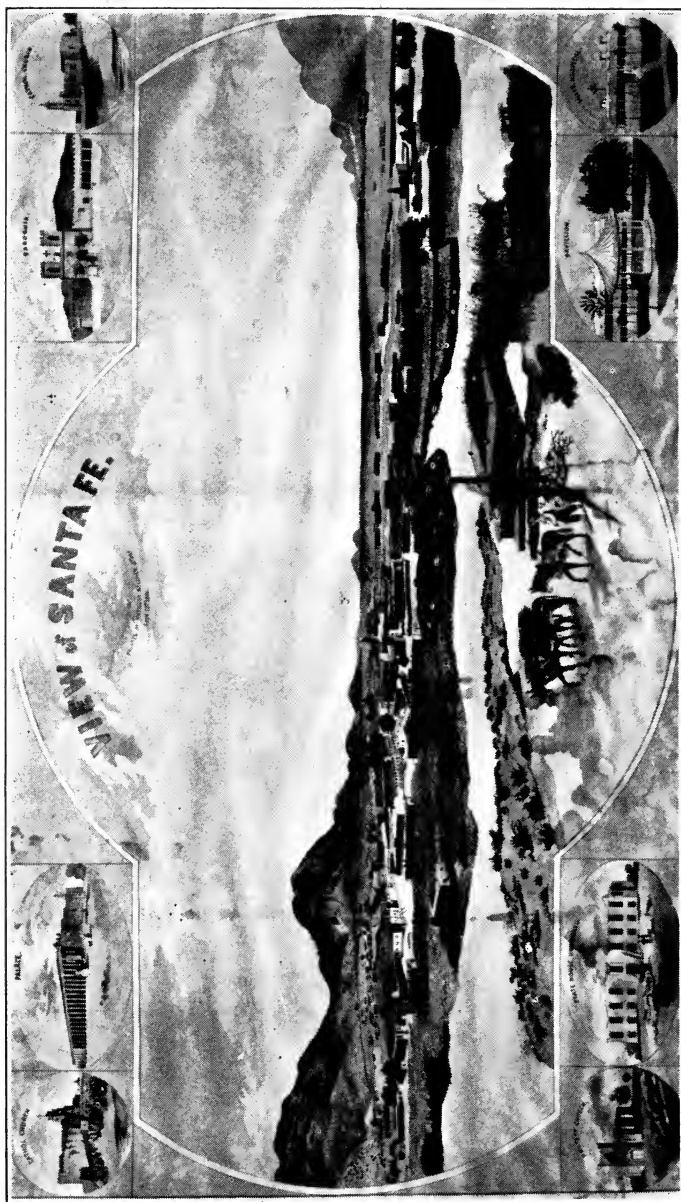
Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at Eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

Bulletins, as published, are mailed to members; subscription to the *Review* is additional.

Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Mr. Lansing B. Bloom, Santa Fe, N. Mex.



A VIEW OF SANTA FE IN 1866

From a water-color painting in the rooms of the Historical Society of New Mexico
(For description, see 'Notes')

NEW MEXICO HISTORICAL REVIEW

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No. 3.

THE SAN CARLOS POLICE

“Great oaks from little acorns grow” is a simple rustic simile, but it aptly suggests the story of the evolution of the United States Indian Police Force, for, be it remembered, that this efficient national organization *had its inception at San Carlos, Arizona*, and was the outgrowth of that *original grand army of four Apache policemen* appointed and equipped and installed and established at said agency about the middle of August, 1874.

Were the Apaches Capable of self-Government as early as the '70s — if given reasonable judicious direction? *Were the Hostiles under Geronimo and Nah-chiee finally subdued by the Apaches, themselves*, in the campaigns of 1885 and 1886? In this discussion of the events of those years we are seeking the true answers to these very pertinent questions.

My first annual report to the Commissioner of Indian Affairs was dated at San Carlos, August 31, 1874 — just three weeks after my arrival at that agency, and yet I was able to include in that report an announcement of the fact that within that brief period I had determined upon and placed in operation the most vital feature of my administrative policy — *The San Carlos Apache Police Force*. This announcement appears in the next to the last paragraph on page 297 of the commissioner's report for 1874 as follows: “I have appointed four Indians to act

as police. They arrest the insubordinate, guard the prisoners and do general police duty. The result is very satisfactory, and it is my intention to employ them permanently at \$15, per month."

This was my first official act as agent at San Carlos that attracted the attention of the Arizona public, and the comments thereon were not altogether of a flattering nature. Coming so soon and so abruptly after assuming charge of a reservation peopled with "wild" Indians, this initial action on my part gave the good citizens more or less of a shock, and the popular verdict was that the *idea of the Apaches enforcing discipline among themselves was absolutely preposterous*, and that the step I had taken was an unwarranted and dangerous experiment attributable to my youth and inexperience.

Nevertheless, the Apache police continued to perform their regular duties on the reservation with most gratifying results, and in my second annual report dated at San Carlos, September 1, 1875 (my 24th birthday), I was able to include a year's record of the excellent services rendered by the police and which fully justified my confidence in the "dangerous experiment." That official record appears on pages 215 and 216 of the report of the Commissioner of Indian Affairs for 1875 as follows:

"The police force of Indians mentioned in my last report has been continued through the year, and has rendered most efficient service. They have been faithful and vigilant, prompt to quell all disturbances, to arrest criminals, and to give full information regarding all cases that might come under their jurisdiction. So effective have they been in the discharge of their duties that only on special occasions has it been necessary for me or an employe to accompany them when sent to arrest a criminal.

"After the arrival of the Rio Verde Indians the number of policemen was increased to eight. On the 31st of July, after the removal of the White Mountain Indians, I

increased the number to twenty-five. They were carefully chosen from the various tribes and bands, armed with needle-guns and fixed ammunition, and placed under the command of Mr. Clay Beauford, who has been guide and scout in this country for several years."

"Such is the latest organization of the San Carlos Police Force. The duties of this force are to patrol the Indian camps, to quell disturbances, to arrest offenders, to report any signs of disorder or mutiny, to scour the entire reservation and arrest Indians who are absent from the agency without a pass, and also to arrest whites who trespass contrary to the rules of the reservation. My intention is to mount the police as soon as possible, as a mounted force is far more effective, while the extra expense is but a trifle."

"I wish to state further that the police force has entirely superseded the necessity of a military force. I have never yet found it necessary to ask for a single soldier to act as escort, guard, or to do any police duty."

Assuredly, the Apache Police "experiment" had not resulted as disastrously as some had so gleefully predicted. And it is important to remember that the San Carlos reservation included an area nearly as large as that of the state of Connecticut, having a length of 95 miles in a north and south line, and of 70 miles in an east and west line. From this it will be seen that the size of the police force was vastly out of proportion when compared with the size of the reservation.

Another thing. When I appointed the original force of four policemen there were only about 800 Indians connected with the San Carlos agency. Within the next year 1400 Indians were added from the Rio Verde agency, and 1800 Coyoters from the Camp Apache agency, — while approximately 200 Indians had been gathered in from the adjacent mountains. Thus it will appear that the jurisdiction and responsibilities of the San Carlos Apache Police Force were

extended within the year from the original number of 800 to a grand total of about 4200 Indians.

Particular attention is also invited to the fact that the disarming and pacifying of the Rio Verde Indians and the removal of the Coyoteros to the Gila valley presented some unusual and most serious problems of discipline and control, and yet the reservation police proved equal to every emergency. In fact, in my judgment, they so fully demonstrated their efficiency and dependability that, at my request, *all troops were removed from the reservation in October, 1875.*

This, doubtless, was a bold move, and there were not a few who condemned the step as foolhardy, and predicted an early "outbreak" in which I would be "numbered with the slain." Even the Department Commander registered his verbal disapproval and prophesied calamity.

And the Fates decreed that my "Apache self-government plan" should be given an acid test within two months after the departure of the troops. One quiet afternoon, without the slightest warning, we found ourselves in the midst of the frenzied tumult of a bold and desperate "solo outbreak" in which my untimely taking off had been plotted, and which might have resulted in serious "calamity" *had it not been for the splendid loyalty and prompt and effective action of the San Carlos Apache Police.* On December 22, 1875, Dis-a-lin, a young chief, ran amuck at the agency with the deadly purpose of killing the agent, the chief clerk and the chief of police, but this would-be-assassin was promptly *shot to death* by the agency police — *who did not wait for orders to act.* This thrilling episode deserves more detailed mention in a later chapter.

At this point it may be advantageous to quote the fourth paragraph from my annual report for 1875 as follows: "The public has not forgotten the unenviable reputation the San Carlos Apaches sustained at the time I took

charge in August, 1874. The Indians then here were looked upon as treacherous and incorrigible, a tribe to be watched and feared but not to be controlled except by the bullet. Whether they deserved this record or not does not demand discussion here. I have only to say that if they did, their general nature must have undergone a mighty revolution about the time I assumed control. I can state with fairness and justice that I have never found a more obedient, law-abiding people than these San Carlos Apaches; and as this report progresses you will see wherein these Indians have redeemed the past, and exonerated themselves from the charges of hostility and unfaithfulness."

And now we may quote from my third annual report, which (after another year's experience) was submitted in October, 1876, as follows: "The Indian police system is my great hobby in the management of (so called) wild Indians, and my police have really done more this year than I had expected of them or claimed for them. On the 9th of October (1875) General Kautz, at my request, ordered all the troops away from San Carlos, and the abandonment of the camp. This was something I had long desired. . . . The troops at San Carlos left on the 27th of October, 1875, under the command of Lieutenant Carter, Sixth Cavalry United States Army. We had now no other defense than our Indian police, and I will mention a few of their exploits, which will sufficiently prove their faithfulness and efficiency."

"On October 24th (1875) I received information that a number of Yuma Indians had left for the Pima villages. I immediately despatched Mr. Beauford with a small police force in pursuit of the truants. Mr. Beauford returned on the morning of the 27th, bringing with him twenty-seven prisoners who were furnished with lodgings in the guard-house. I may mention here, as a significant coincidence, that, as Mr. Beauford came into the agency with these prisoners, Lieutenant Carter moved out with the troops, leaving us unprotected."

“On December 22nd (1875), a very prominent chief named Dis-a-lin, became enraged and fired two shots at Mr. Sweeney, one at Mr. Beauford and one at an Indian. In less than two minutes the Indian police had put a dozen bullets through Dis-a-lin, and he was correspondingly quiet.”

“On the 26th of February, 1876, I issued the following order:

“Clay Beauford.

“In charge of Indian Police, San Carlos, A. T.

“Sir: It having been reported that there are some renegade Indians prowling about the western border of this reservation, you are directed to take fifteen Indian police and ascertain the truth of these reports by a scout in that direction. Should you find the renegade Indians you are directed to use your own judgment as to an attack with a view to capture their camp. Should your force be too small to effect the capture of these renegades, you will report the facts in the case to me without delay, or should you be near a military post, report the circumstances to the commanding officer, asking his assistance.

JOHN P. CLUM,

United States Indian Agent.”

“This scout was gone from the agency seventeen days. They killed sixteen renegades, and brought in twenty-one women and children as prisoners.”

“On the 8th of June, 1876, (as I have already reported) a detachment of twenty police brought in to me Pi-on-se-nay and thirty -eight others.”

“I could mention other instances of most valuable services performed by the police, but I think enough has been said to secure for them general commendation, insignia of office — and plumed hats. The very purpose of an army is to devastate and destroy; *Hence in times of peace they should be far removed.*”

Prohibition enforcement was one of the most important duties the police were called upon to perform. It should have been apparent to the most simple-minded that discipline could not be maintained among these Indians as long as they were unrestrained in the matter of the manufacture and use of intoxicating drink. This conviction was indicated in the following excerpt from my first annual report (Aug. 31, 1874.) :

“When drunken renegades of any tribe are permitted, in the presence of two companies of cavalry, to defy both civil and military authorities, we may look for even worse results than have developed by the experiment at San Carlos. I concur with many in the opinion that, had there been a firm and just administration inaugurated and executed at this agency since the spring of 1873, the murder of Lieutenant Almy and the outbreak of January last would never have left their gory stain on the records of the San Carlos Apaches.”

In the story of Es-kim-in-zin I have included an account of a mid-night raid on a camp of “Apache Moonshiners,” executed by the original BIG FOUR policemen under my personal direction about a month after assuming charge of the reservation. This narrative indicates the importance given to the matter of PROHIBITION ENFORCEMENT at that time. In my second annual report (Sept. 1, 1875.) this subject is commented upon as follows :

“The manufacture and use of “tis-win” has ever been the curse and bane of these Indians. It has led them into much trouble which in their sober moments they could easily have avoided. It was the cause of most of the trouble and the frequent murders reported among the White Mountain Indians during the last winter. Whenever Indians are allowed to use intoxicating liquor disorder and death are the sure consequences. To prevent these were among my earliest cares at San Carlos. It was accounted a most difficult task, but care, vigilance, and swift judgment soon

precluded the necessity of punishment, and drunkenness or acts of insubordination and disorder were of rare occurrence, and my Indians were controlled with much more ease and safety than they otherwise would have been. *In this little temperance crusade the Indian police acted a most able and worthy part.*"

The fact that our campaign of Prohibition Enforcement away back in the '70's resulted in a practically "dry" reservation is a wonderful boost for the efficiency of the San Carlos Apache Police — particularly in view of the difficulties Uncle Sam is experiencing in his efforts to persuade his present day "wild Indians" to respect the inhibitions of the Eighteenth Amendment.

In the story of Geronimo I have fully outlined the distinguished services rendered by the San Carlos Apache Police in connection with the removal of the Chiricahuas — which included the arrest of Pi-on-se-nay and members of his band, and in the campaign into New Mexico which resulted in the arrest of Geronimo and a number of other outlaws and the removal of the Warm Springs Apaches to San Carlos.

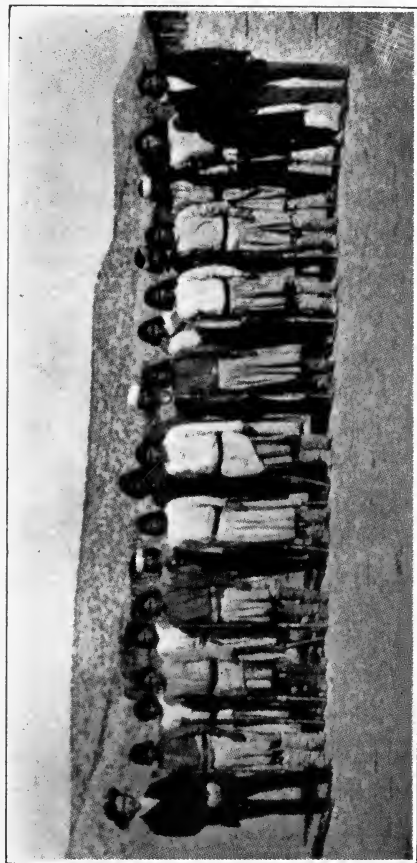
The foregoing is a resume of the "high spots" in the splendid record established by the San Carlos Apache Police while under my personal official direction as agent for the San Carlos reservation.

When my own department at Washington created conditions that made my official position at San Carlos untenable, I resigned — but, at the same time, I submitted a counter proposition which was set forth briefly in the following telegram:

"Tucson, Arizona, June 9, 1877.

"To the Commissioner of Indian Affairs,
Washington, D. C.

"If your department will increase my salary sufficiently and equip two companies of Indian police for me, I



APACHE INDIAN POLICE IN 1875
San Carlos Agency, Arizona

will volunteer to take care of all Apaches in Arizona, and the troops can be removed."

John P. Clum,
U. S. Indian Agent."

That was a startling proposition and it caused "the natives to sit up and take notice." *The plan did not meet with spontaneous popular approval.* In fact, I was opposed by practically everyone — excepting *the Apaches*, although none denied that I would, duobtless, make good if given the opportunity. The military pretended to regard my proposal as merely a bombastic gesture flaunted for their special delectation. A leading merchant at Tucson held up his hands in amazement as he said the me, "Why, Clum, if you take the military contracts away from Arizona there would be nothing left worth staying for," and I was unkind enough to reply, "Well, if that is true the sooner we find it out the better for all concerned." However, the merchant represented the prevailing civilian sentiment. My own very superior officers at Washington had been pleading with me to remain at San Carlos, but my bid for supreme control evidently struck them dumb. And as to the press, — well, my friends *held their breath* the while they withheld definite comment. But I had some *joyial publicity agents* at the north who did not hesitate or delay to speak out boldly. One of them, for example, was the editor of the "Miner," published at Prescott, military headquarters for the Department of Arizona. He could not "hold his breath" for the reason that, in his excitement, it was involuntarily escaping from him in very short pants — a sort of "rough breathing" that ultimately registered itself in the following editorial classic which appeared in the issue of the Miner of June 15, 1877: to wit,—

"Clum wants the soldiers withdrawn from the Territory, and proposes to do the work of the whole army with two companies of Indian scouts. The following is the beg-

gar's telegram:" (Here my telegram of June 9th is quoted and the editorial comment proceeds) "What Clum would not do for the purpose of ousting General Kautz is not worth mentioning. The brass and impudence of this young bombast is perfectly ridiculous. What does the guarantee of Clum amount to? Were the Indians to break out and steal all the stock in Arizona, the sufferers would be unable to collect the price of a *sore-back burro* from Clum. He has made money and has been smart enough to send it out of Arizona. How could he be responsible?"

Great stuff! — and all *free*. But later when the Apaches, *while under supreme military control* broke out and stole stock and murdered citizens in Arizona, we might ask if the Miner ever collected one penny's worth of damages from the War Department, or from any of its representatives in the Arizona field? The Miner *did not*. Therefore, *at least that much* could have been recovered from me *on demand*. But that was not the point. The Miner's effusion assayed 50-50 froth and chaff. The vital question was as to whether my proposition was made *in good faith*, and, if so, would I be able to carry it out successfully? To this question I would have replied *emphatically in the affirmative*. Why? During the previous three years there had been no "outbreak" among the large number of Apaches under my control. No raiding parties had been traced from or to my reservation, although my police the citizens and the military scouting parties were *constantly on the alert for any evidence of this character — particularly the military*. My direction of the affairs of these Indians had involved unusual conditions and responsibilities, and yet, through the medium of the San Carlos Apache Police, my administration had established and maintained peace and order and discipline within the limits of the reservation, and a feeling of confidence and security throughout the Territory. Furthermore, I had led the police in successful campaigns, not only to other reservations, but

into an adjoining Territory, and during these campaigns had arrested desperate renegades who had succeeded in evading previous pursuit by the troops -- notably the capture of Pi-en-se-nay and Geronimo. And my assertion that 5000 Apaches on the San Carlos reservation were orderly and peaceable when I retired from the reservation in July, 1877, is amply supported by the annual report of the Secretary of War dated November 9, 1877. On page 15 Secretary McCrery said; "With the surrender of Joseph ended Indian hostilities for the present, and, let us hope, for the future as well." Obviously the highest military authorities felt that the general conditions which had prevailed among the Apaches under my jurisdiction — supplemented by the capture of Geronimo by the San Carlos Police — justified the hope that the orderly conduct and friendly attitude of these Indians would endure.

I had directed the consolidation of all the Apaches of Arizona, and those from Ojo Caliente, New Mexico, on the San Carlos reservation. I knew all of the leaders of the 5000 Indians then concentrated on that reservation, and I knew absolutely all that had been said and done in connection with the several removals because I had been "the party of the first part" in the several discussions that preceded those removals, excepting in the case of the Rio Verde Indians. In the language of the current period, *I knew my Indians*, and my judgment as to my ability to "take care of all Apaches in Arizona" was based upon those three previous years of personal contact and association with the San Carlos Apache Police under various conditions which had thoroughly tested and proved their loyalty and efficiency.

Furthermore — instead of aiding me in my efforts to maintain order on the reservation and peace in the Territory, the attitude of the military influence in Arizona had been persistently unfriendly -- when not openly hostile to my administration, and, assuredly, I felt that the job of manag-

ing the Apaches would be greatly simplified if that disturbing influence could be removed from the Territory. It was in view of this experience that I believed I was justified in making my plea for supreme control to the Commissioner of Indian Affairs, and if my proposition had been accepted and I had been allowed two additional companies of Apache Police I would have tackled the job with confidence. *As long as THE APACHES were with me I was unafraid*, and as I review my personal experience and subsequent developments affecting the control of these Indians, *I am now fully convinced that I would have succeeded.*

And now what are some of those "subsequent developments?" In the first place we may introduce another quotation from the military record. In his report for 1878 the Secretary of War said: "I remain of the opinion that permanent peace in the Indian country can only be maintained by the exhibition of force sufficient to overawe and keep in subjection the more warlike and dangerous of the savages. We should confront them with such military force as will teach them the futility of an attempt to resist the power of the United States."

At the same time General McDowell, under date of October 24, 1878, — pages 110 and 111 of the report of the General of the Army — in referring to the campaign against Chief Joseph and his band of Nez Percés, said: "Notwithstanding the *apprehension of danger* caused by the taking away (temporarily) *a large portion of the troops* for service in the hostilities at the north, *comparative quiet has been the rule in Arizona.*"

And why not? No troops had been on the San Carlos reservation for three years, and the great mass of the Apaches then on that reservation did not know where the troops were— or how many there were, —*and they didn't care as long as they were not at San Carlos.*

Mr. H. L. Hart succeeded me as agent at San Carlos, and in his annual report for 1878 he said: "About 400 In-

dians (men) are employed in the Globe and McMillan mining camps and on the ranches bringing in hay, wood, herding cattle, making adobes, etc., thereby they manage to clothe and help support themselves and their families, and among this number — the personnel of which is perpetually changing — *there has not been a single case of theft, or other depredations against settlers committed*, a showing unequalled in any community of equal numbers.”

“The agency Indian Police, established in 1875 (should be 1874), is the greatest executive assistance an agent could possibly have. Through the activity and zeal displayed by the Indian Police in arresting all offenders against discipline, I am able to report that *not a single case of murder or homicide has occurred among these Indians, or any crimes committed against settlers since I have been their agent.*”

“During the past year through its (the Police Force) influence, the making of all intoxicating liquors has been stopped, and the parties implicated arrested.”

This splendid report, in the matter of orderly and upright living, would do credit to any of our present-day overcivilized communities with a population of 5000. I never met Agent Hart, but I know that he took over a big job when he assumed charge of the San Carlos reservation. He was a stranger to the country, to the conditions on the reservation, and to the Indians. It was a serious hazard to place an untried man in such an important position. If the Apaches had been inclined to disorder and hostilities they would have taken advantage of the uncertainties of the situation incident to this change of agents, but, on the contrary, *the system of near-self-government that had been in operation among these Indians for over three years continued to function and discipline continued to be enforced by the San Carlos Apache police. Orderly living had become a habit among the great mass of the Apaches, and they evinced a sincere desire to “carry on” along the lines of progress and uplift.*

And now, in chronological order, we may introduce

the enthusiastic and unqualified endorsement of a natural soldier and born leader. One who possessed the military mentality, the military instinct and the military judgment. One who enlisted as a private soldier in 1861, and who closed his military career holding the special honor rank of *lieutenant general* at the head of the American army — Adna R. Chaffee.

Captain Chaffee relieved Agent Hart about the middle of July, 1879, and served as Acting Agent of the San Carlos reservation until June 1, 1880. In his annual report to the Commissioner of Indian Affairs for 1879 Captain Chaffee said:

“The police force, as now organized, consists of one captain, one lieutenant, seven sergeants and thirty-one privates. The men are very attentive to their duties, trustworthy and obedient. The slightest violation of order that comes within their knowledge is invariably reported; they are ever on the alert. The agent can exert his authority, through them, in any part of the reservation and feel assured that his orders will be strictly enforced. They know neither family nor friend in the discharge of their duty.”

This splendid endorsement of the San Carlos Apache Police Force by a competent military officer is most gratifying to me, and demonstrates the fact that, at least two years after my retirement as agent, this force still commanded the full confidence of the official in charge of the agency and was rendering a loyal, efficient and satisfactory service in the matter of enforcing order and discipline throughout the reservation. It is likewise an eloquent approval of all I have said in favor of the reservation police. It also commends my action in having the troops removed in 1875, for notwithstanding the fact that his regiment was stationed in Arizona, Captain Chaffee *did not find any need for troops for service within the reservation* in 1879. And I am confident that, if at that time, the government had furnished Captain Chaffee with two additional companies of police for scouting purposes outside of the

reservation, he could have taken care of all the Apaches in Arizona and the troops could have been withdrawn from the Territory. If that had been done the campaigns against Geronimo never would have materialized. Captain Chaffee rose from the ranks.

It must be remembered that at this time Captain Chaffee had upwards of 5000 Apaches under his direction and care, and in his annual report he said: "*The Indians are quiet and orderly for a people uncivilized, and are very obedient to agency rules and instructions given by their agent.*"

Mr. J. C. Tiffany succeeded Captain Chaffee and took charge as agent at San Carlos on June 1, 1880. In his annual report for that year he said: "The behavior of the Indians is orderly and quiet. . . . The police force are a valuable organization. They know no friends in the performance of duty, and are on the alert — *always ready cheerfully to go to the remote parts of the reservation, and to accomplish that for which they are sent.*"

The official record of the general conduct of the Apaches on the San Carlos reservation during the four years subsequent to my retirement as agent is most satisfactory — *notwithstanding the detrimental results of an alternating civil and military rule and the varying "policies" of three different agents, — two of whom had no previous experience in the management and control of Indians.*

In these circumstances and in view of the fact that the Apaches and I got along fairly well throughout my administration, I do not feel that I am boasting when I say that the "general conduct" of these Indians — *as certified to by my three successors — would, doubtless, have been fully as satisfactory if I had continued in charge of the reservation until 1880, and, in the meantime, if the government had given me two companies of Apaches police for scouting duty outside of the reservation it seems reasonable to conclude that we would have succeeded in apprehending the few renegades then at large — thus leaving*

the troops stationed in Arizona absolutely without an occupation. In plain English, as I review the situation I am confident that the proposition I telegraphed to the Commissioner of Indian Affairs from Tucson on June 9, 1877, *was the only logical solution of the Apache problem at that time.*

Another thing. If, in June, 1877, the very important duty of maintaining order and discipline on the reservation and peace within the Territory had been assigned to the San Carlos Apache Police and myself, our first stride in this regime of supreme control *would have beaten the army by about nine years in at least one vital feature* — for, be it remembered — that, *already, we had Geronimo licked.*

At that very time this ruthless renegade and multi-murderer was our prisoner, securely confined in the agency guard-house at San Carlos *in irons*, and carefully guarded by Apache police. *We knew why he was there*, and we knew the amount of effort and anxiety and vigilance — as well as money — it had cost to place him there. We had been ordered to apprehend this notorious criminal and to *hold him "in confinement for murder and robbery."* In the execution of these orders we had made the long and tedious trek from San Carlos to Ojo Caliente and return. *When this Apache outlaw was captured no promises had been made either by him or to him*, there was, therefore, nothing to hinder or embarrass a prompt and vigorous prosecution of the culprit. Our determination to prosecute Geronimo was quickened by the experiences of a year previous, when we had arrested the murdered Pi-on-se-nay, but were denied an opportunity to prosecute him because of his escape from the custody of the deputy sheriffs of Pima county.

It was, therefore, our firm determination to deliver our captured Apache desperado speedily and securely into the county prison at Tucson, and then to co-operate wholeheartedly in the matter of presenting to the Federal court competent evidence of his guilt, with the confident expectation of obtaining a legal and just judgment against Gero-

nimo, as a wholesome warning to all Apaches, and the further devoutly wished-for end that the blood-red trails he had followed for so many years should know him no more — *forever*.

Before discussing the disastrous events of 1881, when the troops were once more called upon to perform police duty within the reservation, and the *seven years of peace thus stupidly broken*, I desire to impress the fact — heretofore briefly referred to — that the distinguished services rendered by the San Carlos Apache Police Force during 1874, 1875, 1876, and 1877, furnished the model and inspiration for the national system provided for by the Act of Congress approved May 27, 1878, authorizing the organization of the *United States Indian Police Force*.

In urging the installation of this national Indian police service upon all of the large reservations in the country, Acting Commissioner of Indian Affairs E. M. Marble, in his annual report for 1880, said: "In Arizona, the San Carlos Police *for six years past* have rendered invaluable service as scouts and guards."

In his annual report for 1882, Commissioner of Indian Affairs H. Price said: "The organization of a United States Indian Police Force is no longer an experiment. The system is now in operation at 40 agencies; the total force employed being 84 commissioned officers, and 764 non-commissioned officers and privates."

These records establish the exceedingly interesting fact that from the very humble beginning of four Apache policemen assigned to duty at San Carlos in August, 1874, there was developed the *United States Indian Police Force* system, which at once proved both popular and efficient wherever installed, and which grew to a grand total of 848 members, and was in operation at 40 agencies in various parts of the United States within eight years from the date when the original *Big four* were initiated at San Carlos — in the heart of the (then) remote waste places of the Territory of Arizona.

PIMERÍA ALTA AFTER KINO'S TIME

BY GEORGE P. HAMMOND

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Father Eusebio Francisco Kino was the great pioneer who brought Christianity and Spanish civilization to Pimería Alta, a region which included the southern parts of the present Arizona and the northern portion of Sonora. It is not too much to say that he laid the foundation of the Arizona of today. He established missions, ministered unto the Indians, baptized and educated them; and he also founded ranches and stocked them with cattle.¹

This work did not stand alone. On the contrary it was a link in a century-long missionary conquest which the Jesuits carried on along the mainland of the Gulf of California. Their work had been started about the year 1590 under an arrangement with Philip II of Spain, whereby they were to undertake the task of converting the heathen on the northern border of New Spain. In the century that followed this agreement, the Jesuits strove valiantly to plant the banner of Christ on the west coast of Mexico. And they achieved notable success. Step by step they pushed forward, establishing missionary posts in the various river valleys of Sinaloa and Sonora. Soon they had stations in northern Sonora, not far from the international border of later times. Then came the indomitable Father Kino in 1687. For twenty-four years he labored mightily and added a new province, Pimería Alta, the home of the upper Pimas,

1. The great source for Father Kino's work is his own *Historical Memoir of Pimeria Alta*, edited by Professor Herbert E. Bolton, Cleveland, 1919, 2 vols. A general account of the Jesuit achievements is given in Bancroft, H. H., *North Mexican States*, I, 119 ff., San Francisco, 1884. A briefer work is Bolton, *The Spanish Borderlands*, 188 ff., New Haven, 1921. All secondary writers rely largely on Alegria, Xavier, *Historia de la Compañía de Jesus*, Mexico, 1841, 3 vols.; and on Ortega, José *Apostolicos Afanes de la Compañía de Jesus*, Barcelona, 1754.

to the Spanish Empire. At the same time he inspired the conquest of Lower California by zealous co-laborers. Of these Father Juan María de Salvatierra, a close friend of Kino, was the shining light.²

It is difficult for us today in a materialistic age to understand the motives which filled the hearts of these missionary pathfinders. We appreciate the struggle of Hernán Cortés with the Indians of Mexico, for the pot of gold at the end of the rainbow was unmistakable, or Francisco Pizarro's bold capture and ransom of the Inca Atahualpa in Peru; there again the golden millions explain all. Father Kino's conquest was not less laborious, less dangerous, nor in its way less romantic. Earthly treasure was not in his heart, however. His dearest wish was the extension of the faith to "the gentle Pimas" and other distant tribes. That was the driving force which led him to disregard himself through all these years as he crossed and recrossed southern Arizona on his errands of piety and mercy. He heeded not personal welfare. His daily lot often consisted of hardship and suffering, nor did he slacken his labors till his death in 1711. In the words of one of his companions, "he died as he had lived, with extreme humility and poverty."

Kino's last days were a great disappointment to him for he could not obtain funds for continuing the work of conversion he had begun. The war of the Spanish Succession was raging in Europe; England especially was making inroads on Spain's colonial preserves, and other frontiers than distant Pimería must first be protected. Texas in particular was threatened and must be defended. It can thus easily be understood that after Kino's death practically nothing was accomplished by others where he had not been able to do more.

2. There has just appeared an English translation of Miguel Venegas' *Salvatierra* by Marguerite Eyer Wilbur, Cleveland, 1929.

3. The report is by Father Luis Velarde. Quoted in Bolton, *Spanish Borderlands*, 201.

During the last years of Kino's life, Father Agustín de Campos and Luis Velarde were his only permanent companions in Pimería Alta, and they continued to serve for many years after his death with practically no assistance. One padre, Luís María Gallardi, joined them in 1720, but beyond that they appear to have labored unaided save that a substitute, Luís María Marjiano, took up the work of Campos while he was absent in Mexico in 1722-1723. In this period the Indians continued to ask for missionaries as in Kino's time, but there was scant hope that they could be sent, and communication with the distant tribes in the interior was of rare occurrence.⁴

Conditions eventually changed, however. The visit of Father Campos to Mexico, referred to above, marked a revival of interest in the northern region. Bishop Benito Crespo of Durango, who had jurisdiction over this field, visited it in 1725 while inspecting his diocese.⁵ During his stay at San Ignacio seventy messengers from Sonóita and San Xavier del Bac (near the present Tucson) came to ask for missionaries, perhaps not entirely by accident as Bancroft intimates.⁶ Crespo recognized the great need for promoting the conversion of these Indians and requested the king to send three additional missionaries for that purpose.⁷ It was in response to this appeal that aid came.

Bishop Crespo's recommendation was reinforced by a similar one from Don Pedro de Rivera, who made an inspection of the northern frontier between 1724-1728. He had been instructed to report on the condition of the missions.⁸ While he was at Fronteras the Pimas came to ask the Father Rector, Ignacio Arzeo, to come baptize their little ones as they had no minister. This he did. On a trip

4. Bancroft, *North Mexican States*, I, 507-508.

5. Venegas, Miguel, *A Natural and Civil History of California*, I, 176, London, 1759.

6. Bancroft, *op. cit.*, 510; and royal cédula of October 10, 1728, given below.

7. Venegas, *A Natural and Civil History of California*, I, 176.

8. Part of this report is found in Alegre's *Historia de la Compañía de Jesús*, II, 229 ff.

which took him thirty leagues inland he baptized one hundred and forty children. Rivera felt that something ought to be done to care for their spiritual needs and recommended to the crown that one or more missionaries be sent to the Pima nation, which was "more docile and rational than any of the others."

The response to these petitions was a royal cédula of October 10, 1728, directing that the bishop's request be carried out. The viceroy was ordered "to take immediate measures" for the sending of some Jesuit padres to the upper Pimas and to aid them in their work. And at last in 1731 three of them arrived, Fathers Phelipe Segesser, Juan Baptista Grazhofer, and Ignacio Xavier Keller. They came directly from Europe to Mexico, it appears. They left Mexico City in June, 1731, came to Durango in the early part of July, and reached the Oyata mission of Cuguiáрачи on October 7 of the same year.⁹ When their arrival became known, the Father Visitor, Cristóbal de Cañas, went to the pueblo of Cucurpe, among the Endeves, not far from the mission of Dolores, and in consultation with the Father Rector and others assigned the newly arrived laborers to their intended posts. They were distributed among the chief towns where the older Fathers were stationed in order to learn something of the language and customs of the Pima Indians.

Captain Juan Baptista de Anza of the presidio of Fronteras was the soldier who escorted them to their posts and helped to provide for their necessities. This was done in November 1731. He departed the next month, but, on his leaving, a Pimería Indian named Don Eusibio Aquibisani with three soldiers was left to be of assistance to the missionaries.

Amid these arrangements Fathers Grazhofer and Kel-

9. This report was made in 1727. *Ibid.*, II, 230-231.

10. Royal cédula of October 10, 1728; and letter of El Marqués de Casafuerte á S. M., Mexico, September 1, 1731. The former is given below and the latter is in A. G. I., 67-5-15.

ler fell seriously ill of adynamic fever. They recovered, however, and in a few months went to their stations, Father Segesser to Mission San Ignacio and Father Grazofer to Tubutama; Father Keller's first destination is not made clear.

In the next year, 1732, they left these older regions and went farther north into Pimería Alta. The three chief mission posts there were Santa María de los Pimas, Guebavi, and San Francisco Xavier del Bac. Around each of these was a number of *visitas*, villages visited occasionally, with quite a large number of Indians. The northward journey began in May. At Guebavi Father Grazofer was left. A few Pimas, "more than ten," gathered to see and hear what took place. Through an interpreter they were advised of the significance of his coming. The Indians were very happy and promised to be obedient.

The rest of the party then proceeded to San Xavier where, amid similar services, Father Segesser was stationed. One-half of the Indians came forth to attend the ceremony, the friars reported. Father Keller, who was to serve at Santa María de los Pimas, was the last to reach his new home. From San Xavier the party went east to the ranchería at Tres Alamos on the San Pedro river, and then on south to Santa María, called Santa María de Bugota by Kino. Captain Anza, who had accompanied the friars, returned to the presidio of Fronteras upon the performance of his duty.

Each of these missions occupied by the new padres had much territory to serve. Santa María had the whole San Pedro valley; Guebavi and San Xavier del Bac the valley of the Santa Cruz. The missionaries were enthusiastic over their friendly reception by the neophytes and eager to extend the influence of Christianity to those living along the Gila river to the north. By 1732 eight hundred souls had been baptized, some marriages sanctioned, and other aid extended.

The sending of these missionaries to Pimería Alta was essentially due to the earlier work of Father Kino in preparing the way. The territory they occupied in 1732 had been explored by him, and they did not establish any successful posts beyond that point in the years that followed. True, there was great excitement on the discovery of silver at Arizonac in 1736 and much talk of erecting missions in the Gila valley, but the silver deposits were shallow and nothing came of it after all. San Xavier del Bac remained the northern mission outpost in Pimería Alta. It stands till this day, one of the finest monuments of that kind in the Southwest.

The following documents, in the form in which they were first brought to my attention, were in a little pamphlet, written by hand. The booklet belongs to Mr. Henry R. Wagner of San Marino, California, and it was through his kindness that I secured a copy. It bore the title: CONQUISTA Y CONVERSION de la PIMERÍA ALTA, Nación de Indios Gentiles, Vecina de los Apaches. CALIFORNIA Y NUEVO MEXICO, 1727-1737. SANCTA ROSA DE CORODÉGUACHE, 1737. There are some obvious copyist's errors in the manuscript, but they are not especially significant, except that the proper names do not appear to conform to any accepted standard of spelling. A translation follows.

ROYAL CÉDULA

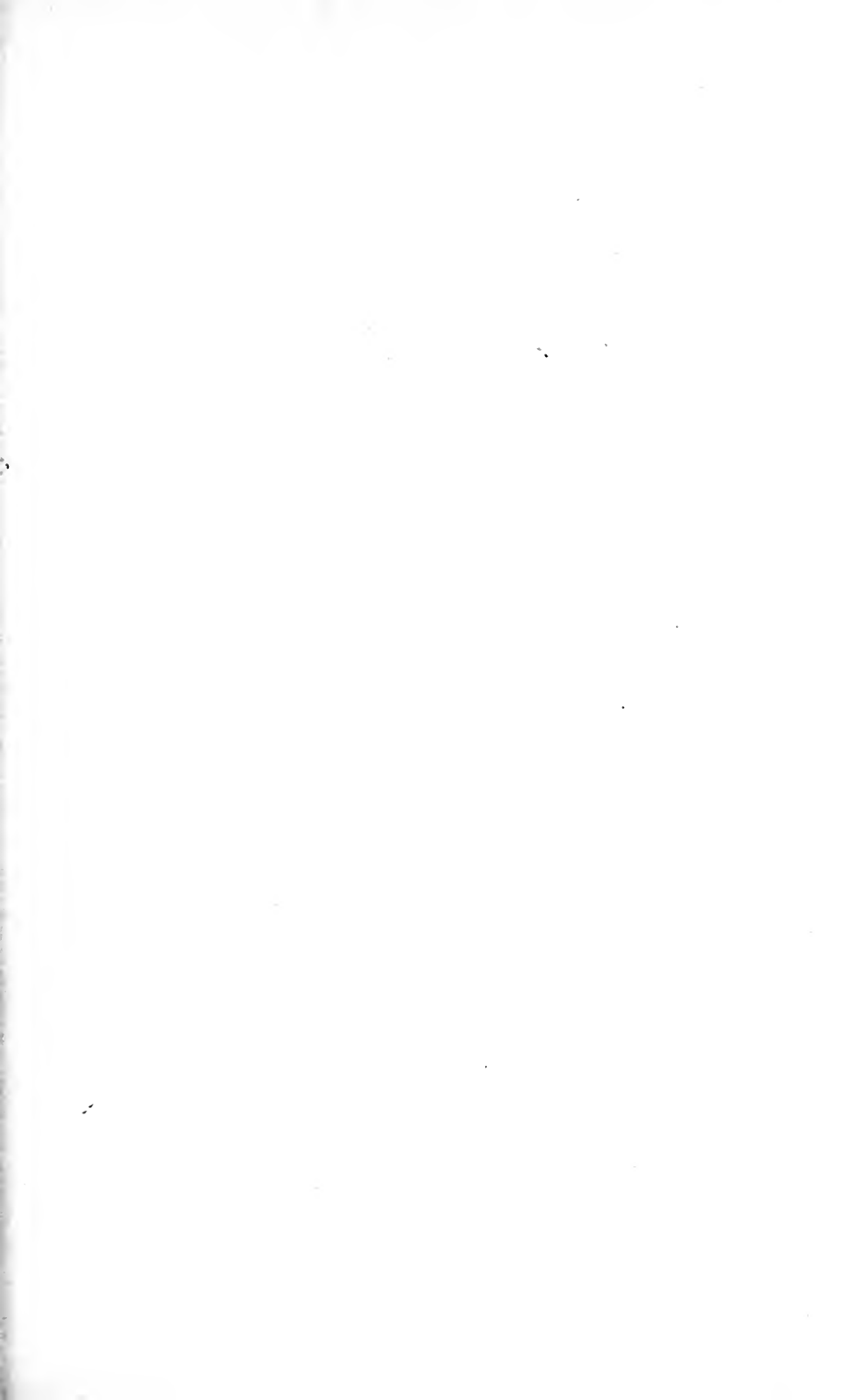
Which our Catholic monarch, Don Philip V, may God preserve him, sent to the very illustrious and very reverend Dr. Don Benito Crespo, of the order of Santiago, of the Council of his majesty, etc., being bishop of the cathedral of Durango and now serving in the same office at Puebla de los Angeles.¹¹

11. Crespo became bishop of Durango on March 22, 1723, and was transferred to the diocese of Puebla on January 20, 1734. Bancroft, *North Mexican States*, I, 594.

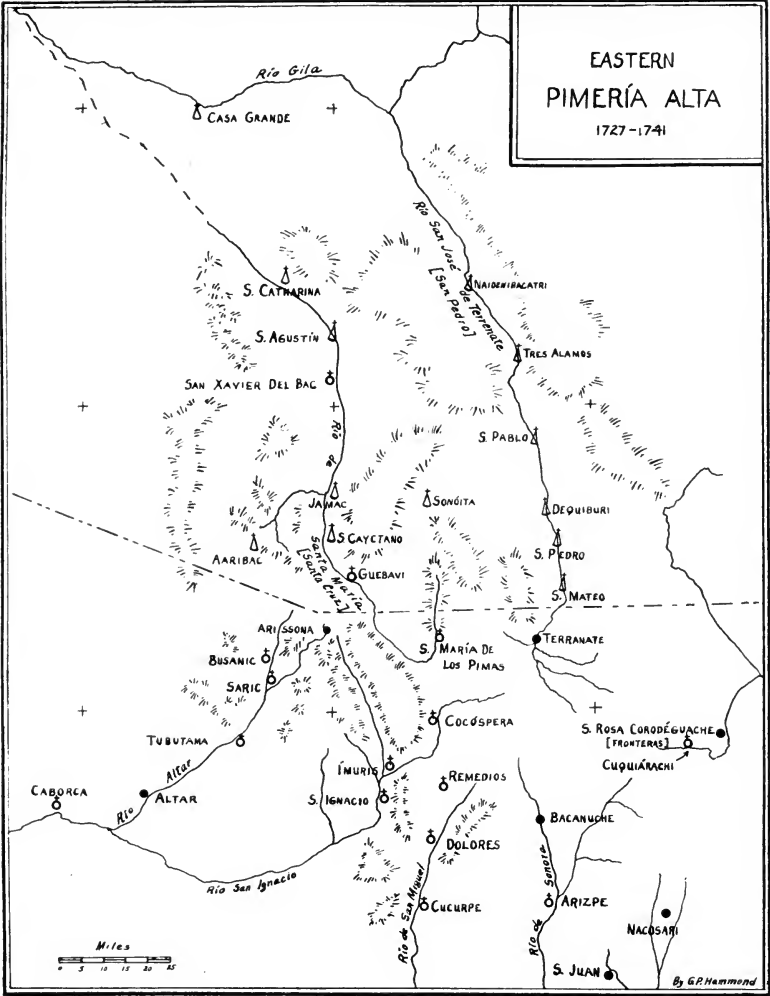
THE KING

Reverend in Christ, Father Bishop of the cathedral of the city of Durango in the province of New Vizcaya, and of my Council: By letter of August 22 of the past year 1727, you informed me that while engaged in the general inspection of your bishopric, over seventy gentile Indians came out to meet you in the province of the upper Pimas, indicating that they desired to be Catholic Christians and did not have ministers who might instruct them to become so; and that you had laid the said matter before the viceroy of New Spain, as soon as you had concluded said inspection, to the end that measures might be taken that three ministers might go, which at that time sufficed for the purpose. You had not done this in the year and a half which has passed, nor had the Provincial of the Company of Jesus of Mexico, on the ground that he had no order, notwithstanding the fact that you had suggested to him that he should not delay in sending the said ministers on account of lack of resources, for you bound yourself [to pay] the cost of their transportation and yearly maintenance. Having considered it in my Council of the Indies with the report of my *fiscal*,¹² as you may see by the dispatch of the same date as this, I order the said viceroy of New Spain to take immediate measures that missionaries be sent to the said province of the upper Pimas, this charge to be placed under the care of the religious of the Company of Jesus. Of this provision the Procurator-General of this Order, who is at this court, is also notified in order that everywhere the proper measures may be taken. It has seemed fitting to inform you of it and to give you thanks for the fact that you have dedicated yourself to the performance of your pastoral duty. In this purpose I hope you will concur, as I charge you, in the accomplishment of the stated mission and the better success of this enterprise in which my service and

12. The *fiscal* was originally a royal prosecuting attorney who had become an all-round administrative officer.



EASTERN
PIMERÍA ALTA
1727-1741



that of the Lord are so greatly interested. Dated in Madrid, October 10, 1728. I the king, etc. By order of the king our lord. Andrés del Corobarrutia y Supide.

Duplicate
Official letter

To the bishop of Durango concerning the order given to the viceroy of New Spain, that missionaries of the Company of Jesus be sent for the conversion of the gentile Indians of the province of the upper Pimas, and charging him on his part to aid the development of this mission.

Corrected.

Report of the founding of the three missions in Pimería, in a letter written to the very illustrious Señor Doctor Don Benito Crespo, bishop of Durango, dated July 31, 1732.

Most illustrious and reverend sir: The solicitude of your most illustrious lordship in the founding of the three new missions in this Pimería Alta, the eagerness in promoting their establishment together with the royal ministers, with certainty in the allowance for their maintenance, and the other diligences with the Father Provincial for our assignment and promptness of the journey, [are] characteristics not only of the pastoral office of your most illustrious lordship, but of the favor with which you, emulating the ancient holy superiors, use your surpassing genius for the greater extension of the faith in the vast areas of this unknown North America. We recognize our duty to inform your most illustrious lordship of what has been done till now on our part and by others relative to the same end for the greater success, the permanence of these new missions and even the foundation of others in such a vast country.

In fulfillment of the assignment which the Father Provincial Juan Antonio de Obiedo made shortly after the arrival from Europe of our humble persons, we began without delay the journey on which we had the good fortune to re-

ceive the holy benediction of your most illustrious lordship, with singular consolation for the graciousness and favors with which you encouraged our smallness in order to use us with all our strength in the cultivation of this new vineyard. On October 7, (17)31 we reached the mission of Cuguiarachi, of the Opata nation, to the east of this Pimería and the first in this province of Sonora according to our shortest course. Father Cristóbal de Cañas, visitor of their missions, being notified thereof, departed for the pueblo of Cucurpe of the Endeve nation, which is five leagues from the [mission] of Dolores, the first and oldest, and which has the title of the rectorship of this Pimería. Here, in consultation with the Father Rector and with the two other oldest Fathers, he assigned us the *cabezeras* and *visitas*,¹³ as he informed your most illustrious lordship, and he ordered that for the time being, since there was a poor dwelling-place in each *cabezera*, we should be distributed among the older Pima Fathers in order that we might become experienced in the language, usage, and knowledge of the Pimas, their characteristics and customs. The delay which this necessary disposition might cause was reduced by the diligent activity of Captain Don Juan Baptista de Anssa, life-captain for his majesty of the royal presidio of Fronteras, who set out in November with soldiers of his command for this Pimería, and by expenses, solicitude, and personal aid, [served] as an example for the Indians. He set out in the beginning of December for other duties in his charge, leaving a small house in each *cabezera* in very good condition and also a small partly sown field of wheat; and, in order to accelerate the early conclusion of all, he left Don Eusibio Aquibisani, native of this Pimería and captain-general of all of it, with three soldiers from his presidio. That which did not so quickly comply with the active industry of the captain was the violent adynamic fever which

13. The term *cabezera* was used to indicate the chief town of a district, while *visita* referred to a smaller village or place visited only occasionally by the missionaries.

our Lord visited upon Fathers Juan Baptista Grazhofer and Ignacio Xavier Keller, which put us at the point of death, and although saved by divine mercy, it was at the cost of a painful and long convalescence.

Father Phelipe Segeser set out very soon for the mission of our father San Ignacio; for the one at Tubutama, Father Juan Baptista. For the purpose noted, Father Ignacio [Keller], totally recovered, strong and robust by February, set out during April in the company of Captain Anssa so that the three together could present ourselves in a suitable place in the name of his majesty, God preserve him, in the missions assigned and newly founded. These are, first: Santa María de los Pimas,¹⁴ *cabezera*; its *visitas*, San Mateo, where have lived the people of Mototicatzi, although very backward and in danger for its care; San Pedro, Santa Cruz de Dequiburi, San Pablo, Tres Alamos and Naidenibacatri, all successive in a distance of thirty-two leagues to the north as far as the last one, and in which there must be over 1,800 souls. Second: Los Santos Angeles Gabriel y Raphael de Guebavi, or Cusutaqui; and *visitas*, Sonóita, seven leagues to the east, Aaribac, eighteen leagues to the west, San Cayetano, five to the north, and Jamac three straight ahead — with something over 1,400 souls. Third: San Francisco Xavier del Bac; and its *visitas*, San Agustín, five leagues toward the northwest, Santa Catharina, seven to the east, Casa Grande, twenty to the northeast; with other small rancherías to the north as far as the Gila river, in which there must be over 1,300 souls. For the better understanding of the situation of these three new missions we add that of Nuestra Señora de los Dolores.¹⁵ It is in thirty-one degrees and twenty-eight minutes north latitude and fifty-seven and almost a half in longitude.

The three new missions are in the following position.

14. It was called Santa María de Bugota by Father Kino. See map for location.

15. Dolores had become famous as Kino's headquarters.

Their *cabezeras*: Santa María is twenty-five leagues to the north of Dolores with an inclination to the east thereof. It has that of the Holy Angels of Guebavi thirty leagues to the northwest, twelve to the west of Santa María. The one of San Xavier del Bac is fifty-two to the north. Thus the three new ones form a triangle scalene or unequal in its lateral lines as indicated.

All were now united in the place called Quino on May 3 and mass was said for the establishment of the holy cross, the glorious standard which we desired to plant in fields so barbarous and untilled in order that its triumphs might multiply. We set out in the company of the said captain, some soldiers, and Captain General Pima and others, both Spaniards and Pimas, for the [mission] of the Holy Angels Gabriel y Raphael, [who were] our guides. On the 4th the captain presented in it Father Juan Baptista Grazhofer, the one appointed therefor, and by means of a clever interpreter he made a pious and effective talk to more than ten Pimas who were present that day at their *cabezera* and *visitas*. explaining the cause, object, and motive of their coming, which was to give them, in the name of the king our lord, Don Philip V, may God preserve him, a Father-minister to teach them the Christian obligations, to advise them, baptize children; and instruct adults that they might attain the same benefit and practice the other ministrations as in the rest of the missions. At this all showed great contentment and they offered to be prompt and obedient. Their captain-general did likewise with energy and authority. As they had an old Christian, capable, active, and popular, the governor left them and performed other acts of justice and gave good sound advice.

Leaving Father Juan in possession we left for San Xavier, twenty-two leagues to the north, and almost half a degree to the east, where with the same diligences and in the presence of over half of its Indians, he presented and placed in possession Father Segesser, their designated one.

Then going thirty-five leagues to the east, to the ranchería of Tres Alamos, acknowledging the other *visitas* to the south, he presented Father Ignacio Xavier Keller in the [mission] of Santa María and left it in his possession. The captain returned to his presidio.¹⁶

Not only do we have the abundance of souls mentioned but many others to whom we may expand by divine grace; for Santa María has the rest of the Pimas. Sobipuris from its last *visita* throughout its entire valley to the Gila, which is above thirty-five degrees. San Xavier, from east to west, along all the banks on this side of the Gila, has not a few Pimas, the Cocomaricopas nation, and the Yuma to where it [the Gila] discharges into this Pimico California gulf of the Colorado which is joined by the Gila a few leagues above. These Indians are of good disposition and friends of the Pimas who fully understand their different language through commerce.

Guebavi finally has three Pima rancherías to the east. O! May our conduct correspond to the holy desires with which our Lord inspires us. All these Pimas of the north, although warlike, proud, and valiant, are agreeable, docile, and generous, as they demonstrated in the reception which they gave us. In all places a long distance from the road many Indians on foot and horse, sallied forth to receive us for some leagues with bows and crosses, adorned with painted blankets and feathers, making turns and running as was their custom, and celebrating with other marks of benevolence the joy and happiness with which they received us as desirous of having the padres. They had reports of them, some through Christians and others through trading and journeys to our missions, and by expeditions of their ministers to inform them of the faith, to baptize children and some adults [who had been] instructed in the danger of death. From all this one may infer and feel the joy which they experience at seeing themselves with Fathers

16. At Fronteras.

so much desired by them, and in that they are considered equals of their kinsmen farther away. Thus they are obedient, doing joyfully what is commanded them, and at little more than suggestions they have seeded moderate cornfields for their churches. The truth is that the most isolated, as least informed because of little intercourse with the other missions, and more the masters of their will and life without any kind of subjection, are not punctual.¹⁷ But with the forbearance of the Company, taking advantage of their good disposition and spirit, which is equal or superior to that of the other rancherías, they will shake off shortly this indolence and weakness and they will do that in all places.

The Christians come to the holy sacrifice of the mass. And let it be an encomium of the Pima nation that it is more punctual than others in these parts in attending such a supreme mystery, not only at the fiestas but during the entire week.

In the *cabezeras* we have arranged well roofed, suitable arbors and the parts necessary for the altar, the priest, the minister, and some of our chief men, the rest of the people being under the cover of poplars, willows, and much outdoors, always exposed to the influence of the weather. The purpose for which we entered was to place in order the lands of the Pimas (all these people of the north are industrious) for cornfields, already begun, in which they live regularly till the harvests, for which reason all did not come on our first expedition but they have been coming right along. Nevertheless the boys and girls attend the doctrine and prayers. For this purpose there are native teachers and helpers who are instructed in the old missions and who aid us in the language. They are good interpreters, so we try and hope to advance in the language according to our obligation and the rule and custom of all the missionaries in the Company of Jesus.

17. In other words, the unsubdued Indians did as they pleased and were not disposed to obey the missionaries.

They are punctual in bringing their little ones for baptism, even the heathen ones. There are baptized to this date, in the three missions, almost 800, three hundred of them on the first expedition. Some old ones and other sick adults have also been baptized and catechised, and not a few marriages of the Christians or one of the mates only have been sanctioned, being in natural contract according to their custom. This relation is now elevated to a sacrament, baptized through the heathen consort.¹⁸ There is explained to them the perpetuity of the bond of union which is not observed in their paganism. From these good beginnings we promise ourselves, by divine grace, that there will be planted and grow a fruitful Christianity with the good effects which we may hope to make sure through the docility of the nation and the unalterable fidelity which for so many years it has maintained for our Catholic monarchy and the friendship with the Spaniards who trade in these parts, from where it is more than probable that the faith will be extended to the neighboring nations. Nor shall we omit to continue acquainting the Pimas with social, civil, and political life, stopping little by little the evil customs of their paganism and barbarity, so that they may be much aided by the acts of justice, the rules and good documents left them by Captain Anssa; and their general Don Eusebio will procure that there shall be no general advance in Pima [Pimería] of the experience and knowledge of his countrymen.¹⁹ Therefore with wife and children he has gone to live in the mission of Santa María from where he can readily visit the others. And at times, according to opportunities, Captain Anssa will visit them. His presidio is twenty-five leagues east of the ranchería of San Pedro and he is, for his excellency, superior of all the Pimas in military, civil, and political affairs.

And since we have so often mentioned Captain Don

18. The Spanish reads: *baptizado por el consorto gentil*.

19. That is, that there should be no increase of heathen ideas among the Pimas.

Juan Baptista de Ansa it would be base ingratitude not to ask your illustrious lordship to give him thanks for the solicitude, charity, and liberality with which he has excelled on this occasion, giving unusual signs of piety, desire for extending the faith, fidelity to the king our lord, and showing great respect, veneration, and attention to the priests, besides what he did to fix our living quarters. And in our company he has cooperated with magnanimity not only in supplying the poor buildings with provisions of grain, meat and clothing for the Indians living in them, but also on our expedition for the entire retinue and for our support in the beginning, making us generous gifts with the expenditure of many pesos from his own fortune. Thus it is not surprising that the Pimas so love and respect him, for since he has been captain he has acted with love and gifts in stirring up the faithfulness of the Pimas to great service for the two majesties²⁰ and for the good of this province.

The Father Visitor, Cristóbal de Cañas, beside the well known foresight which he showed from the time we entered Pimería, continues them [expenses, etc.] for the firmness and stability in the future of these new missions, soliciting at the same time the other padres to concur according to their ability, with jewels for the church building and some cattle, etc., and hoping that all, with great charity and example, will aid liberally. Likewise he has suggested to men of wealth the happiness they will enjoy by similar gifts, which as in all works of piety the militia captain Don Agustín de Vildosola begins to show.

All the foregoing facts, illustrious sir, with religious and sincere truth, for whose truthfulness it will be signed by the Father Visitor and the Father Rector of this rectorate, who are certain of their stability, and by Captain Ansa, a guaranteed witness, we place before your illustrious lordship, not doubting it will fill your spirit with joy and holy zeal to find firm hopes of big fruits in this already

20. God and the king of Spain.

fortunate nation. For with the increase of the faith therein there will be won the price of our redemption, attaining the purpose for which there were created the many persons whom our Lord has chosen from eternity for his glory. Your illustrious lordship, having cooperated with the efficiency which is well known, will have, in the divine esteem beyond the merit so relevant, many interests in the little ones and others predestined, in order that our great God and Lord may heap with unusual benefits the holy works of your illustrious lordship in every way. On our part we offer to exert ourselves with the energy possible considering our lukewarmness, for the spiritual good of these poor little ones, redeemed by the precious blood of our Lord Jesus Christ, without omitting what we owe in order to gain in the divine grace, the highest object of our vocation, which took us from such remote parts in search of these precious pearls. We humbly supplicate your illustrious lordship to aid us with your holy prayers and sacrifices to attain it, as with the diligences which your zeal has executed you have aided to secure for us the palestra²¹ which through so many roads of land and sea our eagerness has sought. We promise, though lukewarm and unworthy, to have ever present in our holy sacrifices and poor prayers and labors, your illustrious lordship, whose health and life we ask our Lord to preserve and prosper many years for our joy and the good of souls to greater divine glory. From this Pimería Alta, July 31, 1732.

Illustrious and reverend sir, your devoted servants and humble chaplains kiss the feet of your illustrious lordship,
 Father Visitor Cristóbal de Cañas,
 Father Rector Luís María Gallardi,
 Father Phelipe Segesser,
 Father Juan Baptista Grazhofer,
 Father Ignacio Xavier Keller,
 Juan Baptista de Ansa, Captain of Sonora.

21. The word comes from the Greek and means a school of athletics or wrestling-court. The meaning of the passage is that the missionaries had finally reached their field of labor after the long trip from Europe and Mexico.

Illustrious reverend sir,
Dr. Don Benito Crespo of
the Order of Santiago, our
dear sir.

Testimony of a royal cédula of August 21, 1733, regarding the conversions of the upper Pimas, sent to the illustrious Dr. Don Benito Crespo, of the Council of his majesty, bishop of the holy cathedral of Durango.

THE KING

Reverend in Christ: Father bishop of the cathedral of the city of Durango in the province of Nueva Vizcaya, of my Council. In the letter of January 13, of this year, you informed me, in consequence of what you are charged with, of the condition in which the three new conversions of the upper Pimas were, which are under the charge of the religious of the Company of Jesus. To that end you sent the original letter which five of their missionaries and one captain of Sonora called Don Juan Baptista de Ansa, under date of July 31 of the year just past, had written to you.²² By it are made known the repeated expeditions which they have made to the said conversions, the sites, rancherías, and distances which exist from one to the other, the many souls which were found and reduced to the Catholic faith, the abundant fruit which had been experienced and which was looked for in the future through the effective efforts of the evangelical workers, and the protection and aid of the mentioned captain, with whose escort such favorable progress has been attained. Having seen it in my Council of the Indies with the report of my *fiscal*, it has seemed proper to advise you of the receipt of your cited letter, and to charge you, as I do, to continue your functions to the ad-

22. The reference is to the above document.

vancement of the said conversions, and by what the aforesaid captain has shown in his application and zeal for the service of God and me, to give him thanks, encouraging him to continue with the same vigilance he [has shown] till now in that which leads to such an important goal. Dated at San Ildefonso, August 21, 1733. I the King. By order of the king our lord, Don Juan Ventura de Maturana. Marked with three rubrics.

Copy of a letter written by the captain of Fronteras in Sonora, Don Juan Baptista de Ansa, to the illustrious sir, Dr. Don Benito Crespo of the order of Santiago, bishop of Puebla de los Angeles.²³

Illustrious sir:

I always bear in mind, illustrious sir, the honors and favors which you have deigned to do me. Desirous of doing likewise, in so far as my smallness may be able to please your illustrious lordship, and with the notice that I shall give I believe that you will be especially pleased, for from these circumstances may result the further extension of the Holy Evangel in the place where it was planted at the instance of the ardent zeal of your illustrious lordship.

small mines of short measure in their extent were discovered. I informed the excellent señor viceroy, deceased, of this the distinguished señor manifesting how pleasing the news had been to him. For he began by this means to recompense our very pious monarch for what had been assigned from the royal exchequer for the support of the reverend father missionaries.

Late in the past month of October between the mission of Cuevabi [Guebavi] and the ranchería of Arissona there was discovered more balls and chunks of silver, one containing more than a hundred *arrobas*,²⁴ proof of which I am

23. This letter refers to the great silver discovery at Arizonac in 1736. The place was in the upper Altar valley, just across the present international boundary line. There is a large batch of documents in the Archivo General de Indias at Seville, Spain, dealing with this subject.

sending to your illustrious lordship. Other chunks were found with some attle, coarse gravel, or metal, altogether more than two hundred *arrobas*. Much of this had already disappeared when I came to know of it. Various forms have been seen which seem made by hand; and having the authority of chief magistrate, *justicia mayor*, I went to seize them in case a greater portion than that assigned from the regular mines might belong to your majesty, for these are found alone and buried scarcely a fourth to half a yard. This decision his excellency the viceroy must make, which on this occasion I make in accordance with the ordinances. When I arrived at the place they were already so depleted that afterward hardly ten or twelve *arrobas* were found, but some mines are being discovered in other hills.

This discovery has caused such surprise that all prudent and capable men have assumed that God has permitted it that with this incentive they will penetrate and establish the standards of our redemption and that the happy day might come for as many heathen as some accounts say. There is an enclosure, about which I am also consulting your excellency, and I am ordering a domestic whom I am sending to Mexico to give a copy to your illustrious lordship, It is unnecessary to say that your very illustrious [lordship] will cooperate with your holy prayers and other activities so that the enterprise may begin and be successful, for what you desire and do for the winning of souls is well known. For this purpose I ask and beseech the Divine Majesty to grant to your illustrious lordship very long years in excellent health and in greater promotions. From this presidio of Santa Rosa de Corodéguache, January 7, 1737. Very illustrious and reverend sir, your most attentive servant Juan Baptista de Anssa who venerates you, kisses the feet of your illustrious lordship.
Most illustrious sir,
Dr. Don Benito Crespo
of the Order of Santiago.

24. The *arroba* weighed about twenty-five pounds.

A VIRGINIAN IN NEW MEXICO IN 1773-74

BY F. W. HODGE

A book by John Lewis Peyton, LL.B., F. R. G. S., was published in London in 1867 under the title "The Adventures of My Grandfather. With Extracts from his Letters, and Other Family Documents, Prepared for the Press with Notes and Biographical Sketches of Himself and His Son, John Howe Peyton, Esq." There is nothing in this title to suggest even a remote interest in the subject-matter to New Mexicans; yet aside from the biographical accounts of distinguished members of the Peyton family of Virginia, much of the book is devoted to the vicissitudes suffered by John Rowzée Peyton, the grandfather of the author, while a prisoner of the Spaniards, especially during his confinement in Santa Fe in 1773-1774.

Although some doubt has been raised as to the truthfulness of the Grandfather Peyton's letters, especially by reason of their lack of detail respecting the country traversed, rather than being intended for publication, they were designed to explain the reasons for the writer's long absence and to assure his family of his personal safety, with some account, of course, of the ordeal through which he had passed. By the time he reached the Jornada del Muerto, Peyton had become so inured to suffering that a little more of the same kind was evidently not regarded as noteworthy, although travelers in later times ever commented on the rigors of that inhospitable stretch. The whole journey to Santa Fe, where he was long incarcerated, was one of extreme trial and tribulation.

The subject of the sketch was born at Stoney Hill, the family estate in Stafford county, Virginia, May 16, 1751,¹

1. For the date of his birth see pages 1, 176, 177 of the work.—F. W. H.

and was graduated from William and Mary College in 1772. Of an adventurous nature, he set sail from Alexandria on the Potomac, May 23, 1773, for Jamaica, arriving at the port of Tichfield on June 17. In the following month he wrote from Cartagena, Colombia, where he had lost an uncle in the abortive attempt by the British to capture that stronghold twenty-two years before. Late in September we find him in New Orleans.

While in Jamaica young Peyton had engaged a mestizo servant named Charles Lucas, who, he says, possessed "in a modified form, the physical peculiarities of the North American savage. Having the copper skin, small, fierce black, penetrating eyes, barely separated by the nose, round forehead, high cheek bones, prominent sharp hooked nose, elongated skull, small mouth, and thin compressed lips of the Virginia Catawbas," etc. Charles was destined to play an important part in the subsequent events.

Peyton's wanderings were all related in letters addressed to his father, the most important of which, to the student of New Mexico, were written at St. Louis in May, 1774, after months of hardship better recounted in his own words.—F. W. HODGE.

"I hasten, upon my arrival here, *en route* for Virginia, from a long captivity among the Spaniards in New Mexico, and an extraordinary journey through the wilderness to this place, to inform you of my safety. I would content myself with this simple announcement, if I could thereby place this letter the sooner in your hands. As this is impossible, I shall employ my leisure while recruiting my health and strength, by writing you an accurate and faithful narrative of the leading incidents and extraordinary vicissitudes of fortune which have chequered the whole series of adventures which have befallen me since my letters of August, 1773. Under the pressure of accumulated afflictions, my mind has been ceaselessly goaded by the thought of the gloomy depression, the harrowing grief my absence

and supposed death must have inflicted upon my dear mother and yourself. My very heart has been wrung by this sorrow. All is well, however, that ends well, and now that I have emerged from the 'sea of trouble' which threatened to overwhelm me and am approaching home, my spirits are elastic and my mind and body reinvigorated. Insensibly I am recovering from, if not forgetting the barbarities and cruelties I have suffered.

"Immediately upon my arrival at this place I was met by a Mr. Malet,² an English gentleman residing here, who had heard of my coming from an Osage warrior, who preceded our canoe down the river. In the most kind and hospitable manner he insisted upon my living at his house, instead of the inn, where I was proceeding to take up my quarters. His manner of asking was so engaging, interesting, and impressive, that I found it impossible to refuse him. Under his hospitable roof I shall remain while here, and from its shelter I write you this letter. It is a plain house, erected of timber, but the most unaffected hospitality and generous benevolence invites and spreads the board, and politeness and affability preside over all. Never shall I forget it - never shall I think of it without gratitude and esteem.

"The day after last writing from New Orleans we set sail from that place, bound for St. Augustine in East Florida. Our vessel was the 'Swan,' Captain Jones. No adventure overtook us worth mentioning till five days thereafter, when in the Gulf of Mexico. Here, the winds becoming adverse, we were driven from our course. These gales soon increased to the fury of a hurricane, during which our sails were split in shreds, and our main-mast went overboard. Had we been left to ourselves, we must have perished. When, however, our destruction seemed impending we were descried by a Spanish vessel which hove in sight, bound

2. Possibly one of the Mallet family, two brothers of which commenced the Santa Fe trade in 1739.—F. W. H.

from Havannah to the Rio Grande or Rio del Norte, in the province of New Mexico. We hailed this vessel as a deliverance, a special mark of the favour of Providence to rescue us from a watery grave, and made every signal of distress to attract her attention. The Spaniard bore down upon us, and, sending hands on board, succeeded in saving crew and vessel. We soon learned that we had been snatched from the jaws of death only for a probably more terrible fate. The Spaniards, to cover their piratical designs, now charged that we were French enemies, and, without more ado, the vessel and everything in it was declared confiscated to the use of the King of Spain. With the rest, I was robbed of every valuable. Putting a few hands upon the 'Swan,' they soon repaired the damage she sustained from the tempest. This was easily done now, as the storm had partially subsided, and, when completed, the two ships proceeded together towards the Rio del Norte. The captain of the Spanish ship, pretending he was short of provisions, scarcely supplied us with sufficient food to sustain life. To every complaint we made for food, they replied that the stock on the 'Swan' was damaged and had been thrown overboard. Several days after this event we arrived at the mouth of the Rio del Norte, and were landed. Three of the crew of the 'Swan' were so reduced by disease and starvation, that they died within five hours of our arrival. We were here placed in the hands of the Spanish authorities, who imprisoned us in forts made of bricks dried in the sun, while the vessels proceeded up the river. The food here doled out to us in insufficient quantities, consisted only of a small measure of parched corn and a little fruit. The officials had the grace to intimate, as they were scarce of meat, if we chose to butcher, we might eat a lame mule, which broke down on a journey from the interior, and was left there to die by its owner, a fur-trader. In our emaciated and starving condition we felt there was no alternative and accepted their bounty. The mule was soon slaughtered

and some of its tough flesh dressed. In my then famished condition, however, I thought I had never eaten anything, so savoury and delicious. Strange as it may seem, the flesh of this animal, though only seasoned with coarse salt, agreed with us and appeared to infuse into our frames new strength and vigour. We were confined at this point a fortnight, our party of nine living the while upon the flesh of the animal. The preparations of our captors to conduct us to the interior were then completed. For the first time we were informed that we must proceed on foot a journey of eighty-nine days to Santa Fé, the capital of the province of New Mexico. The longer I knew and the more familiarized I became to my Indian servant, the more satisfied was I of my good fortune in having engaged his services. His character disclosed much better traits than his first appearance bespoke, and I began to have perfect confidence in him.

“Up to this period my travels had laid through countries under the authority of Europeans, their laws and customs; and consequently little presented itself respecting human nature of such novelty as to excite admiration, or awaken curiosity. In Jamaica, at Carthagera, in Louisiana, in fact, in all the various places through which I had passed a certain parity of sentiment, arising from the one great substratum, Christianity, gave the same general colouring to all the scenes, however they might differ from each other in their various shadings. I was now, however, about to enter an almost unexplored region, and to contemplate man under a variety of forms and complications entirely different from those to which habit had familiarized my mind. I therefore contemplated with pleasant excitement, the prospect of travelling, notwithstanding the terrible circumstances under which I should accomplish it, as a prisoner in chains, hundreds of miles through the immense and almost trackless wilds of a country inhabited by savage tribes, and semi-civilized Spanish half-breeds, with-

out the consolation of any other companions in my journey, than a few miserable partners of my imprisonment, fatigues, and perils.

“The following morning we set forth upon this long journey, under an escort of twenty wild bandit-looking Mexican horsemen. Manacled and ironed together, two and two, we made the first day in the scorching sun twenty-six miles through a sandy desert, covered with cactus, endemis, yuccas, helianthoides and wormwood. My feelings, which were altogether of the most unpleasant kind, served as a stimulus to my mind, and increased my anxiety to get forward. I therefore pushed on as rapidly as if I anticipated life and liberty, instead of assassination at the end of my journey. To my no small satisfaction I was bound to my servant Charles. I preferred the society of this faithful half-breed, to the coarse companionship of a filthy French sailor. My mind was under the dominion of a gloomy presentiment, was, as Shakspeare emphatically says, ‘A phantasm, or a hideous dream - and my little state of man suffered, as it were, the nature of an insurrection.’ Such was the chaos within me, that I seemed beyond the power of discriminate reflection. I found in my case, as I believe it is universal, that human sufferings, like all other things, find their vital principal exhausted, and their extinction accelerated by overgrowth; and that, at the moment when man thinks himself most miserable, a benignant Providence is preparing relief in some form or other for him. So it was with me, and I found the labour and fatigue of the journey something which beguiled me insensibly of the gloomy contemplations in which I was previously absorbed, and afforded my tortured mind a temporary suspension of pain.

“At night, we were confined in the stable of a small farmer, and guarded by sentinels. The Mexicans knowing we could not continue our journey without proper food, supplied us freely with Indian corn meal, from which we

baked bread in the hot ashes, and jerked beef. Travelling in this way, we proceeded up the river for three weeks. About this time, two of our party, overcome by fatigue and sickness, (for they had been suffering with fever and dysentery,) fell insensible on the ground from sun stroke. Here they were left to expire in the broiling sun. Fearing, no doubt, that all of us would die in this way, and that they would thus lose the reward promised for safely conducting us to the capital, they hired, this day, seven pack-horses for our use. We were each set upon a horse, on a wooden pack-saddle, and our arms tied behind us, and our legs under the horses' belly. Then placing a bell around the horses-neck, and taking the bridle, they drove us before them for ten days. We were thus preserved from slow death, as we were from immediate slaughter at the hands of these bandits, by the hope of reward for our safe delivery in Santa Fé. During this time they did not fail to insult us in the most wanton manner, and visit upon us the greatest ignominies and most unaccountable cruelties. There was no restriction to deter them from indulging their bad passions in this manner. As they had only engaged our horses for ten days, they determined to make the most of them, and we only halted for their necessary refreshment - I mean the refreshment of the bandits and horses - for they gave us nothing beyond our allowance of bread and dried beef. Every night we were compelled to lie upon the bare ground, but fortunately the wet season had not set in, and we only suffered from the heavy dews. In this inhuman, barbarous manner, we travelled 350 miles, passing many places, where, with the utmost difficulty, our guard prevented the savage inhabitants from murdering us in cold blood. Though they preserved our lives for the sake of the reward, they made no effort to protect us from the most cruel and mortifying insults and maltreatment at every inhabited place where we halted. Several times we were actually exhibited to the people, men, women, and children, as a public show,

and as if belonging to a different species of animal from the *genus homo*. The most inveterate hatred of and prejudice existed against the French, who were supposed to cherish designs of conquest, and a disposition to exterminate the Spanish race. Besides hearing that some of our party were Protestants, their religious hatred was aroused against these, and everywhere we were called 'hogs;' they sneered at and abused us *ad libitum* and *ad nauseum*. They hissed at us '*Crees in Dios!*' '*Crees en este!*' '*Creese en este!*' '*No! no!*' '*Ah Judío!*' '*Barbaro, Bruto!*' '*Protestante!*' '*Puerco!*' '*Voia al los infernos!*' which is in English: 'Do you believe in God?' 'Do you believe in this?' 'Do you believe in this?' 'No!' 'no!' 'Ah Jew!' 'Barbarian Protestant!' 'Hog!' 'Go to hell!' Often they approached near, seeking an opportunity to stab us with their daggers *por amor de Dios*. Our mercenary guides alone preserved us from the stilettoes of the mob, but I already entertained apprehensions that the pious fathers of the church would, when a favourable occasion presented, conscientiously consign us to the inquisition, and then to the flames. How different was the end! Those we expected to ruin became our deliverers.

"Giving up the pack horses at the end of ten days, we continued our journey on foot, for sixteen more, until the 29th of November, 1774 [1773], when we arrived at a kind of fort or settlement on the river, six days' march from Santa Fé. Our shoes, with the exception of a single pair, were gone several days previous to this - one pair after another disappearing, until no one possessed any but my servant Charles, who continued to bear up, in the midst of our sufferings, with the indomitable pluck and spirit of the American Indian. He often insisted on my using his shoes, going the length of taking them off and walking in his naked feet, saying he would not use them while I had none. I refused persistently to appropriate them, being unwilling in our then miserable condition, to accept such a favour from a human being, in no better condition than myself.

When we marched in the Spanish fort bare footed and ragged, Charles still carried his shoes, to the no small surprise of the Spaniards, who were ignorant of the noble motive which caused this singular conduct. This simple act of a poor, uninformed, half-breed, had more of the true and essential spirit of Christianity in it, than half the ostentatious charity of the world. It was based upon kindness, disinterestedness and delicacy, and struck me more forcibly than all the acts of beneficence that I ever met with.

“For some reason, which I never understood, we delayed at this place seven days. We were all confined in one room, under a strong guard, suffering daily every species of insult, and in danger and dread of being murdered every night. Crowds of half-savage Spaniards assembled daily about our prison to denounce vengeance against us, and to launch at us every bitter reproach, every filthy epithet and every horrible imprecation in their vocabulary. They boasted too of their patience and forbearance, which fortunately enabled them to refrain from annihilating us at once. After this delay, we resumed our journey, and though I was suffering from dysentery and consequent weakness, and my whole body was lacerated with pain, and my mind distracted with doubts and difficulties, arrived with the residue of our dispirited party in Santa Fé. The last 300 miles of our journey was through a beautiful and fertile country, to the charms of which, however, the agony of my feelings rendered me almost insensible. In Santa Fé we were delivered to the authorities, who subjected us to a rigid and barbarous imprisonment. My feet were swollen, blistered, and bleeding, and gave me such intolerable pain, that for nights together I could not sleep. My prostration was such that I could not have gone another day’s journey, though life and liberty had been my reward. My dysentery continued, and I found myself seized with a violent bilious fever, here called a seasoning or acclimatizing fever, which brought me to the verge of death.

I had no nurse but my faithful Charles, no food fit for a sick person. Nature and a good constitution were my only physicians and medicines, save a few simple drugs, which were clandestinely conveyed to me with directions for their use by Father Lopez, a Catholic priest, whom Charles (who, by-the-bye, is a Roman Catholic in faith,) had managed, during the priest's visit to the prison, to interest in my fate. My illness made me quite delirious and helpless for ten days, and it was five weeks before I was out of danger. For some time after this I was so weak and low, that I had scarcely strength to walk across the room. The jailor's daughter, Annetta, who was now much interested in our behalf, by the intercession of the priest, privately furnished me with suitable food for a convalescent—such as broths, fruit and the like, and I regained my strength with rapidity. You can scarcely believe this possible, when I tell you that the iron and wooden doors of our cell were constantly locked and chained, no one even in the prison being allowed to speak to Charles or myself - (we were alone in the ward,) nor to answer any question if we called to them; that I was on my recovery, restricted from the use of pen, ink, and paper, and allowed not the smallest communication with any human being but my poor servant; that I had no chair, table, bed, blanket or straw, and was obliged to lie upon the bare floor with a billet of wood under my head. Sometimes we were left by the jailor two or three days together without food or drink. But for the good priest and his young female confederate, who came to our cell in the night, carrying her jar of water and her basket of supplies, we must have perished. For eight weeks I remained extremely lame and ill, without having changed my linen or clothes, save on one occasion, when I was supplied by Father Lopez. Indeed, it is strange how human nature could support all I endured. The climate, however, aided greatly in my recovery — the air of Santa Fé being dry, pure, and bracing. The heat in summer is not so intense as on the gulf, or in

the same latitude on the Atlantic, and is generally not greater than in the upper districts of Virginia, nor is the cold so great in winter as in Virginia. The mornings and evenings, even in the hottest weather, are always cool and pleasant. During the winter, snow lies upon high peaks of the Rocky mountains, but seldom remains longer than a few hours in the valleys and lower districts. No diseases have appeared since the settlement of the province by Spaniards, which can be said to be peculiar to the climate and country. The seasoning or bilious fever is only known in the country south of the 30th degree of latitude. My recovery from it is doubtless, in great measure, due to the rapidity with which we travelled north from the unhealthy districts on the Lower Rio del Norte. I feel from my experience at Santa Fé, that the chances of life are considerably more in our favour there than in the most healthy parts of the continent east of the Rocky mountains. Colds, which are sometimes taken during the winter, never prove fatal without the greatest neglect. The seasons are mild and agreeable, the atmosphere constantly pure and elastic; and the sky clear, unclouded and brilliant.

“But I must proceed with my narrative. Every night of my confinement in that dreary mansion of wretchedness and misery at Santa Fé, my sleep was disturbed with the most dreadful sounds and horrible noises. These proceeded from the clanking of chains, the rattling of massy keys, the creaking of iron doors upon their rusty hinges, the resounding of bolts and bars, and above all the shocking screams and howlings of the unhappy wretches confined in this frightful den. If the racking pain and parching thirst of my fever had allowed me any sleep, I could not have enjoyed it for the frightful noises, which constantly broke upon the stillness of the night. I was much agitated too at this moment by learning that Captain Jones, who was confined in an adjoining ward, had committed suicide. I attributed this horrible act to his protracted sufferings of

mind and body, but could find no excuse, but insanity, for such a deed. If ever despair approached me, it was during my prostration in this cruel situation. I felt my life departing from me inch by inch, and even if spared by disease, could we hope to escape assassination. I thoroughly comprehended the blood-thirsty dispositions, the vindictive barbarity of our captors. The reward once paid for our safe delivery in Santa Fé, I knew our lives depended entirely upon their whims and caprices. Nevertheless my resolution did not abandon me. I summoned to my aid religion and philosophy, and while I could not understand why I was so much afflicted, firmly believed that all my calamities were brought upon me by an allwise and merciful providence as a beneficial trial, as it were as an exercise of my virtue. Composing myself as far as was possible, I determined to await the result with patient fortitude. My efforts to bear myself with a steady and perpetual serenity, exercised the most beneficial influence upon my faithful servant, Charles, who was so far overcome, that he occasionally gave way to something like despair. The vague hints of our escape or receiving succour, which I occasionally let fall, merely for the purpose of reviving his strength and hopes, broke like flashes of lightning through the gloomy clouds which enveloped his soul, and kept up a kind of daylight in his mind. Still further to benefit him, I spoke of Captain Jones' suicide as the act of a coward, with no dependence upon himself and no faith in God. I sought to elevate Charles' sentiments, to so regulate his mind that trust and hopefulness might become permanent parts of his disposition. I asked him to remember what obligations we were under to Providence for the incalculable blessings we enjoyed, and not to forget that the visitations, which sometimes overtook and almost crushed us to the earth, are often dispensations of mercy, sent to try and purify us. I said we should meet them with composure, and thus cooperate with providence in its designs, and not provoke

further displeasure by querulous discontent and presumptuous doubts. In other words, dear father, I sought to impress in my poor way upon my excellent Charles some of the moral lessons you have so often inculcated by your teachings and examples, and which my experience has taught me to be founded in wisdom — that wisdom whose 'ways are ways of pleasantness, and all whose paths are peace.'

"After several weeks' illness, I felt my fever abate and the worst symptoms of the disorder disappear. As I slowly regained my bodily strength, I recovered the full tone and vigour of my mind; I felt my spirits increase, my resolution become more firm, my hopes more sanguine, and while scarcely able to make on foot the tour of my chamber, commenced revolving plans for extricating myself from prison. There is a spring, an elasticity in every man's mind, of which the owner is rarely, very rarely conscious, because fortunately the occasions seldom occur in which it can be brought to the proof. My deplorable condition even now, and the earnest intercession in my behalf of Father Lopez and the jailor's daughter, moved the iron heart of that terrible man to pity; and Ximines said if I would make application to the Governor* for the privilege of walking during certain hours in the grounds, he would see that His Excellency received the petition. He observed that though ordered not to allow me pen, ink, or paper, he would send me a pencil and card. Accordingly I made my application to the Governor for this privilege for myself and my fellow prisoners, in Spanish, dictated by my servant and inscribed upon the back of the ace of diamonds. Much to my surprise the Governor ordered me to be brought before him, and to my greater surprise behaved towards me very politely. He made me many apolo-

*The Governor at that time was Pedro Fermín de Mendinueta, who served from 1767 to 1778.—F. W. H.

gies, through his interpreter, for the past, and promised me better treatment for the future. He requested me to give a full account of myself and my connection with the 'Swan.' This I did, claiming that I was unjustly imprisoned, whatever might have been the character of the vessel on which I was taken. I declared, however, my perfect conviction - in fact my positive knowledge - that the vessel was the *bona fide* property of British subjects trading to and from New Orleans, and was not the property of French enemies of the King of Spain. In consideration of which facts I asked that the whole of us should be liberated, and as we were in a distant and almost uninhabited country, without money, friends, or resources, that we should be supplied with the means of reaching our homes. I further added that if so disposed of by His Excellency, we would abandon any claim we had against the King of Spain for damages resulting from illegal seizure and false imprisonment, for robbery and ill-treatment. I made bold to add further that our fate could not be always concealed, and that when known would lead to the summary punishment of all those by whom we had suffered. That dead or alive we would be avenged by our government, and I suggested that all who had injured us ought to prepare for the wrath against the day of wrath. When I had proceeded thus far, His Excellency seemed fatigued and terminated the interview. I was reconducted to prison, and notwithstanding all the fair promises of the Governor, left in the same situation as formerly. The gaoler in fact told me, some days later, through Charles, that my speech to His Excellency had greatly offended that august dignitary. Annetta, the daughter, however, continued her hospitalities to us, and I now learned from Charles that though only fifteen years of age, she cherished a secret passion for him, which he returned: that during my absence at the Governor's they had a conversation and had sworn eternal fidelity to each other, and that Annetta had promised if we could effect our escape from prison to fly with us to 'other lands.'

“Three days after my interview with the Governor, the gaoler produced a paper, which he said was sent to me to sign, after which I would be permitted to go at large in the grounds, attended by my servant. He further said His Excellency had held a conversation with Father Lopez, who actively interested himself in my behalf, and that His Excellency was anxious to atone for the former severity of my imprisonment, by granting me any ameliorations not inconsistent with his duty to government. Upon having the paper translated to me by Charles, I ascertained that it contained an acknowledgment that the ‘Swan’ was a French vessel, engaged in illegal traffic, and that I was upon her in defiance of the laws of His Catholic Majesty the King of Spain, as also that we were properly or legally imprisoned, and had been treated with tenderness and humanity during our captivity. Made acquainted with the contents of the paper, I refused to sign it upon any terms. For three days it was presented to me for signature, and several threats used to induce me to subscribe my name. I persisted in my refusal, whereupon, they recommenced their barbarities. Wooden doors were put up against our windows to exclude the light and so as not to admit fresh air, we were not allowed the use of pen, ink and paper, which was furnished me during the time they were endeavoring to get me to sign the paper; no one whatever was permitted to see or speak to us, and for a week we were as effectually excluded from the whole world as if we had been in our graves. At this very time, however, a kind Providence was preparing relief for us, thus verifying the old adage ‘When distress is greatest, God is nearest.’ At the end of the seventh day Annetta managed to fetch us at midnight a jug of water and some coarse provisions, but for which we must have perished. Next day the good priest visited us, and seeing the wretched condition to which we were reduced, and despairing of our lives if we continued longer in this confinement, he induced Charles, who was a jesuit, to sign the paper. Charles also, without my knowledge, appended my name.

Our windows were now opened, and we were allowed the free use of the grounds for two hours during the day; these were hot, nasty and suffocating, and under the constant inspection of two sentinels. The indulgence, however, was so grateful to me, after my prison life, that I rapidly improved in strength. About this time the gaoler brought in an enormous bill against me for diet, candles, attendance, etc. I refused to pay the account, telling him with great truth, that I had no money; but that if his bill were reduced one half I would give him a draft on Alexandria which would be cashed in the Havannah, provided he procured me a substantial suit of clothes, linen, boots, and so forth for Charles and myself. I was exceedingly anxious to draw such a check upon your agents in Alexandria, as I thought it the only possible way to advise you of my existence and whereabouts. At first he refused to abate a tittle of his bill, but finally consented when I agreed to pay five hundred Mexican dollars for the outfit for myself and servant. Charles had spread exaggerated reports of my wealth through the community by means of the priest, who from the most benevolent reasons determined to relieve us from captivity; and a Jew by the name of Paul Levi,

“ ‘A hungry lean-faced villain,’

who agreed to furnish us the outfit upon the sum being included in the gaoler's order. A bargain was thus struck, and we were soon comfortably clothed for the first time in many months. Projects and hopes of a new kind now began to intrude themselves on my thoughts, and I conceived a design to affect an escape and mentioned it to Charles, who was roused into new life by the prospect. After many conversations we determined to consult Annetta. Of course she became our accomplice, so ardent is the flame of liberty in every breast, such is the detestation of every human being to slavery. After a consultation conducted, as to Annetta, hurriedly, and from time to time, as she found opportunity to speak to us, when fetching our supplies of food, upon

the *quo modo* of our escape, it was determined, if possible, to gain the co-operation of the Jew. Annetta was instructed to offer him a bribe of £500 to furnish us three good horses, a pair of pistols and the tools necessary to break from prison. After much discussion and delay Levi was secured. My heart beat high with hope, and I began to flatter myself that the day was not distant when we should bid our tyrants adieu. To prevent suspicion, Levi purchased our horses at once, pretending they were for a journey he would soon take into the Southern country. I did not afterwards regret the delay of two weeks, which now occurred, as my strength daily increased. Annetta was made acquainted with the spot where these animals were kept, constantly ready against such time as we might effect our escape. It was near the Jew's house, but far enough to enable him to hatch a plausible lie to the effect that they were stolen after we left. Annetta now brought us from the Jew some tools for breaking out, and we went to work nightly. With incredible danger, difficulty, and labour, we made way through the solid wall, cutting through a four inch oak plank. This brought us into the prison yard, but until we could mature a plan for passing the sentinels, we allowed the outer row of stone and its covering of plaster to remain intact. The principal part of this work was done by Charles, while I kept guard at the door to prevent detection. When however, he was exhausted and took his turn at the door, I worked with all my strength and will, and greatly to his admiration. He often said 'I hab no ideum Massa Peyton hab sich slight ob hand, sich strength - white man hard to beat.' While this work was occupying us, both our health and spirits improved, and I often thought of your remark, 'that the busiest and most laborious are generally the happiest and most successful.'

"As a Monsieur Blicq leaves here to-day, for Detroit, intending to travel thence to New York, I entrust this to

him to be there posted. You will thus be relieved of all anxiety as to myself, and will understand the cause of my drafts upon your agents in Alexandria, should they be presented for payment before my return. I am exceedingly anxious to proceed upon my homeward journey, and am only detained by the necessity of recruiting my health before I set forth again. I shall proceed hence this day week, and make my way through the new settlements in Kentucky to Western Virginia and thence by the Greenbrier to Staunton and Charlottesville. . . .

“Having provided a means of escape from our cell, we were now to consider a plan for passing the sentinels, who constantly kept guard over the outer gate. While weighing first one plan and then another, we were informed by Annetta that her parents would attend the wedding of a young friend on the 10th of March. On that night no one would be on the premises but herself, and two young brothers and the sentinels. Charles immediately proposed that we should enter the court-yard through the opening in the prison wall on that occasion, and take our chance of escape by falling upon and murdering the guard. This plan, however, being too uncertain of execution, and sure from the noise it would create to call forth the rest of the guard, and alarm the town, I dismissed it as not feasible. I had now become wonderfully prudent, for I saw that it was a crisis of more importance than any other of my life - a crisis in which haste, or too much delay, irresolution, or yielding to the ill-considered expedient of Charles, would be fatal. Having dismissed his proposition, it was suggested by Annetta that she should poison the sentinels in a cup of hot coffee, which she said they would be glad to get about midnight, especially as the weather was now quite cold. Charles was delighted with this proposition, and strongly urged me to agree to it. Upon reflection I rejected this scheme also, and suggested that instead of poisoning the sentinels, Annetta should content herself with drugging them, by put-

ting laudanum in their coffee. This, I imagined, would answer our purposes equally well, and preserve us from the stain of blood. Both were enraptured at my proposition, accordingly it was immediately determined upon, and Annetta instructed to prepare for its execution. Next day she obtained the opiate through the Jew, who pretended that it was to drench a sick horse. She was further directed to provide some jerked beef, a few bottles of spirits, and to advise the Jew of the night upon which we expected to escape. She executed every commission with which she was entrusted with prudence, and a skill beyond her years. When, since thinking of the discretion she displayed in these delicate matters, my mind has recurred to the words of Prospero, who says of Miranda -

“ ‘—She will outstrip all praise,
And make it halt behind her.’

The wedding night arrived, and luckily for the execution of our enterprise, we heard the ceremony of marriage was to be followed by a dance or fandango, as the Spaniards call it. The night was dark, and we awaited with breathless impatience the hour when the jailor and his wife would depart. As the clock struck eight, the turnkey made his usual circuit of the wards. He then informed the sentinels, since there was no occasion to open the cells during his absence, the prisoners having received their evening supply of bread and water, he should retain the keys in his custody. Annetta, however, said the turnkey, would remain in charge of his apartment, and in case his presence was required, he directed that she might be despatched to him at the fandango. With this the jailor, whose name was Ximenes, and who was as tyrannical, cruel, and infamous a villain as ever disgraced human nature, a wretch who could smile and murder whilst he smiled, sallied forth with his wife, who was his worthy companion in meanness and cruelty. It was now nearly nine o'clock, and Annetta came to our cell to whisper that all was ready; that she had provided provisions, spirits, &c., and only wished to know the least

suspicious way to offer the sentinels coffee. While talking, one of these fellows advancing, asked in a loud voice -

“ ‘What are you doing here?’ ”

“*Annetta*: ‘I was merely looking at these poor prisoners and wondering how long they could live under such cruel treatment.’ ”

“*Sentinel*: ‘That’s none of your business. They are French pirates, and had they met their deserts would have been hanged long ago. They are the worst kind of pirates, they wish to steal our land, to upset our authority, and to make themselves masters of this country, eh! my boys, (leering at us,) you’ve undertaken ‘a big job.’ ”

“By this time the second sentinel arrived on the spot and inquired.

“ ‘What’s up among ye?’ ”

“ ‘Oh,’ said *Annetta*, ‘I was merely asking these poor fellows, as this was a wedding night, whether they would not like to have a cup of hot coffee and a piece of sweet-bread, do permit me to give it them for the sake of our Redeemer.’ ”

“ ‘You little rogue,’ said the sentinel, ‘are you siding with our enemies?’ ”

“ ‘Naughty man,’ said *Annetta*, ‘don’t talk that way, what harm have the poor fellows done us. They are our brother human beings, let us for the love of the Holy Virgin sooth their misery for a moment, by a little supper. If you will let me give them some, each of you shall have a cup of coffee, a nice roll and a glass of rum to boot.’ ”

“ ‘Good, it’s a bargain,’ said the sentinels, ‘be in a hurry, my pretty one, get it ready, and let both coffee and rum be strong.’ ”

“*Annetta* disappeared, and in a half hour brought us coffee, having upon the same platter two cups heavily drugged for the guard. These fellows no sooner snuffed the delicious aroma of the fragrant berry than they advanced and helping themselves to a buttered roll, quickly gulped

down, both roll and coffee. Not satisfied, they asked for more, which Annetta quickly brought, after having drugged the second cup as heavily as the first. The lazy sentinels then returned to their post, saying pray don't forget the rum.

" 'Remember,' said one, 'you promised rum and strong to boot.'

"About five minutes after, one called -

" 'Annetta, hurry with that rum, our supper has made us drowsy. Some rum to wake us up.'

" 'Yes, Signors, ready in a moment,' said Annetta advancing with two glasses of drugged spirits.

"A few moments after this, both sentinels sank upon the ground in lethargic slumbers. In a few minutes the outer covering which had concealed the opening we had made in the prison wall was demolished, and we were in the court. Annetta, who had tied the ribbon of her bonnet under her chin, carried a heavy Spanish cloak and a sack with provisions. Charles took charge of the cloak and sack, and availing ourselves of the condition of the guard, we each appropriated a musket and ammunition from the sleeping enemy - indirectly from the stores of His Majesty the King of Spain - *finis coronat opus*. Thus armed and equipped, we groped our way through the streets, there were no lights in Santa Fé, to the outskirts of the town, and were conducted by Annetta to the Jew's stable. In this building we found Levi on guard, with a dark lanthorn, paper, writing materials, &c. When about to draw him a draft upon Havannah for the £500, he agreed to accept as full compensation for the horses and equipment, and the aid thus far extended to us, he refused to receive the sum, and quick as thought gliding out of the stable, closed the door and turned the key upon us. For an instant we were confounded by this manoeuvre, not knowing what it meant, I had only a moment to restrain Charles, who was about to fling himself against the door saying. 'Hold! to all the liv-

ing there is hope; a living dog is better than a dead lion,' when we heard Levi clearing his villanous throat preparatory to a speech:

" 'Now,' said the Jew, speaking from the outside, 'keep quiet, or you will alarm the town, or I will alarm it for you. I have dealt fairly and squarely up to this time, and will do so to the end, only you must be reasonable, and deal fairly and squarely with me. For the great risk I run, for the horses, bridles and saddles, the pistols and food I have provided at great expense of time and money for your use, £500 is no fair equivalent - is not the right figure. Draw the check for a thousand, and hand it through this crevice, and you are at liberty to depart instanter. Refuse compliance, and I shall raise the alarm, and you'll return to prison, and before to-morrow's sun goes down you'll dangle from a tree; make the acquaintance of hemp cord.'

"After a few moments' hurried consultation, seeing the wretch had us 'upon the hip,' I promised to draw the check as he desired. I only asked that he would open the door first and let us prepare to move, and to show that he was honest and willing to confide in us.

" 'No, Sir,' said the Jew, with a smiling cheek. 'It is better to do well, than to say well. Time is shortening too, say at once, will you write the check for £1,000 or not?'

"I thought if the mountain will not come to Mahomet, Mahomet must go to the mountain, in other words, no alternative being open to acceptance, I agreed to his extortion, and while writing the check, Charles got the horses ready, as if not doubting the Jew's integrity. Meanwhile Annetta threatened him with the dire vengeance of her family, in case of failure in the issue of our exploit.

"Levi examining my check, and seeing it was in due form, and for £1,000, at sight, and without grace, placed it in the innermost recess of his pocketbook, and opened the door. Ten minutes after I 'did void my rheum upon his beard,' we were half a mile from the town in a canter, to-

wards the lofty peaks of the Rocky Mountains. Among the articles provided me by the Jew, was a small pocket compass, for which I had specially stipulated. It was by means of this tiny instrument I intended making my way across the Great Western plains, to the mouth of the Pohnenous or Missouri river, which I knew to be in latitude $36^{\circ} 10'$ longitude $90^{\circ} 5'$. Urging our horses on at the top of their speed till morning, we were with the first blushes of Aurora, about forty miles from Santa Fé, in the midst of the Rocky Mountains, perfectly safe from any pursuit or any apprehensions of pursuit.

“Our direction was towards an unexplored region; the roving tribes of savages who inhabited it, were hostile to the Spaniards, and in the depths of winter, few would think of attempting to cross the mountains without a guide or pathway - such were the grounds of our fancied security. Finding at dawn that we were involved in the mountains, we rested four hours, during which we made an excellent breakfast from Annetta’s supplies; afterwards tethered the horses on the grassy banks of a stream, and set out on foot in search of a feasible, route across these high and rugged mountains. For three days we were engaged in this arduous undertaking, and finally succeeded; principally through the energy and activity of Charles, who is by the way as active as a kid, and as strong, patient and enduring as a donkey.

“Setting out from our first camping ground on the 9th of February 1774, we made our way to the heights of the mountains, and on the 11th, were at their eastern base. As well as I could form an idea of the height, we were 6,000 feet above the level of the sea, but there was little snow, and what there was lay upon the peaks above us. The air from the west during the day was mild, and during the night, not intensely cold. I attributed this fact to the remarkable mildness of the climate west of the mountains. Only after receding from the mountains travelling N. E.,

did we experience severe cold. During this time we saw no Indians - at this season they migrate to a softer climate, and better hunting grounds. The abundance of game, however, was truly surprising. Among the wild animals is a goat which is very shy, and keeps upon the highest spots. We saw daily the bear, (of a huge size too, are the bears of these regions), the wolf, the bison, elk, deer, beaver, racoon and other species of wild beasts. We were too anxious, however, to get to the plains east of the mountains to take any heed of these. None made any attack upon us; all fled at our approach, such is the terror inspired among the beasts of the field, by the face of him, whom God has given 'dominion over the fish of the sea, the fowl of the air, and over the cattle, and over all the earth, and over every creeping thing that creepeth upon the earth.'

"It was our singular good fortune, too, not to have had up to this time any snow or rain, but we now saw clouds gathering in the sky, and were brought to consider the necessity of providing shelter. I observed also that our provisions were rapidly diminishing, and that there was urgent necessity for a renewal of our supply. I accordingly determined to halt in a cavern which was discovered in the side of the mountain, until such time as we could make provision against these contingencies. The same day (11th of February) we shot two large deer, and, taking off their skins, stretched them upon poles to dry. The 12th and 13th it rained incessantly, but we cared little for this, remaining in the cavern engaged in half-cooking, by a huge wood fire, the venison we were to take on the journey. Annetta was very expert in this operation, and by the evening of the second day we had nearly a hundred pounds of dried and charred meat ready to be packed for future use. The skins of the deer were also 'cured' by the fire, and the two sewed together, making a kind of tent, sufficient to protect us, with our blankets and the Spanish cloak, from rain. We determined, however, the next day, to secure two more

bucks, and thus provide ourselves a more commodious tent. During the three days we remained here in these preparations, our horses, who found an ample supply of succulent grass in the ravines and on the banks of the streams, improved in flesh and spirits. On the morning of the 15th we set forth, determined to make, as near as we could guess, thirty miles a-day, and not more, to prevent breaking down the horses, which we estimated would bring us in forty days to St. Louis. We proceeded for twenty-one days without the slightest accident, and without meeting a human being, crossing one great river, which I presumed was the Rio Rouge of Arkansas. We estimated, when we had reached the golden sands of the Rio Rouge that we had made quite one-half of our journey, and could not be more than 600 miles from our destination at this point. Our route had been as near as possible in a straight line, uphill and down hill, following the sinuosities of the country like the Chinese wall. There were few difficulties to be encountered, as the country is generally a level, fertile plain, stretching down from the mountains to the Mississippi. The principal chain of the Rocky Mountains throws out numerous ramifications of greater or less proportions, east and west. In the great water-shed or basin between these mountains and the Mississippi vast quantities of water are accumulated from rain and the melting snow of the mountains, which roll on in mighty rivers to the Gulf. The largest of these rivers is the Missouri, Potomac, or mud river, whose course has not been discovered, and the second the one we passed in our journey hither, the Rio Rouge, or Red River, of Arkansas, which is of vast extent, placid and beautiful beyond description, where we saw it.

During these three weeks we slept in our tent comfortably, and subsisted almost entirely upon dried venison, without salt, taking only occasionally at night a gill each of brandy.

“Living after this manner, and riding thirty miles

a-day, one would have supposed our strength failing, but on the contrary, I felt my health and vigour constantly improving, and I never saw Charles and Annetta in higher spirits. Our horses were tethered at night near our tent, and large fires kept burning round the spot to frighten off wild beasts, who abound to such an extent in this terra incognita, that we passed no night which was not rendered hideous by their screamings and howlings. The weather was now much colder, and I saw indications of an approaching snow storm. I determined, therefore, as our supply of provisions needed to be replenished, to call a halt. This was upon the 10th of March, and as near as I could determine our position, from an old French map, which I carried, we were upon the upper waters of the Missouri. Selecting a well-sheltered spot on the side of a hill covered with trees, we soon excavated, with our bayonets, a kind of chamber in the cliff, the front of which was covered with our deer skins. We were not an hour too soon, for a furious north wind and snow storm set in, and lasted two days, when the ground was covered two feet deep. We were now in a terrible position, for which we had scarcely provided. Our horses almost without food, we feared must perish. Unwilling, however, to part with them till obliged, we turned them loose to seek a subsistence among the shrubs, twigs, and mosses of the forest. The day after the storm subsided, the sun appeared in unclouded majesty. I sallied forth attended by Charles, in search of game. This we found without stint, many deer and other wild animals having sought shelter in the same skirt of timber with ourselves. This was a great blessing, and we fervently returned thanks to Providence for thus providing us with the means of subsistence. We shot two deer and a young buffalo, the butchering and drying of whose flesh occupied us a week.

“During this time we nightly called up our horses who managed to subsist in the forest. We were delighted, too, to discover about this time a great abatement in the cold.

I still thought, however, as we were in a dry spot, with a stock of provisions - such as it was - it was better to continue for the present where we were. We did not move till the 21st of March, when the snow had almost disappeared. Then, setting forth again, we found our horses so enfeebled by their scanty fare, that we could scarcely make twenty miles a day. They were only enabled to do this by reason of the trouble we took to find for them sheltered spots every night on the banks of streams, where there was green and young pea vines for their nourishment.

“On the 2nd of April, when, as we supposed, about four hundred miles from St. Louis, in attempting to ford a stream, which was much swollen by the melting snow, Annetta’s horse was suddenly tripped up and swept away by the current. The courageous girl, who was a good swimmer, rose on the waters like a duck, and after some trouble, was rescued. Charles could render no aid, as he had gone to the opposite shore. Our custom had been for him or myself to first cross a stream, then Annetta, to be followed by the third. Placing Annetta upon my horse, she now passed safely, I holding the while by the horse’s mane, and wading or swimming according to the depth of the water. From this point we proceeded on our way, alternately having Annetta behind on the crupper of our horses. We were now following the course of the stream, which I was sure must be a tributary of the Pohitenous. We had also come into a country where there were many Indian settlements, though at long distances. Whenever we descried these, we gave them in the language of navigators, ‘a wide berth.’ On the 18th of April, we lost a second horse from exhaustion, and surrendering our last to Annetta, continued the journey on foot, till we reached the Pohitenous, on the 28th of April, after a journey of 1,300 miles, as near as we could estimate it. Here the last horse was so completely jaded that we abandoned him, determined to make the residue of the journey as best we could.

“The number of Indians had now so much increased, or rather, we had come so much nearer the town and villages of those inhabiting the Pohitenous country, that without horses it was impossible to avoid them. Indeed, on horseback, I do not think we could have done so. The next day we entered a village, where we found only old men, women and children. The men had already gone forth to wage war against a tribe known as the Ajoues. The tribe among whom we now found ourselves was the Osage, above them were the Canses and Grandes Eaux tribes. Those over whose territory we had passed, were the Piantias, a wandering tribe, and the Arkansaws.⁴ We were hospitably treated by the Osages, and exchanged one of our muskets for a bark canoe, in which I determined to float down the river to St. Louis, and we also procured some provisions consisting of hominy and bison’s tongue. I found it not only desirable but indispensable to adopt this plan of reaching St. Louis, as I was now almost helpless from an attack of rheumatism brought on by cold damp clothes, exposure, and want of suitable nourishment. An old Osage Indian agreed to accompany us to St. Louis for a case of rum, which I was glad to promise him, as his presence would save us from annoyance by the savages. We embarked in our little canoe upon the Pohitenous, which is the most turbid river, I suppose, in the whole world, but by skilful navigation kept clear of all obstacles, and safely arrived here in a fort-night. The land on the river is very fertile, and stretches away in boundless plains, covered in summer with the most luxuriant growth of grass.

“St. Louis, the post where we remain, and of which I must say a word before closing, is, as you know, the capital of Upper Louisiana. It was founded about the year 1763, by a company of fur traders from New Orleans. Thirty-one years before this (in 1732) the French established a

4. The Ajoues are the Iowa tribe; the Canses are the Kansa or Kaw; the Grandes Eaux are identified with the Pahatsi, one of the three divisions of the Osage; the Piantias were the Peoria; the Arkansaws are the Arkansa or Jua-paw.—F. W. H.

colony in Illinois with the ultimate design of uniting, by an extensive line of military posts, Canada and Louisiana. In this year, however, (1763) Louis XV ceded the French North American possessions (or rather the remainder of them) to Spain. It was not till 1768, however, that Upper Louisiana fell into the hands of the Spanish, between four and five years after the tragical events I mentioned in connection with the operations of General the Count O'Reilly at New Orleans. Pardon me for indulging in this historical recital of events with which you are doubtless far more familiar than myself.

"It is situated upon a fine table-land lying high above the Mississippi, originally covered, as much of it still is, with forest. It has received a large accession to its population from French Creole and Illinois emigrants, and is now rapidly becoming a place of importance. It is sixty miles above another settlement called St. Genevieve, which is the only French post on the right bank of the river, until Lower Louisiana, a thousand miles off, is reached. When I leave here, it will be for St. Genevieve, en route for the Kentucky settlement."

"Of the valley of the Rio del Norte, I shall have little to say. This country has been visited and described by numerous French and Spanish travellers. My brief space must be given to a hurried description of those vast solitudes lying between the Rocky Mountains and the Mississippi. Of the valley of the Rio Grande, I may say briefly I was pleased with its fertile appearance, and delighted with the serenity of the air. The soil is a sandy-loam, very light, and highly productive.

When irrigated, it produces two crops a year. Yet, notwithstanding the extreme fertility of the soil, the bad administration of government, conspiring with the indolence of the inhabitants, leaves it unpopulous and uncultivated. Producing corn, wine, oil, fruits, cotton, and all the

necessaries of life, under a proper system of agriculture and of laws it would become an earthly paradise.

“Advancing up this valley I saw many horses, mules, oxen, sheep and goats feeding in the open air. These herds constitute the chief source of wealth of the inhabitants; more interesting were several ruins at Quivira, where we remained the night indicating, as they do, a former civilization. I was permitted to make a short examination of them, on promising to pay 5 dollars at Santa Fé, where I hoped to raise a loan. I was informed that they were the ruins of the Aborigines, but I do not think so. The slight view I had of them was enough to convince me that they were of Spanish origin. On the journey we suffered greatly from the heat, which was sometimes in the day, 100° F. in the sun. The temperature of this province varies, however, with the latitude and the nature and height of the tablelands.

“As I approached the post of Santa Fé, I was struck with a mixed sensation of surprise and delight at its appearance. The first view is really enchanting. It is situated upon the slopes of hills, and the green fields and luxuriant foliage in which it is embosomed, even at the advanced season of our arrival, gave it a most lovely and picturesque aspect. The surrounding meadows, which are green and beautiful, even in winter, are ornamented with many magnificent flowers, crimson, scarlet, white, pink, and purple. A nearer approach to the town destroyed the charming vision, the houses are low and inferior, constructed of *adaube*, (bricks dried in the sun), the streets filthy and loathsome, and the population indolent and indifferent, a miserable lot of emaciated, sun-burnt and dejected-looking Spaniards. Though a place of inconsiderable size, Santa Fé has been laid out on a grand scale. I have said enough of our imprisonment there to give you every assurance of the sincere pleasure with which we turned our backs upon

it, to enter the wild, solitary, and unexplored regions, which separate the Rocky Mountains from the Mississippi. This region is so vast that a description of it is no easy matter. I shall only give you a sketch of its general characteristics, and a few details concerning those striking points which came under my observation, and which modify those characteristics. This country is watered by many streams, such as the Canadian, the Rio Rouge, the White, the Cansas, the Arkansas, the Niobrarah, the Keha-Pahah, the Pohitenous, and other rivers, whose names, if they have any, are unknown to civilized man. The whole is a vast plain stretching down from the lofty summits of the Rocky Mountains to the Mississippi, and until the traveller arrives within three hundred miles of the river, is devoid of trees, except on the borders of rivers and water courses. The country is a series of extensive prairies, slightly undulating and rising considerably as you approach the mountains. The absence of trees is not due, in my opinion, to high winds, as is supposed, in this place and the western country generally, but to the devastation which results from the savage custom of annually setting fire to the prairies. This is evident from the fact that many trunks of trees are now seen in a petrified state. Immediately east of the mountains the plains are generally covered with a meagre and hard herbage, as also with heaths, wormwood, and artemis.

“However far he may proceed, the traveller always finds himself in the middle of an immense circuit - all around is the same landscape, the same weeds, and the same flowers, and at night he seems to sleep on the same spot where he passed the previous night. The plains are intercepted by rivers and sloughs, and the necessity of crossing these, add to the inconvenience and dangers of the journey. The undulations are formed by sand hills or different kinds of rock, and vary in height from 50 to 4, or 500 feet. The ground falls gradually to the East. The uniformity of these vast solitudes is only broken by a few sandy mountains, united in confused masses, a few rocky heights or frightful

ravines which cut across them. The trees commonly seen on the stream are willows, poplars, cotton trees, elm, oaks, wild plum trees, and a few fruit bushes, wormwood and artemis are the predominant productions of the great plains, but in the valleys of the rivers are also chestnuts, ash, Chinese lilacs, mesquites and willows, under the trees there grows neither bush nor thicket, and the ground is overgrown with long grass and verdant moss. Such are the general features of this wild, solitary region, which may be compared to the steppes of Asia, and in which everything makes a deep impression on man and strikes him with awe. Buffaloes, panthers, antelopes, otters, beavers, turkeys, grouse, quail, and partridges inhabit these plains. In all that portion south of 30 degrees of latitude, the air is pure and sweet, and the climate deliciously mild. The sky is as blue as an oriental sapphire, and a gentle breeze ever plays over it, bearing upon its wings the fragrance of flowers. In passing over the plain, the geological configuration of the soil changes completely. From the Rio Grande to the Rio Rouge are seen large rocks of lime and gypsum from the common plaster of Paris to the purest selenite - then granite replaces these, then quartz, felspar and mica are seen, as well as quantities of petrifications.

“One of the singular and interesting sights on my route was the villages of the Prairie dogs. These were always found in elevated and uncovered spots. Some of them were twenty miles across. The Prairie dog resembles a squirrel in shape, size, and physiognomy. His bark, which is the only thing he has in common with the real dog, has given him his name. He burrows in the ground, excavating to the depth of from eight to ten feet, the earth it throws up being afterwards built in the form of a cone over his subterraneous abode. A large part of the day, during pleasant weather, the dogs sit on the summit of these dwellings apparently chattering together. A

few sentinels are posted to give warning of approaching danger. When an enemy is seen advancing, they bark in a peculiar way, and the entire community of dogs disappear under the earth. The Prairie dog lives apparently without water, always selecting dry situations for the towns. They close the entrance to their dwellings with dry grass at the beginning of winter, and fall to sleep till the return of spring.

“The interest created by the natural beauties, the landscapes, and the wild poesy of these immense plains, was small compared to that aroused by the numerous evidences on the route of a previous and extinct civilization. Of course, I can form very little idea as to the people to whom these antiquities ought to be attributed; but they are evidently the work of different nations, at different epochs. These tumuli consist of conical shaped mounds and pyramidal hillocks. Though it was important that I should proceed with every despatch upon my hazardous journey towards the east, I delayed two hours to make an excavation, with the assistance of Charles, into one of these rare mounds near the Rio Rouge. I took from this tumulus some bones, shells, and pieces of pottery, which indicate in those by whom they were manufactured a certain knowledge of art. The shells, curious to say, are marine, and unlike any I have ever seen in America or the West Indies; are similar to those brought you from China by Dr. Peyton. The mounds are evidently the sepulchral tombs or burial places of former generations. Built of earth, and covered with grass and trees, they much more readily resist the ravages of time, than monuments built of stone. I am much mistaken if antiquarian research does not show that ages previous to the discovery of America by Columbus, this continent was inhabited by people of an advanced civilization, as compared with the Red Skins of to-day. I shall not, however, enter upon a question so arduous in these hurried letters, but reserve much that I have to say in this con-

nection till my return. The discovery of these things had a powerful and pleasing effect upon my mind. Something, (when I considered that I might be traversing the oldest rather than the newest world,) of the same kind of feeling with which one might be supposed to tread the ground which Abraham trod; where Nahor the father of Rebecca lived; and of Laban, to whom Jacob fled to avoid his brother Esau's resentment, and whom he served fourteen years for the love he bore Rachael.

"In the few lines I have dashed off on this subject, I have not undertaken to describe even generally, still less, step by step, those vast solitudes over which I have just come. To describe nature in such boundless regions, where nature changes its aspect at every moment, and where the traveller is struck alternately with admiration and awe at the extraordinary phenomena, would be as laborious and fatiguing as a journey across them. For the present I content myself with this rapid glance." . . .

From St. Louis, Peyton went to Kentucky, and on his way back to Virginia, arrived at the Great Kanawha river in time to join General Andrew Lewis in the battle with the Shawnee at Point Pleasant, West Virginia, on October 10, 1774, receiving a wound from which he never fully recovered. He died in 1798.

"Charles Lucas," says John Lewis Peyton, left "a numerous progeny in Virginia. His children's children continue to the present day [1867] in the service of my grandfather's descendants."

NOTES AND EXCHANGES

The February number of *The Hispanic American Historical Review* prints the first chapter of the forthcoming book "Spanish Royal Overseas Trading Companies by Roland D. Hussey of the University of California at Los Angeles. This chapter is devoted to "Antecedents of the Spanish Monopolistic Overseas Trading Companies" and traces the origin and growth of chartered companies in other domains while Spain by an ordinance of 1561, each year organized two fleets, one known as the *flota* and the other as the galleons, which accompanied by a convey of war ships carried on the trade with America. To regulate this system, the Spanish crown had two special bodies in Spain, the *casa de contratacion* and the *consulado*. The system was more or less a failure and in consequence "adequate supplies of most of the necessities of life were habitually lacking in the colonies, either from bureaucratic mal-administration, the inability of Spain to supply wants itself or to supply goods from foreign countries, or perhaps, deliberate restriction by the merchants in order to maintain high prices. Smuggling was wide-spread, quite as much by the Spaniard as by the foreigner, and carried on with at times a cynical openness almost impossible to believe." Other contributions to the *Review* are entitled: "The South American Commission, 1817-1818" by Watt Stewart; "The French Revolution and Mexico," by John Rydjord; "The Oldest University in South America" by Carlos Concha; and "Hugo West, Argentina's Most Popular Novelist" by Ruth Sedgwick.

(continued on page 298)

INFORMATION COMMUNICATED BY JUAN CANDELARIA, RESIDENT OF THIS VILLA DE SAN FRANCISCO XAVIER DE ALBURQUERQUE
BORN 1692 — AGE 84¹
ALBURQUERQUE

On the seventh day of February, in the year of Our Lord, 1706, this Villa de Alburquerque was incorporated under the name of San Francisco Xavier. Don Francisco Cuervo Valdez was the governor. Friar Juan Minguéz, was first minister of this Villa. He had come as a missionary. Twelve families and the soldiers from the garrison residing in the town of Bernalillo came to colonize it. The heads of the twelve families were: Cristobal Jaramillo, Juan Barela, Francisco Candelaria, Feliciano Candelaria, Nicolas Lucero, Baltazar Romero, Joaquin Sedillo, Antonio Gutierrez, Cristobal Barela, Pedro Lopez del Castillo, Doña Bernardina Salas y Trujillo, a widow, and Juana Lopez del Castillo. The soldiers were: Captain Don Martin Hurtado who commanded, chief Alcalde of this place, his secretary, Juan de Piñeda, Francisco Garcia soldier, Pedro de Chavez Duran, Andres Montoya, Sebastian de Canseco, Antonio de Silva, José de Salas, Tomas Garcia and Xavier de Benavides. The Duke of Alburquerque was the Viceroy at the time of its founding and it derived its name from him. Friar Juan de Tagle was the custodian and Friar Manuel Muñiz, his assistant. The custodian resided at San Ildefonso. Governor Cuervo's administration had run two years. Friar Juan Minguéz, resided in his palace.

The reconquest of this kingdom took place in 1696. This villa was founded nine years after. It covers four

1. These reminiscences were therefore recorded in the year 1776. The Spanish transcript was given by Don Federico Gomez de Orozco of Mexico City to his friend, Dr. Sylvanus G. Morley, and the latter kindly sent it to the *Review*. The translation is by Don Isidoro Armijo of Santa Fe.

NOTICIAS QUE DA JUAN CANDELARIA VECINO DE
ESTA VILLA DE SAN FRANCISCO XAUIER
DE ALBURQUERQUE DE EDAD DE 84
AÑOS NACIO EL AÑO DE 1692.

ALBURQUERQUE

El mes de Febrero a 7 días del mismo de 1706 a^s, se juntó esta Villa de Albuquerque con nombre de San Fran^{co}. Xavier siendo Govern^{or}. D^{na}. Fran^{co}. Cuervo Valdes, y entró aquí de Misionero el P^e. Fray Juan Miquez² primer Ministro de esta Villa, y vinieron a poblarla 12 familias de vecinos del Puesto de Bernalillo y los Soldados Presidiales. Las cabezas de las dichas 12 familias fueron: Cristoval Jaramillo, Juan Barela, Fran^{co}. Candelaria, Feliciano Candelaria, Nicolas Lucero, Baltazar Romero, Juachin Sedillo, Antonio Gutierrez, Cristoval Barela, Pedro Lopez del Castillo, D^a. Bernardina Salas y Truxillo viuda, Juana Lopez del Castillo. Los soldados fueron:— el Capitan Don Martin Vrtado, Cabo y Caudillo, Alcalde Mayor de aquí, su Secretario Juan de Pineda, Fran^{co}. Garcia Soldado, Pedro de Chavez Duran, Andres Montoya, Sebastian de Canseco, Antonio de Silva, Jose de Salas, Tomas Garcia, Xavier de Venavides. Era Vi-Rey quando la fundacion de esta Villa el Duque de Albuquerque, de donde tomó el nombre esta Villa, era Custodio Fr. Juan de Tagle, y Vite Fr. Manuel Muniz, y vivia el Cust^o. en S. Ildefonso. Lleua el Gov^{or}. Cueruo 2 años de Reyno, y en su Palacio viuia el P. Fr. Juan Mirquez. La reconquista de esta Reyno fue el año de 1696 y a los nueve años se fundó esta Villa. Esta ocupa 4 Leguas de Terreno.

2. The spelling "Miquez" and that below as "Mirquez" are evidently transcript errors. The fraile is identified as *Fr. Juan Minguéz*, who was a member of the ill-fated Villasur Expedition of 1720 which went from Santa Fe to the Platte River. In Meyer, *St. Francis and Franciscans of New Mexico*, he is listed as one of the 51 Franciscan martyrs of New Mexico. For more extended information, see Twitchell, *Spanish Archives of N. M.*, II, index.—L. B. B.

leagues of ground. North of this place and twenty-two leagues distant lies the villa of Santa Fe. The soldiers that came to colonize, built a Presidio, because of so few houses located on the side of the church to the north. Until today it is known as El Presidio.

BERNALILLO

The town of Bernalillo (which today pertains to Sandia) was founded in the month of February 1698. Don Francisco Pedro Cubero Rodriguez, was the governor and its first minister was friar Juan de Zavaleta, who built a church and a convent in which he lived. In the year 1735 or 36, el Rio del Norte washed away the church and convent and a few houses and his government was transferred to San Felipe de Jesus.

TOWN OF ALAMEDA

The town of Alameda was founded in 1702, Don Pedro Cubero Rodriguez being governor. It was a *visita* of Santa Ana and a pueblo of Tigua Indians. Friar Juan de Sabaleta instructed this pueblo in the Christian faith and founded it. The town of Alameda covers one fourth of a league of ground. In 1708, Alameda was depopulated, because Friar Juan de la Peña gathered the Tigua Indians residing at Alameda, to found later, as he did, the Mission of San Agustin de la Isleta, with and by the consent of the governor Don José Chacón Villa Señor and the said Friar Peña was the first minister of La Isleta, which was founded in the month of March 1708. The same said Peña was the custodian. Isleta covers four leagues of ground, one league in each direction. The town of Alameda, depopulated of Tiguas, was afterwards populated with Spaniards in 1711, when Don Juan Flores Mogollon was governor, and ever since the

Está el rumbo del Norte, y dista dela villa 22 leguas. Estos Soldados que binieron á Poblar hicieron su Presidio, razon por que las casas pocas que están al lado de la Iglesia por la parte de Norte se llama hasta oy el Presidio.

BERNALILLO

El Puesto de Bernalillo (que oy pertence á Sandia) se fundó por Febrero del año de 1698, siendo Gov^{or}. Dⁿ. Pedro Cubero Rodriguez, y fué su primer Ministro el P^e. F^r. Juan de Zavaleta, el quel hizo allí Iglesia, y conv^{to}. enque vivía y el año de 1735, ó 36 se lleuó el Rio del Norte la Iglesia, Convento, y algunas casas, y entonces se adjudicó su Administ^{on}. á San Phelipe de Jesus.

PUEBLO DE LA ALAMEDA

Se fundó el año de 1702 siendo Gov^{or}. Dⁿ. Pedro Cubero Rodriguez, y era entonces visita de S^{ta}. Ana, y Pueblo de Indios Tiguas á quienes catequizó el P^e. F^r. Juan de Sabaleta, y Pobló dicho Pueblo. ocupa de terreno dho. Puesto de la Alameda un quarto de legua. El año de 1708 se despobló la Alameda, por que el P^e. F^r. Juan de la Peña recogió á los Indios Tiguas que vivian en la Alameda, para fundar como lo fundó, la Mision de S. Augⁿ. de la Isleta con anuencia del Governador Dⁿ. José Chacon Villa Señor, y dicho P^e. Peña fué el primer Ministro de la Isleta, la que se fundó el mes de Marzo de 1708, siendo custodio el mismo P^e. Peña. La dicha Isleta ocupa de Terreno 4 leguas una por cada rumbo de oriente &^a. Despoblado q^e. fué este Pueblo dela Alameda de los Indios Tiguas, se pobló de vecinos el año de 1711, siendo Gov^{or}. Dⁿ. Juan Flores Mogollon; y desde entonces se adjudicó la Administracion de dho. Puesto de la Alameda, á esta Mision de Alburquerque. El año de 1712 se fundó por Dⁿ. Juan Gonzalez Baz la Capilla que hoy existe en dho. Pueblo de la Alameda. vecino de dicho Puesto.

government of Alameda pertains to the Mission of Albuquerque. Don Juan Gonzales Baz erected the chapel which is there today in the year 1712.

ATRISCO

Atrisco was settled in 1703, in the month of March. Don Pedro Cubero Rodriguez was the governor. It covers about two leagues of ground with the seat of government at Bernalillo, but since the founding of Albuquerque in 1706, the government was transferred there. From its founding Atrisco has been Spanish. It is 23 leagues from Santa Fé to the north.

TOMÉ

Tomé was settled in 1740, in the month of October. Don Gaspar Domingo de Mendoza was the governor. It covers two leagues of ground. Immediately the settlers began the building of the church and three small cells. It was finished in 1746 and since its founding pertains to Tomé and also belongs to the Mission of Albuquerque. It received its name from a wealthy man named Tomé Rodriguez who lived there. It is 30 leagues from Santa Fé and 8 from Albuquerque.

VALENCIA

Valencia was settled in 1751. Don Joaquin Codallos was the Governor. It covers one league of ground and is 28 leagues from Santa Fé and 6 from the Albuquerque Mission to which it pertains since its founding. It was named Valencia, after its old owner, Juan Valencia.

ATLIXCO

Se fundó el año de 1703 por el mes de Marzo siendo Gov^{or}. Don Pedro Cubero Rodriguez ocupará de Terreno como 2 Leguas, y entonces pertenecia su administracion a Bernalillo, y desde el año de 1706 q^e. se fundó Alburquerque se adjudicó al mismo. Desde su fundacion fué Atlixco de vecinos. Dista de S^{ta}. Fé 23 leg^s. su rumbo al Norte.

TOMÉ

Se fundó el año de 1740 siendo Gov^{or}. Dⁿ. Gaspar Domingo de Mendosa; por el mes de octubre. ocupa de Terreno 2 leguas. I desde luego comenzaron los vecinos á hacer la Iglesia, y 3 Celditas que hay, y se concluió el año 1746. /. y desde q^e. se fundó dho Tomé perteneció, y pertenece aun a esta Mision de Alburquerque. Tomó el nombre de Tomé, por q^e. en el vivía un hombre rico llamado Tomé Dominguez. Dista de S^{ta}. Fé 30 leguas de Alburquerque 8./. su rumbo al Norte.

VALENCIA

Se pobló de vecinos el año de 1751 siendo Gov^{or}. Dⁿ. Jauchin Codallos, ocupa de terreno una legua, dista de Sta. Fe 28 leguas, de la Mision de Alburquerque á la q^e. pertenece desde que se fundó 6 leguas. su rumbo al Norte. Tomó el nombre de Valencia por q^e. su antigua Dueño era Dⁿ. Juan Valencia.

PUESTOS PERTENES^{tes} A LA ISLETA: PAJARITO

Se fundó o Pobló Juan Fernandez el año de 1711 siendo Gov^{or}. d. Juan Flores Mogollon asu entrada, y desde entonces perteneció á la Isleta. ocupa de terreno un quarto de legua, dista de la Misión de la Isleta legua y media, de S^{ta}. Fe 23 leguas su rumbo al Norte.

TOWNS PERTAINING TO ISLETA — PAJARITO

Juan Fernandez settled or founded it in 1711 when Juan Flores Mogollon entered as governor, and ever since it has pertained to Isleta. It covers 1-4 league of ground.. It is one and one half leagues from the Mission of Isleta and 23 leagues from Santa Fé to the north.

LOS PADILLAS

Pablo Baltazar Romero founded or settled it in 1710. Don José Chacón was governor. It covers one eighth of a league of ground. It was named Padillas because all those who resided there were Padillas. To the north it is 23½ leagues from Santa Fé.

BELEN

Belen was founded in 1741. Don Gaspar Domingo de Mendoza was the governor. It covers four leagues of ground and is 34 leagues from La Villa de Santa Fé. It was settled by Diego Torres and Antonio Salazar and was named: "Nestra Señora de Belen." Genisary Indians helped and since then it pertains to Isleta.

SABINAL

Sabinal is in the same location as Belen and was founded in 1741.

SANDIA

Sandia was settled by Father Menchero in 1746. Don Joaquin Codallos was the governor. He settled it with Indians from Moqui, Tiguas and also moquinos, who were converted by Friars Carlos Delgado, Pedro Pino, Jose Iri-

PADILLAS

Se fundó o Pobló Baltazar Romero el año de 1710. siendo Gov^{or}. Dⁿ. José Chacon ocupa de terreno medio quarto de legua. Tomó el nombre de Padillas, por que en él solo viven unos qué se apellidan Padillas. su rumbo al Norte dista de S^{ta}. Fé 23½ leguas.

BELEN

Se fundó el año de 1741 siendo Gov^{or}. Dⁿ. Gaspar Domingo de Mendosa. ocupa de terreno 4 leguas su rumbo al Norte, dista de la Villa de Sta. Fe 34 leguas. Lo poblaron Diego Torres y Antonio Zalazar, y le pusieron Nra. Sra. de Velen, con ayuda de Indios Genizaros, y desde entonces pertenece á la Isleta.

SABIÑAL

Está en el mismo sitio de Belen, y se fundó el año 741.

SANDIA

La fundó el Padre Menchero el año de 1746 siendo Gov^{or}. Dⁿ. Jauchin codallos, y la Pobló con Indios de Moqui, y Tiguas, tambien moquinos, á quienes convirtieron los P. P. Fr. Carlos Delgado, Fr. Pedro Pino, Fr. José Irigoyen, y Fr. Juan José Toledo, los quales Indios estaban repartidos en varios Pueblos hasta qué el P^e. Menchero lo trajo ó recogio en Sandia dho. año de 46./. ocupa de terreno 4 leguas su rumbo al Norte, dista de Sta. Fe 18 leguas. Sus tierras son de riego. Tiene viñas 12./. Arboles frutales de Durazno, y Albarcoque.

SANTA FE

Estuvo en poder de los Indios tanos 14 años, y segano el año de 1694 el mismo en qué se fundó y se erigió por Capital,

goyen, Juan Jose Toledo. These Indians were scattered in many towns until Father Menchero gathered and brought them to Sandia in 1746. It covers four leagues of ground. It is 18 leagues from Santa Fe. Its lands are under irrigation. There are vines and fruit trees, peach and apricot.

SANTA FE

Santa Fé was in the power of the Tano Indians for 14 years but was recovered in 1694. The same year it was settled, it was built as the Capital, and the Presidio was built in the same year by 100 soldiers. Don Diego de Vargas was governor and conqueror. His first minister was Juan de Zavaleta. In this conquest De Vargas was accompanied by the Friars Tricio, Zavaleta, Carbonera, Corrales, Farfan, Chavarria, Mata, Vargas, Juan de la Peña, Juan Tagle. It lies to the north. Its lands are irrigated. Its crops consist of all kinds of grains. Its fruits are apricots and plums of all kinds—some not unlike those of Spain. The conquest of the Villa was accomplished on the 25th day of January, 1694, the day of the Conversion of Saint Paul. Immediately upon the success of the conquest it was settled by Spaniards and never again have Indians lived there. Its climate is very frigid.

ITS TOWNS — CIENEGUILLA

Cieneguilla was settled in 1698. Don Diego de Vargas was the Governor. It covers one league of ground. Looking to the north it is four leagues from Santa Fé. Its lands are irrigated and get water from el Rio de Santa Fé. Its crops consist of all seeds planted, no fruits. Since founded it pertains to Santa Fé.

CIENEGA

Cienega was settled 1715. Don Felix Martinez was the

Fray Juan de la Peña, Fr. Juan Tagle, su rumbo al Norte, sus Tierras de riego, sus frutos todo genero de semillas, sus frutas Albercorque, y ciruelas de todas calidades, y unas como las de España. se ganó dha. Villa el 25 de Enero de 1694 dia de la conversion de San Pablo. Luego que se ganó se pobló de vecinos, y jamas ha hauido en ella Indios. Su clima frigidisimo.

SUS PUESTOS

Cieneguilla se fundó en el año de 1698, siendo Gov^{or}. Dⁿ. Diego de Bargas. Ocupa de terreno una legua, su rumbo al Norte. dista de Sta. Fe 4 leguas sus Tierras de riego, con la Agua del riachuelo de Sta. Fe. sus frutos las Semillas q^e. siembran. fruta ninguna. Desde su fundacion se adjudico á Sta. Fe. de vecinos.

CIENEGA

Se pobló de vecinos el año de 1715 siendo Gov^{or}. d. Felix Martinez, su rumbo al Norte, ocupa de Terreno media legua. Sus tierras de riego con agua de los ojos del Alamo dista de Sta. Fe 4 leguas. Sus frutos toda quanta semilla se siembra. Frutas ninguna.

ALAMO

Se pobló el año de 1730 siendo Gov^{or}. Dⁿ. Geruasio Cruzate y Gongora; ocupa de terreno un quarto de legua. Sus tierras, y demas como la cienega, dista de Sta. Fe. 4 leguas.

CANADA DE JUAN LOPEZ

-Solo hay una casa de Phelipe Romero.

LOS PALACIOS

Se fundó el año de 1698 por Antonio Baca, su terreno

governor. It covers half a league of ground. Its lands are irrigated with water from "Los Ojos del Alamo." To the north it is four leagues from Santa Fé. Its crops consist of all seeds planted. No fruits.

ALAMO

Alamo was settled in 1730. Don Geruasio Cruzate y Gongora was the governor. It covers one fourth of a league of ground. Its lands and topography are similar to those of Cienega. It lies four leagues from Santa Fé .

CAÑADA DE JUAN LOPEZ

There is only one house there, the house of Felipe Romero.

LOS PALACIOS

Los Palacios was settled in 1698, by Antonio Baca, Covers half a league of ground and its lands are irrigated with water from El Rio de La villa. Its crops consist of grains, its fruits of limes the sourness of which is the same as that of lemons. Is $2\frac{1}{2}$ leagues from Santa Fé.

PINO

Pino was settled by Juan Garcia in 1740. Don Gaspar Domingo Mendoza was the governor. It covers half a league of grounds, its lands are irrigable and its fruits are similar to those at Palacios. Two leagues distant from Santa Fé. The name Pino was given after a beautiful pine tree.

PUEBLO QUEMADO

Pueblo Quemado was settled in 1730, by Cristobal Baca.

media legua sus tierras de riego con la agua del Rio de la Villa. sus frutos semillas sus frutas limitas cuio agrio es el mismo q^e. el del Limon. dista de Sta. Fe 2½ leguas.

PINO

Se pobló por Juan Garcia el año de 1740 Gov^{or}. Dⁿ. Gaspar Domingo de Mendosa. su terreno media legua. Sus tierras de riego, y frutos como los Palacios. dista de Sta. Fe 2 leguas. tomó el nombre por que tiene un hermoso Pino.

PUEBLO QUEMADO

Se pobló el año de 730 por Cristoval Baca era Gov^{or}. Dⁿ. Geruacio Cruzate y Gongora. Su terreno un cuarto de legua. sus tierras de riego con el Rio de la Villa, y frutos demas como los Palacios. Dista de Sta. Fe una legua y cuarto.

Entrando mas adentro del Norte tiene Sta. Fe el Puesto del Rio de Tesuque que se fundó ó pobló el año de 1740 siendo Gov^{or}. Dⁿ. Gaspar Domingo de Mendosa. su terreno media legua. sus tierras de riego del Rio de Tesuque, sus frutos las semillas q^e. siembran, frutas limitas. Dista de Sta. Fe 2 leguas.

SERIE DE GOVERNADORES

- 1692-1697. Primer Goven^{or}. despues de la reconquista Dⁿ. Diego de Bargas Ponce de León Sapata Lujan entró el año de 1692 - gobernó cinco años.
- 1697-1703. Don Pedro cubero Rodríguez, entró el año de 1697 gobernó cinco años.
- 1703-1704. Don Diego de Bargas otra vez entró el año de 1703, gobernó un año, y murió de empacho en Bernalillo, porq^e. benia de Campaña muerto de ambre, y tomó unos huevos de los que se le originó el empacho. está enterrado en la Villa de

Don Geruacio Cruzate y Gongora was the governor. It covers one fourth of a league of ground. Its lands are irrigated with the water from El Rio de La Villa. Its products are those that are raised at Palacios,. It is one and one fourth leagues distant from Santa Fé.

TESUQUE

Penetrating further north, Santa Fe has the town of Rio de Tesuque, founded in 1740. Don Gaspar Domingo Mendoza was the governor. It covers half a league of ground. Its lands are irrigated by the water from el Rio de Tesuque. Its products consists of seeds planted—its fruits are limes. It is 2 leagues from Santa Fé.

SERIES OF GOVERNORS

- 1692-1697 The first governor of the reconquest. Don Diego de Vargas Ponce de Leon Zapata Lujan, entered in 1692, ruled 5 years.
- 1697-1703 Don Pedro Cubero Rodriguez, entered in 1697, ruled 5 years.
- 1703-1704 Don Diego De Vargas again entered in 1703, ruled one year and died of indigestion. Was returning from his campaign famished. Ate some eggs which made him ill. Is buried in La Villa
- 1704-1705 Santa Fé. Juan Paez Urtado succeeded him and ruled one year.
- 1705-1708 Don Francisco Cuervo Valdez, entered in 1705, ruled three years.
- 1708-1713 Don Juan Chacón, entered in 1708, ruled five years.
- 1713-1715 Don Juan Flores Mogollon, entered in 1713, ruled not quite three years. At the beginning of the third year he was succeeded by
- 1715-1717 Don Felix Martinez in the year 1715, because trouble arose between Mogollon and the Presi-

- 1704-1705. Santa Fé Quedó de Gov^{or}. interino Dⁿ. Juan Paez Vrtado, y duró de interino un año.
- 1705-1708. Don Francisco Cuervo Baldes, entro el año de 1705 gouerno tres años.
- 1708-1713. Don Jose Chacon entró el año de 1708. gouernó cinco años.
- 1713-1715. Don Juan Flores Mogollon, entró el año de 1713, gouernó tres años no cabales; porq^e. al principio
- 1715-1717. del año 3^o le bino el gouierno a Felix Martinez el año de 1715, por oposicion q^e. hubo entre el Mogollon. y Press^o, la qual se originó de q^e. Mogollon, quitaba asu arbitrio las Plasas á Soldados, y á estos los defendía Martínez como su Auilitado Tubo el Gouierno Martinez 2 años.
- 1717-1722. Le succedio Dⁿ. Antonio Velarde Cosio entró el año de 1717 gouernó cinco años.
- 1722-1730. Don Juan Domingo Bustamante, entró el año de 1722 gouernó 8 años.
- 1730-1736. Don Geruasio Cruzate y Gongora entró el año de 1730 gouernó 5 años 7 meses.
- 1736-1738. Don Enrrique Olauide y Michelena entró a fines del año de 736, gouernó dos años.
- 1738-1743. Don Gaspar Domingo de Mendosa, entró el año de 738 a fines gouernó cinco años.
- 1743-1748. Don Juachin Codallos entró el año de 43, gouernó cinco años.
- 1748-1753. Don Tomas Velez Capuchin entro el año de 48, gouernó cinco años.
- 1753-1760. Don Francisco Marin del Valle entró año de 53 gouernó siete años.
- 1760-1760. Don Manuel Portillo de Vrrisola, entró el año de 60 de interino, y gouernó 9 meses.
- 1760-1765. Don Tomas Velez Cachupin otra vez entró a fines de 60 gouernó cinco años.
- 1766-1776. Don Pedro firmin de Mendinueta entró año de 66 á principio de Marzo, y lleua 10 años.

- dio, and it began when Mogollon took the towns at will from the soldiers whom Martinez defended. Martinez ruled for two years.
- 1717-1722 Don Antonio Velarde Cosio, who entered in 1717 and ruled five years.
- 1722-1730 Don Juan Domingo Bustamante, entered in 1722, ruled eight years
- 1730-1736 Don Geruasion Cruzate y Gongorra, entered in 1730, ruled five year and 7 months.
- 1736-1738 Don Enrique Olavi y Micelena, entered at the end of 1736, ruled two years.
- 1738-1743 Don Gaspar Domingo de Mendoza, entered in 1738, ruled five years.
- 1743-1748 Don Joaquin Codallos, entered in 1743, ruled five years.
- 1748-1753 Don Tomas Veles Cachupin, entered in 1748, ruled five years.
- 1753-1760 Don Francisco Maria del Valle, entered in 1753, ruled seven years.
- 1760-1760 Don Manuel Portillo de Urrisola, entered in 1760, ruled nine months as an appointee.
- 1760-1766 Don Tomas Veles Cachupin, entered again at the end of 1760, ruled five years.
- 1766-1776. Don Pedro Fermin de Mendinueta, entered in 1766 on the first of March and has now ruled ten years.

INDIAN WARS

General Don Diego de Vargas conquered and won this kingdom for himself in 1694. Don Pedro Cubero Rodriguez, entered Moqui in 1701 on the west side with 600 men for the purpose of conquering the Moquis but the Moquis drove him away with clubs. Don Diego de Vargas, in his second administration made a campaign against the "Farones" in 1704 coming south with 500 men, but he never

El Governador Don Diego Bargas conquistó, y ganó este Reyno el año de 1694, por si mismo. Don Pedro Cubero Rodríguez entró a Moqui el año de 1701 por el Poniente, con 600 hom^{as}. a fin de conquistar a los Moquinos, y estos lo echaron a Palos. Dⁿ. Diego Bargas en su 2^a vez de gouierno salio á Campaña contra los Farones el año de 1704 con 500 hombres por el rumbo del Sur. no los llegó a ver, y a su regreso se empacho con hueuos, y se murió. El interino Paez nada hizo. Dⁿ. Fran^{co}. Cuerbo Valdez, nada. Don Jose Chacon nada. Don Juan Flores Mogollon nada. Don Felix Martínez entró a las Tetillas sierra de Sandia rumbo al Sur con 300 hombres contra los Farones, capturó 25 hombres, y mugeres, mato no se sabe quantos entró al Serro de San Antonio rumbo entre Oriente y Norte, con 350 hombres contra los Iutas, mató toda la Ranchería q^e. encontró, que pasaron de 150, y capturó 350 con hombre y mugeres, y por que los dichos estaban de Paz, se le originó q^e. le quitaran el gouierno. Entró á Gila rumbo al Sur con 25 hombres contra los Gileños, a quienes nada hizo, y tomó salir con vida. Don Antonio Valverde entró a siete Rios rumbo al Sur con 300 hombres contra los Pharones, y nada hizo por qué se le subieron á la Sierra. Dⁿ. Juan Domingo Bustamante entró al Rio Salado rumbo al Sur, y la Sierra obscura rumbo al Sur con 600 hombres contra Farones. nada hizo por qué se metieron a la Sierra. Don Gervasio Crusate y Gongora jamas salió. Don Enrique Clauí, y Michileno, no salió. Don Gaspar Domingo de Mendosa no salió. Don Tomas Velez Cachupin entró al Charco rumbo entre medias de Oriente y Sur con 300 hombres contra los Cumanches, mató como 200, capturó 5 y a 4 les dió libertad, y solo trajo con sigo uno. con estos 4 qué dió libertad, mandó a decir a los Cumanches que siempre que le hostilizaran sus Pueblos, hauia de hacer lo mismo, y acabar con todos. Dⁿ. Fran^{co}. Marín del Valle salió con 300 hombres hasta Taos contra los Cumanches, desde donde mandó a su Teniente Dⁿ. Manuel Sánchez Galuizu, a reconocer unas lumbres q^e, se veian por las inmediaciones de Pecos, y con dho. Teniente salieron 100 hom-

saw them, and on his return trip became ill with indigestion by eating eggs and died. His successor Paez, did nothing. Don Cubero Valdez did nothing. Don José Chacón accomplished nothing. Don Juan Flores Mogollon, accomplished nothing. Don Felix Martinez entered the first hills of the Sandia mountains on a southerly direction with 300 men against the "Farones." He captured twenty five men and women and killed, no one knows, how many. He entered El Cerro de San Antonio in an eastern and northerly direction, with 350 men against the Utes. He killed all of an encampment which he found, more than 150, and captured 350 men women and children but because these Indians were on peaceable terms opposition arose against him to depose him. He went to Gila on the south with 25 men against the Gileños, but could accomplish nothing and barely escaped with his own life. Don Antonio Velarde reached "Siete Rios," on the south with 300 men against the "Pharones" and could do nothing with them as they took to the the tops of the mountains. Don Juan Domingo Bustamante went to the "Rio Salado" on the south and "Sierra Oscura" also on the south with 600 men against the "Farones." He accomplished nothing. They escaped into the mountains. Don Gervasio Cruzate y Gongora never took the field. Don Enrique Olavide y Michelena did not take the field. Don Gaspar Domingo de Mendoza, did not take the field. Don Tomas Veles Cachupin, reached "El Charco" between the north and south with 300 men against the Comanches. He killed about 200. Captured five but four were given their liberty bringing back only one. He sent a message to the Comanches telling them that as long as they were hostile to his towns he would repeat the killing and would exterminate them. Don Francisco Marin del Valle took the field with 300 men and went as far as Taos against the Comanches. From here he sent his Lieutenant, Don Manuel Sanchez Galvizu on a reconitering tour to Pecos to report on some fires that were burning there. With the Lieutenant went 100 men. They found nothing

bres, nada encontraron, y se regresaron todos a la Villa. Bolvió á salir por Galisteo rumbo al Sur, con 300, contra los Cumanches, a quienes alcanzó y mató como 40, ó 50, Salió con mil hombres vecinos, Soldados, Indios de los Pueblos y Yutas Gentiles contra los Cumanches, en solicitud de 56 Captiuas del Valle de Taos, y haviendo caminado 25 días nada consiguieron, Don Manuel Portillo de Vrrisola salió a Taos con 400 hombres á esperar a los Cumanches tubo a la Gente en estacam^{to}. como un mes, y nada se hizo. Volvió orta vez á Taos con 200 hombres, soldados y vecinos, contra los Cumanches, quienes ya tenian allí su Ranchería y componían el numero de 201 Gandules, Mugerres y muchachitos como 300, y al 3^o día de estar en Taos el Govern^{or}. Portillo entraron a berlo 14 Capitanes de los Cumnaches a quienes Portillo preguntó por las 56 Captiuas qué se hauian lleuado de la casa de Pando? Y respondieron: qué se mantenían en distintas rancherías de las suyas, y que solo traian de las mismas 7, con las quales benian a celebrar las Paces, pidiendo por cada una de ellas algunas cosas, como cavallo &a. y entonces Portillo les dijo: que lo que les daría sería Poluora, y bala, pues no era ese, modo de pedir paces, de lo que se originó entregar 6 captivas, quedando en la ranchería un muchachito captivo de 9 años de edad, el que no quizo salir de dha, ranchería, y mirando los cumanches el movimiento de dicho Cautivo, se le negaron a entregarlo, y á instancia de dicho Portillo tomaron las Armas en su Defenza, y al auiso que se dió al Gov^{or}. por su Teniente monto a cauhallo, llegó a dha ranchería, entregaron el cautivo, y mandó echarles cerco triplicado de Yutas, Indios y Españoles, para determinar á otro día de dha, ranchería. Los 14 Capitanes Cumanches se apoderaron de las casas reales los que se mantubieron con guarnición: á otro día se atacó dha. ranchería, la q^e. clamava por la paz, y no admitida, descargó la tropa quedando tirados 60 Gandules, y 18 mugeres, y muchachitos, de presa pasaron de 150, Los Capitanes a los tres días, se determinó por dho. Cauallera q^e. se quemaran las casas reales por que no se halló otro modo de

and returned to La Villa. (Santa Fé). He made another campaign thru Galisteo on the south with 300 men against the Comanches whom he fought and killed 40 or 50. Again he took the field with 1000 men, soldiers gentile Utes and Pueblo Indians to combat the Comanches in quest of 56 captive women whom the Comanches captured from El Valle de Taos, but after twenty five days campaign nothing was accomplished.

Don Manuel Portillo de Urrisola took the field to Taos to await and attack the Comanches. He camped about one month but accomplished nothing. He made a return campaign back to Taos with 200 men, soldiers and neighbors against the Comanches who had made an encampment there with 201 warriors women and children, about 300 in all. On the third day of camping in Taos Governor Portillo was called upon by fourteen Comanche captains. Portillo took advantage of this opportunity and inquired about the 56 captive women whom they had carried away from "La Casa de Pando." The Comanches replied that these captives were divided among many settlements scattered about and that only seven were with them in their settlement. They told Portillo that the object of their visit was to negotiate peace using these captives a medium for peace and that they would return these upon receiving some consideration of value for them and that in lieu therefor they would treat for peace. For instance they would take one horse for one captive, etc. Portillo replied as Portillo might. He said to them: "What I am going to give you is powder and bullets. That is not the way to ask for peace." The result of these remarks was the return of six of the captive women. A child nine years old still remained at the settlement. The child refused to leave and the Comanches taking notice of the boy's attitude refused to deliver him. Portillo ordered an attack to defend the child. Portillo's Lieutenant mounted his horse and rode to the settlement and recovered the captured child. It was then ordered that the Comanches be encircled in a triplicate manner of maneuvers

poder repararles sus insultos. D^{na}. Tomás Velez 2 entradas nada. Boluio á salir por el ojo caliente con 300 hombres, contra los Cumanches con 300 hombres, y los siguieron 15 días, y no se encontraron. Boluio á salir contra dchos. con 500 hombres al Norte para el Río de Napeste no se hizo nada. Boluio á salir por el ojo caliente con 300 hombres, entre Norte y Sur en seguimiento de los mismos, y en el Río de los Conejos encontró como 15 dhos. les quitó la cauallada que se lleuan, y ellos se escaparon hullendo. Salió tambien para el Río de S. Antonio con 200 hombres entre oriente y Norte, á esperar los Cumanches, se esperaron seis días, y no se hizo nada.

Salió al ojo caliente con 80 hombres, entre Norte y Sur, y no hizo nada.

En el año de mil setecientos, y setenta, hallándose este Reyno del Nuevo Mexico sumamente afligido con tan continuas, como crueles yrupciones de enemigos Barbaros, que le circundan, y reflexionando algunos de sus vecinos, las cortas fuerzas para resistirlos, y que los humanos socorros estaban mui distantes y dificiles, acordaron buscarlos en Dios, por medio de la eleccion de un Patron, que representase a su Divina Magestad sus angustias, y suplicas, y por su interseccion conseguir el remedio; atentos á que desde su Población no se hauia nombrado alguno, a quien con la especialidad de Patron se dirigiesen sus suplicas.

Vien entendidos dichos vecinos de que la mas poderosa interseccion para con el omnipotente, es su Santísima Madre, cuiu Sagrada Imagen, con Título del Rosario, se venera en la Iglesia Parroquial de esta Villa de Santa Fé conducida por el conquistador Don Diego de Bargas por cuio motivo llaman la conquistadora, resoluieron elegirla por especial jurada Patrona de este dho. Reyno, y q^o. se celebre a honor suyo una annual funcion en dha. Iglesia, con la mas posible solemnidad, en la primera dominica del mes de

by Utes, Pueblos and Spaniards, to hold them and to determine on the following day what action to take. The fourteen Comanche captains took possession of the Royal Houses, which they used as forts. On the following day the Comanches were attacked and begged for peace which they did not get. The troops fired upon them leaving on the ground sixty warriors, eighteen women and children. Over 150 were captured. Three days after, Portillo decided upon setting fire to the royal houses, as there were no other means of reparation for the insults.

Don Tomas Velez, made two campaigns—but did nothing. Don Pedro Mendinueta went thru Pecos on the east against the Comanches with 300 men chasing them for fifteen days, but never fought them. Again he took the field against them with 500 going north to “Napeste” [Arkansas] River” but nothing was accomplished. Once again he took the field by “Ojo Caliente” with 300 men on a northerly and southerly direction trailing them and was finally rewarded at Rio Conejos where he overtook fifteen Comanches. He took their horses away from them, but they saved their lives by running to escape. He also went to El Rio de San Antonio with 200 men on an easterly and northerly direction, to lie in wait for the Comanches. They camped and waited six days. Nothing happened. He rode to Ojo Caliente with 80 men on a southerly and northerly direction, but did nothing.

In the year 1770, the kingdom of New Mexico found itself in such affliction with so many continued and cruel attacks from barbarous enemies which surrounded them that the people began to think, pressed by the urgent necessity of supplies, scarcity of fighting forces to resist the enemy—the human succor so far away and so difficult to reach and obtain, that they seek all these blessings from God thru the selection of a Patron Saint that would represent to His Divine Majesty their anguish, supplications and prayers to obtain the remedy, and since in the town there was no patron to whom to address their petitions.

Octubre: y para que fuese con anuencia de todos los auitantes del supra dicho reyno, se presentaron seis de dhos. vecinos por escrito al Señor don Pedro Fermin de Mendi-nueta del orn. de Santiago Coronel de los Reales Exercitos, Governador, y Capitan General de este yá dicho Reyno, Y fueron Don Phelipe Tafoya, Don Antonio José Ortiz, Don Toribio Ortiz, Don Manuel García Pareja, Don Bartolomé Fernandez, Y Don Carlos Fernandez, proponiendo en él, el fin, y motiuos, y dejando a su prudente y debotta conducta, los medios correspondientes al logro de sus deseos.

Proueyó su Señoría que el citado escrito pasase á los religiosos Misioneros, que lo son del Seráfico orn. de Sn. Fran^{co}. para que en sus respectiuas Misiones, instruyesen á sus Feligreses en el contenido de la propuesta y q^e. si fuese aceptado se nombrasen diputados que en sus respectious partidos recibiesen lo qué cada uno delos vecinos quisiese dar (sin intervenir fuerza ni aun persuacion) para poner un pie de Ganado menor obejuno qué reeditase annualmente los necesarios para la predicha solemnidad. Logrose todo, aun mejor de lo qué se deseaba.

El mismo año de setenta antes que el pie de Ganado, qué llegó a mil, y quinientas obejas, reeditase, costeo el mencionado Señor Gouernador la primera funcion de Iglesia, y juntam^{te}. un ornamento completo, y bestido para la Imagen, de la mejor tela q^e. hallo en Mexico, y una caja con llaue en qué se guarda, con el residuo de la cera qué arde, y todo al cuidado delos mayordomos que annualmente se han ido sucediendo. Y fueron los primeros en el año de 71, Don. Carlos Fernandez Y Don Bartolomé Fernandez, el de set-enta, y dos, Dn. Antonio José Ortiz, Y Dn. Blas García, el de setenta y tres, Dn. Fran^{co}. Trebot Nauarro y Dn. Diego Antonio Baca, el de setenta y quatro, Dn, Toribio Ortiz y Dn. Manuel Saenz de Garuisu, el de setenta y cinco Dn. Juan Antonio Ortiz, Y Dn. José Calues, el de setenta y seis Don Antonio José Ortiz, segunda vez, y se ofreció a serlo por toda su vida con la ayuda de Dn. Cristoval Vigil.

Well knew all the people that the most powerful petitioner with whom to reach the Omnipotence was His Saintly Mother whose sacred Image under the name "El Rosario" is worshipped at the parroquial church of this Villa de Santa Fé, conducted under the Conqueror Don Diego De Vargas, and on account of which she is called the "Conquistadora" they resolved to elect her under oath Special Patron Saint of the Kingdom, and that there be celebrated in her honor an annual Feast in the Church with all the possible solemnity, on the first Sunday of the month of October, and in order that it may be so with the universal approval of all the inhabitants of the kingdom, six of the men addressed themselves in writing to Señor Don Pedro Fermin de Mendinueta of the Order of Santiago, Colonel of the Royal Armies Governor and Captain General of the Kingdom, and they were Don Felipe Tafoya, Don Antonio José Ortiz, Don Toribio Ortiz, Don Manuel Garcia Pareia, Don Bartolome Fernandez, and Don Carlos Fernandez. They set forth in the writing their object and motives, leaving to his prudent and devout arrangement the measures necessary to attain their desires.

His highness resolved that the written instrument be circulated among the religious, the missionaries of the Seraphic Order of San Francisco, in order that in their respective missions they might inform their parishioners of the contents of the request, and if accepted, that there be appointed deputies who would receive whatever the parishioners might wish to donate (but without force or even persuasion) to set foot and initiate the idea of raising sheep in order to produce the annual necessary costs for the said solemnity. Everything was accomplished far beyond their hopes and dreams. In the same year of 1770, before the sheep which were 1500, produced any revenues, the governor paid for the first feast of the church, together with a complete outfit of vestments and robes for the image of the very best quality of weaves found in Mexico—and a chest

with a key where it is kept with the unburned wax, and all in care of the Mayordomos who succeed themselves annually. The first mayordomos who served in 1771 were Don Carlos Fernandez and Don Bartolome Fernandez. In 1772, Don Antonio José Ortiz and Don Blas Garcia. In 1773 Don Francisco Trebot Navarro and Don Diego Antonio Baca. In 1774, Don Toribio Ortiz and Don Manuel Saenz de Garvisu. In 1775, Don Juan Antonio Ortiz and Don Jose Calves. In 1776 Don Antonio José Ortiz, for the second time and offered to do so for life with the aid of Don Cristobal Vigil. This celebration continues without interruption until this the year of 1777, and also the burning of over three hundred candles of white wax of the north on the Altars and brackets, and it is hoped that it will be perpetuated because of the acknowledged and miraculous favors from the Powerful intercession of the Sovereign Queen of all Creation and the blessings we have experienced and are experiencing.

(concluded from page 295)

Sigue esta Celebridad sin decadencia alguna hasta el presente años de 77, ardiendo en los Altares Imanos mas de tres-cientas velas de cera blanca del Norte, y se espera se perpetuará á vista de los palpables faoures qué de la poderosa interseccion de la Soberana Reyna detodo lo criado, se hán experimentado, y experimentan.

NOTES AND EXCHANGES

(continued from page 273)

MINNESOTA HISTORY

At the eightieth annual meeting of the Minnesota Historical Society, Herbert Heaton made an address, "The Development of New Countries—Some Comparisons." This address is printed as the leading contribution to the March issue of the Quarterly of the Minnesota Historical Society. He sets up as his thesis that the historian who writes in 2029 will probably tell his readers that the most important European export of the Nineteenth Century was not coal or cloth, but human beings. He may say that the biggest European achievement happened outside Europe, in the settlement of large parts of America, Africa, Australasia, and perhaps Siberia, by the white-faced folk who, being above all things meek, entered into the inheritance predicted for them two thousand years ago." He figured that during the past century thirty million folks emigrated to new continents seeking new homes, twenty million coming to America. Biographical sketches with excellent portraits of Herschel V. Jones and Gideon Sprague Ives are given prominent place. The Minnesota Historical Society now has 1562 members. The library of the society has 167,000 books and pamphlets. The number of visitors to the Society's museum last year was 33,000. The Society receives annually from the State \$27,400 for salaries, \$20,000 for equipment, travel and office expense, and \$8000 for archive work. For the next biennium an increase of \$5400 is asked for the first year and \$5800 for the second year. In addition \$5000 is asked for the construction of newspaper racks.

VIEW OF SANTA FE

In the rooms of the Historical Society of New Mexico hang two early pictures of Santa Fe, of which visitors have

frequently asked for copies. Cuts of them have been secured and are being included in this issue of the *Review*, but unfortunately the views have been of necessity so reduced from the size of the originals as to lose many of the most interesting details and to make some description advisable.

The original of the frontispiece is a water-color painting, measuring 30" x17", by Anthony Kellner of the 5th U. S. Infantry, and dated September 15, 1866. The insets, beginning at the top and reading from left to right, are of especial interest because of the architectural details shown. They have the captions "Catholic Church" (San Miguel Chapel in its older form), "Palace" (of the Governors), "Paroquia" (the Cathedral before it was rebuilt), "Catholic Church" (Guadalupe Church which has recently been restored somewhat as here shown), "Protestant Church" (built by the Baptists but purchased in 1866 by the Presbyterians,) "State House unfinished" (destroyed by fire in 1892; it stood where the old Federal Building now stands), "Pavilion" (as it then stood in the plaza), and the "Military Hospital" which cannot be identified in the painting but was doubtless part of "Fort Marcy Post," the parade ground of which is marked by the flag-pole.

The artist seems to have done his painting from a station on the loma north of Santa Fe, near where the old road to the upper valley hit the crest. This is indicated by the cross and the laden burros in the immediate foreground, and by the fact that the painting shows the Protestant Church and San Miguel Chapel (at a little to the left of center) as in direct alignment. The view is to the southeast and at the right of the painting the distant mass of the Cerrillos and Sandia mountains has been brought much too near. We might quibble also at the way in which the artist has represented the wide sandy arroyo coming in from the left (this is not a broad river, kind reader), with the bed of the actual Santa Fe river debouching into it just to the right of the cross. In spite of any such criticisms the painting as a whole doubtless gives a very fair impression of the little

villa of Santa Fe as it appeared in the Civil War period.

The view of Santa Fe in 1882 was lithographed by Beck and Paul, of Milwaukee, and was published by J. J. Stoner of Madison, Wisconsin. The original measures 19" x 9½", the cut being so much reduced as to obscure many interesting details. One can see, however, that by this time all the churches except San Miguel chapel had been given modern roofs. Fort Marcy Post (including the old Palace, and the Headquarters building where the Art Museum now stands) took in the whole area between Washington and Grant avenues; the walls of the capitol, still unfinished, stand to the north (left), with the old military cemetery back of it, and also the old Gas Works,—these last two both down in the arroyo apparently! The only bridges over the Santa Fe river are on College St. and "Bridge St." (now Galisteo); the street which later became Don Gaspar Avenue did not go south of the river but curved west to Bridge St., and Jefferson Avenue was as yet unencumbered by the D. & R. G. Railway tracks. Edifices added since Kellner made his painting in 1866 include the St. Vincent hospital, the academy, chapel and convent of the Sisters of Loretto, St. Michael's College, and a number of hotels - the Palace, Capitol, and Herlow's besides the old Exchange (which Kellner may have tried to show). The First National Bank of Santa Fe stood on San Francisco St., opposite the present Don Gaspar Ave., and the Second National Bank of New Mexico seems to have occupied the first floor of the Masonic building on the south of the plaza. There are many other points of interest about this old lithograph, one amusing fact being that, as early as 1882, a house just north of San Miguel chapel was already being pointed out to visitors as the "Oldest Building in Santa Fe." It is "no. 20" of the printed list.

TRAVELING FELLOW RETURNS

By arrangement of the Historical Society of New



A LITHOGRAPH OF SANTA FE IN 1882
From the collections of the Historical Society of New Mexico
(For description, see "Notes")

Mexico and the School of American Research, Mr. Lansing B. Bloom left Santa Fe in March, 1928, accompanied by his family, for a year or more of work in European archives. After a profitable ten days in Washington, they sailed from New York City direct to Cadiz and Sevilla, where work was begun in the great Archivo General de Indias. Soon after their arrival however, Mr. and Mrs. Bloom were asked to take charge, during the summer, of the work in Spain for the Library of Congress. They therefore moved north to Madrid and until October were at work in the archives there and in Simancas, with the services of two photographers. The results in these archives for 17th century *New Mexicana* were not very abundant, and by the first of October Mr. Bloom was glad to be relieved of the Library of Congress connection by Mr. Roscoe R. Hill (who is well known in New Mexico from his former residence and work), and to return with his family to Sevilla. There Mr. and Mrs. Bloom continued their work until April 12, making a complete survey of 17th century material of value to New Mexico, and to some extent of later material also. A list of all the material desired in the shape of photographic copies was left with Mr. Hill, and by arrangement with him and with Dr. Putnam, librarian of Congress, these copies will be secured as fast as they are available. Mr. Bloom and family made the homeward journey thru France, Switzerland and the British Isles, which gave opportunity to examine other archives in Dublin and London. They sailed from the latter city on June 1st and arrived in Santa Fe on the 14th. A fuller report of their work will be given later.

Mr. Bloom has been appointed an associate professor of history at the University of New Mexico, continuing as an associate of the School of American Research and as editor of the *New Mexico Historical Review* which, beginning with the fall issue, will also be a publication of the University of New Mexico.

PUBLICATIONS FOR SALE

OLD SANTA FE, (the quarterly published in 1913-1916), 3 volumes, unbound. The seventh issue is almost exhausted, but a few complete sets can still be supplied at \$16.00. Vols. I and III, each \$4.00; Vol. III, \$8.00

NEW MEXICO HISTORICAL REVIEW

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NEW MEXICO

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Vol. IV.

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No. 4.



PALACE OF THE GOVERNORS

PUBLISHED QUARTERLY
BY
THE HISTORICAL SOCIETY OF NEW MEXICO
AND
THE UNIVERSITY OF NEW MEXICO

NEW MEXICO HISTORICAL REVIEW

Editor

LANSING B. BLOOM

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PAUL A. F. WALTER

Associates

FRANCIS T. CHEETHAM

E. DANA JOHNSON

FRANCE V. SCHOLES

REV. THEODOSIUS MEYER

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No. 4.

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Bibliography of the Known Issues of the N. Mex.
Press, 1834-1860 Douglas C. McMurtrie
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Subscription to the quarterly is \$3.00 a year in advance; single numbers (except vol. I, no. 2) may be had at \$1.00 each. Volume I can be supplied at \$5.00; vols. II, III, and IV at \$4.00 each.

Address business communications to Mr. P. A. F. Walter, State Museum, Santa Fe, N. M.; manuscripts and editorial correspondence should be addressed to Mr. Bloom at the State University, Albuquerque, New Mexico.

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(INCORPORATED)

ORGANIZED DECEMBER 26, 1859

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CONSTITUTION
OF THE
HISTORICAL SOCIETY OF NEW MEXICO

(as amended Dec. 15, 1925)

Article I. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of twenty-five dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historical nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have by published work contributed to the historical literature of New Mexico or the Southwest may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election,

and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Each Member, upon election, shall pay a fee of two dollars, which shall include the dues for the current calendar year and annually thereafter a fee of \$1.00 payable in January of each calendar year. Members may be dropped from the rolls of the Society at the discretion of the Executive Council for non-payment of dues.

Article 7. *Publications.* All publication of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at Eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

Bulletins, as published, are mailed to members; subscription to the *Review* is additional.

Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Mr. Lansing B. Bloom, Santa Fe, N. Mex.

Santa Fe, New Mexico,
September 1, 1929

Professor Lansing B. Bloom, Editor
New Mexico Historical Review

My dear Mr. Bloom:

I am transmitting herewith a manuscript entitled a *Documentary History of the Rio Grande Valley*, by the late Mr. Adolph F. Bandelier.

This manuscript was turned in by Mr. Bandelier as a result of his two years' work for the School of American Archaeology on a fellowship in Southwestern History provided for that purpose by Mrs. John Hays Hammond. The work occupied Mr. Bandelier's time during the years 1909-1911. His preliminary paper, a *Bibliographic Introduction*, was published as No. 13 of the *Papers of the School of American Archaeology*. As Mr. Bandelier was at the close of this period enabled to go to Spain for further research on the same subject under the auspices of the Carnegie Institution of Washington, this manuscript remained unpublished pending his further researches.

It would seem fitting that this report be now published. As it comes so appropriately within the field of the Historical Society of New Mexico, I am authorized by the Executive Committee of the School to offer it for publication in the *Historical Review*.

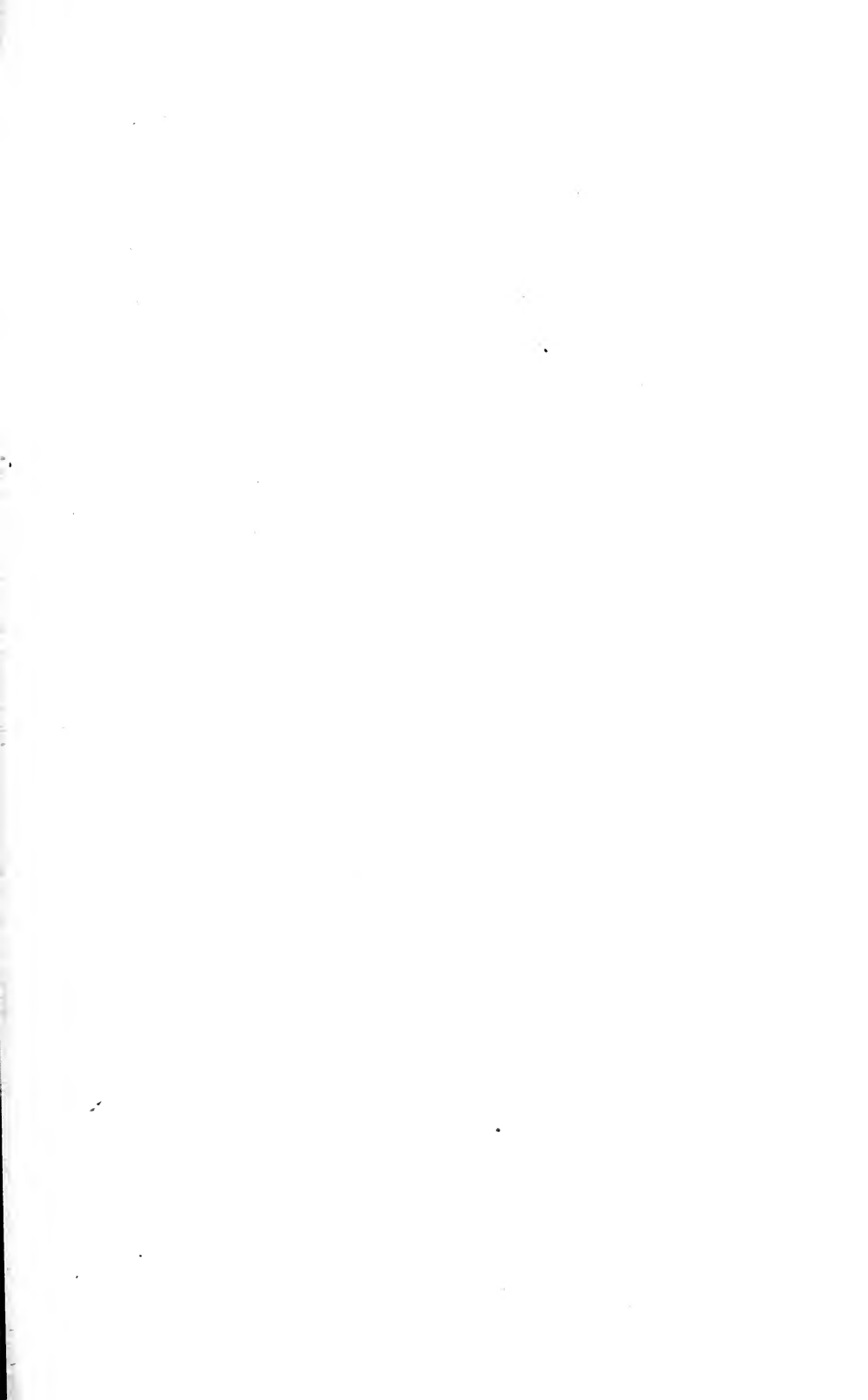
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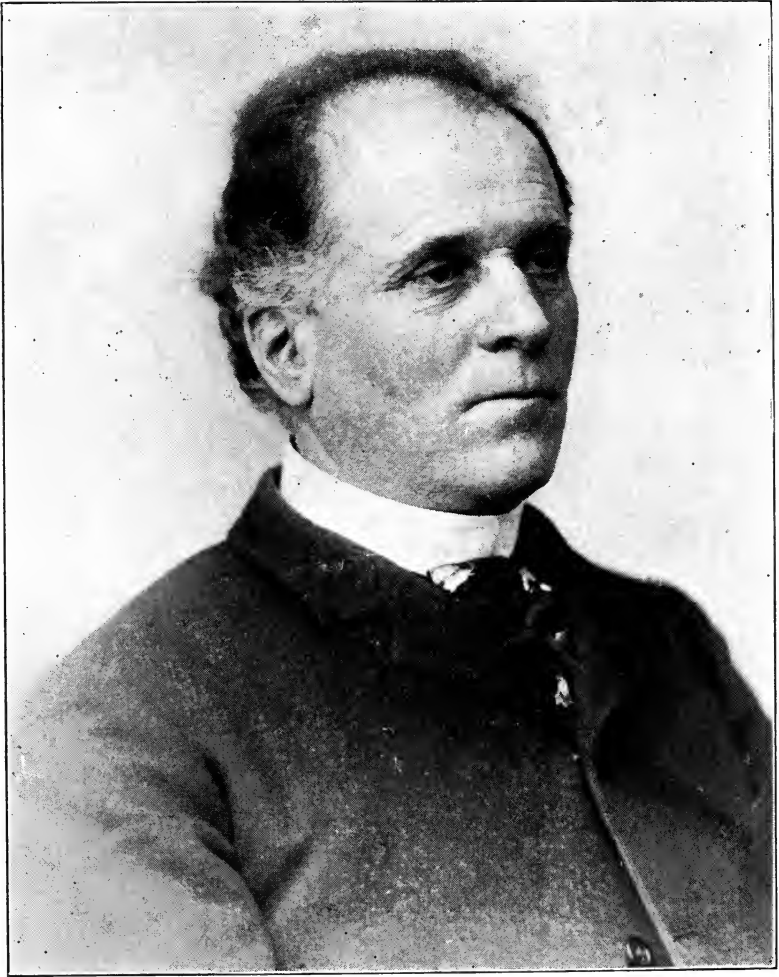
Very sincerely yours,

EDGAR L. HEWETT

Director, School of American
Research

Archaeological Institute of America





THE LATE A. F. A. BANDELIER

NEW MEXICO HISTORICAL REVIEW

Vol. IV.

October, 1929.

No. 4.

DOCUMENTARY HISTORY OF THE RIO GRANDE PUEBLOS, NEW MEXICO

BY ADOLPH F. BANDELIER*

Part I —1536 to 1542

When Alvar Nuñez Cabeza de Vaca and his three companions reached the Spanish outposts in Sinaloa in 1536 they brought the news that at, or near, the confluence of two rivers, which rivers were the Pecos and the Rio Grande, they had understood from the Indians that, farther north, people living in permanent houses would be found. No description of such buildings being given, and Cabeza de Vaca not placing any particular importance on the matter,

* In 1910 the then "School of American Archaeology" published as "No. 13" of its *Papers* the "Bibliographic Introduction" prepared under date of "New York, March, 1910" by Adolph F. Bandelier for his "Documentary History of the Rio Grande Pueblos of New Mexico." This Introduction may still be had if desired (28 pp. \$.25; School of American Research, Santa Fe, N. Mex.), and only the opening paragraph is here quoted:

"Seventeen years have elapsed since I was in the territory in which the events in the early history of the Rio Grande Pueblos transpired, and twenty-nine years since I first entered the field of research among those Pueblos under the auspices of the Archaeological Institute of America. I am now called upon by the Institute to do for the Indians of the Rio Grande villages what I did nearly two decades ago for the Zuñi tribe, namely, to record their documentary history."

Bandelier evidently intended to carry his history of the Rio Grande pueblos thru the seventeenth century, but the manuscript which he sent in covers only the period from 1536 to 1584. Incomplete as it is, the manuscript runs to some 150 pages, and the value and interest of the text seem to warrant its publication.—Editor.

it is not possible to discern if by that notice a vague allusion to the Rio Grande Pueblos or their congeners about the Salines of the Manzano is to be supposed.¹ Farther westward, however, probably still in Chihuahua, they were informed (or made to understand or thought to understand) that "in some very high mountains toward the north . . . there were villages with many people and very big houses."² Whether this is an indistinct allusion to some of the Pueblos or not, is hardly safe to decide. In connection with this it may not be amiss to state that it was obtained by Cabeza de Vaca at a place where he saw, in possession of the Indians, "five emeralds, shaped as arrowpoints, which arrows they use in their feasts and dances." Hence they were ceremonial objects. The Indians "traded for them with featherbushes and parrot plumes."³ The Pueblo Indians have parrot's feathers in limited quantities, and at the Pueblo of San Juan the writer saw, in possession of one of the chief medicine-men, a beautiful large and well-polished plate of *malachite*, which was highly esteemed as a ceremonial object and said to have come from Chihuahua a long time ago.⁴

It is to the year 1538 that we must turn for the earliest positive statement in writing that concerns the Rio Grande Pueblos, or, rather, one of the tribes composing their num-

1. Either, or perhaps both, are possible. The allusion is very vague. Cabeza de Vaca, *Naufragios y Relación de la Jornada que hizo a la Florida*. (Vedia, *Historiadores primitivos de Indias*, vol. I, cap. XXX and XXXI, pag. 542 etc.)

2. *Ibidem* (page. 542).

3. *Ibidem* (p. 543). "y a mi me dieron cinco esmeraldas hechas punta de flechas, y con estas flechas hacen ellos sus areitos y bailes. . . les pregunté que donde las habian habido, y dijeron que las traian de unas sierras muy altas que están hacia el Norte; a las compraban a trueco de penachos y plumas de papagayos, y decian que habia allí pueblos de mucha gente y casas muy grandes."

Coronado, *Letter to the Viceroy Mendoza*, (translation by Winship, p. 559 (from Ramuzio; *Terzo volume delle Navigazioni et Viaggi*, folio 359.—edition of 1556) dated August 2d, 1540, mentions at Cibola-Zuñi, "two points of emerald" found in possession of the Zuñi Indians, together with other little stones "in a paper." The Indians of New Mexico had no paper before the whites came.

4. My informant was the so-called "Tzi-hui," one of the four principal shamans of the Tehuas. See my *Final Report on Investigations*, etc., vol. I. p. 305.

ber. That tribe is the one of Ácoma, the most westerly representative of the stock of the *Queres*.

While the Franciscan monk, Fray Marcos (of Nizza in Savoy) was on his tedious and dangerous journey to reconnoiter the North American South and in search of the (then yet mythical) "seven cities," he met in southern Arizona an Indian who had escaped from Cibola, (Zuñi) who gave him much information about that region and who said, among other things: "that there is another province and kingdom, very great, which is called Acus. There is Ahacus and Acus with aspiration, is one of the seven cities and the principal one. Acus is a kingdom and province for itself" This information was confirmed to him later during his advance in the direction of Zuñi.⁶ I have repeatedly established that, while Ahacus stands for the (now ruined) Zuñi village of Hauicu, Acus is Ácoma, called Hacu by the Zuñi Indians in their language.⁷ Hence this is the first positive notice had, by whites, of any of the Rio Grande Pueblo stocks and it was in the year 1538.

It is foreign to the purpose of this work to give any detail on the march of the expedition of Coronado, its arrival and stay at Zuñi. The point of departure of that corps for the Southwestern United States was Culiacan in Sinaloa, the actual site of that town whither the earlier settlement had been moved in 1532 and where it since remained.⁸ While Coronado was among the Zuñis, he ani-

5. In regard to the seven cities see my *Contributions to the History of the southwestern portion of the United States* (1890) published by the Archaeological Institute (pp. 5, 11 to 14.) As the early sources are amply referred to in that monograph I do not enumerate them here.

6. Compare, in the same volume as in preceding note: *Fray Marcos of Nizza*, (pp. 145 and 146, and notes 1 and 2 p. 148.)

7. This information was secured, thirty years ago at least, by my late friend Frank Hamilton Cushing.

8. Fray Antonio Tello, *Historia de la Nueva Galicia* (in vol. 2 of *Coleccion de Documentos para la Historia de Mexico*, by Yzabalcta). Father Tello wrote the History in 1652. The date of the transfer of San Miguel del Navito, the original Spanish settlement at Culiacán, is given on page 355 of the volume quoted and reads as follows: "A todos estos españoles dejó Nuño de Guzman en la nueva villa de San Miguel del Navito; aunque en el mismo año, que era el de treinta y dos, fue

mated those Indians to inform the other Pueblo tribes of the arrival of the Spaniards and to prepare for the latter a friendly reception.⁹ This shows that there existed, prior to 1540, friendly though probably sporadic relations between the Zuñis and more eastern Pueblos and indeed, in the summer of 1540, an Indian delegation came to Hauicu from a village called Cicuyé "situated seventy leagues to the East they had with them a Cacique whom the Spaniards surnamed *Bigotes* since he had very long [moustaches]. He was a young man, tall well-built and he seemed to be robust. He said to the general that, from what they had been told about the Spaniards, they came to tender their assistance and their friendship and that, if we came to their country, they begged to be treated as allies. As presents, they gave tanned hides, shields and helmets. The general received them very well and gave them precious things such as they had never seen. They gave information on the cows of their country and we found out they were cows as one of these Indians had one painted on his

trasladada a Culiacán, que es en donde hasta hoy permanece." Under the year 1532, the following is found in the important work of *Antonio de Herrera; Historia general de los hechos de los Castellanos en las Islas y tierra firme del Mar oceano.* (edition of 1726 Decada V. Lib. I, VII. Pag. 18 Cap. VIII.) "Solia estar la Villa de San Miguel cinco leguas mas arriba, i pasose al Valle de Horaba, por el aparejo de Sementeras, i Frutas, i otras comodidades." That the present Culiacán, is only five or six leagues from the site where it was originally founded, is already stated in: *Primera Relación anónima de la Jornada que hizo Nuño de Guzman*, from the sixteenth century (*Documentos para la historia de Mexico*, ut supra vol. 2, p. 292) "cinco leguas arriba de donde agora está." *Segunda Relación anónima* (p. 304) "Solia estar esta villa cinco leguas mas arriba."

9. See my "Documentary History of the Zuñi tribe" in *Journal of American Ethnology and Archaeology*, III (1892); Pedro de Castañeda, *Relación de la Jornada de Cibola*, (in vol. 14, part 1, of *Ethnological reports*, p. 430, but especially cap. 11, page 428): "que ellos diesen noticia a sus amigos y uecinos como eran benidos a su tierra cristianos y que no querian otra cosa salbo ser sus amigos y aber noticia de buenas tierras que poblar y que los biniesen aber y comunicar y así lo hicieron luego saber en aquellas partes que se comunicaban y trataban con ellos." The subsequent visit of the Pecos Indians to the Zuñis may have been brought on by a call of the Zuñis, although Pecos is quite distant from the latter's tribal range.

body."¹⁰ These people from Cicuyé were, as we shall hereafter see, from the now abandoned pueblo of *Pecos* east of the Rio Grande and they were the first people from the Rio Grande region seen by whites. It is known that the Pecos Indians spoke the language of "*Jemez*." From this brief notice we also learn that the Pueblo Indians used shields, leather caps as helmets¹¹ (as was indeed the case), and that they occasionally painted their bodies.

The "cows" were of course the buffaloes and of these animals the Spaniards had already learned through Cabeza de Vaca and Fray Marcos; still, the sight of the shaggy or woolly coats surprised them greatly, and more so yet when given to understand that the animals were "cows."

Profiting by the friendly disposition of the Pecos, Coronado determined upon sending a reconnoitering party with them, to explore the east. For that purpose he selected one of his officers, Hernando de Alvarado, and twenty men; and Fray Juan de Padilla, a Franciscan monk, accompanied them.¹² The party set out, in company with the Pecos, on August 29th (old style, or on September 8th according to our actual calendar), from "Granada," which was the name given by the Spaniards to the pueblo of Hauicu where they had quartered themselves.¹³ The description of the recon-

10. Castañeda, *Relación de Cibola*, (cap. 12 page. 430). I shall always quote Castañeda from the invaluable publication of his original text by Mr. George Parker Winship referred to in the note preceding. It is well known that "bigote" is the Spanish for moustache. In order not to lengthen unduly the numerous notes accompanying my text I shall give the full quotations only when necessary. The student will, therefore, look for the full text of the quotations in the originals indicated.

11. The original has "capaçetes," which may also be simply a headpiece or cap.

12. Castañeda, *Cibola*, (cap. 5 part 1, p. 421) mentions Alvarado as captain of the artillery and "cauallero montañes." Fray Juan de Padilla was a native of Andalusia, and had been the first guardian of the convent of Tulancingo, whence he went to Jalisco, became guardian of Tzapotlan, and gave up that post to join Coronado. He had been a soldier. His short biography is found in many Martyrologies and in Mendieta, *Historia eclesiástica Indiana*, in Toquemada, and Vetancurt, *Menologio franciscano* (edition of 1871, p. 386). The statement that he had been a soldier is found in Castañeda, *Cibola*, (I. cap. 11, p. 428). He states: "Fray Juan de Padilla frayle francisco que en su moedad auia sido hombre belicoso"—This does not necessarily imply that he had been a literary man, although it is not unlikely.

13. Hauicu had been christened "Granada" by the Spaniards after its occupation by them.

noissance by Alvarado is based upon an original report (possibly by Father Padilla) of which however only the first part is accessible thus far, through the notice of it given by Castañeda (who did not participate in the expedition) and a similar notice in an anonymous document from the time, as well as through the contemporary statements preserved by Fray Toribio de Paredes surnamed Motolinia.¹⁴ It is plain and bears every mark of reasonable truthfulness. I purposely dwell on these points, as a high authority from the eighteenth century, the celebrated Spanish historiographer, Juan Bautista Muñoz, has attacked the reliability of this report.¹⁵

Marching past several ruined villages known to the Indians (who still preserve their names), he arrived at another ruin where the trail divided, one branch of it leading to "Chia" (Cia) and the other to "Coco" (Acuco or Ácoma). Both trails were still visible in 1888 and I have traveled over parts of them on foot. It shows that, previous to the time of Coronado, there was intercourse (even

14. The copy of this fragment, as published in the *Documentos de Indias* (Vol. 3, pp. 511 to 513) is entirely faulty and utterly misleading. It reads: *Relación de lo que Hernando de Alvarado y Fray Juan de Padilla descubrieron en demanda de la mar del Sur* —In the Index the additional mistake is made of substituting "de Soto" for Alvarado. The manuscript from which this copy was made is itself a copy from the eighteenth century and has the same errors except that, in the title, "Alvarado" is mentioned. The manuscript copy is at the Lenox branch of the New York Public Library. The statements preserved by Father Motolinia are in the manuscript entitled "*Libro de Oro o Tesoro Indice*" which belonged to Don Joaquin Garcia Yzcabalceta and has been published since his death by his son. Years ago, Don Joaquin sent me a copy of the *Relación postrera de Sivola* from the *Libro de Oro* and I have used it frequently in my books published before 1893. Mr. Winship was the first to publish it in this country, in vol. 14, Part 1, of the *Reports of the Bureau of Ethnology*, (pp. 566 to 568, with an English translation on pp. 595 and 596). The name of Alvarado is not mentioned, but part of the information undoubtedly came through him. *The Relación del Suceso de la Jornada que Francisco Vazquez hizo en el Descubrimiento de Cibola* (*Doc. de Indias*, vol. 14) states on page 322. "Luego como Francisco Vazquez despacho a D. Garcia Lopez a este descubrimiento, desde alli a cuatro dias despacho a Hernando de Alvarado a descubrir la via de Velante" (should be "Levante," sunrise or the East) el cual partió . . ." More detailed than any (except the original report or fragment of it) is Castañeda *Cibola* (cap. 12, p. 430) "ordenó el general que fuese con ellos hernando de alvarado con ueinte compañeros y ochenta dias de comiçion y quien boluiese a dar relación de lo que halauan este capitán aluarado prosiguio su jornada. . ."

15. The strictures are found in a footnote, in the manuscript as well as in vol. III, page 513, of the *Documentos de Indias*. Muñoz was never in America and could not judge of the correctness of the report.

if irregular) between some of the Rio Grande pueblos and Zuñi, as already mentioned. The direct report on the Journey does not state the number of days used in reaching "Coco" or "Ácoma," but Castañeda, while not on the expedition himself, says that it took five days¹⁶ to make the trip, which is quite likely. The report states: "We arrived at the said place, which is one of the strongest things ever seen, because the city stands on a very high rock. Ascent to it is so bad that we repented having ascended to the place. The houses are of three or four stories, the people are of the same sort as those of Cibola; they have an abundance of food: maize, beans, and fowl after the manner of those of New Spain."

"From here we went to a very good lagune with trees like those of Castille, and from there to a river which we named 'of our Lady' because we reached it on vespers (afternoon before) Her day, in the month of September."¹⁷ The "day of our Lady" was then and is to-day the 8th of September.¹⁸ The river was the *Rio Grande*, the lagune being the one near the actual pueblo of *Laguna* which then did not yet exist.¹⁹ So the entire trip from Zuñi to the river lasted nine days, including the stay at Ácoma.

Of the Rio Grande and the valley through which it flows the report says: "This river of Our Lady runs through a very broad valley [meadow properly] dotted with corn-fields. There are some lanes [groves] of trees. There are twelve villages. The houses are of earth and two-storied. The people appear to be good, and land-tillers rather than war-like; they have much food in the shape of maize, beans and melons [squash] and fowl in great abundance. They

16. *Relacion de lo que Hernando de Alvarado y Fray joan de Padilla descubrieron etc.* (p. 511). *Cibola*, (p. 430): "y a cinco jornadas llegaron a un pueblo que estaba sobre un peñol decláse acuco era de obra de doçientos hombres de guerra salteadores temidos por toda la tierra y comarca." Nine days is a very likely statement.

17. *Relación de lo que Hernando de Alvarado etc.* (p. 511)

18. This is one of the feast days, the date of which was not changed when the correction of the calendar was made.

19. Laguna was founded in 1699, July 4th, by the Governor Pedro Rodriguez Cubero. See my *Final Report* (vol. II, p. 299, text and note 1.)

dress in cotton, cowhides, and mantles of fowls-feathers; their hair is cut. Those among them who exercise the greatest authority are the old men; we hold them to be sorcerers, for they say they rise to heaven and other such matters of the kind. In this province are seven villages more, abandoned, and destroyed by the Indians with painted eyes, of whom the guide gave notice to Your Grace; they say these confine with the cows and have houses of straw, and maize".²⁰

Since the river of "Our Lady" was the Rio Grande, the group of twelve villages can only have been the abode of the Tigua Indians of New Mexico.²¹ It was the only cluster of so many pueblos, situated on or near an important stream in that territory, and Alvarado must have struck that group somewhere between the Mesa "del Cangelón" in the north and Belen in the south, or, more precisely, about the present site of Bernalillo according to testimony produced further on.

It must not be lost sight of that the Spaniards had not yet had time to become acquainted with the languages of the pueblos, that of Zuñi perhaps excepted, and that there is no mention made of any Indians from Zuñi accompanying Alvarado.²² Hence, a correct understanding of what the Pecos, and afterward the Tiguas, attempted to tell them was almost impossible. This is important in regard to the "painted Indians" and the hostilities they are said to have committed towards the Pueblos. The personal description of these Indians may or may not have been correctly understood, and such is also the case with the tale about the destruction of Tigua villages, which destruction would be a

20. Alvarado, *Relación*, p. 512. In regard to the seven villages stated to have been destroyed, the painted Indians, and the fact that the villages mentioned were possibly not of the Tiguas, see notes following.

21. Aside from other and numerous evidence, the name "Tiguex" is sufficient to identify the tribe with the Tiguas. I have heard, and more than once, Tigua Indians pronounce "Tiguex." It must be borne in mind that "x" was and is today in Mexico, Central America and Yucatan, pronounced "sh".

22. They would have been superfluous, even perhaps, useless, as guides, since the Pecos accompanied and led Alvarado.

piece of Pueblo History from previous to the year 1540. The "Jumanos" are, later on, alluded to as painted or rather "striated" people,²³ but other prairie tribes also decorated with paint. From the vague indications accessible in regard to the Jumanos we may surmise that a branch of them dwelt east of the Salines of the Manzano, hence not far from the Tigua villages of Cuaray, etc. There are ruins in that neighborhood, of which it is not known yet whether they were Tigua or Piro settlements. A definite conclusion cannot be reached, especially since we are in doubt about the correct reporting of what the Indians meant. At all events it is well to keep the above quoted passage in mind when investigating the tradition of the Rio Grande Tiguas.

The meeting of Alvarado with the Tiguas took place as follows: "We sent across to the village through a guide and the next day there came, from twelve villages, principal men and people, in good order, those of one village after another. They marched around the tent playing a flute and one of the old men talking, and in this order they entered the tent and presented me with food, mantles, and hides which they [had] brought. And I gave them a few trinkets, and with this they went back." This appears to be the first description of a ceremonial performed by Rio Grande Pueblo Indians in the presence of Europeans.²⁴

23. Further on I shall refer more in detail to this story about the destruction of villages by Indians from the plains. It is barely possible these may have been Jumanos, but the Indian tradition of the "Teyas" destroying pueblos about 1525 is not to be overlooked. These pueblos lay a short distance from the Rio Grande on the east and may have been *Tanos*. That the Jumanos either painted or tattooed their faces is often stated, and that some of their number occasionally drifted to the Rio Grande and got among the Tiguas is already noticed by Castañeda, *Cibola*, p. 444, "en esta jornada a la yda se hundio (should probably be "huyó") una india labrada . . . en tiguex donde se ubo era esclava . . ." The term "labrada" means tattooed, in distinction from "pintada." The Jumanos were also called "rayados" or striated. The documents referring to the Jumano tribe will be considered later. See the very valuable monograph on the subject by my friend F. W. Hodge, "The Jumano Tribe," from *Proceedings of the America Antiquarian Society*, (April, 1910).

24. Alvarado, *Relación* etc. (p. 512) The description of these ceremonials has the merit of being the only one thus far known, hence I give it in the original: "y otro dia vinieron, de doce pueblos, principales y gente en ordenanza, los de un pueblo tras de otro, y dieron una vuelta a la tienda, tañendo con una flauta y un viejo hablando; y desta manera entraron en la tienda y me presentaron la comida y mantas y cueros que traian, é yo les dí algunas cosillas, y con esto se volvieron."

The report alludes to still another ceremonial act of the Pueblos which the Spaniards witnessed: "In the places where crosses were put up we showed them how to worship these, and they offered their powders and plumes and some left the mantles in which they are dressed, and with such eagerness that they climbed over each other in order to reach the arms of the crosses in order to place feathers and roses, while others brought ladders and, others holding these, they ascended to tie strings to fasten the roses and plumes."²⁵ Leaving the "roses" out of the question, we gather information of two well-known Pueblo ceremonials, namely: the use of sacrificial meal and plume-sticks. These objects were placed on the crosses by the Indians, either with a view of propitiating the cross which they may have regarded as a good fetich, or as a charm against possible evil which they may have feared from the erection of the Christian symbol. In the mind of the Indian, who very probably looked upon the cross with doubt and even misgivings, both may be possible.

Alvarado obtained information about more villages; some to the south along the Rio Grande (which villages he understood were small, only two of them containing as many as 200 souls), and a much larger number of settlements to the north of the Tigua range.²⁶ The former must have been the villages of the *Piros*. Among the latter he mentions one "which is located between some shores. It has twenty wards. The houses are with three stories of mudwalls and

25. Alvarado, *Relación* (p. 513.) He says "*sus polvos y plumas.*" This indicates that the Spaniards had noticed the use of such objects already on other occasions.

26. This information, while probably from Alvarado, is found in the *Relación postrera* (p. 588.) "El que esto dice vió doce pueblos en cierto compás del río; otras vieron más; dicen el río arriba; abajo todos son pueblos pequeños, salvo dos que ternán á ducientas casas; . . ." Alvarado, *Relación*, (p. 512) attributes, to what afterwards became known as Tiguex, twelve pueblos, and adds: "Aquí vinieron á darme la paz los de las provincias comarcaranas, que son las que V. Mrd. verá por esa memoria, en que habrá ochenta pueblos de la calidad que tengo dicho." The mention of a visit from "contiguous provinces" may indicate that Alvarado did not see these himself. The number of the pueblos is larger than that furnished by Coronado, but it is merely an approximation. See further on.

three more of small boards, and in the three stories (built) of mud are three gangways. It seemed to us that in that village there were as many as fifteen thousand people. The country is very cold; they raise neither fowl nor cotton, and worship the sun and water. We found, outside of the place, heaps of earth where they bury."²⁷ This village was one of eighty "in the surrounding Provinces."²⁸ It is not asserted that the Spaniards saw it, it appears rather that the mention is from hearsay, hence subject to caution. If the description should be truthful it might indicate that, at Coronado's time, the clans lived still in separate quarters, hence the term "barrios" or wards. The statement that the Pueblos worshipped both the sun and water, while not correct in the exclusive sense here given, is still not absolutely false and alludes to further ceremonial data. As to the heaps of earth outside of the village, these may have been burials, rubbish-mounds, or the small heaps of stones erected on the outskirts of Pueblos in former times for purposes of prayer.²⁹

The report on Alvarado's excursion, although unfortunately truncated in its actual condition, proves, from the above, to be truthful and even ethnologically valuable. The other documents treating of the expedition must now be compared with it. The oldest one of these is the "Relación del Suceso" which was written in New Mexico in 1541 or in the year following. Its author is not known. It says:

"Forthwith, as Francisco Vazquez had despatched D. Garcia Lopez to this discovery [of the Colorado river], after four days he sent off Hernando de Alvarado to discover towards the rising sun; who left, and thirty leagues

27. The heaps of stones are mentioned by Benavides. See later.

28. See note 26. The estimate of fifteen thousand souls is, of course, greatly exaggerated. Whether the village meant is Pecos or Taos is not quite clear. It may be either. The text however makes it clear that Alvarado wrote from hearsay.

29. The heaps or mounds in question are called in Tehua "Tapu." It corresponds to the custom of the South American "Apachetas." Fray Alonso de Benavides, *Memorial que Fray Juan de Santander de la Orden de San Francisco, Comissario General de Indias, presenta a la Magestad Catolica del Rey Don Felipe quarto nuestro Señor.* (1630, p. 39).

from Cibola found a rock with a village on it, the strongest thing seen in the world, which in their language they call Acuco and Father Fray Marcos called it the kingdom of Hacus. They received us peaceably although they might have avoided it and stayed on their rock where we could not have bothered them. They gave us mantles of cotton, hides of deer and of cows, turquoises and fowl and their other food, which is the same as at Cibola."³⁰ This is one of the earliest identifications of Hacus with Acuco, and the second time that the full Zuñi name for Ácoma, "*Hacu kue*," appears in documents.³¹ (The earliest mention seems to be by Coronado, in his letter to the Viceroy, dated 3d of August, 1540).

Twenty leagues east of Ácoma, continues the document, they came to a river that flowed from north to south, and the shores of which were well settled. "There may be in all, on it, seventy villages, large and small, more or less. Their manner is like that of Cibola, except that nearly all are with mudwalls well made; the food is also the same. These people raise cotton namely, those near the river, the others not. Here there was much corn. The people have no markets."³² This settled part extends for fifty leagues from north to south along the river, and on either side as far as fifteen or twenty leagues from it are some villages. The river rises in the north of the settled country and of the slopes of these (sic) mountains, where there is another Pueblo different from the others and large. It is called Yuraba. It is in the following shape: it has eighteen wards, each one of the extent of two house lots, the houses very close together, of five and six stories; three of which are built of mud and two or three of planking. The (building)

30. *Relación del Suceso*, p. 322.

31. It does not appear in the accounts of later chroniclers, the Queres name "Ácoma" having become prevalent. The abbreviation "Coco" however, is found, though rarely.

32. The Spaniards were accustomed to the "Tianquiztli" of the Indians of Mexico, which were held sometimes every day and which, in fact, played the part of our "stores" of today, the wares being offered in the open air.

grows narrower toward the top, and on the upper stories of the mud-walls, without, projects on each, one little corridor above the other, of timber, all around. It being situated in the mountains they have no cotton nor do they raise fowl, but dress in hides of deer and of cows. That village contains more people than any other of all that country; we judged it to contain fifteen thousand souls. Of the other kind of pueblos, there is one, larger than all, very strong, called *Cicuique* and with four or five stories, eight large courts each with its corridor, and it contains good buildings. Those (people) also do not raise cotton, nor have they any fowl, because it lies fifteen leagues east from the river, near the plains where the cows roam."

While this description confirms the one contained in the fragment emanating from Alvarado (at least officially) it embodies much more detail. We learn that the large village in the North is called *Yuraba* (a name as yet difficult to identify); we are told (and quite correctly) of the extent of the entire Pueblo range. We are informed of the existence of a large village some distance from the Rio Grande, east, which is called *Cicuique* and lies near the great eastern plains. "Cicuique" is a modification (resulting from the difference in languages and the changes in pronunciation so common among Indians) of the Pecos for their pueblo. It is also pronounced "Tshiquique" instead of "Tshiquitue." We have, therefore, through this document, the names of two Indian villages, which, at the same time, are given as the most populous of all the pueblos. Pecos is easily identified (as Cicuique) but Yuraba not. The name as yet gives no clue, but the geographical indications point to *Taos*, as probably the one called Yuraba. Ever since New Mexico became known, Taos was the most northerly Pueblo settlement (if we except the temporary village founded by the Picuries at the "Cuartelejo" which however was only occupied for a few years and then abandoned). Its appearance is striking and is indicated in the document by its tapering form. It lies on the shore of a small stream, is

quite tall, and the country is elevated, so that cotton will not grow. The Taos of today is not exactly on the site where the tribe originally settled, the older village having been situated (so it is said) in the mountains, which does not conflict with the description. Whether the actual Taos, or an older settlement of that tribe in the sierra, there is much reason to suspect that Yuraba was the abode of the Taos cluster in 1540, and that Cicuique was the well-known Pueblo of Pecos, abandoned since the first half of the nineteenth century.

Not without interest is the mention of buffalo-hides frequently used for dress. They appear to have been much more abundant among the Pueblos in the sixteenth century than, for instance, in the nineteenth. Whether this is merely apparent or so in fact, I cannot decide, but it is noteworthy that in none of the documents contemporaneous with Coronado is any mention made of the periodic buffalo hunts on the plains which, certainly as late as 1880, were undertaken by Pueblos as a communal affair, and also as trading expeditions to the plains Indians.³³ On the other hand, it is stated that the nomads came (even regularly) to Pecos, to dispose of buffalo and other hides.³⁴ If the abundance of the latter is true, at Coronado's time, then there would have been a more lively intercourse between the sedentary Indians and the nomads than was the case in subsequent times. Such commercial relations did not, of course, interfere with occasional warfare.

When Alvarado left the Zuñi region his commander had allowed him eighty days for the whole duration of his absence. The fragment we have investigated covers but a short period of this leave of absence. The "Relación del Suceso" finishes, though briefly, the tale. The writer of this document is unknown to us, his opportunities for re-

33. I witnessed one of the last meetings held for the organization of an expedition of the kind, and acted as scribe on the occasion, in 1880, at the Pueblo of Santo Domingo on the Río Grande.

34. Reference to this will be found further on.

liable information we cannot determine, beyond that he was a member of the expedition and in the Southwest at the time. From the fragmentary original report I have surmised that Alvarado did perhaps not see anything beyond the Rio Grande valley; according to the second document it would appear that he even penetrated as far east as the great plains.

"After Alvarado had reported to Francisco Vazquez about this river," continues the document, "he went to those plains, and in the beginning met a small river that runs to the southeast, and four journeys further he found the cows which are the most monstrous things among animals that were ever seen or heard of."³⁵ These data are supplemented by details on the buffalo, obtained on Coronado's journey to Quivira in the summer of 1541, showing that the "Relación del Suceso" was written during or after the fall of that year. Alvarado is said to have followed the small stream for a distance of one hundred leagues, a rather doubtful statement. The stream was evidently the Pecos, and the fragment of a report to Coronado is very probably a part of the above mentioned report to the commander, sent before Alvarado set out for the great plains. Alvarado returned from the plains in safety, and "to the river which is called, of Tiguex", where he found the Maestro de Campo Garcia Lopez de Cardenas already established, preparing quarters for the whole little army.³⁶ But events connected

35. *Relación del Suceso*, p. 324: "Despues de haber Alvarado hecho relación a Francisco Vazquez deste rio, pasó adelante á estos llanos, é al prencipio dellos halló un rio pequeño que corre á el Sueste . . ." That he did not visit other villages outside of the Rio Grande valley than Pecos (and saw a few pueblos between the Tiguas and Pecos) is indicated by the *Relación del Suceso*, (p. 324): "Vuelto Hernando de Alvarado de estos llanos al rio que se llama de Tiguex." Previous to going to the plains he had not had time for visiting any other tribes but the Tiguas and the Pecos. Castañeda, *Cibola* (p. 431) says that Alvarado sent word to Coronado from "Tiguex. . . para que se biniese a inbernar aquella tierra."

36. *Relación del Suceso*, (p. 324): "Vuelto Hernando de Alvarado. halló al maestre de campo D. Garcia Lopez de Cardenas, haciendo el aposento para todo el campo que venia allí". Castañeda, *Relación de Cibola*, p. 431: "y quando hernando de alvarado llegó a tiguex de buelta de cicuye halló a don garcia lopes de cardenas. . . ."

with this must be reserved for later on, and I now turn to another source concerning the Alvarado expedition, the "Relación postrera de Cibola" contained in one of the several manuscripts on the history of the Mexican Indians by the celebrated Franciscan missionary Fray Toribio de Paredes, surnamed by the Indians *Motolinia*. The document is called the "*Libro de oro*" also "Thesor o indice" and bases upon letters written by one or several of the priests who accompanied Coronado, and in the year 1541. It contains several data that seem to have been taken from the fragment of the original report. So for instance: the mention of the Rio Grande appears to be almost textually copied. The "Relación postrera" affords strong confirmation of the report of Alvarado.³⁷ More explicit than any of the sources preceding are the writings of Pedro Castañeda of Najera. He wrote, however, some twenty years after the occurrences, and from memory. But he had been a participant in the expedition and his recollections, although not above adverse criticism in more than one instance, are remarkably detailed and very important. He mentions the reconnoissance by Alvarado in detail, although he does not seem to have taken part in it. His statements require careful investigation. Thus he states:

"The general ordered the captain, Hernando de Alvarado to take twenty men with him, to accompany these Indians (from Pecos) and to return in twenty days to give an account of what he might have seen. Alvarado therefore left with them." (I again call attention to the fact that no mention is made of Indians from Zuñi having gone along.) The point of departure was Haucu. "Five days later they reached a village called Acuco which is built on a rock. Its inhabitants, who can put on foot about two

37. It is possible, however, that the *Relación postrera* may have been written previous to the *Relación del Suceso*. The former treating of Coronado's dash to Quivira says: "no se sabe si es vuelto, etc." In that case it would be the earliest source mentioning "Acuco," earlier than the *Relación del Suceso*. Hence it was written after the middle of July and previous to October 20th, 1541.

hundred warriors, are dreaded in the whole province as bandits. This village was very strong since there was but one trail leading up to it which rose on a rock that was cut sheer on all other sides and so tall, that a bullet from a harkbuss could scarcely attain the summit. It could be reached only by a staircase cut by the hand of man, commencing at the lower end of the rock and leading to the village. This staircase was reasonably wide along the first two hundred steps, then came a hundred more much more narrow, and when the height was reached there were yet to climb three fathoms, by placing the foot in holes dug into the rock. It was hardly possible to insert the toes into them, so that it was necessary to hold on with the hands. On the top was a large heap of big stones that could, without being seen, be hurled on those that would ascend, so that no army, however strong, would have been able to force its way up. There was, above, sufficient ground for sowing and storing a large quantity of maize, and there were also cisterns to gather water and snow."³⁸ This description, from one who did not accompany the troop of Alvarado but saw Ácoma afterwards, is but an amplification of the report, or rather fragment, written in 1540 and agrees very well with the scanty notice contained in it. The estimate of the population agrees, not with the estimate by Vetancurt, more than a century later, but with the numbers of the Ácoma tribe of today. The staircase made by hand is an error in part, there are only here and there traces of artificial steps, but the general description of the difficult ascent is quite good. Here I may observe that the "Relación

38. *Relación de Cíbola*, p. 420. The passage: "tenía una sola subida de escalera hecha a mano" is not correct; the vertiginous paths are natural in the main. I cannot positively determine which of the actual trails leading to the top of the rock may be meant. When I first went to Ácoma (1882) and remained there for a month, there were three trails in use, one of which is most vertiginous, although the Indians made frequent use of it. It is also, to say the least, doubtful that there was "sufficient ground for the cultivation of maize."

postrera" allows for Acuco "two hundred houses,"³⁹ adding that the language there is distinct from that of Zuñi. It is well known that the Ácomas belong to the Queres and speak the Queres idiom, with some dialectical variation.

What follows is in direct opposition to the statements of other documents which all assert that the Spaniards were received in a peaceful manner. According to Castañeda, on the contrary, the Ácomas came down to the foot of their rock, traced lines in the sandy soil, giving to understand that these lines should not be crossed. But when they saw that the whites were making ready to attack they gave in, begging for mercy. So the Spaniards interpreted their gestures. Castañeda describes the ceremony which he says they observe when making peace: "they approach the horse take of their sweat, and rub their own bodies with it. Afterwards they make crosses with the fingers of their hands." The idea underlying this ceremony is unclear to me, provided always that the Spanish interpretation of it (as a symbol of peace) is right. To pledge friendship, they cross the two hands, in which case the pact cannot be violated any more. They presented to their visitors many fowl, bread (the so-called tortillas of today), tanned hides of deer, pinion-nuts, meal and maize.⁴⁰

Three days later, says Castañeda, Tiguex was reached where, the Pecos chief "Bigotes" being in their company, the strangers were met with demonstrations of peace and friendship which are ascribed to the fact that "Bigotes" was much feared in the country, possibly as a powerful shaman. Thence Alvarado sent a messenger to Coronado,

39. Two hundred "households" would correspond to about as many warriors, as Castañeda estimates: "doscientos hombres de guerra." *Relación de Cibola*, p. 430. The proportion of adults to the whole population among sedentary Indians I have invariably found, in former times at least, to be 1 to 3.5. so that Ácoma could be credited with 800 inhabitants. Vetancurt, *Chronica de la Provincia del Santo Evangelio de Mexico*, (reprint of 1871), p. 319: "Vivían mil y quinientos personas."

40. *Cibola*, p. 431.

giving a favorable impression of what he had seen and inviting his chief to spend the winter at Tiguex.⁴¹

At five days' distance from there Alvarado reached Cicuyé.⁴² Its inhabitants received him with many demonstrations of joy. They escorted him to their village to the sound of their "drums" and of flutes which are compared to fifes. Of these instruments it is said the Indians had many.⁴³ The Pecos gave Alvarado cloth and many turquoises. Owing to the proximity of Pecos to Cerrillos the statement that there were "many" turquoises in that region is not surprising, but we are not told whether they were obtained directly or through barter. At any rate it shows that the Cerrillos locality was made use of previous to the coming of the Spaniards.⁴⁴

It was while the Spaniards rested at Cicuyé-Pecos for a few days that they came in contact with an Indian, said by Castañeda to have come from the plains and to have been a native "of the country situated towards Florida and and of which Hernando de Soto has newly explored the interior."⁴⁵ The allusion to Soto shows the late time of Castañeda's writing; while the presence of an Indian, possibly from the Mississippi valley, among the Pueblos is quite an interesting fact. The whites took him to be a slave. He certainly was outside of the clans, else he could not have been anything but a member of the tribe, and as

41. *Ibidem.*

42. *Ibidem.*, "de allí a cinco jornadas llegó a cicuyé."

43. *Cibola*, p. 431: "y lo metieron en el pueblo con atambores y gaitas que allí ay muchos a manera de pifanos." — "Gaita" means a bagpipe, "pifano", a fife.

44. *Ibidem.* "y le hicieron grande presente de ropa y turquesas que las ay en aquella tierra en cantidad." The turquoise locality lay in the range held by the Tanos Indians, but it does not seem that these claimed the exclusive right to the blue and green stones.

45. *Idem.*, p. 431: "Tomaron lengua de un indie esclavo natural de la tierra de aquella parte que ba hacia la florida ques la parte que don ferdo de soto descubrió en lo ultimo la tierra adentro." This is positive and establishes that the Indian was not from Florida, but from west of the Mississippi.

such, not in slavery.⁴⁶ The presence of this man at Pecos proves that, already in primitive times, Indians occasionally strayed far away from their homes and that in this manner, if not accurate knowledge, at least dim notions of the outside world penetrated to the distant and isolated Pueblos. Such notions were woven into lore in the course of time, and became an element well worthy of attention in the study of Indian rites and traditions. This Indian tried to make the Spaniards understand many things about his native country, and he afterwards exercised much influence on the fate of Coronado and his enterprise. His representations, whether or not properly understood, induced Alvarado to take him as guide to the "province of the cows." Castañeda also asserts that (probably on the journey) the guide made such glowing descriptions of the metallic wealth of his native land that the Spaniards did no longer care to see the buffaloes but returned, after having perceived a few of these animals. Their Indian guide they called the "Turk" on account of his real or fancied resemblance to the type of that Nation.⁴⁷

Castañeda asserts that Alvarado, after returning to Tiguex, did not proceed to any other reconnoissance.⁴⁸ This establishes that the statements concerning more northerly villages, in particular the one of unusually large size, are

46. The Pueblos had no slaves. Foreigners were tolerated and fed. Their number was necessarily small, and it is natural that in compensation for long continued hospitality, they performed some service, but it was not obligatory. Prisoners were rare and, in case of captives from one or another pueblo, they could easily be adopted in some clan, since the same clan or of the same name recurs not unfrequently in several tribes speaking distinct languages. For Indians from the plains, for instance, it was not so easy to become adopted in a clan, and prisoners of the kind were probably not often secured, as the Pueblos could not be very aggressive towards people who constantly shifted their abode. I know of no instance of the capture, alive, of any nomad by Pueblo Indians, women excepted, who were then aggregated to some household.

47. *Cibola*, p. 431: "no curaron de buscar las uacas mas de quanto bieron algunas pocas luego bolbieron por dar a el general la rica noticia . . ." *The Relación del Suceso*, (Doc de Indias, vol. 14, p. 324) asserts on the contrary that Alvarado saw many buffaloes, but it also states that he followed the Pecos stream for one hundred leagues, which is hardly credible considering the time he had at his disposal. Hence I prefer the version of Castañeda.

48. *Cibola*, p. 431: "y quando hernando de aluarado lleo a tiguex de buelta de cicuyé hallo a don garcia lopes de cardenas y fue necesario que no pasase adelante."

from hearsay, hence to be looked upon with mistrust. Neither does Castañeda refer to it. Garcia Lopez de Cardenas had, in the meantime, reached Tiguex with another detachment and (Castañeda says) "forcibly" quartered himself in one of the Tigua villages.⁴⁹

The exploration of Alvarado furnishes, as has been shown, much and valuable information, geographical and ethnological, and has been unduly neglected until at present. There is hardly an important feature about the Pueblos on which it has not given at least some information, and it is much to be deplored that we do not possess the complete text. As it is, we remain in doubt, for instance, concerning the extent of the visit to the plains, Castañeda stating that it did not extend far, whereas the "Relación del Suceso" makes it appear that it was extensive. Considering the time allowed Alvarado, either is possible.

The Licentiate Matias de la Mota Padilla, although writing at least two centuries after the time of Coronado, claims to have consulted original documents by Pedro de Tovar, one of Coronado's principal officers.⁵⁰ I therefore refer to him also. He mentions the exploration by Alvarado and says that the latter found a village of more than five thousand inhabitants. He also speaks of the buffalo, and particularly of the "Turk" and his tales about great wealth, which excited the imagination of the Spaniards to a high degree.⁵¹

49. *Ibidem*: "fue les forçado desamparar un pueblo y recogerse ellos a los otros de sus amigos y no llebaron más que sus personas y ropas."

50. Matias de la Mota Padilla, *Historia de la Conquista de la Provincia de la Nueva Galicia*, (written in 1742, published in 1870, Cap. XXXIII, p. 168): "y en algunos papeles que dejó escritos D. Pedro de Tovar en la villa de Culiacán se dice que los indios habian salido á matar á este bendito padre (Fray Juan de Padilla), por robar los ornamentos. . . ."

51. *Idem*. (cap. XXXII, p. 160) El tercer capitán era Hernando de Alvarado, deudo del Adelantado, quien dijo haber visto muchas vacas, de las que mató algunas, y qué en el camino vió un pueblo de mas de cinco mil vecinos, y por su buen asiento, le llamó Valladolid. ." It will hereafter be seen that the name "Valladolid" was given to Taos, not in 1540 by Alvarado, but in 1541 by Barrionuevo. Mota Padilla is therefore in error, but it would be interesting to search for the source from which he derived the name. Could he have been acquainted with the report of Castañeda? Mota Padilla was born at the city of Guadalajara (Mexico) October 2d, 1688, and died there in July 1766. He never was in Spain.

We must now turn to what happened on the Rio Grande after Alvarado's return to Tiguex. It is not certain that the occupation of a Tigua village by the force under Cardenas irritated the Indians. It may have been the result of a mutual agreement, because the Pueblo Indian is much less attached to his abode than to the soil he cultivates.⁵² At any rate there was no immediate clash. Of what followed, however, the "Relación del Suceso" gives us one account; "Although all [the people of] our settlement had come out peaceably to [receive] Hernando de Alvarado, when all the people had come, a part of them arose, which were twelve pueblos that were close together, and one night they killed forty of our horses and mules that were running free in the field. They fortified themselves in their villages, and the first one, Garci-Lopez de Cardenas took and did justice [executed] to many of them. The others, seeing this, abandoned the pueblos, except two, one of which, the strongest, was besieged by our force for two months, and notwithstanding that, as soon as we attacked, we took part of a roof, we had to leave it again, on account of the many wounded [we had] and because it was so dangerous to remain. And although we stormed it a second time, nothing could be gained, so that it [the village] was surrounded all that time, and we took it through thirst [lack of water]. They held out so long because, when they were about to surrender, it snowed twice. Finally we took it and many were killed because they fled in the night."⁵³

These occurrences were the first and most important hostilities between Indians of the Rio Grande and the force

52. This I have noticed several times. Once, on the Rio Grande, I was conversing with some of my Indian friends, in the house of one of whom I have lived for a long time. It had been raining heavily and the river was rising fast. When I expressed fears that it might eventually wash out the bluff on which the pueblo (Cochiti) was (and is) built, they said textually: "Never mind the house, provided the fields are not damaged; the houses we can build again and anywhere, but the land we could not replace."

53. I translate as literally as possible, without regard to the style. (*Doc. de Indias*, vol. 14, p. 325.) When I quote the *Relación del Suceso* it is always from the *Colección de Documentos del Archivo de Indias*.

of Coronado. Already in the above brief notice, we find material for approximately indicating the site where this action took place. Comparing it with the statement contained in the report of Antonio de Espejo on his journey to New Mexico in 1582 and 1583 it will be noticed that he says: "we found another province which calls itself of the Tiguas which are sixteen villages, one of them being called *Puala*, where we found a very truthful statement that Francisco Vazquez Coronado had been there and they killed nine of his soldiers and forty horses, and that, for that reason, he had destroyed the people of one pueblo of this province." *Puala* is a misprint for *Puaray* (also *Puara*), the ruins of which are well known and stand nearly opposite the present town of Bernalillo on the Rio Grande.^{53a} Espejo, as is well established, travelled up that river to *Puaray* and as far north of it as the *Queres*. It is therefore almost certain (provided Espejo did not completely misunderstand the Tiguas), that the hostilities took place near the actual settlement of Bernalillo.⁵⁴

The "Relación postrera" although containing some details about Tiguex which I shall refer to subsequently, is silent on the subject of hostilities. The same is the case with the Relation of the Captain Juan Jaramillo, of which more anon.

In default of the letter dated Tiguex, April 20th, 1541,

53a. Bernalillo lies east of the Rio Grande and old *Puaray* was on the same side, as has been shown by Hackett (*Old Santa Fe*, II, 381-391).—L. B. B.

54. The statement by Espejo is conclusive. The original report is published in *Documentos de Indias*, volume 15. It bears the general title: *Expediente y relación del viaje que hizo Antonio de Espejo con catorce soldados y un religioso de la orden de San Francisco, llamado Fray Agustín Rodríguez; el cual debía de entender en la predicación de aquella gente.* (see page 175.) "hallamos otra provincia que se llama de los Tiguas, que son diez y seis pueblos que el uno dellos se llama *Puala* a donde hallamos relación muy verdadera: que estubo en esta provincia Francisco Vazquez Coronado y el mataron en ella nueve soldados y cuarenta caballos, y que por este respeto habia asolado la gente de un pueblo desta provincia." This document is certified to by a notary (p. 191). The recollections of the Tiguas as found forty-one years after the events, were quite exact.

written by Coronado to the Emperor,^{54a} the source next in order to be examined is Castañeda. Leaving aside for the present his ample descriptions of the land and its people, I must take into consideration the movements of Coronado and his forces while Alvarado was on his reconnoissance. Castañeda, being at Zuñi during that time, was eye-witness to nearly everything transpiring there and he is reasonably detailed. After the departure of Alvarado for the east, Coronado still remained at Zuñi (Hauicu) for some time, in friendly relations with its Indians. The main body of his men had, as well known, remained behind at Culiacán under the orders of Tristan de Arellano, but Coronado only waited for its coming as he had directed, and then set out, in the beginning of the winter of 1540, for the Rio Grande.⁵⁵ He took with him "good guides," manifestly from Zuñi. He did not follow the route of Alvarado; his guides led him into arid country.⁵⁶ Two days and a half the Spaniards were without any water for man or beast. Then in search of water they deflected towards, and got into, a mountain chain where they found at least snow and where they suffered much from cold.⁵⁷ Eight days afterwards they reached the Rio Grande at a place called "Tutahaco" by Castañeda.⁵⁸ Tutahaco would, therefore, appear as having been one of the Piroso pueblos, below where is now the town of Belen, for it is mentioned as being lower down the river than Tiguex. What leads to the inference that the place where Coronado reached the Rio Grande was held by Piroso is, among others, the mention of that region as a "province" by itself whereas,

54a. Bandelier refers to a lost letter, cited in *Coronado to the King, Oct. 20, 1541*. (*Col. de Doc Ined.*, iii, 363; *B. of Am. Ethn.*, 14th Annual Report, I, 580)—L. E. B.

55. Castañeda, *Cibola*, p. 433.

56. *Idem*, p. 432: "y así siguió su camino donde le aconteció que desde un día que salieron de un aposento hasta terçero día a medio día que bieron una sierra nebada donde fueron a buscar agua no la bebieron ellos ni sus caballos ni el servicio pudo soportarla por el gran frio."

57. *Ibidem*.

58. It is noteworthy that, in the title to cap. XI (part I, like all the previous quotations, page 428). Castañeda calls the Moqui group of villages: "tusayán o tutahaco."

had it been settled by Tiguas, that fact certainly would have been noticed. The Piros, as late as the end of the sixteenth century, extended as far south as San Marcial, along the Rio Grande.⁵⁹ Jaramillo identifies Tutahaco with Ácoma.⁶⁰ Mota Padilla asserts that Ácoma was named "Atlachaco" by the Spaniards or, probably, by the Indians from Mexico they had taken along.⁶¹ At all events, Castañeda is positive and explicit in his description of the region and that description conforms with the Piro villages.

It appears therefore that Coronado with his thirty horsemen, while starting with the intention of going to Tiguex, was led to a point far below the Tigua range, although situated on the same river. It took him much longer to get there than it had taken Alvarado to reach Tiguex and he was led by his "good guides" into a very difficult country where his party and their animals suffered a great deal from thirst and afterwards from cold. The case looks somewhat suspicious for the "good guides." It has not unfrequently happened that the Indians, in order to rid

59. From "Tutahaco" Coronado went up the river to Tiguex. (*Cibola*, p. 432). The identification of the site of San Marcial with the southern limit of the pueblos will be found later on. It is possible that Coronado was led to the villages about Socorro, of which there were several. The snowy mountains might have been the Sierra Magdalena, but I hold it very unsafe to attempt a location. Had it been the San Mateo, Coronado would have been on almost a direct route to the Tiguas, whereas from the Sierra Magdalena it was not difficult to reach Socorro, the Piro pueblo of "Pilabo" or "Pilopue" and its neighbors. But this is merely conjectural and the only point to be considered as probable, is that Coronado was led astray to a group of the Piro villages; certainly not to San Marcial, since he was informed "que aquel rio abaxo auia otros pueblos."

60. *Relación hecha por el capitan Juan Jaramillo, de la Jornada que habia hecha a la Tierra nueva en Nueva España y al Descubrimiento de Cibola, yendo por General Francisco Vazquez Coronado, in Doc. de Indias*, vol. 14, page 309). "a nueve jornadas de las que nosotros hacíamos desde esta población de Cibola, hasta el rio de Tiguex, esta en el medio, no se si una jornada mas o menos, un pueblo en un puerto muy fuerte de tierra, y pena taxada que se dice Tutahaco."—Jaramillo was a man of some importance. He was a companion of Cortes and married the famous Marina or Maljiche, the Indian woman that rendered such great services as interpreter during the conquest of Mexico. He was made an "alcalde ordinario" in 1539. P. Andres Cave, S. J., *Los tres Siglos de Mejico*, (published 1870), page 87.

61. Mota Padilla, *Historia de Nueva Galicia*, p. 159: "al que se le puso por nombre Atlachaco." Hence it was not another aboriginal name for Ácoma in some Pueblo idiom.

themselves of unwelcome visitors, led these into parts where it was hoped privations of all sorts might result in their destruction. It is impossible to *prove* this in the present instance, but suspicion is not unmotivated. Alvarado had induced his chief to join him at the Tiguas, the Indians led to an entirely distinct group of pueblos, exposing him on the way to perish from thirst and from cold. When these elements did not destroy the whites, the latter were led to a distant tribe and in this manner, in place of being united as Coronado wanted, divided into three bodies, far apart from one another. At all events Coronado extricated himself from the precarious situation created and successfully rejoined Garcia Lopez de Cardenas and Alvarado among the Tiguas, not, however, before he had reconnoitered portions of the Piro range. Castañeda states that the houses of the villages were of mud like those of Tiguex and that the inhabitants were dressed like the Tiguas.⁶² Going up the river he found his forerunners, under the two captains mentioned, fairly quartered and with them the notorious "Turk" who, through signs, gave him to understand the fancied wealth and glory of lands further east. What gave some color to the representations of that individual was, that he clearly discriminated between gold, silver and copper.⁶³ Nevertheless, an incident soon should have disabused the Spaniards and shown them that either they had misunderstood their informant or the latter was not worthy of confidence.

The "Turk" pretended that when he fell in with ("was made a prisoner by") the people of Cicuyé, the latter had taken from his person golden armbands which he had worn. Alvarado was sent to Cicuyé to claim them, and the people

62. *Relación de Cibola*, p. 432: "son pueblos de terrados como los de Tiguex y del mismo traje." Also *Relación postrera*, p. 567.

63. *Cibola*, p. 432: "y porque le enseñaron joyas de alaton y oliolo y decia que no era oro y el oro y la plata cognoçia muy bien y de los otros metales no hacia caso dellos." The "Turk" called gold "Acochias." If this is true and not a misunderstanding, it might, possibly, be worth while to look for such a word among the idioms of the Mississippi valley.

of Pecos declared they had no knowledge of such objects, hence could not give them up and that the "Turk" was lying and misleading the whites. Alvarado preferred to believe the Indian from the east and, seeing no other way, seized the chief called "Bigotes" to hold him as hostage until the golden ornaments were produced. This irritated the Pecos so that they showered a volley of arrows upon the whites and broke off all intercourse with them. The effect of this action of Alvarado was highly unfavorable. Until then, the Pueblos had no complaints against the whites but henceforth mistrust and aversion set in that soon culminated in war. Castañeda is the only contemporaneous author known that relates this incident.⁶⁴

It is well known that no metal of any kind was found in use among the Pueblos. They attached no value to it; still less did they distinguish the metals called precious from the others. Color and lustre might possibly have tempted them to covet a golden ornament, but no trace was found of it, and it is therefore very unlikely that the claims of the Turk were otherwise than malicious fabrications; provided, always, that his representations were properly understood and did not perhaps mean something entirely different.

No precise dates are given of the trip of Coronado and his arrival at Tiguex. It is only said that the main body, commanded by Arellano, remained behind at Hauicu for twenty days after the general had left, and then set out to rejoin the advance parties on the Rio Grande. On the first day they reached the village of Matzaqui of the Zuñi group, which village they describe as the largest of Cibola. There it began to snow;⁶⁵ hence, (as snow is mentioned here for the first time) the departure took place at the beginning of winter, quite an indefinite indication, since the first snows fall in November or December, according to the char-

64. *Cibola*, p. 432.

65. *Cibola*, p. 433.

acter of the season. Castañeda however states that it was the beginning of December and that it snowed for ten consecutive days, covering the ground to a depth of several feet.⁶⁶ Castañeda was manifestly among those who had remained under Arellano and his description of the march appears to be from experience. He tells that they passed by Ácoma, the people of which received them well. Many of the Spaniards ascended to the village on the rock, encountering the difficulties already spoken of. Thence they reached Tiguex, where their own people received and lodged them well, and where the news obtained from the "Turk" filled them with high glee, although "we found the whole province in full revolt, as the day before the Spaniards had destroyed one of the Tigua villages by fire."⁶⁷

The Captain Juan Jaramillo also went with Arellano. This is established by his own statement: "From this first pueblo of Cibola (Hauicu) we went to another one of the same (group) at a distance of a short journey and on the road to Tiheux." He also gives the number of days employed by the force to reach "the river of Tiguex," namely, nine days, which proves that Coronado, who spent more than eleven days to attain the Rio Grande further south, had indeed been led astray by his "good guides."⁶⁸ Jaramillo, and this is singular on the part of a superior officer as he was, does not breathe a word of the hostilities that had commenced already previous to his arrival among the Tiguas. On the other hand Mota Padilla (as we shall hereafter see) refers to them (from the papers in his power) with much detail. But I must first exhaust the information preserved by Castañeda.

After Coronado's arrival at Tiguex and the ill-advised action of Alvarado at Cicuyé, when the chief of that village

66. *Cibola*, p. 433. It snowed every afternoon and almost every night: "en diez días que tardó el campo no dexó de nebar sobre tarde y casi todas las noches." It was a dry snow and as deep as "medio estado" at times.

67. *Ibidem*, "y auían ya los nros. quemado un pueblo un día antes que el campo llegrase."

68. *Relación hecha*, p. 309.

(Pecos) had been made and held a prisoner in the Spanish camp, as well as the "Cacique of the village, who was an aged man," Coronado directly incensed the Tiguas by exacting from them a quantity of cloth for the use of his own men. The kidnapping of this aged "Cacique" was a very grave act, for it is apparent that functionary was really the chief medicineman of the Pecos Indians, hence head of their tribe in religious matters.⁶⁹ Pecos was too far from the Tigua range for its people to have followed the kidnapers forthwith, and there was no disposition afterwards to combine with the Tiguas against the whites, a fact significant for the segregation of New Mexico tribes from one another.⁷⁰

To collect the cloth required, Coronado took the following measures: he called for one of the principal Indians of Tiguex, whom the Spaniards used to designate as "Juan Aleman", and demanded three hundred pieces of cloth wherewith to protect the bodies of his soldiers. The reply of the Indian to this demand is important to note; he said "that it was not to him but to the caciques chiefs, (principal men) that the request should be made, that first a council should be held, the apportionment made among the different villages and each village be applied to by itself." For the first time the tribal council is here mentioned and the autonomy of the villages acknowledged.⁷¹ Coronado recognized the justice of the answer and gave corresponding or-

69. I infer this from the solicitude which the Pecos displayed concerning the aged man, and especially from the fact that Castañeda calls him "el gobernador." The office of "governor" as it is today, was not known until 1621 and by "el gouernador" somebody superior to the "Caciques" was certainly meant. That superior authority could only be what today, though erroneously, is the chief Penitent or Cacique. I borrow the word "Cacique" from Ternaux-Compans' sometimes faulty translation, but do it purposely.

70. The attitude of the Pecos in this matter is very characteristic of the intertribal relations between the Pueblos and shows that there was no solidarity.

71. Mota Padilla, *Historia*, p. 161, makes no mention of the demand by Coronado, but subsequently he notices the "principal cacique que se llamaba D. Juan Loman, aunque no estaba bautizado." Castañeda, *Cibola*, p. 434, gives the reply as follows: "que aquello no era a el hacer lo sino a los gouernadores y que sobre ello era menester entrar en consulta y repartirse por los pueblos y que era menester pedir lo particularmente a cada pueblo por sí . . ."

ders. But the execution of these orders was unfortunately carried out. The Spaniards must, of course, have been in great straits for clothing, but this does not excuse the manner in which they sought to obtain it. Not losing sight of the fact that Castañeda is generally a pessimist and more inclined to harp on evil than dwell on good, there must still have been, in the manner of collecting the cloth, unjustifiable harshness. "There were twelve villages; to reach these it was necessary to follow both banks of the stream. As if it had been the simplest thing in the world, without allowing the Indians time to consult themselves and to make the needed arrangements, our people required the immediate surrender of what they asked, in order to be able to proceed further at once. The natives therefore had no other choice than to take off their own garments and to give them to us to complete the number demanded. When the soldiers accompanying the collectors felt dissatisfied with the dress given them and met an Indian who wore a better one, they compelled him to exchange for theirs on the spot, without regard to the rank or condition of him whom they despoiled. This irritated the Indians greatly."

If these details and if the number of pieces of cloth required are correctly stated by Castañeda it follows first: that the action was indeed reprehensible; second, that the textile industry among the Pueblos was not practiced on an extensive scale. That three hundred pieces of cloth, none of them larger than an ordinary blanket, should more than exhaust the supply of twelve villages, or twenty-five pieces per village on an average, shows that the Pueblos were not very extensively engaged in weaving.

Castañeda is the only contemporaneous source as yet known that treats of these occurrences, and he further states that a Spanish officer attempted to outrage the wife of an Indian or committed the crime. Coronado received the husband's complaint and at once ordered an investigation, with the intention of punishing the guilty party. The Indian, however, failed to identify the man or even his horse,

although he was allowed freely to investigate everywhere. so the case had to be dropped, and this incensed the rancor of the aborigines. We learn from these happenings that a crime of the sort was greatly resented by the Pueblos at that time. Indeed, the following morning, the Tiguas fell upon the Mexican Indians guarding the herd of horses of the Spaniards, killed one of them and were driving the animals to their own village when the alarm was given to the Spaniards, through one of the Mexican natives escaping from pursuit. Some of the horses were retaken, but a number, and seven mules, were lost. There is quite an agreement between the statement of Castañeda about this affair and other sources.⁷² On this occasion it may be in order to call attention to the fact, that the Pueblo Indians do not seem to have had, in the very beginning of their intercourse with the whites, the same superstitious dread of the horse as more southern Indian stocks. Witness the ceremony described by Castañeda as having taken place at Ácoma, where they touched these animals without any show of fear. This may have been due to the knowledge the Pueblos had, of quadrupeds as tall as the equine and more formidably provided for harm than the latter namely; the buffalo and the elk.⁷³ Of both of these animals the Mexican Indians had no

72. *Cibola*, p. 434.

73. *Ibidem*. In view of the good translation of Castañeda by Mr. Winship, and the report in which it is published, I can dispense with quoting the original at length. An instance of the kind of that charged to the Spanish officer would, of course, have greatly aroused the Pueblos, as coming from one outside the tribe and being possibly an act of violence, not committed with the consent of the woman. Gaspar Perez de Villagr , *Historia de la Nueva Mexico*, (1610, Canto XV, fol. 135 and 136,) writes as follows:

"Y tienen una cosa a estas gentes,
 "Que en saliendo las mozas de donzellas
 "Son a todos comunes sin excusa,
 "Con tal que se lo paguen, y sin paga,
 "Es vna vil bageza, tal delito,
 "Mas luego que se casan viuen castas,
 "Contenta cada qual con su marido."

He adds however:

"Juntaron muchas mantas bien pintadas,
 "Para alcanzar las damas castellanas,
 "Que mucho apetecieron y quisieron."

Villagr  or Villagr n was officer in the little army of Juan de O ate and came to New Mexico in 1597, remaining there several years. He had excellent opportunities to see, observe and know the Pueblos.

knowledge previous to the information imparted after the arrival of Spaniards in the Mexican north. But the Pueblo Indians were also quick to perceive how essential the horse was to their visitors, and further on I shall find occasion to allude to their attempts to cripple the Spaniards by depriving them of the horses, before attacking.

(To be continued)

THE RIDDLE OF THE ADOBE

BY CECIL V. ROMERO

History has been called many harsh names, probably because it seems so illogical. If we place ourselves at any important juncture in the past, divest ourselves of the advantage of hindsight, and, on the basis of the deepest and broadest knowledge of facts then existing, try to anticipate the course of events, the result is likely to be very much at variance with the story to be told by the historian.

Acquaintance with the large and ever-charming part of our country that the late Charles F. Lummis named, with simple dignity, "The Southwest," will always lead to the question of why a race that had the vision and the vitality to discover, explore and partially to colonize the immense region from Florida to California, all within a generation after the discovery of the New World, should have played such a minor role in the subsequent development of the continent, while the race that established a few unpretentious settlements on the northeastern coast, at a much later date and under much less auspicious circumstances, should have been the one to fulfill the destiny of the continent.

There is a tendency to consider the present status as the inevitable outcome of events. But the search for an adequate explanation of this American paradox of "The first shall be last and the last shall be first" reveals how far from inevitable the outcome has been at times. It brings a fresh realization of the truth that history represents the line along which many conflicting forces have balanced. With the passage of time some of the forces that entered into the American historical balance have been forgotten, which is the same as to say that some of the factors in our historical equation are missing. The Southwest recalls many of these forgotten factors, and with their help new logic

and reason is seen behind much of our history. The equation works out better.

* * *

Long before the English had set foot on the North American continent, the Spaniards had reconnoitered it in its entirety, from Florida to the Strait of San Juan de Fuca; had explored its heart as far as northeastern Kansas; had established permanent settlements at widely separated points; and were actually in possession of, or dominated, much the larger part of what is now the continental United States. This predominant position seemed to be further strengthened by the fact that it was held by a nation whose empire girdled the earth, from the Spice Islands of the East to the golden realms of the Incas, and extended in America from the Equator into the temperate zones on both sides, the scope and absolute power of which has never been equalled before or since.

At this stage of the game the English entered the picture. The motives that brought them and their procedure after arrival provide an illuminating contrast. It is notable, particularly, that the policy of the English government and the procedure of the English colonists, when compared with the policy and the procedure of the Spaniards, seem singularly negative and even timid.

The English colonists did not come spontaneously at all, but constrained in one sense or another. They were either dissenters running away from religious oppression, debtors running away from financial oppression or Utopians running away from all the oppressive conditions of the Old World. They saw in the New World, not the vast field for daring enterprise that the Spaniards had seen, but merely a haven and a refuge. This difference of outlook explains, in some measure, why the Spaniards exuberantly overran a whole New World, venturing wherever wealth beckoned or mystery challenged, while the English accepted with a strangely contrasting finality their chance settlements along the northeastern coast.

To the English government these new colonies meant an expansion of empire, and, as long as the expenses were borne by private companies or individuals, this was favored and encouraged. Not that the government considered the colonies themselves important, for little promise could be seen in those stark wildernesses. What was important was to check the northward advance of Spain and the southward advance of France on the North American continent, that, between them, promised to leave England without a foothold in the New World. It was this political pressure from without, coinciding with the religious and social pressure from within, that resulted in the establishment of the English colonies in America. Their subsequent value to the government lay, not in their own resources, which were always a disappointment to the English, but in their relation to the more opulent Spanish dominions to the south. They were important, not as a source of valuable commerce themselves, but as a base from which to prey on the valuable commerce of Spain with her possessions. As a later generation would have put it, the American policy of England was less "constructive" than that of Spain.

Such was the situation and such the background during, say, the first half of the seventeenth century. It was Spain then, and not England, that was the dominant, positive force in American history. The Spaniards came first to the North American continent, and by their successes attracted the others. Their possessions were larger than those of the English, and they were more constructively conceived. Any observer then would have conceded to Spain an important if not a dominant part in any future development of the North American continent.

* * *

The fundamental reasons for the failure of Spain to fulfill this early promise of dominance on the North American continent have been so largely obscured by certain misconceptions and generalizations that have come to be as-

sociated with the very mention of her name that it is almost as important to remember what these reasons were not as to remember what they were.

A great deal is heard, for instance, about the Spaniards' lust for gold, and about all the weaknesses of character and policy to which it gave rise. Perhaps most prominent among these is the treatment of the Indians under the "encomienda" system. It would be a mistake, however, to assume that this lust for gold was a peculiarly Spanish trait, or that only among the Spaniards did its indulgence lead to cruelties. The first Virginia colonists, it will be remembered, were gold hunters to a much more exclusive extent than any Spanish expedition ever was. Elsewhere, also, the activities and the policy of the English centered around gold quite as much as those of the Spaniards. In fact, they usually centered around Spanish gold. The only difference that can be seen between the two as regards gold is that the Spaniards were more successful in finding it. And while the Spaniards' treatment of the Indians, wherever gold was involved, was hard and cruel, it should not be thought that the English of the same period were by nature any more humanitarian. Because the Spaniards established themselves first at all the principal sources of gold and silver in the New World, the English never had occasion to inflict on the Indians just the same cruelties that the Spaniards did. But in other pursuits, the English inflicted other cruelties just as bad. That their lust for gain did not permit of any more humanitarian scruples than did that of the Spaniards may be seen by comparing two contemporary incidents.

In the year 1619 the first cargo of African slaves to be brought to America arrived at Jamestown, thus initiating a sordid, brutal trade, for which it is impossible to find any apology from a humanitarian viewpoint. The grim details of this fleshy commerce are too well known to need recounting. Suffice it to say that nothing could be more repugnant than this trade to modern sensibilities. Yet it was a trade

in which the English, and especially the Yankees, excelled, a fact that eventually gave point to the saying in regard to Faneuil Hall, at Boston, that "The Cradle of Liberty rocks on the bones of the Middle Passage."

In the following year, 1620, the Governor General of New Mexico, at Santa Fé, received from the Viceroy, in Mexico City, a communication from which the following extracts are translated:

"And whereas it has been understood that for some errors and cases of misdemeanour that have been brought against some Indians, they have been sheared, punishment from which they receive notable affront . . . I command thee not to inflict, nor consent to the infliction, upon said Indians of such punishment, rather shalt thou order that those recently converted shall be treated well and charitably.

"Also it has been reported to me that the said Indians suffer notable inconveniences and travail in the Distributions . . . I command thee that in the distribution of them that thou shouldst have to make that it be only for the labours of the fields and the care of livestock, and for no other purposes . . . and the number that thou shalt apportion shall be at the rate of two per cent. Of those that there may be in each pueblo in simple times, that is when there is neither sowing nor harvesting, and in double times, that is when there is said sowing or harvesting, thou shalt make the apportionment at the rate of eight per cent., giving order that said Indians shall be paid for their work at the rate of half a 'real' a day and board, or if they are not boarded then they shall be paid one 'real' a day: and thou shalt take care that they are given good treatment, and to the Spaniards who do not do so, or who do not pay them for their work, no more Indians shall be given in the apportionments: and whereas it has been understood that after giving to the inhabitants of said town of Sancta Fee (sic) Indian women in the apportionments, there have been practised some offenses against God, our Lord: Henceforth thou shalt not make said distribution of Indian women, nor shalt thou oblige them to go to serve in said town or any other place unless it be that they go with their husbands voluntarily, and thou shalt protect them, that no person of any estate or quality soever shall take them to perform said service. -----"*

* New Mexico Historical Review, Vol. III, No. 4. October, 1928.

Of the two, it would seem that the Spaniards' treatment of the Indians in the Southwest was by far more humane than the Englishmen's treatment of African natives who were captured, transported and sold practically as cattle. The "encomienda" system of the Spaniards, as applied in the present territory of the United States, was never really oppressive. With the passage of time, as the interest of the central government in those remote, unproductive settlements waned, the power of the Spaniards in the Southwest became less, and the "encomienda" system had to be abandoned entirely. The Spaniards were only nominally masters. They lived among the peaceful Indians of the region more as neighbors. Since they made the important additions of sheep and cattle to the economy of the Indians, and since they helped the peaceful pueblo Indians to defend themselves against their natural enemies, the nomad Indians, their rule in the Southwest may be considered more beneficent than otherwise. Elsewhere in America, it is true, the Indian policy of Spain, beautiful in principle, produced some results that were decidedly ugly in practice. No attempt need be made to justify them. It can only be said that they could not have been more sordid nor more inhuman than slavery or the slave trade; and that the period was not noted for its humanitarian principles among any of the races.

Another popular conception regarding the Spaniards, and one to which it is also possible to attach too much importance in considering the reasons for the failure of Spain to fulfill her early promise of dominance on the North American continent, is the one to the effect that the Spaniards were naturally lazy, improvident and unenterprising.

Before accepting such a view implicitly, it should be remembered that the Spaniards of the Southwest had to deal with a soil and a climate less friendly even than those with which the New Englanders were faced. Under such circumstances, laziness would have been fatal. The Spaniards had to work hard to exist at all. Constant drudgery was

rewarded by a living that was precarious at best. The peculiar, fatalistic philosophy of the region, conventionally epitomized in the Spanish word "mañana," was perhaps more the result than the cause of these precarious circumstances. There were undoubtedly notable differences of character between the two, but there is little justification for the belief that the Spaniards of the Southwest, as farmers and husbandmen, were any more indolent or less skillful than their contemporaries of the English colonies. In this respect only two material differences can be seen.

Speaking of agricultural methods in the English colonies, Harold Underwood Faulkner, in his "American Economic History," says:

"Rich virgin soil, with an inexhaustible supply to the west, was no incentive to scientific farming. The value of manure was hardly appreciated, crop rotation was rarely used and 'land butchery' was the usual practice. One observer said that the colonial farmer seemed to have but one object—the plowing up of fresh land. 'The case is,' he says, 'they exhaust the old as fast as possible till it will bear nothing more, and then, not having manure to replenish it, nothing remains but to take up new lands in the same manner.' With land butchery and crude methods in the north and south, went ignorance in the care of livestock. . ."

No credit need be given the Spaniards of the Southwest for not making the same mistake. With them such methods would have meant suicide. Paradoxically, although they lived in the "great open spaces" and in the "land of magnificent distances," they were more crowded than their contemporaries in the English colonies. They were restricted to narrow strips of fertile land along rivers, or to a few mountain valleys where a brook or two could be diverted to water the thirsty soil. From the Indians they learned the technique of irrigation. Sometimes the salts in the irrigations water would eventually render some fields unproductive. But the numerous little mountain valleys of New Mexico, with their not extensive fields still green and fertile

after centuries of use, are eloquent witnesses to the fact that neither the Spaniards nor the Indians were ever "land butchers," of necessity, both were eminent conservationists.

The most serious charge that can be made against the Spaniards of the Southwest as farmers is that their methods were primitive, and have remained more or less so even to the present. In the seventeenth century, when the settlements in New Mexico were established, agriculture as a science was unknown, and the improved implements and methods that have come since were not even dreamed of. It will be remembered that a practical steel plow was not developed until about 1825, and even then was not immediately accepted because of a superstition that the metal somehow poisoned the soil. Other implements that we consider commonplace today did not exist as late as a century ago. The Spaniards brought to the Southwest the primitive agricultural methods of their time, and their subsequent complete isolation in that remote, inland region explains their failure to adopt the improved implements and methods that were developed in Europe and in America during the years of their isolation. In this respect the Spaniards of the Southwest did differ from the English colonists on the eastern seaboard; but this difference, obviously, is not sufficient to explain the ascendancy taken by the latter.

The failure of Spain to follow up her early advantage on the North American continent can be attributed to very definite economic and political reasons, without resorting to broad and untenable generalizations.

In the seventeenth century, and in fact until the advent of the railway, the value of land was in direct relation to its distance from navigable water. For this reason the great interior development of the North American continent could not be foreseen. This was also one reason why all the European powers considered the West Indies and the lands bathed by the Caribbean—"The Spanish Main"—as much more important strategically than any part of the North American mainland. Another reason for this view

was the fact that in Mexico and Peru, Spain had made the first important discoveries of precious metals, and the Caribbean was the gateway through which this fabulous wealth must flow to the mother country. Besides, these tropical regions produced sugar, coca, vanilla, cochineal and other itmes that in the aggregate surpassed in value even the gold and silver. Against this long list of important raw materials, the North American mainland could offer only tobacco and furs. So it is not strange that the American policy of every European power centered, not around the North American continent as would seem logical now, but around the West Indies and the Spanish Main. This was the principal battleground of that long, four-cornered struggle between Spain, Holland, France and England for colonial supremacy.

The first crack in the vast, powerful empire of Spain was produced by the Dutch rebellion. The Lowlanders ended for all time the claim of the Spaniards to maritime supremacy. This was a serious blow to a nation with a far-flung empire, whose very life-blood, it can almost be said, flowed from the far-off mines of Mexico and Peru and from the fields and forests of the rich, tropical regions surrounding the Caribbean. With a fine sense of her vulnerable spot, her enemies were quick to attack Spain in this Caribbean area. Their efforts were directed, not towards dislodging her from the sources of wealth, but towards preying on her commerce and securing for themselves as much of that wealth as possible after it had been produced. But even after the Dutch revolution, Spain was still a formidable power, and it was not always safe or expedient to attack her too openly. It was for this reason that piracy became the order of the day along the Spanish Main. It was better that the plundering should be done by private individuals—freebooters, buccaneers and filibusters, who flew no flag but their own "Jolly Roger" or other piratical insignia, and therefore implicated nobody but themselves. There was also a lucrative smuggling trade that they could en-

gage in, for the many official restrictions and regulations that Spain placed around the commerce of her colonies had then the same effect that such artificial restrictions have always had. For all these reasons the efforts of Holland, France and England were directed towards securing a foothold wherever they could in this Caribbean area. While openly at war with Spain they had to have bases of operation in this important sector, and during the intervals when it was more expedient to be nominally at peace with her, they had to have bases from which their nationals could share in the profitable smuggling and pirating to be had along the Spanish Main. The map of the West Indies is still dotted with these islands belonging to England, France and Holland. Today they seem small, unimportant and hardly worth the attention that was given them. But they were once considered more important than the much larger colonies that these countries possessed on the mainland.

The race for colonial supremacy was a four-cornered affair, but there were really but two sides to it in the Caribbean. The field was against the leader. England, France and Holland vied with one another merely to see who could plunder the most from Spain. It is interesting, although not especially pertinent here, to note that the same tactics were followed in the later phases of the struggle. Spain was succeeded by Holland in the position of leadership, whereupon France and England turned on and eliminated her, and then fought it out between themselves in the long series of wars that ended with the final victory of the English at Waterloo. It was in the Caribbean that the most telling blows were dealt against Spain, and it is here that we find an explanation of her failure to follow up her early advantage on the North American continent. The atmosphere of romance that has surrounded the campaign of piracy along the Spanish Main has obscured its practical significances. The romance of those hearties contains the even greater romance of why Santa Fé today is a quaint relic

and not one of the great seats of government of the North American continent.

The wealth of the Indies, in transit to Spain, would fall into the hands of her enemies, strengthening them and weakening her by so much. No longer able to keep open her avenues of communication, her vast empire became topheavy and began to fall apart of its own weight. Constantly sapped and harassed, weakened Spain began to lose, not only wealth and prestige, but territory as well. The English descended on Havana in an unguarded moment, and it cost Spain all of Florida to ransom it back. Years later she recovered Florida, but this first deal with it reveals her attitude towards all her possessions on the North American continent. They were merely chips in her Caribbean and European game. As such the vast valley of the Mississippi—Louisiana—came into her possession. As such she treated it. She lost it, however, under special circumstances, and not exactly by the ordinary rules of the game. The territory had been transferred conditionally to Napoleon in return for some promises of a dynastic nature. These promises were never fulfilled, and therefore Napoleon never acquired a legal title to the territory. Besides, he had further agreed never to cede the territory to any nation but Spain. However, when the American commissioners came to negotiate for the purchase of the island of New Orleans, Napoleon happened to be especially in need of money, so he offered to sell them all of Louisiana instead. Both parties realized the defects in the title, but the price was cheap—Napoleon could afford to make it so—and the territory was highly desirable to the United States. So the deal was closed. Fallen Spain could only protest. After that she was never again an important factor on the North American continent.

It may be sustained that all these events were themselves effects and not causes, and that the ultimate explanation of the whole matter must lie in finding the cause or causes for that rapid disintegration of the social fiber of

Spain that set in during the early part of the seventeenth century and so soon supplanted the many sturdy virtues that had characterized the Spaniard of the fifteenth and sixteenth centuries with all the vices and weaknesses that have come to be synonymous with the Spaniard of a later day. This is a matter that has been widely and ably discussed, but the conclusions rarely agree. This disintegration has been attributed at one time or another to every institution of Spain and to every one of the forces that were at work within her during the time of her greatest glory. Some have laid it to the degeneracy of her royal family, some to her Church, others to the corruptive effects of the great riches that flowed in to her from her conquests. It has even been attributed to the publication of "Don Quixote," "for," said one worthy Spaniard of the last century, "since that time men have grown ashamed of honor and love, and have thought only of pursuing their fortune and sating their lust."* There is probably a certain amount of truth in each of these explanations, and by that token each of these influences has had a part in determining the destiny of our country. Such is the complexity of our historical equation.

If Spain failed completely to foresee the great potentialities of the North American continent, it can almost be said that England was equally blind. There is reason to believe that there were a few in England who realized some of the possibilities of the American colonies, but their opinions did not prevail and the Revolution was brought on by matters that would have seemed trivial had any one been able to see but one generation into the future. Adam Smith, in his great textbook on economics, "The Wealth of Nations," refers to the "present disturbances" in the American colonies, and says:

"The last war, which was undertaken altogether on account of the colonies, cost Great Britain, it has already

* From the Prefatory Memorandum to the Motteux translation of "Don Quixote."

been observed, upwards of ninety millions. The Spanish war of 1739 was principally undertaken on their account; in which, and in the French war that was the consequence of it, Great Britain spent upwards of forty millions, a great part of which ought justly to be charged to the colonies. In those two wars the colonies cost Great Britain much more than double the sum which the national debt amounted to before the commencement of the first of them . . . It was because the colonies were supposed to be provinces of the British empire, that this expense was laid out upon them. . . If the colonies, notwithstanding their refusal to submit to British taxes, are still to be considered as provinces of the British empire, their defence, in some future war may cost Great Britain as great an expense as it ever has done in any former war. The rulers of Great Britain have for more than a century past, amused the people with the imagination that they possessed a great empire on the west side of the Atlantic. This empire, however, has hitherto existed in imagination only. It has hitherto been, not an empire, but the project of an empire; not a gold mine, but the project of a gold mine; a project which has cost, which continues to cost, and which, if pursued in the same way as it has been hitherto, is likely to cost, immense expense, without being likely to bring any profit. . .”

The greatest economist of his time could not see the potentialities of the American colonies. The rub of the matter, of course, lies in the phrase: “and which, if pursued in the same way as it has been hitherto.” The English thought only of the thirteen colonies. They never looked with anything but apprehension beyond the Alleghanies.

This view persisted for some time after the Revolution. It was really the accident of Napoleon’s necessity that brought a larger view. It must be admitted, though, that there were men far-sighted enough, not only to embrace the opportunity presented, but to see even beyond its immediate implications. To Thomas Jefferson must go the credit of being the first statesman to think in terms of a continent. By the expedition of Lewis and Clark, following the purchase of Louisiana, it is evident that he foresaw a nation extending to the Pacific.

The nation visualized by Jefferson, however, was not the solid block that we see on the map today. There is no reason to believe that he included in his plans the southern half of the projection west from the Mississippi, including Texas, the desert regions of the Southwest, and California. All this belonged to Spain at the time; but even after the Mexican revolution, Jefferson would have been the last statesman in the world to look aggressively towards this territory. And certainly there was nothing in that arid, barren region to justify a purchase such as he made in the case of the Mississippi valley.

The influences that brought about the acquisition of this territory, giving to our country its present solid, admirably compact shape, are not popularly appreciated. An earlier generation, amazed at the apparently inexorable expansion towards the Pacific, along both the northern and the southern frontiers, and unable to find a more concrete explanation, coined the phrase "Eminent Destiny." But that, of course, begs the question. The real causes can be summed up in one word: Slavery.

The prospect of the territories of the Northwest entering the Union as free states, made it vitally necessary for the South, in order to preserve its balance in Congress, to provide new territories in the Southwest that could be admitted as slave states. The maintenance of this balance in Congress was an ever-present problem from 1820 onward. In that year, by the Missouri Compromise, Missouri was admitted as a slave state and Maine as a free state. With the election of Polk in 1844, the annexation of Texas was assured, and, in order to prepare for the future, the southern statesmen brought about the War with Mexico, thinking, no doubt, to carve new slave states from the territory thus to be acquired. While the war was still in progress, the Wilmot Provison was urged in order to prevent the spread of slavery to the new territory that might be acquired from Mexico, but it was not successful. The plans of the South suffered a reverse when California petitioned to be admit-

ted as free. Unable to maintain its balance of power in Congress during the following decade, the South was forced to secession as the only means of preserving an institution it considered vitally necessary. Ironically, it failed in this largely because of the flood of gold that flowed to the North from the very territory that had been acquired in hopes of strengthening the South.

It was slavery, then, that was perhaps the most important single influence in the westward expansion of the United States. The Lost Cause must be remembered respectfully when it is considered that it gave to the Union, not only the means of preserving itself, but also a vast and a varied empire, without which it is impossible to imagine our country occupying its present enviable position.

LAW OF THE NEW MEXICO LAND GRANT¹

W. A. KELEHER

A paper on the land grant law of New Mexico suggests a venture into a field that might be termed "legal archaeology." The impress of the laws and customs of three distinct peoples is upon New Mexico land grants: Spain, Mexico and the United States.

Spain having acquired from the Indians dominion over the lands now contained within the boundaries of Arizona, New Mexico, Colorado, California, Nevada, Utah and Wyoming, enactment of laws and promulgation of royal decrees soon followed.

Under the Spanish rule Indians were acknowledged to be the owners of the lands they actually possessed and cultivated. Mexico recognized the same right. However, on February 23, 1781, a Spanish decree was issued prohibiting Indians from selling their lands, which remained in force until February 24, 1821, when Mexico achieved independence and Indians became Mexican citizens. The laws of Spain attempted to do justice to Indians in land matters; and as late as September 1, 1867, Benito Juarez, president of Mexico, issued a decree designed to protect the Indians in their rights of ownership in land.

Spain's rule tottered, and the Mexican Empire for a brief year or two ruled in 1821 and 1822 over the lands in which we are interested. Then came the first Mexican Republic in 1823, and the Mexican government carried the burden of land grants forward until the Mexican Occupation in 1846, followed by the treaty of Guadalupe Hidalgo on February 2, 1848, which marks the beginning of the

1. Paper read at a joint meeting of the Texas Bar Association and the New Mexico Bar Association, at Amarillo, Texas, on July 5, 1929.

American dominion over the lands ceded by Mexico to the United States. On December 30, 1853, by a treaty called the Gasden purchase, by which the United States acquired certain lands south of the Gila River, disputes over land growing out of the treaty of Guadalupe Hidalgo were finally adjusted.

Properly, a paper on this subject could and would include a discussion of a number of interesting collateral propositions. We shall be obliged, however, to limit ourselves to a consideration of the law of the land grant insofar as it pertains to New Mexico, and to refer only briefly to a few of the outstanding features of the subject. The Indians, the original owners, who held title by possession, may be entirely eliminated from the discussion. Apparently they were not interested in the business of land grants; and, judging by the experience of the Spanish and Mexican grantees, the Indians exhibited wisdom in not seeking grants, assuming that the ruling governments had been willing to grant land to them. The Indians had, and still have, lands which they were permitted to retain by Spain, Mexico and the United States. The rights of the Indians to the lands they actually occupy, and their rights to additional lands, have been the subject of endless litigation, and investigation by Congress. The New Mexico Indian land question is one that must be mentioned only and then dismissed, as it occupies a field all its own.

Land grant litigation in New Mexico has concerned itself with treaties; with documents purporting to support titles to grants; with conditions annexed to grants; with questions of inheritance; with the law of evidence as to boundaries; with the rule as to proof of foreign laws, usages and customs; with ejectment, partition, statutes of limitation; with the powers of the congress of the United States; and the powers of courts of private land claims and other related legal questions.

In order to understand fully the law of the New Mexico

land grant to-day, it is necessary to go back to Spanish rule, to the decrees, proclamations and instructions of Ferdinand V of June 18 and August 9, 1513; Emperor Charles V, June 26, 1523, and May 19, 1525; and Philip II, May 25, 1596. In those decrees, proclamations and instructions, set forth in a compilation known as "Laws of the Indies," is contained the authority to confer land grants. In the fourth book, the twelfth title, is recited in great detail the manner of distribution of pueblo lands. Power is granted in these words: "In order that our vassals may be encouraged to make discoveries and settlements in the Indies . . . it is our will that lands be partitioned and distributed to all those who shall go to settle new lands in towns and places which shall be assigned to them by the governor of the new settlement . . . and these grants may be extended and improved in a measure corresponding to the services that each grantee shall render, so as to stimulate them in the tilling of the land and rearing of cattle."

The viceroys of Spain were authorized to give lands and house lots to those who went to settle; and it was provided that the apportionment of lands should be made with the advice of the city or town council, and that the councilmen should be preferred; that the apportionment of the lands should be made with the assistance of the attorney of the place; and without damage or prejudice to the Indians.

Apparently the rulers of Spain were under a misapprehension as to the possibilities for colonizing the new world, but nevertheless the laws, decrees and instructions were in existence, to be followed by the viceroys, and they were followed, with the result that after four centuries the land titles of the Southwest are still tinged with the impress of king and emperor. Whether the viceroys had absolute power to grant lands without confirmation by the crown has long been debated. The wording of his powers seemed to indicate that he did have final and absolute power

to vest title in the name of the sovereign. The question of confiscation is interesting, but cannot be discussed here other than to say that in all probability the Spanish King reserved the power to revoke or confiscate a grant, and to that extent a grant could never become absolute. The power that granted, could likewise destroy.

The turbulent history and final fate of the Spanish crown cannot be traced here; neither may mention be made of the many and varied decrees, proclamations and amendments made to Spanish law. The same thing may be said of the history of the Mexican empire and republic and of the various laws and regulations pertaining to the granting of land. There an inviting field awaits further study and investigation, made all the easier by the painstaking labors of Gustavus Schmidt, author of "The Civil Law of Spain and Mexico," published in New Orleans in 1851; of Frederic Hall, of San Francisco, publisher of "The Laws of Mexico," in 1885; of J. Alexander Forbes, author of "Mexican Titles in the States and Territories," published in San Francisco in 1891; and of Matthew G. Reynolds, author of "Spanish and Mexican Land Laws," published in St. Louis in 1895.

After the treaty of Guadalupe Hidalgo, the United States government was confronted with a land grant problem, or, it would be more accurate to say, a series of problems. At the outset our government learned that there had been three distinct types of land grant, those made to settlements, those of small size claimed by individuals, and those of large size granted to individuals for the purpose of encouraging habitation of a fixed area of territory.

To refer to Blackstone in a discussion on land grants as understood by the Spanish and Mexican governments is irrelevant, but it may be said that in the bestowal of grants in Spanish and Mexican possessions there was similarity to the English livery of seisin, known to the common law.

The English method was for the sovereign or his rep-

representative actually to go upon the land and exert dominion over it, by breaking a twig from a tree, or throwing earth into the air, thus vesting title in the grantee. The Spaniards, and later the Mexicans, had a similar idea, possession being delivered personally, by a representative of the ruling power, with ceremony, accompanied at the same time or later by delivery of a written document explaining in detail the method of delivery of the grant, its boundaries, and the reasons prompting the generosity of the ruling power. The thought behind the so-called English livery of seisin and the delivery of possession of land customary to Spanish and Mexican rulers was that there could be no valid vesting of title to real estate unless there was a personal, manual delivery and investiture. The ancient Romans were much further advanced in this direction than the English or other nationals, having plainly in their jurisprudence the idea of actual, legal delivery of a thing, or a conveyance of title, whether it be land or personal property, by an instrument in writing at a distance from the land, or without manual delivery of the article, title and possession of which it was intended to transfer. There is no doubt but that under the laws of Mexico transfers of real estate could be made by verbal contract. This proposition in fact has never been controverted by the Supreme Court of New Mexico. *Grant V. Jaramillo*, 6 N. M. 315. The statute of frauds was unknown to the civil laws which were in force at the time of the acquisition of the territory now known as New Mexico. Real estate could be sold in the same manner as personal property.

Documents supporting land grants made by Spanish sovereigns or those under their authority are replete with flowery words and embellishing adjectives. There is, to mention one of many, the decree of royal possession for the Alameda Grant, partly in what is now Bernalillo county, New Mexico, reciting that on the 27th day of the month of January in the year 1710, Captain Martin Hurtado, chief

alcalde and war captain of the town of San Felipe de Albuquerque and the jurisdiction thereof, pursuant to authority granted him did "in the name of his Majesty (may God preserve him) observing the customary ceremonies, and designating boundaries, placing landmarks, and the boundaries are, on the north a ruin of an old pueblo, which of two there are, is the more distant one from said Alameda Tract, and on the south a small hill, which is the boundary of Luis Garcia; on the east the Rio del Norte, and on the west prairies and hills for entrances and exits."

The decree of royal possession for Alameda Grant, dated January 27, 1710, was followed by actual delivery of the grant, identified as Exhibit "B" to the decree, reciting that on May 16, 1748, some thirty-eight years later, giving to the inhabitants of the grant a patron saint, Saint Anthony of Sandia. The document continues, "the people cried aloud, threw stones, pulled up weeds, and in a loud voice exclaimed 'Long Live the King Our Sovereign' ", continuing after a most minute description of the ceremonies, "and they heard the royal possession given in the name of His Majesty, which is a sufficient title to them now and forever to prevent interference at any time and against any person or persons who may trespass within the boundaries set forth and of which they are in possession."

The influence of the Spanish custom of bestowing a grant is plainly seen in the Mexican custom of delivery of land. For instance there is the Dominguez Fernandez Grant, referred to in *Catron v. Laughlin*, 11 N. M. 621, wherein it appears that the actual delivery of the grant was made by the Mexican officials in much the same manner that grants had been made before that time by representatives of the Spanish government. The date was August 21, 1827, and the alcalde "pulled up grass, scattered handfuls of earth, broke off branches from trees, and the people from great joy and satisfaction, uttered expressions saying, 'Long live our actual president, Don Guada-

lupe Victoria, long live the Mexican Nation.' ” The point of law decided in *Catron v. Laughlin* was that the action of congress in confirming a claim for land under a grant made by Mexico was to be treated as an adjudication, the courts being powerless to revise what had been done by congress. This is still good law.

From the foregoing it appears that it was customary to obtain a so-called degree of royal possession, followed by actual possession. Reading of the documents discloses almost invariably that surveying was not recognized as one of the fine arts. Land measurements were as wide as the prairies and as far away as a river or mountain. Inadequate descriptions proved to be one of the principal contentions involved in land grant litigation after the American occupation. At the end of the Mexican war and under the treaty of Guadalupe Hidalgo, claimants to various grants had been assured of protection of titles by the United States. Land grant problems would have been comparatively simple had there existed proper supporting documents and correct surveys. Boundary lines were indefinite and uncertain. Documents were unsatisfactory. Forgery and the fabrication of documents proved a fine art in connection with claims made before the Court of Private Land Claims in New Mexico, established by Act of Congress on March 3, 1891.

Before the establishment of the Court of Private Land Claims in New Mexico, the United States Surveyor-General for New Mexico, an office created in 1854, recommended to Congress confirmation of a number of land grant claims. The Congress of the United States confirmed some thirty-six New Mexico grants during the years 1858 to 1860, including the famous Carlos Beaubien and Guadalupe Miranda Grant, later known as the Maxwell land grant, consisting of 1,470,000 acres, the grant having been made by Governor Armijo of New Mexico on January 11, 1841.

Confirmation of land grants by the legislative branch of the government proved unsatisfactory, largely for reasons which cannot enter into this discussion; and the creation of the Court of Private Land Claims for New Mexico, Colorado and Arizona, followed. The court consisted of five judges empowered to pass upon the merits of petitions asking confirmation of lands with titles fully and regularly derived from Spain and Mexico, appeals being allowed to the Supreme Court of the United States. The Court of Private Land Claims heard 301 petitions, involving 34,653,340 acres of land, finishing its work June 30, 1904, at Santa Fe, New Mexico. Two-thirds of the petitions presented were entirely rejected. Seventy-five claims were finally allowed in effect quit-claiming to petitioners any right the United States had in 1,934,986 acres of land.

Intricate questions of fact, and complicated questions of law, involved in the litigation concerning the Spanish and Mexican land grants have challenged the best efforts of New Mexico's ablest lawyers and judges for more than sixty years.

The Supreme Court of New Mexico has decided a number of fundamentals in connection with land grants. There are few, if any, new questions that might be the subject of litigation, insofar as the grants themselves may be concerned. However, there are numerous questions involving the rights of individuals which must be settled eventually in the courts of last resort. Lawyers will be necessary assistants in connection with the determination of such questions. Consequently it will not be inappropriate for the members of the New Mexico and West Texas Bar Associations to be somewhat familiar with the general principles of land grant law. While the things that are discussed here are of peculiar interest to New Mexico lawyers at the present time, they will be of future interest to lawyers of Texas and Oklahoma. Prospecting for oil will sooner or later begin on land grants in an important way.

Members of the Texas and Oklahoma bars will be engaged to pass on the validity or invalidity of land grant titles.

There is no claim that the land grant as such is peculiar to New Mexico. There are Spanish and Mexican land grant lands in a number of the western states, and there are Spanish grants in Florida and Louisiana. The City of San Francisco, within a Pueblo land grant, was the subject of considerable litigation before titles were finally perfected. In New Mexico it is of the utmost importance to have definitely settled by court decrees whether a land grant is a so-called pueblo, or town grant, or a private or individual grant. Much important litigation has resulted from disputes in this direction.

A prospective purchaser of a mining lease some months ago, being advised that there was doubt as to whether a grant was a town grant or a grant to individuals, proved his resourcefulness by employing two old time land grant lawyers, neither being aware that the other had been employed. The same documents and title papers were submitted to each of them, and opinions were obtained, with the result that one reached the conclusion that the grant was a pueblo grant, and the other, on the same state of facts, and with the same law available, rendered an opinion that the grant was a grant to individuals. The prospective purchaser closed the deal by obtaining a lease from the board of trustees of the grant, and at the same time required the signatures of all known, available individuals who might have an interest in the grant in the event it was proved eventually to be an individual grant, with the inevitable co-tenancy to be considered.

Land grant litigation is not now as prolific or as profitable as it was twenty-five and thirty years ago. The lawyer of the old school in New Mexico ordinarily had one or more complicated land grant cases in his office upon which he worked in his spare time. Claimants of interests in a grant were ordinarily without money. Frequently the

lawyer was obliged to accept his fee either after the sale, in the event of a partition, or in acreage, at the conclusion of the litigation. Some of the cases dragged along for years, in apparently interminable litigation, with a great many defendants, many pleadings, reports of referees and special masters without end. It is quite certain that in nearly every case the lawyers earned their money, and were nearly always obliged to have professional assistance from surveyors, archive-searchers, genealogical experts,—eventually establishing some of the facts by ancient witnesses, in the manner indicated by Greenleaf on Evidence, or otherwise, as their consciences dictated.

The participation of the lawyer in land grant affairs, both before and after the legal work had been completed in connection with confirmation by the Congress of the United States, and by the Court of Private Land Claims, was inevitable, because of the open question as to whether or not valid title had been derived from Spain or Mexico; because of the uncertainty of boundaries, and finally because of the manner in which many of the confirmations were made.

Lawyers called upon to assert the claims of clients found that in some instances there were hundreds of heirs of the original grantee, if the grant had been to an individual, and determination of heirship in most instances would be of no value unless there could be a partition. Ordinarily, partition of the land in kind would be of no avail and not satisfactory to those finally determined to be lawful heirs of a given grantee. A sale of the grant after partition was the practical remedy. There followed a period in New Mexico legal annals, roughly speaking from 1891 to 1910, in which the lawyers of the then territory engaged extensively in land grant litigation. There were many suits in the district courts, and a number of them were appealed to the supreme court. Some of the suits, because of the small value of the land, inability of heirs to finance

litigation, vexatious legal questions, and discouraged and disheartened counsel, were abandoned. As a result, there are to-day in New Mexico some parcels of land, unclaimed, to all practical purposes, and known as "lost land grants."

"The lost land grant" in New Mexico has a counterpart in ghost land grants, of which the so-called Royuela and Beales Grant is an interesting example. The title to all the farming lands in Quay County, New Mexico, is overshadowed by this ghostly grant, which has haunted abstracters, lawyers and loan companies in that particular county since November 17, 1916. On that date there were filed a number of instruments purporting to convey title to practically all of the public domain in Quay county, among them being a purported certified copy of a petition signed by Jose Manuel Royuela, asking the establishment of a land grant; and warranty deeds in a chain of title purporting to convey approximately one million acres of land. Apparently there never was a grant. At most there was a designation of land in 1832 which might have become a grant had there been a confirmation by the proper Mexican authorities. This so-called grant was litigated in the case of *Interstate Land Company v. Maxwell Land Grant Co.*, 41 Fed. 275, and on appeal to the supreme court of the United States as reported in 139 U. S. 569. The opinions in the United States Courts, and one in the lower court by Mr. Justice Brewer, and the one in the supreme court by Mr. Justice Lamar, are of interest, demonstrating that certain factors are essential in the fundamentals of a Spanish or Mexican land grant and that without them there is no grant. The lands claimed to have been granted to Royuela and Beales became public domain of the United States and thousands of acres have been homesteaded. The ghost of the grant throws a cloud over the title, but there is absolutely no question but that the grant is and was void; and that the real owners of the land have a fee simple title that is marketable; and that they

will never be subjected to serious interference. However, the ghost of this particular grant still haunts the land, because as late as a few months ago an unsuccessful effort was made to have the New York Title and Mortgage Co. issue a policy of title insurance on the so-called Beales property for one million dollars.

Along with the lost land grant and the ghost land grant, there is what might well be called "nobody's land grant." Consider, for example, the Cebolleta de La Joya land grant, situate partly in Socorro and partly in adjoining counties of New Mexico, a tract in excess of 29,000 acres, the subject of much litigation, and for the last several years in process of being sold for non-payment of taxes. The board of county commissioners of Socorro county entered into a contract on June 18, 1929, with Reuben M. Ellerd, of Tulsa, Okla., to sell this grant for \$42,367.00, the amount of a tax judgment. This grant, originally to individuals, is now owned by hundreds of descendants of the original grantees. In the famous case historized in the one immortal novel of the law, "Ten Thousand a Year," the lawyers and litigants remembered nothing of the facts in the case excepting the amount of the court costs. In connection with the La Joya land grant, it appears that almost everyone has forgotten about everything connected with the grant excepting the taxes.

The war with Mexico was declared by resolution of the Congress of the United States, May 13, 1846. The treaty between the United States and Mexico was signed at Guadalupe Hidalgo, Mexico, on February 2, 1848, under which and subsequent protocols, 234,000,000 acres of land were ceded to our country. Prior to May 13, 1846, the Mexican government had granted certain lands to Mexican nationals who were qualified to receive the lands granted, and in the treaty, the United States agreed to protect all Mexican nations in their rights inviolate.

Under our law, that is the law of the United States,

and the law of Mexico, the record is the grant, and the grant is the title. Briefly, if there is no record, there is no grant; and if there is no grant, there is no title. Title fails, and under the decisions of the United States Supreme Court, such lands become public domain and are held by the federal government in trust for the people of the United States. In numerous decisions the Supreme Court of the United States has held that title under a Mexican Grant cannot be held valid without evidence of the compliance with requirements of the Mexican law in effect at the time the grant was made. Written evidence of the forms required by the Mexican law must be found in the archives and records where they were required to be deposited and recorded. Inability to produce such proof by actual introduction of the documents themselves or by certified and authenticated copies, developed the rule that title may be supported by secondary evidence, one requirement being that positive proof must be produced that the title papers were deposited or recorded as required by law in the proper office in Mexico.

The first reported case in New Mexico involving a land grant is that of *Pino v. Hatch*, 1 N. M. 125, decided at the January term, 1855, the majority opinion being written by Judge Benedict. This was a suit in ejectment, involving the right to possession of a large tract of land in San Miguel County, New Mexico, and was in the nature of test litigation. The court held in that case that the political chief of the province of New Mexico, under the government of Mexico, after the separation from Spain, had no power, without express authority from the Mexican government to grant away any part of the public domain, but held further that papers purporting to show the existence of such a grant, although not sufficient to pass absolute title, should be admitted in evidence as against one having no better right, to show the time and mode of gaining possession, from which title by adverse possession might be established.

There is a dissenting opinion in that case by Judge Brochus, in which he took the position that the court should recognize the grant of a political chief of New Mexico, apparently on the theory that it might be presumed that he was acting with the authority and by consent of the republic of Mexico. The particular grant involved was made by one Bartolomé Baca, as political chief pro tem. of the province of New Mexico, on December 23, 1823. It will be recalled that the United States acknowledged the independence of Mexico, achieved from Spain in 1821, up to which time the royal order of the king, by virtue of his prerogative, was absolute in all things; and in the Pino case it was pointed out by our court that title to all lands previously held by Spain, was lodged after 1821 in the republic of Mexico. Judge Benedict contended in his opinion, and a majority of the court agreed, that neither a political chief nor a provincial governor, could divest the sovereignty of the soil unless expressly authorized by the new power to do so, or his acts should be subsequently sanctioned by the political authority. There have been numerous other cases on land grant questions, but to cite them here or discuss them would be burdensome to those not particularly interested in local decisions.

As the result of disagreements over management of the land grants in New Mexico, considerable statute law has been enacted, management of community grants being left to boards of trustees, with varying powers, there being reflected in each statute providing for the control of a particular grant, the wishes and desires of the people occupying the grant, or their chosen political and business leaders. In 1907 some order was developed out of the chaos as to management by the enactment of what amounts to a land grant code. Briefly, this code provides that all grants of land in New Mexico made by the government of Spain or by the government of Mexico, to any community, town or pueblo, shall be managed by a board of trustees elected by ballot,

at which all persons residing within the limits of the grant who have lived thereon for a period of five years prior to the election, and are otherwise qualified to vote at state elections, shall be eligible to cast a ballot. Those grants which were not made or confirmed by Congress or the court of private land claims to community, town, colony or pueblo, are by exclusion eliminated from such government. Private land grants, therefore, are not subject to the so-called grant code, but are subject to the same laws, with one or two exceptions, as any other real estate holdings. The question of importance therefore is to identify the kind of a grant and to have an effectual and final declaration that a grant is either a community or a private grant.

The sale or encumbrance of community land grants is made difficult by a statute enacted in 1913, which provides that no sale, mortgage or other alienation of the common lands within a grant shall take effect unless authorized by a resolution duly adopted by the grant board of trustees, and ratified, and until after approval of such resolution by the district judge of the district within which the grant or a portion thereof is situate. Has the court the power to veto a sale, or is the power of the court merely ministerial, a formal ratification? Can the courts lawfully be vested with such power, in the case of an individual grant, without having all owners of the grant properly served and before the court? These are questions that must some day be answered.

For a number of grants there is special legislation. The case of the Las Vegas Grant is of considerable interest because of the great value of the land belonging to the grant and the large sums of money available for investment. This particular grant was confirmed by an act of Congress June 21, 1860, to the town of Las Vegas, and differs from other grant governments in that the district court of San Miguel County is vested with jurisdiction to manage, control

and administer the grant, with authority to appoint not less than three nor more than five persons from among residents upon the land, actually to administer the affairs of the grant, but with full control in the court "over the acts and doings of the board of trustees, that courts of equity exercise over receivers appointed by them and over the acts and doings of their receivers," considerable power being thus vested in the court.

After a land grant had been confirmed by act of Congress or by the court of private land claims, the United States ordinarily issued a patent as evidence of title; and the very wording of the patent provoked discussion and resulted in litigation. If confirmation was to a town, pueblo or community, complications frequently arose over boundaries; and if the patent issued to the individual grantee or grantees, or his or their heirs, because in nearly every instance the original owners were dead, the difficulties that confronted attorneys were many and varied.

Apparently there was nothing in the civil law of Spain or Mexico equivalent to joint tenancy with the right of survivorship as shown to the English common law. The original grantees under a grant took an estate quite similar to a tenancy in common. That early day attorneys recognized the situation is indicated by the adoption in 1852, by the first New Mexico territorial legislature, of an act which is now Section 4762 of the 1915 Code, which reads:

"All interest in any real estate, either granted or bequeathed to two or more persons other than executors or trustees, shall be held in common unless it be clearly expressed in said grant or bequest that it shall be held by both parties."

Time does not permit a discussion as to the power of the legislature to enact such a statute as the foregoing, but it may be said that it is the settled law generally that the legislature may destroy the survivorship in joint ten-

ancies, as it is a mere contingency destructible by either joint tenant. 12 C. J. Constitutional Law, sec. 497; Note 10 (a). The weight of authority appears to be that "statutes changing existing joint tenancies into tenancies in common are valid; as operating merely to render the estates more beneficial, and in like manner, a statute making joint heirs tenants in common may embrace estates existing at its passage." Consequently there is small doubt as to the validity of our section 4762.

These statements are preliminary to a reference to the doctrine that each tenant in common is equally entitled to the use, benefit and possession of the common property, and may exercise acts of ownership in regard thereto. Right to possession extends to every part of the property; and a tenant in common is entitled to possession of the common property as against all the world save his co-tenant and entitled to his share of the rents, issues and profits. A brief consideration of some phases of the rights of co-tenants is set forth in *Bradford v. Armijo*, 28 N. M. 288, in which litigation there was involved the title to the Agua Salada Land Grant, granted on July 20, 1769, confirmed by the Court of Private Land Claims on August 23, 1893, patent from the United States November 15, 1909, which grant was confirmed unto "the heirs, legal representatives and assigns of Luis Jaramillo," and opened the gate to litigation still pending in the courts.

The question of the kind of a right of ownership, undefined under Spanish or Mexican law, that a claimant may be entitled to under the law known to the Anglo-Saxon system of jurisprudence, when such claimant is an owner of a fractional interest in a land grant not only prompted the passage of the ownership in common statute of 1852 referred to in the foregoing, but also prompted the passage of the statutes previously referred to vesting power in boards of trustees to manage grants, and under conditions specified, with the final approval of the court, to alienate

the land. Time does not permit an extended discussion of the various acts, of the powers conferred upon the trustees of the grant boards, and of the rights of the claimants of the interests in the grant, but it may be said in a general way that, as to some of the laws enacted by the legislature of New Mexico, vesting in a board of trustees power to govern a land grant originally made to individuals, now owned by many individuals, there does not seem to be a single right of a tenant in common, as ordinarily understood in the general law, which is not violated by the provisions of such acts.

It seems plain that the power of the board to sell, mortgage, encumber, partition and otherwise alienate, offends against the prohibition against depriving persons of their property without due process of law, as contained in the 5th and 14th amendments of the federal constitution, and Section 18, Article 2 of the statute constitution.

Taxes have been a staggering burden for all of the land grants in New Mexico with the exception of possibly five or six. Taxation of land as we understand it in our law was a vague thing in Spanish and Mexican law. The community or individual obtaining a grant was ordinarily exempt from taxation on the real estate for a number of years, and perhaps forever. This explains in part why efforts were made by the early settlers and settlements to obtain large grants of land. After the American occupation and introduction of taxation of real estate for production of revenue, the land grant, instead of an asset, became in many instances a liability. The grants were burdened with taxes. Lacking confirmation by act of Congress or by a court of private land claims, the rights of owners or apparent owners were doubtful; the issuance of patents by our government for individual grants resulted in litigation because the rights were vested in a hundred, perhaps a thousand or more heirs of the original grantee. The individual grantee, owning perhaps a thousandth part of the whole, or less, declined,

or was unable, to pay his proportionate share of the taxes levied against the grant as an entirety. As a result of the grants being unproductive and unwieldy for partition purposes, the owners have been unable, in many instances, to pay the taxes, even to this date; and the grants continue to fail to bear their burden in this direction. Prospective buyers of land grants, confused by the complications in which a grant found itself, dubious as to whether or not the grant could be extricated with safety so as to make possible a good and merchantable title as understood in most states, declined to make investments. It is the belief of writer that it would have been more fortunate for the now State of New Mexico, if when the treaty of Guadalupe Hidalgo had been signed, the United States had taken possession of all the grants, declared them public domain, and duly compensated the owners at the then fair value. Spanish and Mexican land grants, it appears to me, have been a curse to New Mexico, reaping little profit and reward to those intended to be rewarded, and retarding in great measure the orderly development of the resources of the state. This is said with full appreciation of the bravery and fortitude of the first colonizers and their noble attempts to found settlements and develop the land.

Sufficient time is not available to discuss here the New Mexico method of partition and sale of grants, but it is sufficient to say that the methods followed are not essentially different from those in other states, there being no necessity for the application in a partition suit of Spanish or Mexican law as to the method, but only as to the rights of the parties to the cause.

A curious situation exists on a number of land grants in New Mexico which will eventually give rise to litigation of importance, and that is with reference to the mineral rights. Spain and Mexico, in bestowing a grant, in many instances bestowed the land without reference to the minerals or other valuables under the soil. In the treaty of

Guadalupe Hidalgo, the United States promised protection to nationals in such rights as they had at a specified time. The nationals of Mexico in a certain type of grant not having acquired a right in the minerals under their grants, such rights became vested in the United States. The United States owning those rights, apparently, have no right to issue a permit for mineral exploration to a stranger to the title, because the federal government has no right on the land itself. The patent from the United States to a land grant owner ordinarily reserves in the government of the United States "the rights to prospect for gold, copper, cinabar and lead." The question is, has the government retained the rights to the oil, if any, that may be found, and eventually will be found, in some of the grants?

There is a peculiar statute of limitations in connection with land grants in New Mexico, the constitutionality of which has been passed upon by the Supreme Court of the United States, in the case of *Montoya v. Gonzales*, 232 U. S. 375. On February 1, 1858, the territorial legislature of New Mexico passed an act now known as Section 3364 of the 1915 Codification, which provided briefly, that in all cases where "any person or persons, their children, heirs or assigns, shall have had possession for ten years of any lands, tenements or hereditaments which have been granted by the governments of Spain, Mexico or the United States, or by whatsoever authority empowered by said government to make grants of land, holding or claiming the same under or by virtue of a deed or deeds of conveyance, devise, grant or other assurance purporting to convey an estate in fee simple, and no suit in law or equity effectually prosecuted shall have been set up or made to the same within ten years, then such person, their children, heirs or assigns so holding such possession" are, by the terms of the statute, given a good, indefeasible title in fee simple to the lands claimed. It will be noted that there is no necessity for the payment of taxes, ordinarily an absolute essential. The

statute was before the Supreme Court of New Mexico in *Farish v. New Mexico Mining Company*, 5 N. M. 279, and again in *Gildersleeve v. Milling Company*, 6 N. M. 27, in the early days of the court, and was the settled law of the state, apparently free from attack until its constitutionality was vigorously attacked in the *Montoya* case, 16 N. M. 349.

The Supreme Court of New Mexico in that case recited the history of the statute, discussing whether or not it was a statute of limitation or repose merely; or went further and was intended to grant affirmative relief by conferring absolute title on a claimant contending to come within its provisions. Our court decided that the statute was intended to create, and did create, a right and indefeasible title in fee simple to real property acquired in a land grant, under the prescribed conditions. Appealed to the Supreme Court of the United States, in an opinion handed down on February 24, 1914, by Mr. Justice Holmes, 232 U. S. 375, the court stated that the title of the claimants successful in the lower court did not depend upon the ordinary statute of limitations, but rested upon a peculiar statute that had been in force in New Mexico unchanged in any important way, since 1858. "By this act, possession for ten years," the opinion reads, "under a deed purporting to convey a fee simple of any lands which have been granted by Spain, Mexico, or the United States, gives a title in fee to the quantity of land specified in the deed, if, during the ten years, no claim by suit in law or in equity, effectually prosecuted, shall have been set up."

The attack on the constitutionality of the statute, was not seriously considered, the court declaring that: "We can see no taking of property without due process of law in this. The disseisee has notice of the law and the fact that he is dispossessed, and that a deed to the disseisor may purport to convey more than is fenced in. . . . The statute does not deny the equal protection of the laws, even if it should be confined to Spanish and Mexican grants.

For there very well may have been grounds for the discrimination in the history of those grants and the greater probability of an attempt to revive stale claims, as is explained by the Supreme Court of New Mexico." The territorial Supreme Court had, as is indicated in the opinion by Mr. Justice Holmes, explained the reasons for the enactment of the law. Having thus been passed upon by our Supreme Court and the United States Supreme Court, the statute of limitations discussed here may be said to be one of the fundamentals of New Mexico law of land grants. It only remains to say that the statute as Mr. Justice Holmes said, is a peculiar statute, and that lawyers having to advise their clients on land grant titles may well require a personal investigation to determine whether or not there are any claimants in possession of any part of the grant with an instrument purporting to convey title, because apparently under the decisions and the law as it now stands, such settlers are immune to the provisions of recording acts.

To further explore the ramifications of the law of the land grant would be an imposition on the bar of Texas. It has not been my intention to leave the impression that good title can not be obtained to New Mexico land grants: that would not be true. Confirmed by act of Congress or by the Court of Private Land Claims, with boundaries surveyed by competent surveyors, and titles quieted and settled by able lawyers, there is every reason to say that many owners are vested with a title that is marketable and beyond any attack. Each grant must be considered on its own merits, not only as to validity of title, but to all other factors prompting a purchase.

Certain general principles of law pertaining to land grants are firmly a part of New Mexico jurisprudence; and as new questions are presented to lawyers and to courts we may confidently expect that they will be dealt with in the future intelligently and capably by bench and bar, as they have in the past.

THE HISTORY OF EARLY PRINTING
IN NEW MEXICO

WITH A BIBLIOGRAPHY OF THE KNOWN ISSUES OF
THE NEW MEXICAN PRESS, 1834-1860

By

DOUGLAS C. MCMURTRIE

"Liberty of the press is the vehicle which communicates enlightenment to all classes of society, especially to the lowest class of people. This precious gift, granted to us by the wisdom of the great legislators of our Republic, is the firmest support of liberal institutions; for more than by physical strength these institutions are conserved by moral vigor, which results from the enlightenment of the citizens. But this inestimable good is as if dead for the Territory, as not a press is known, nor do papers circulate which would spread abroad that public spirit which is the very soul of republican liberty.

"The scarcity of books, particularly of those elementary ones which contribute so largely in disseminating ideas, is another obstacle opposed to enlightenment, and another no less is the enormous distance at which this place lies, and the lack of communication which obtains with the interior of the Republic."¹

The foregoing comprehensive statement is taken from a report of a survey of conditions in New Mexico submitted to the authorities of the government of Mexico on June 1, 1832. This date, therefore, is the definite *terminus a quo*

1. From the *Ojeada sobre Nuevo-Mexico* by Antonio Barreiro, translation by Lansing B Bloom, in the *New Mexico Historical Review*, Vol. 3, 1923, at p. 151.

NOTICE.

BEING duly authorized by the President of the United States of America, I hereby make the following appointments for the Government of New Mexico, a territory of the United States.

The officers thus appointed will be obeyed and respected accordingly.

CHARLES BENT to be Governor.

Donaciano Vigil " Sec of Territory.

Richard Dallam " Marshal.

Francis P Blair " U. S. Dist. Atty

Charles Blummer " Treasurer.

Eugene Leitenstorfer " Aud. of Pub. Acc.

Joel Houghton, Antonio Jose Otero, Charles Beaubien to be Judges of "the Superior Court."

Given at Santa Fe, the Capitol of the Territory of New Mexico, this 22d day of September 1846 and in the 71st year of the Independence of the United States.

S. W KEARNY,

Brig. General

U. S. Army.

from which begins all investigation of the history of the press in New Mexico.

Whence came the first printing press to New Mexico? Who caused it to be brought thither, and for what purpose? To the first of these questions no conclusive answer can yet be given. The testimony as to the origin of the press is obscure and conflicting. But to the second question a satisfactory reply can be found in the evidence presented by contemporary and nearly contemporary documents.

First in this chain of evidence, let us examine the statement of Josiah Gregg, a Santa Fé trader, published in 1844.²

"In nothing is the deplorable state of things [in New Mexico] made more clearly manifest than in the absence of a public press. There has never been a single newspaper or periodical of any kind published in New Mexico, except in the year 1834, when a little foolscap sheet (entitled *El Crepusculo*) was issued weekly, for about a month, to the tune of fifty subscribers, and was then abandoned, partially for want of patronage and partially because the editor had accomplished his object of procuring his election to [the Mexican] Congress. Indeed, the only printing press in the country is a small affair which was brought the same year [*i. e.*, 1834] across the prairies from the United States, and is now [1844] employed occasionally in printing billets, primers and Catholic catechisms."

Gregg thus testifies that he knew of the publication of a small newspaper issued for a few weeks in 1834 for political purposes—to procure the election of its editor to the Mexican Congress. Now Antonio Barreiro had completed a term as deputy in the summer of 1834, and in October of the same year was preparing to leave Santa Fé for a second two-year term. On this occasion, according to a record in a contemporary document, he transmitted to the *diputación territorial* "a file of the periodical which

2. Josiah Gregg, *Commerce of the Prairies, or the Journal of a Santa Fé Trader* (New York: 1844), Vol. I, pp. 200-201.

he published in that capital [*i. e.*, in Santa Fé].”³ The name of the periodical in question is not mentioned in this contemporary record, and Bloom⁴ says the name is not even known. But Gregg’s testimony is that it was called *El Crespúsculo*, and this testimony is confirmed by another contemporary document, a letter from Ramon Abreú to the *ayuntamiento* of Santa Fé, transmitting another file of the same periodical. This letter, in translation, reads as follows:⁵

“Very Worthy Ayuntamiento.

“I, Ramon Abreú, subcommissary of the Territory [of New Mexico], respectfully and in due form present myself before your honorable body and say: That attentive to the highly esteemed letter of the illustrious Mexican, Señor Licenciado Don Carlos María de Bustamante, the original of which I transmit, I request in proper form that your honorable body be pleased to order to be placed on exhibit in its session hall a file of the periodical *Crepusculo de la Libertad* and a copy of the notice with which the press was opened which I have established in this city, all with the praiseworthy object indicated in the said esteemed letter; and also that in accord with the tenor of the said letter the accompanying imprints be placed in the archives, with a certificate of the secretary of your honorable body; being kind enough likewise to return to me this letter with

3. Fed. L. O. (Santa Fe), *legis. mins.* of October 8, 1834: “Leyda y aprobada la acta anterior, se dió cuenta con un oficio del Sr. Diputado Dn. Antonio Barreiro, en q. pide instrucciones para ayudar al desempeño de su encargo, incluye una colección del periódico q. publicó en esta capital, y solicita se le produzca el certificado q. se le dió á principio del vienio anterior.” (Quoted by Lansing B. Bloom, in *Old Santa Fé*, Vol. 1, 1913, p. 365, footnote 323.) Mr. Bloom (*loc. cit.*) says “The possession and use of this famous little press was without question an important factor in winning for Barreiro a second term in Congress, the only one during our period who was reelected.”

4. Lansing B. Bloom, “Barreiro’s Ojeada sobre Nuevo-Mexico,” *New Mexico Historical Review*, Vol. 3, 1928, p. 74.

5. The original of this letter I found in the Vigil collection of the Historical Society of New Mexico, on the occasion of a recent visit to Santa Fé. I am under obligation to Mr. Lansing B. Bloom, secretary of the Society, for dictating to me this translation.

whatever endorsement you may find proper to place upon it, in order that, if it be in accord with my petition, it may accompany in the original, with the aforesaid letter, the documents to be exhibited. Santa Fé, January 17, 1835.

Ramon Abreú”

The conclusion to which the above testimony leads is that in the summer of 1834, in order to procure his reelection as deputy, Antonio Barreiro conducted at Santa Fé a periodical entitled *El Crepúsculo de la Libertad* (“The Dawn of Liberty”) and after a short time discontinued it. The press on which it was printed was undoubtedly that which Abreú said he had established at the Territorial capital.

No copies of *El Crepúsculo* are now known. If either of the files referred to in the foregoing documents should be brought to light, all uncertainty as to the circumstances of its publication would doubtless be resolved. Without such first-hand evidence, however, it is still safe to say that Barreiro was its editor and publisher, that it was printed on a press established at Santa Fé by Ramon Abreú and that its first issues appeared in the fall of the year 1834.

It must be acknowledged that the foregoing conclusions are at variance with those arrived at by some of New Mexico’s historians. L. Bradford Prince, for example, says:*

“In 1835 the first newspaper enterprise was attempted—Padre Martinez, of Taos, issuing a paper, of the size of foolscap, entitled ‘El Crepúsculo’ (meaning ‘The Dawn’), weekly for about a month, when its particular mission being accomplished, and the number of its subscribers (about fifty) not justifying a continuance, it was abandoned. This was the only attempt at a newspaper while the territory was under Mexican control.”

Bancroft, in his *Arizona and New Mexico*, cites the foregoing passage from Prince in saying:

6. *Historical Sketches of New Mexico from the Earliest Records to the American Occupation* (Kansas City: 1883), p. 234. The same statement is repeated thirty years later in the same author’s *Concise History of New Mexico* (Cedar Rapids: The Torch Press, 1912), p. 153.

"About 1834 a printing press was brought to this country, and with it in 1835 Padre Martinez issued for four weeks at Taos the *Crepúsculo*, the only New Mexican newspaper of pre-Gringo times."

But Bancroft also refers to Gregg's *Commerce of the Prairies*, and adds the footnote:

"Gregg says that the editor's object was to get himself elected to Congress, in which effort he succeeded. He also states that some primers and catechisms were printed on this press before 1844; but I have never seen any of these early productions. In the newspapers of 1876 is noted the death of Jesus M. Vaca [*i. e.*, Baca], who was a printer on the *Crespúsculo*."

The tradition to the effect that Padre Martinez issued *El Crepúsculo* at Taos continued to grow with time until it came to be the generally accepted story. In 1903, in a memoir in Spanish on the life of Padre Martinez,⁸ Pedro Sanchez continues the tradition by saying that Martinez bought a press in 1835 and at his own expense issued books for the use of his pupils, printing pamphlets containing alphabets, syllabaries and vocabularies, catechisms, and the like, and also material on orthography, grammar, rhetoric, logic, physics, and arithmetic, which he distributed free; and that he also published a newspaper, "the first ever issued west of the Missouri River," to which he gave "the very appropriate name" *El Crepúsculo*, using it to combat the evil practices of the officials of his day.

A few years later an anonymous historian gave still further details:⁹

7. Hubert Howe Bancroft, *Arizona and New Mexico* (San Francisco, 1889), p. 341 and note. Such a notice appeared in *The Daily New Mexican* (Santa Fé) April 21, 1876: "Jesus Maria Baca died yesterday at his residence in this city aged about 65 years. . . He learned his trade in Durango, Mexico, returned to the territory with Padre Martinez . . . about the year 1835 . . . He remained in the office until 1847 when it was purchased and removed to Santa Fé by Hovey & Davies, who published the Santa Fe Republican . . ." Because of failing eyesight Mr. Baca retired in 1857. His family was connected with the Pino and Delgado families, and "he has ever been regarded as an exemplary citizen. He leaves surviving him three daughters and one son."

"The first printing press ever used in New Mexico was brought from Chihuahua, Mexico, in 1835, by Don Santiago Abreú. The press was set up at Taos, and there the first newspaper in the Territory was printed. Father Martinez controlled this paper, called *El Crepúsculo* (*The Dawn*), for his own political advancement, and it was continued only a few weeks, until its political end was achieved."¹⁰

Next, R. E. Twitchell pays tribute to Padre Martinez.¹¹ His statement is chiefly interesting, however, because it mentions other matters concerning early printing in New Mexico. Twitchell says:

"About the year 1834 a printing press was brought to New Mexico. It was operated by Jesús María Baca, who came from the city of Mexico. Upon this press was printed a proclamation by Governor Perez, dated June 26, 1835, in which he announces that he has assumed the reins of government. Upon this press was done the first printing between the Missouri River and the Rio Grande."¹²

"Upon the same press was published a weekly paper

8. *Memorias sobre la Vida del Presbítero Don Antonio José Martínez*, Santa Fé: Compañía Impresora del Nuevo Mexico, 1903. A statement regarding New Mexican printing origins based on this volume is given by Henry L. Bullen in "The Literature of Typography," *Inland Printer*, Vol. 53, No. 3, June, 1914.

9. *History of New Mexico, Its Resources and Peoples* (Los Angeles: 1907), Vol. I. p. 467.

10. This unnamed writer adds: "According to records in the possession of Mrs. Petra B. Abreú, of Rayado, after the death of [Santiago] Abreú, his widow sold the press to Father Martinez." As the Abreú brothers met their death in August, 1837, this is further evidence tending to show that the press did not come into the possession of Padre Martinez until that year.

11. Ralph Emerson Twitchell, *The Leading Facts of New Mexican History* (Cedar Rapids: The Torch Press, 1911-1912), Vol. II, pp. 184-185; also p. 338, footnote.

12. This statement is far from accurate. In Missouri, south of the Missouri River, there was printing at Independence in 1832 and at Jefferson City in 1834. Further, at the Shawnee Baptist Mission, in the Indian Territory, just west of the state of Missouri, Jotham Meeker had begun to print in March, 1834, several months before the earliest date that can be assigned on any evidence to printing in New Mexico. Much earlier, William E. Woodruff began the publication of the *Arkansas Gazette*, in the new Arkansas Territory, on October 30, 1819, and in the same year, at least as early as August 14th, Eli Harris printed the *Texas Republican* at Nacogdoches.

called *La Verdad*.¹³ It had sixteen pages, ten by fourteen inches in size . . . Padre Martinez issued for four weeks at Taos the *Crepúsculo*. He also states¹⁴ that some primers and catechisms were printed on this press prior to 1844."

L. Bradford Prince once more takes up the story in 1912.¹⁵ He credits "the Abreú family" with bringing the first press in 1834, and says it came from Mexico. After mentioning the Perez proclamation of June 26, 1835, with its imprint "Imprenta de Ramon Abreú à cargo de Jesus Maria Baca," he goes on to say that Padre Martinez printed the first newspaper in New Mexico, *El Crepúsculo*, at Taos, and gives November 29, 1835, as the date of the first issue. Where this date comes from is a complete mystery to me.

The whole matter of the history of the first press was carefully reviewed by Lansing B. Bloom¹⁶ shortly after the publication of Prince's *Concise History*. Bloom points out the important part played by Antonio Barreiro in bringing the first press to New Mexico, mentions the periodical which Barreiro published at Santa Fé in the summer of 1834, with a comprehensive note on the file of it presented to the *diputación* when Barreiro departed for his second term in Mexico City, and says further that "At the same time, and possibly by sale, he turned the press over to Ramon Abreú, who was then secretary of the deputation; and by the following summer it had come into the possession of Presbyter Martinez." But he continues:

"The latter [*i. e.*, Martinez] utilized it in printing educational and religious matter, and in issuing the next periodical to appear in the Territory. This was a little weekly

13. This periodical began publication in February, 1844. See p. 382, below.

14. Beginning with the words "He also states," Twitchell is obviously quoting from the footnote in Bancroft's *Arizona and New Mexico*, p. 341, where the "he" refers, not to Padre Martinez as in the above context, but to Josiah Gregg, whom Bancroft is quoting.

15. L. Bradford Prince, *A Concise History of New Mexico* (Cedar Rapids: The Torch Press, 1912), pp. 258-260.

16. In *Old Santa Fé*, Vol. 1, 1913, pp. 364-366. This periodical is not to be confused with Twitchell's book of the same title, published in 1925.

called *El Crepúsculo* which began on September 29, 1835, and expired with the fourth number. Only some fifty subscriptions had been secured in that time."

Bloom thus concluded that there were two early newspapers, one whose name is not known, published by Barreiro at Santa Fé in 1834, and *El Crepúsculo*, published by Martinez at Taos in 1835. Twitchell, finally,¹⁷ following Bloom and the latter's authorities closely, goes one step further and premises two presses, "one, the first, brought to Santa Fé by the lawyer and author Barreiro, and the other, which was the property of Rev. Antonio J. Martinez, upon which, in 1834, 'a little foolscap sheet (entitled *El Crepúsculo*) was issued weekly, for about a month, to the tune of fifty subscribers and was then abandoned'." This writer also contributes to the question of the origin of the Barreiro press the statement "that in his judgment Barreiro got this press at Paso del Norte, to which place a printing press was brought by Dr. John G. Heath, in 1819, from Missouri, via the Mississippi, Gulf of Mexico, and thence overland to Paso del Norte."¹⁸

It is a tribute to the remarkable character of Padre Martinez that almost as a matter of course his name should be connected with an event of such cultural importance as the introduction of a printing press and the beginning of a newspaper. And it is no disparagement whatever to the memory of this extraordinary man to point out that the initiation of printing in New Mexico belongs not to his achievements, but to those of a man less celebrated. And it is due to the fame of Antonio Barreiro to recognize that it was he who, in his *Ojeada*, first proclaimed for New Mex-

17. Ralph Emerson Twitchell, *The Story of Old Santa Fé* (Santa Fé: 1925). p. 196 and footnote 386.

18. In the introduction to his translation of Barreiro's *Ojeada*, Bloom again states that the name of Barreiro's periodical is not known (*New Mexico Historical Review*, Vol. 3, 1928, p. 74.) John Clyde Oswald, in his *History of Printing* (New York: 1928), pp. 232-234, simply follows the tradition and says that *El Crepúsculo* was started at Taos on November 29, 1835, with J. M. Baca as printer and Padre Martinez as editor.

ico the advantages and need of the press, then exerted himself to procure the establishment of one, and finally, in *El Crepúsculo de la Libertad*, attempted, even if unsuccessfully, the establishment of a newspaper.

Padre Martinez himself, in his autobiographic *Relación de Méritos*,¹⁹ makes no mention of any activities in any way connected with printing. His relation of his merits is not marked with shrinking modesty or a disposition to overlook or belittle any of his achievements. If he had been in fact the first to publish a newspaper in the Territory, it seems almost impossible that he should have neglected to mention it.

But Martinez is by no means unimportant in the history of the press in New Mexico. The earliest known New Mexican imprint is a little booklet that unquestionably came from his pen. The *Cuaderno de ortografía*, which heads the list as Number 1 in the following Bibliography, is truly an unimpressive herald of the powers of the press. But its subject matter is highly significant. It is a school book—a very primitive and elementary one, to be sure, but the expression of a need “particularly of those elementary [books] which contribute so largely in disseminating ideas,” as Barreiro had put it in his *Ojeada* but two years or so before the *Cuaderno* appeared.²⁰

The imprint on the *Cuaderno*, “Imprenta de Ramon Abreu á cargo de Jesus Maria Baca,” with the date “Santa Fe 1834,” reveals that in that year there was a press at Santa Fé, that Ramon Abreú owned or at least controlled it, and that Jesús María Baca, who was certainly New

19. *Relacion de Meritos del Presbítero Antonio Jose Martinez, etc.* 1838. Impresa en su oficina a cargo de Jesus Maria Baca. Translation of the text in *New Mexico Historical Review*, Vol. 3, No. 4, October, 1928. The original is Number 4 in the following Bibliography.

20. This little volume came to light only a few months before the present study of New Mexican printing was begun. It seems to have passed quickly into utter obscurity, and its discovery now is an event of real importance in typographic history. It has been published in facsimile in *The First Printing in New Mexico*, by Douglas C. McMurtrie (Chicago: John Calhoun Club, 1929.) The original is at present in the possession of Mr. Aaron Flacks, of Chicago.

Mexico's first *printer*, was in charge of its operation. That Padre Martinez brought his *Cuaderno* from the distant pueblo of Taos to Santa Fé for printing is in itself sufficient evidence that the Padre at that time had no press at his own disposition. That Martinez was the author of the *Cuaderno* hardly requires argument. There was no one else in the Territory with sufficient interest in education to have opened a school and to have prepared and published an elementary book on spelling. The dedication, "*a los niños de los señores Martines de Taos,*" is perhaps confirmatory evidence.

We have seen that Ramon Abreú, in his letter to the *ayuntamiento*, says that the press was one which he himself had established.²¹ In addition to the *Cuaderno de ortografía*, a broadside of Francisco Sarracino, dated December 13, 1834, and the Perez proclamation of June 26, 1835, are imprints still extant to testify to the continued operation of the press by Baca under the ownership or control of Ramon Abreú. In August, 1837, Abreú was among those slain in a revolutionary uprising. The press next appears in the possession of Padre Martinez. It seems probable that Martinez acquired it only after the death of Abreú and that any printing at Taos under the Padre's direction as early as 1835 is quite legendary. The late Colonel Francisco Perea recalled that the printing equipment was kept in the Old Palace at Santa Fé in 1837-1838.^{21a} This may have been after the assassination of Abreú and before Padre Martinez got the press and type transported to Taos, where his *Relación de Méritos* was printed in the fall of 1838. The faithful Baca still attended the press under its new ownership.

Of the printing done under the Martinez regime, three imprints have survived, dated respectively in 1838, 1839, and 1841. The first is the *Relación de Méritos*, to which reference has already been made. The second is the *Discurso*

21. The original of the letter reads "la imprenta que he establecido en esta Ciudad."

21a. *Old Santa Fe* (periodical), Vol. 2, 1914, p. 179.

político (Number 5 in the Bibliography). The third is a broadside proclamation of Governor Manuel Armijo celebrating the "defeat" and capture of the Texan expedition in October, 1841. That these three items quite inadequately represent the activities of Padre Martinez as a publisher appears clearly from an examination of the *Discurso*. In this little book we find a list of the printed booklets issued and for sale by the Taos printing office. There are nine titles and the announcement of a tenth in the spring of the following year (*i. e.*, 1840), "God willing." The prices range from one *real* to one *peso*, and shipments to distant points can be made only against security, as "experience has taught that any other method permits of fraud."²²

Of equal interest and importance is the announcement on the last page of the *Discurso* to the effect that the press is at the free disposition of the public for the printing of "notices, orders, or other matters of concern to the information of the public," under the approval of Governor Armijo. Matters of private concern will be printed at the rate of one *real* per sheet, but for not less than one hundred nor more than two hundred copies.

Except for the little newspaper *La Verdad*, which appeared at Santa Fé in 1844, and of which two copies of one issue survive,²³ and except for a few specimens of "job printing such as official letter heads and some imprints revalidating stamped paper, there exists no evidence of printing after the Armijo proclamation of November, 1841, until the notice of September, 1846, making appointments of officials to act under the military government of the United States. This does not mean, of course, that nothing was printed, but only that, with the exceptions noted, no printed matter for these five years is known to have been preserved.

22. See the note under Number 5 in the Bibliography, on page 385, below.

23. Tomo 1, N. 32, Jueves 12 de Setiembre de 1844, in the Historical Society of New Mexico and in the Henry E. Huntington Library. It contains official notices and an installment of an essay on matrimony. The imprint reads "Imprenta particular á cargo de J. M. E."

The Kearny expedition which effortlessly annexed New Mexico to the United States arrived at Santa Fé in August, 1846. Within a few weeks there had been printed, not only the notice of the appointment of territorial officers, but also a 115-page code of laws. The tradition is that the expeditionary forces found at the capital "a small printing press, which was used for printing public laws, notices, advertisements, proclamations, manifestos, pronunciamientos, and other high-sounding Mexican documents, in the form of pamphlets and handbills."²⁴ The tradition also informs us that this local establishment contained only "worn type, and indifferent ink, paper, and other materials," and that the difficulty presented by the lack of W's in the Spanish fonts was obviated by the substitution of two V's. Unfortunately for this interesting tradition, one capital and four lower-case w's are found in the two dozen lines of the *Notice* of September 22, and there are two perfectly good capital W's on the title page of the *Laws*. The types of the *Notice*, however, may very well have been found at Santa Fé, as they bear a striking resemblance to Baca's scarred veterans, as do those also in the title page of the *Laws*. It would seem that some of Baca's fonts contained W's!

The same Baca fonts appear with all their interesting peculiarities in a series of 11 broadsides bearing no imprint issued by the new government up to July 1, 1847. Not until September of that year does a strictly American press make its debut in New Mexico. On September 10th began the publication of the *Santa Fé Republican*, and on that date New Mexican typography turned from its romantic youth, thenceforth comporting itself with more adult dignity, although with somewhat less of interest and charm.

24. John T. Hughes, *Doniphan's Expedition, Containing an Account of the Conquest of New Mexico* (Cincinnati: 1848), pp. 120-121. L. Bradford Prince, *Historical Sketches of New Mexico*, pp. 306-307, follows the account given by Hughes, and Bancroft, *Arizona and New Mexico*, p. 426, also tells of "the old press found at the capital." The story of the difficulties encountered in printing English with Spanish fonts is told by Hughes and repeated by Prince.

Padre Martinez lived until 1867. It is difficult to believe that he suddenly lost all interest in publishing books and tracts. As a matter of fact, he did not. In September, 1859, there appeared from his pen a curious document headed *Religion* (Number 74 in the Bibliography), printed at Taos in the old typography of twenty-five years before, if not, in part at least, with the same old types. The imprint, "Imprenta de J. M. M. á cargo de V. F. R.," indicates that the Padre did not own the press at that time, and that Jesús María Baca was no longer printing for him.

Much still remains obscure about New Mexico's first press, although some of the outlines of its history are now fairly clear. Possibly some of the lost booklets of Padre Martinez may still come to light, or something still be found for the gap between 1841 and 1846. Is the *Religion* of 1859 actually the only imprint in the old tradition after the coming of the Gringo invader? Finally, whence came the press of Barreiro, Abreú, Martinez, and the constant Baca? These remain as interesting problems for the typographic historian.

BIBLIOGRAPHY

Cuaderno | de ortografia. | Dedicado a los niños de los
seño- | res Martines de Taos. | [*Cut of a moose*] | Santa
Fe 1834. Imprenta de Ramon | Abreu á Cargo de Jesus
Maria Baca. [1]

9.5 x 14 cm. [22] p. Title in border of type ornaments.

Reproduced in facsimile by Douglas C. McMurtrie in *The First Printing in New Mexico*, Chicago: John Calhoun Club, 1929.

The earliest known New Mexican imprint.

El Gefe Politico del Nue- | vo Mejico a sus conciudadanos
La ecsigencias del Territorio por el doloroso | Estado en que

lo han puesto la guerra | de los barbaros . . . [49 lines] | . . .
 Santa Fee [sic] Diciembre 13 de 1834. | Francisco Sarra-
 cino. [2]

19.5 x 27.5 cm. Broadside.

No imprint, but undoubtedly from the press of "Ramon Abreu à cargo de Jesus Maria Baca." The signature is printed but carries rubric in manuscript.

Historical Society of New Mexico.

El Ciudadano Albino Perez | Coronel de Caballeria del
 Ejercito Per- | manente Gefe Politico y Militar del Terri-
 torio | del Nuevo Mejico a sus conciudadanos. | Compat-
 riotas: . . . | [41 lines] | . . . —Santa Fé 26 de Junio
 de 1835. | Albino Perez | Santa Fee [sic] 1835 Imprenta de
 Ramon Abreu à cargo de Jesus Maria Baca. [3]

21.5 x 31 cm. Broadside.

Henry E. Huntington Library.

Relacion de Meritos | del | Presbitero Antonio Jose | Marti-
 nez, | Domiciliario del Obis- | pado de Durango, cu- | ra
 encargado de Taos | en el Departamento | de | Nuevo Mexico.
 | [Short rule] | 1838. | Impresa en su oficina a cargo de |
 Jesus Maria Baca. [4]

9 x 13.5 cm. 34 p. Title in border of type ornaments.

An autobiographical sketch by Padre Martinez. For a translation of the text, see *New Mexico Historical Review*, Vol. 3, No. 4, October, 1928. The book concludes with a notarial certificate, dated August 14, 1838, which refers to the contents as "already in print."

Historical Society of New Mexico.

Discurso | politico sobre lo importante | y necesario | de
 que el hombre esté instruido en | sus deberes. | Noticia de

Obritas impresas que se benden: | Y oferta que se hace de la Imprenta por | el interes publico. | [*Filet*] | Taos de Nuevo Mexico. | 1839. | [*Rule*] | Imprenta del Presbitero Antonio Jose Martinez | a cargo de Jesus Maria Baca. [5]

12.5 x 17 cm. [ii], 20 p. Title in border of type ornaments.

On reverse of title page: En la oficina de Taos hay de venta obritas impre- | sas utiles a los propios fines de cada una, y para apren- | der á leer y exercitarse, son las siguientes. | Manualitos para Parrocos á seis reales. | Exercicios devotos Cotidianos á peso. | Ortografias Castellanas par la Academia hespañola | á peso. | Retoricas á seis reales. | Cuadernitos de Arismetica, [*sic*], ó de enumerar á 4 reales. | Todos los referidos encuadernados y forrados su fo- | lio de octavo, y de ese folio encuadernados, pero sin afor- | rar hay tambien. | Cuadernitos de Villacastin para encomendar el alma á los enfermos. Estos á tres reales. | Ortografias chicas á dos reales. | Cuadernitos del tramite judicial á real. | Cartillas de primeras letras á real. | Para la primavera del entrante año, Dios median- | te, habrá Catones Cristianos. | Si se necesiten muchos exemplares en algun parti- | do ó lugar de los distantes, se podran remitir si de par- | te de la autoridad se ofrece seguridad; porque de dife- | rente modo enseñò la esperencia que se defrauda.

At end, p. 20: El dueño de esta Imprenta de Nuevo-Mejico ofrece | la confianza; que á su costa imprimiran algunas no- | ticias, ordenes, ú otras occurrencias interesantes à inte- | ligencia del publico, porque asi convenga hacerlas es- | tensivas, á disposicion del Exelentismo Señor Goberna- | dor D. Manuel Armijo, ò con aprobacion de S. E. si es ocurrencia de otro C. y de dicho publico interes. Si la ocurrencia fuese á interes de particular con tal que | esté dentro del orden, segun las leyes de imprenta, tam- | bien podran imprimirse, pagándo el interesado á razon | de un exemplar de apliego por real, y no baje su | numero de cien, ni pase de docientos.

The name of Padre Martinez in the imprint, the list of printed works from his press, and the terms on which printing would be done are features which make this little book

of singular importance in the history of New Mexican printing.

Library of Congress. Historical Society of New Mexico (imperfect copy).

El Gobernador y Coman- | dante General del Departamento
de Nuevo Mejico a sus | habitantes. | [35 lines of text] |
Santa Fé Noviembre 10 de 1841. | Manuel Armijo | [*Filet*]
| Imprenta del P. A. J. M. á Acargo. [*sic*] de J M, B.
[*sic*] [6]

32 x 40.5 cm. Broadside.

This proclamation celebrates the "defeat" and capture of the expedition from Texas, in October, 1841.

The initials in the imprint are those of Padre Antonio José Martínez and Jesús María Baca.

Henry E. Huntington Library.

Notice. | Being duly authorized by the President of | the
United States of America, I hereby make | the following
appointments for the Government | of New Mexico, a terri-
tory of the United | States. | The officers thus appointed
will be obeyed and | respected accordingly. | Charles Bent
to be Governor. | [7 lines, naming 8 other officers, including
Donaciano Vigil, "Sec. of Territory."] | Given at Santa Fe,
the Capitol [*sic*] of the | Territory of New Mexico, this
22d day | of September 1846 and in the 71st year | of the
Independence of the United | States. | S. W. Kearny, | Brig.
General | U. S. Army. | [Santa Fé: 1846.] [7]

9 x 13 cm. Broadside.

Other officers named are: Richard Dallam, Marshall; Francis P. Blair, U. S. District Attorney; Charles Blummer, Treasurer; Eugene Leitensdorfer, Auditor of Public Accounts; Joal [*sic*] Houghton, Antonio José Otero, and Charles Beaubien, Judges of the Superior Court.

The typography is distinctly different from that of the

Baca imprints. The occurrence of the letter *w* and the logotype ff indicates the use of an English font.

Historical Society of New Mexico. Henry E. Huntington Library.

Leyes | del | Territorio de Nuevo Mejico. | [*Rule*] | Santa Fe, a 7 de Octubre 1846. | [*Double rule*] | Laws | of the | Territory of New Mexico. | [*Rule*] | Santa Fe, October 7 1846. | [Santa Fé: O. P. Hovey? 1846] [8]

16 x 22 cm. 115 p. No imprint.

This is the Kearny Code promulgated by General Kearny on September 22, 1846, simultaneously with his proclama-

tion of his appointments of civil officers. The code was prepared by Colonel A. W. Doniphan, 1st Missouri Mounted Volunteers, a lawyer by profession, assisted by Private Willard P. Hall of his regiment, who was also lawyer.

Historical Society of New Mexico (Col. Doniphan's copy). *Henry E. Huntington Library* (with title page, first leaf of text, and last four leaves of text supplied in typewritten copy). *School of American Research* (with pp. 1-14, including title, and pp. 101-115 supplied in printed copy of different type).

Carlos Bent, Gobernador del Territorio | de Nuevo Mejico, Á sus Habitantes. | Conciudadanos:— . . . | [*49 lines*] | Carlos Bent. | Santa Fé, Enero 5, de 1847. [9]

19.5 x 31.5 cm. Broadside.

This proclamation attempts to allay the suspicions toward the government recently established in New Mexico by the United States forces, that led to the Taos insurrection in which Governor Bent was killed on January 19.

Henry E. Huntington Library.

Triunfo delos Principios | contra la Torpeza! | [*Short rule*] | El Gobernador Interino del Territorio, | à los habitantes

C. Doniphan's

L E Y E S

DEL

TERRITORIO DE NUEVO MEJICÓ.

SANTA FE, A 7 DE OCTOBRE 1846.

L A W S

OF THE

TERRITORY OF NEW MEXICO.

SANTA FE, OCTOBER 7 1846.

[See Bibliography title no. 8]

del mismo. | Conciudadanos:— . . . | [22 lines] | Donaciano Vigil. | Santa Fé, Enero 25, de 1847. [10]

19 x 31.5 cm. Broadside.

Refers to the Taos insurrection of January, 1847, in which Governor Carlos Bent was assassinated on January 19. Donaciano Vigil, secretary of the Territory, became acting governor *ex officio* on the death of Bent.

Henry E. Huntington Library.

Circular. | Gobierno Superior del Territorio. | [At end]: Santa Fe, Feb. 12, 1847. Donaciano Vigil. [11]

19 x 31.5 cm. Broadside.

Text concerns the assassination of Governor Charles (Carlos) Bent in the Taos insurrection.

Henry E. Huntington Library. Historical Society of New Mexico.

Se suplica su asistencia al entierro del finado | Sr. Don Juan Scolley, a las once del dea [*sic*] de hoy. | Santa Fe, Abril 12 de 1847. [12]

12.5 x 20 cm. Four-page folder printed on first page only.

Addressed in handwriting : Sr Dⁿ Juan Baut^a Vigil.

Historical Society of New Mexico.

Donaciano Vigil, Gobernador Interino del | Territorio de Nuevo Mejico, a los | habitantes del mismo. | Conciudadanos;— . . . | [23 lines] | Donaciano Vigil. | Santa Fe, Julio 1, 1847. [13]

21.5 x 32 cm. Broadside.

Proclaims an election for the Territorial Legislative Assembly on the first Monday in August.

A tear in the paper leaves the ends of six lines incomplete.

Henry E. Huntington Library.

Condado del Bado dividido en dies y siete pre- | sintos
electorales. | [63 lines of text] | Donaciano Vigil, | Gober-
nador Interino. | Santa Fe Julio, 1º, 1847. [14]

22 x 32.5 cm. Broadside. Text in 2 columns.

The typography is obviously that of the press conducted by Jesús María Baca.

The proclamation names 17 electoral precincts of [San Miguel] del Bado County, and their election officers.

Henry E. Huntington Library.

Condado de Balencia, dividido en dies y nueve | precinctos.
| [67 lines of text] | Donaciano Vigil, | Gobernador Interino.
| Santa Fe, Julio 1, 1847. [15]

22.5 x 32 cm. Broadside. Text in 2 columns.

The typography is that of Jesús María Baca.

Twenty electoral precincts of Valencia County (instead of nineteen called for by the heading) are named herein, with their election officers.

Henry E. Huntington Library.

Condado de Bernalia dividido en quince pre- | cintos. | [49
lines of text] | Donaciano Vigil, | Gobernador Interino. |
Santa Fe, Julio 1, 1847. [16]

21.5 x 32 cm. Broadside. Text in 2 columns.

The typography is that of Jesús María Baca.

Fifteen electoral precincts of Bernalia [i. e., Bernalillo] County are named, with their election officers.

Henry E. Huntington Library.

Condado del Rio Arriba dividido en dies y siete | precinctos
electorales [sic] | [63 lines of text] | Donaciano Vigil, |
Gobernador Interino. | Santa Fe, Julio 1, 1847. [17]

22.5 x 32.5 cm. Broadside. Text in 2 columns.

The typography is that of Jesús María Baca.

Seventeen electoral precincts of Rio Arriba County are named, with their election officers.

Henry E. Huntington Library.

Condado de Santa Anna dividido en dose presin- | tos elec-
torales. | [50 lines of text] | Donaciano Vigil, | Gobernador
Interino. | Santa Fe Julio, 1, 1847. [18]

22 x 32.5 cm. Broadside. Text in 2 columns.

The typography is that of Jesús María Baca.

Twelve electoral precincts of Santa Anna County are named,
with their election officers.

Henry E. Huntington Library.

Condado de Santa Fè dividido èn quinze presin- | tos. |
[60 lines of text] | Donaciano Vigil, | Gobernador Interino.
| Santa Fe, Julio 1, 1847. [19]

21.5 x 32 cm. Broadside. Text in 2 columns.

The typography is that of Jesús María Baca.

Fifteen electoral precincts of Santa Fé County are named,
with their election officers.

Henry E. Huntington Library.

Condado de Taos, dividido en dose presintos | electorales. |
[43 lines of text] | Donaciano Vigil, | Gobernador Interino.
| Santa Fe, Julio 1, 1847. [20]

22 x 32.5 cm. Broadside. Text in 2 columns.

The typography is that of Jesús María Baca.

Twelve electoral precincts of Taos County are named, with their election officers.

Henry E. Huntington Library.

Governor's Message, | delivered to the Senate and House of Representatives, | Santa Fe, New Mexico, December 6, 1847. | [*Filet*] | Gentlemen of the Legislative Council and House of Representatives: | . . . | [*At end*]: Donaciano Vigil. | [Hovey & Davies, Printers.] [21]

24 x 40.5 cm. Broadside. Text in 3 columns.

This message is addressed to the first legislature held while New Mexico was still under military occupation by the forces of the United States.

Henry E. Huntington Library.

New Year's Address | to the patrons of the Santa Fe Republican. | January 1, 1848. | [*Triple rule*] | [Santa Fé: 1847.] [22]

28.5 x 36 cm. Broadside. Text, in 3 columns, within border of florid typographic ornaments.

The *Santa Fe Republican* was established September 10, 1847.

Henry E. Huntington Library.

Laws | passed by the | General Assembly of the Territory | of New Mexico, | in the | session of December, 1847. | To which is added, | Order No. 10, from the Head Quarters of the Ninth Military Department, | imposing a duty of six per centum | on Merchandize imported into the Territory. | [*Double rule*] | Santa Fé: | Printed by Hovey & Davies, | 1848. [23]

13 x 19.5 cm. [viii], 43 p. English title p. [i]; Spanish title, p. [iii].

Advertised in *Santa Fe Republican*, March 11, 1848: "Just

published:—Laws passed by the General Assembly of the Territory of New Mexico. For sale at this office—price one dollar.”

Henry E. Huntington Library. Historical Society of New Mexico. School of American Research (“Manuel Alvarez” writer on fly-leaf).

The Treaty of Peace. | [Santa Fé: 1848.] [24]

12mo. 26 p. English text with Spanish on verso; paged in duplicate.

Caption title.

Typed on fly-leaf: “This copy of the proclamation of the President of the United States and of Don Donaciano Vigil, governor of the territory of New Mexico notifying the people of New Mexico of the treaty of Guadalupe Hidalgo was printed at Santa Fe on a press belonging to the government. This is the only copy known to be in existence.” Signed in manuscript: R. E. Twitchell.

New York Public Library.

Io solicita el honor de su per- | sonal asistencia a un Baile que se | dara en el Palacio *Viernes* | en la noche *October 13* de 1848. | [Santa Fé: 1848.] [25]

12 x 19 cm. Four-page folder, but printed on page 1 only. Script type in border of typographic ornaments.

Invitation to a ball, signed in handwriting “Con los respectos del | Mayor Weightman.” The words “Viernes” and “October 13” are in the same hand, written in spaces left blank for the purpose.

Historical Society of New Mexico.

[*Rule*] | Para la historia, | [*Filet*] | Expocicion que hace Donaciano Vigil, Secre- | tario del Territorio de Nuevo Me- jico, | a los habitantes del mismo. | [*Rule*] | [Santa Fé? 1848?] [26]

9 x 15 cm. Imperfect; all after p. 14 wanting.

No imprint. To judge from the text, this was printed between 1848 and 1850, but it may be of later date. The writer refers to an event occurring on May 27, 1848.

Henry E. Huntington Library.

Al Pueblo | de | Nuevo Mejico. | Como por el articulo 8. del ultimo tra- | tado de paz amistad y limites entre los Es- | tados Unidos de America y los Estados U- | nidos Mexicanos . . . | [*At end, p. 2*]: Dado bajo de mi firma y sello en Santa | Fe a 21, de Abril de 1849 | J. M. Washington. [27]

12.5 x 18.5 cm. 4-page folder, printed on pages 1 and 2 only. Bluish paper.

The same type was also printed in the form of a broadside 10 x 25 cm., on bluish paper.

Caption title only.

J. M. Washington was the military commander at Santa Fé following General Sterling Price. This order requires the inhabitants of the territory ceded to the United States to declare their intentions as to citizenship.

Historical Society of New Mexico (both folder and broadside). *Henry E. Huntington Library* (broadside).

[*Double rule*] A Nuestros Conciuda- | danos de N. M. | El siguiente es respectuosamente dirigido, como | respuesta a una Comunicacion en el Nuevo-Mejica | no" [*sic*] Gazeta publicada en Santa Fe, y firmada por | Don Manuel Alvarez y otros en respecto a un go- | bierno de Estado para este Territorio. . . . | [Santa Fé: 1849?] [28]

31 x 46 cm. Broadside. Text in 4 columns of small type.

Alvarez was demanding immediate statehood for New Mexico, for which the 45 signers of this broadside declare the Territory not yet ready.

Historical Society of New Mexico.

Catecismo Popular | de la | Doctrina Democratica | Origi-

AL PUEBLO

DE

NUEVO MEJICO.

Como por el artículo 8. del ultimo tratado de paz amistad y limites entre los Estados Unidos de America y los Estados Unidos Mexicanos los habitantes de los Territorios cedidos a los Estados-Unidos son requeridos de declarar sus intenciones de hacerse Ciudadanos de la Republica Mexicana, dentro de un ano contado desde la fecha de la ratificacion del tratado, y que los que permanezcan en los dichos Territorios despues de pasado ese ano sin haber declarado sus intenciones de retener el caracter de Mexicanos se considerara que han elegido hacerse Ciudadanos de los Estados-Unidos. Y como quiera quel ano contado desde la ratificacion del tratado concluire el 30 de Mayo proximo, y que se desea para la accion desembarazada del Gobierno que se sepa publicamente quienes despues de esa fecha sean acredores a los derechos y privilegios, y sujetos al desempeño de los deberes de Ciudadanos de los Estados-Unidos.

Por tanto, Yo JUAN M. WASHINGTON Gobernador del Territorio de Nuevo-Mexico por la presente ordeno que se habran inmediatamente en las Prefecturas de los diferentes Condados del Territorio por los Escribanos de las Cortes de Prefectura Registros encabezados asi.

“Nosotros elegimos retener el Caracter de Ciudadanos Mexicanos.”

nal por | Ramon Francisco Gamarra. | [*Filet*] | [*3 line quotation*] | [Impreso en la Oficina del Fronterizo. | Las Cruces, N. M.] [29]

14 x 20.5 cm. 27 p.

Judged from the text, this would have been printed between 1848 and 1853.

Historical Society of New Mexico.

Dia de Año Nuevo | Manifiesto | a los patrones del Republicano de Santa Fe. | [*Rule*] | Por Olivero P. Hovey. | [*Rule*] [*Double rule*] | Enero 1° de 1849. | [*Double rule*] | [80 lines of Spanish text.] [30]

26 x 32 cm. Broadside. Text in 2 columns, in border of florid typographic ornament.

New Year's greetings from the publisher to the readers of the *Santa Fe Republican*.

Historical Society of New Mexico.

[*Double rule*] | Santa Fe Republican | Extra. | [*Double rule*] | Santa Fe, Wednesday evening, August 8th, 1849. | [*Rule*] [31]

16 x 34.5 cm. Broadside. Text printed in two columns on ruled paper.

Signed in ms.: Adams. In ms. on verso: Daily Dispatch Cin^a.

Henry E. Huntington Library.

Proclamacion. | [*Double rule*] | Por cuanto que el Pueblo de Nuevo-Mejico por sus Delegados en Combencion reunida hi- | cieron una Constitucion de Estado por Territorio de Nuevo-Mejico, . . . | [*39 more lines*] | Dado bajo de mi [m in mi *inverted*] firma en la casa de Gobierno, | Ciudad de Santa Fe el dia 28, de Mayo A. D. 1850. | John Munroe, | Gobernador Civil y Militar del Territorio de N. M. [32]

22 x 32 cm. Broadside.

Henry E. Huntington Library. Historical Society of New Mexico.

Constitucion | del Estado de Nuevo Mejico. | [*Rule*] | Pre-ambulo. | [Santa Fé, 1850.] [33]

12 x 20 cm. 19 p.

Caption title.

Henry E. Huntington Library. Historical Society of New Mexico.

Santa Fe, Nuevo Mejico, Junio 25 de 1850 . | A los caciques Gobernadorcillos y otras autoridades | de los Pueblos de Indios del Territorio de N. Mejico. | [*11 lines*] | John Munroe, | Gobernador Civil y Militar de Nuevo Mejico. | James S. Callhoun, Agente de los Indios. | [Santa Fé: 1850.] [34]

20 x 16.5 cm. Broadside.

This proclamation gives assurance to the Indians of protection to their persons and property under the new constitution.

Historical Society of New Mexico.

Al Prefecto del Condado de [*space for name of county*] | Senor: — | [*18 lines*] | Dado bajo mi firma en la Secretaria del Territorio, este veinte y tres dia de Julio, ano de mil ocho cientos y cincuenta [July 23, 1850]. [35]

19 x 25 cm. Broadside.

An unsigned printed form of notice to the effect that laws passed in the name of "la Legislatura del Estado de N. Mejico" and documents signed "Manuel Alvarez, Vice-Gobernador del Estado de Nuevo Mejico" are invalid because the "Gobierno del Estado de Nuevo Mejico" has no legal existence until New Mexico has been admitted into the

SANTA FE, Nuevo Mejico, Junio 25 de 1850.

A los caciques Gobernadorcillos y otras autoridades de los Pueblos de Indios del Territorio de N. Mejico.

Hemos sabido que representaciones maliciosas han sido hechas a Vds. y para que Vds. no sean engañados ni en duda, hemos creído conveniente a decir: que ni están Vds. abandonados o perdidos, digamos a Vds. que tanto Vds. como su gente están en la misma posición y seguridades que tenían antes de la elección, y la misma protección de sus personas y el derecho o posesión de sus casas, tierras o toda otra propiedad, serán continuadas como antes, y hasta que otras leyes sean legalmente hechas, o hasta que el Presidente de los Estados Unidos ordene de otra manera, los asuntos interinales de sus Pueblos serán gobernados por sus leyes y costumbres, y por las mismas autoridades que cada pueblo tenga elegidas como sus Gobernadorcillos y demás autoridades; y como siempre decíamos a Vds. todas fe-
licidades.

JOHN MUNROE,

Gobernador Civil y Militar de Nuevo Mejico.

JAMES S. CALHOUN, Agente de los Indios.

[See Bibliography, title no. 34]

Union, and that until that time the present government will continue to be the actual government of the Territory.

Historical Society of New Mexico.

In consideration of the high appreciation of | the services of the Hon. Hugh. N. Smith, as | delegate to the Congress of the United States, | the citizens of Santa Fe, have determined to | tender him a public dinner. | You are respectfully invited to attend at the | "Exchange", on Wednesday, the 23d inst. at | 4 o'clock, P. M. | Wm. McGrortry, | R. T. Brent, | C. H. Merrett. | Committee. | Santa Fe, Oct. 22d, 1850. [36]

11.5 x 18 cm.

Historical Society of New Mexico.

Petition. | [*Double rule*] | Santa Fe, N. M, February 5, 1851. | To the Hon. Postmaster General, Washington, D. C. | The undersigned, Petitioners, Citizens of New Mexico, would . respectfully represent to your Honor, that, of the first day of July | last, a Monthly Mail was established between Independence, in the | State of Missouri, and Santa Fe, in the Territory of New Mexico; | [*32 lines*] | [*Double rule*]. [37]

28 x 38 cm. Broadside. Text in English and Spanish, separated by a double column rule, the Spanish text being in the right-hand column. Space below the text is divided by double rules into three columns, occupied by signatures.

The petition highly praises the regularity of the monthly mail service, and asks that a semi-monthly mail be established.

Historical Society of New Mexico.

Message | of | His Excellency | James S. Calhoun, | to the | First Territorial Legislature | of | New Mexico, | Dec. 1,

1851. | [*Rule*] | Santa Fé: | Printed by J. L. Collins & W. G. Kephart. | MDCCCLI. [38]

15 x 25 cm. 8 p. Printed buff paper wrappers.

Cover title.

Henry E. Huntington Library. South West Museum Library.

Laws | of the | Territory of New Mexico, | passed by the first | Legislative Assembly | in the city of Santa Fe, | [at a session | begun and held on the second day of June, | A. D. 1851;] | and | [at a session | begun and held on the first day of December, | A. D. 1851.] | To which are prefixed the Constitution of the | United States, and the Act of | Congress organizing | New Mexico as a Territory. | [*Wavy rule*] | City of Santa Fé: | James L. Collins & Co., Printers. | MDCCCLII. [39]

13.5 x 22 cm. 442 p., 1 leaf. English title, p. [1]; Spanish title, p. [3].

Historical Society of New Mexico. Henry E. Huntington Library. School of American Research.

Journal | of the | House of Representatives | of the | Territory of New Mexico; | Being the | second session of the First Legislative Assembly, | begun and held | at the city of Santa Fé, | December 1st, 1851. | [*Wavy rule*] | Santa Fe: | J. L. Collins & W. G. Kephart, printers. | MDCCCLII. [40]

15 x 23.5 cm. 235, xxix p.

Henry E. Huntington Library.

La defensa | del Sr. Miguel Antonio Otero. | [*Wavy rule*]. [41]

16 x 24 cm. 3 p.

No imprint, Article signed and dated at end: Miguel Antonio Otero. Santa Fé, 15 de Enero de 1852.

LAWS

OF THE

TERRITORY OF NEW MEXICO,

PASSED BY THE FIRST

LEGISLATIVE ASSEMBLY

IN THE CITY OF SANTA FE,

[AT A SESSION
BEGUN AND HELD ON THE SECOND DAY OF JUNE,
A.D. 1851;]

AND

[AT A SESSION
BEGUN AND HELD ON THE FIRST DAY OF DECEMBER,
A.D. 1851.]

TO WHICH ARE PREFIXED THE CONSTITUTION OF THE
UNITED STATES, AND THE ACT OF
CONGRESS ORGANIZING
NEW MEXICO AS A TERRITORY.



CITY OF SANTA FE:
JAMES L. COLLINS & CO., PRINTERS.

MDCCLII.

Henry E. Huntington Library.

James S. Calhoun. | Governor of the Territory of New Mexico, | To R. M. Stephens, Sheriff of the County of Santa Fe: | [26 lines of text] | Given at Santa Fe, this 6th day of February, A. D. 1852, by order of | James S. Calhoun. | By the Governor, | Wm. S. Allen, Sec'y. [42]

34.5 x 23.5 cm. Broadside.

The writ directs that an election be held on February 18, 1852, to fill a vacancy in the office of Justice of the Peace for Santa Fé County, caused by the resignation of Lemuel J. Angney. The pertinent section of the election laws is quoted in Spanish.

Henry E. Huntington Library.

[Double rule] | Extract of a letter | addressed | to the editor of the Santa Fé Gazette, | for publication in New Mexico. | [Rule]. [43]

15 x 23.5 cm. 7 p.

No imprint. Article dated March 12, 1852. Signed: Russell.

Henry E. Huntington Library.

Message | of | William Carr Lane, | Governor of the Territory of New Mexico, | to the Legislative Assembly of the Territcry, | at Santa Fé, Dec. 7, 1852. | [Rule] | Santa Fé: | Published at the Gazette Office. | MDCCCLII. [44]

16 x 24 cm. 1 blank leaf, 14 p. Printed buff paper wrappers.

On reverse of title page: Oficina de la Gaceta: | J. L. Collins y W. G. Kephart, Impresores. | 1852.

Henry E. Huntington Library.

Reply | to certain slanderous statements | of | R. H. Weightman; | with an expose | of the | duplicity of that gentleman's

course in relation to | New Mexico, | By J. L. Collins. |
 [Rule] | Santa Fé: | J. L. Collins & W. G. Kephart, printers. | MDCCCLII. [45]

11.5 x 19.5 cm. 23 p.

Henry E. Huntington Library.

Contestacion | a Ciertas Representaciones Infamatorias |
 de | R. H. Weightman; | Con una exposicion | de la | du-
 plicidad del curzo de aquel caballero en relacion | a Nuevo
 Mejico. | Por J. L. Collins. | [Rule] | Santa Fé: | Publicado
 en la Oficina de la Gaceta. | MDCCCLII. [46]

14 x 23 cm. 22 p.

On page [2]: Oficina de la Gaceta: | J. L. Collins y W. G.
 Kephart, impresores. | 1852.

*Henry E. Huntington Library. Historical Society of New
 Mexico.*

The Editor of the Santa Fe Gazette and Major Weight-
 man; or truth vindicated. [Santa Fé: 1852.] [47]

Henry E. Huntington Library.

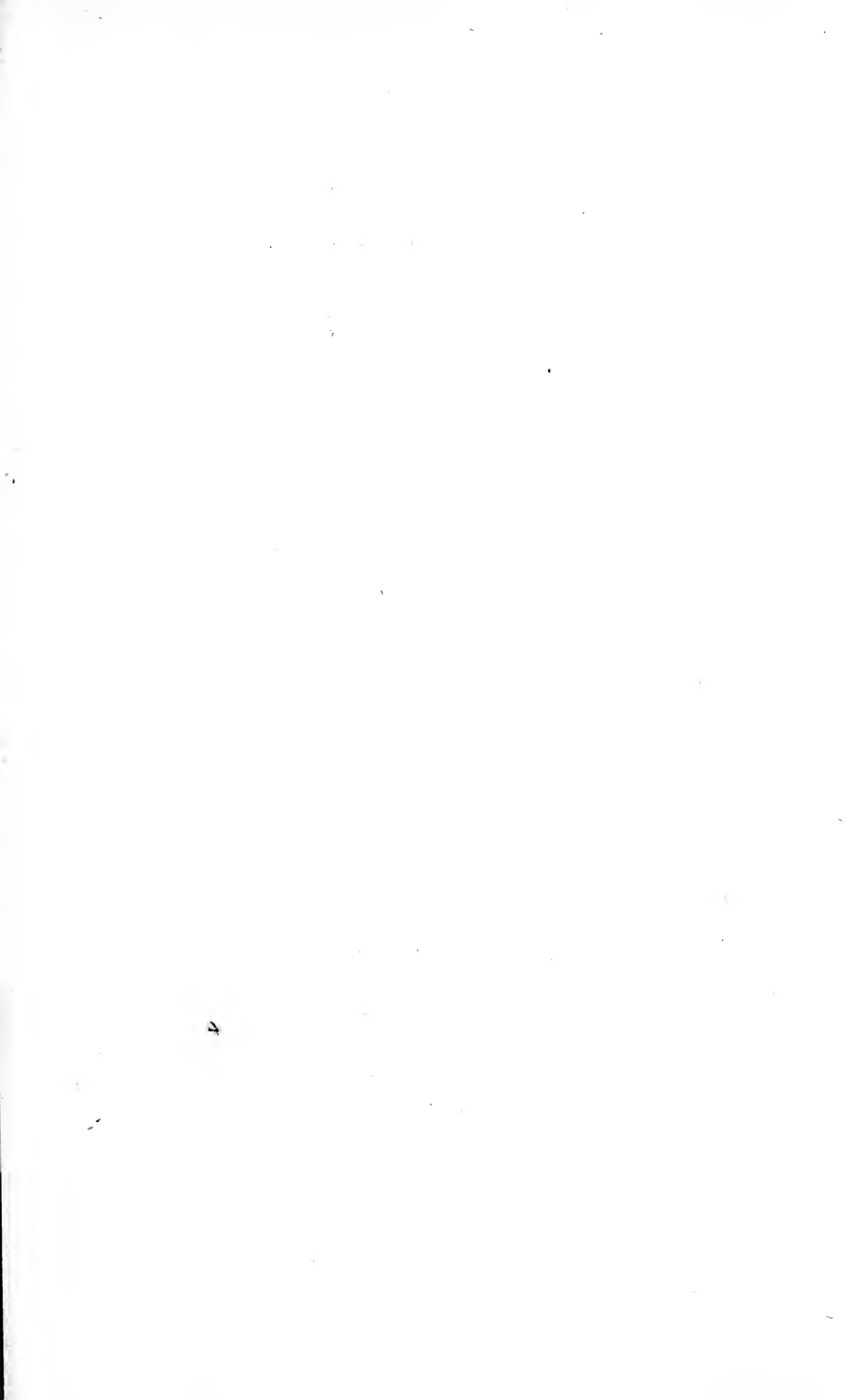
La Politica de Belzebu y su Reverso. | [At end, p. 10]:
 El Amigo Del Pueblo. [48]

14 x 20 cm. [3]-10 p.

No imprint. Bound with the *Catecismo Popular* (No. 29,
 above) and printed with the same type; therefore probably
 printed at Las Cruces, Oficina del Frontirero, circa 1852.

Historical Society of New Mexico.

Laws | of the | Territory of New Mexico, | passed by the
 second | Legislative Assembly | in the city of Santa Fé. |
 at a session begun on the sixth day of December, | 1852. |



CONSTITUTION
AND
BY-LAWS
OF
Paradise Lodge, No. 2,
OF THE
INDEPENDENT ORDER OF ODD FELLOWS
Of the Territory of New Mexico.

Instituted at Santa Fe, by D. D. G. S., P. G.,
JOSSEPH D. ELLIS, May 13th. 1852.

SANTA FE.

PRINTED BY COLLINS, KEMPST & CO

MDCCCLIII.

[See title no. 51]

[*Rule*] | Santa Fé: | James L. Collins & Co., Printers. |
MDCCCLIII. [49]

13 x 21 cm. 160 p.

English title page, p. [1]; on verso: Oficina de la Gaceta: | J. L. Collins y W. G. Kephart, Impresores. | 1853. Spanish title page, [3]: Leyes | del | Territorio de Nuevo Mejico. | Pasadas por la segunda | Asamblea Legislativa | en la ciudad de Santa Fé, | en un periodo principiado el día sexto de Diciembre | de 1852. | [*Rule*] | Santa Fé: | Publicado en la oficina de la Gaceta. | MDCCCLIII.

School of American Research. Historical Society of New Mexico. Henry E. Huntington Library (lacks English title page and last 10 pp.).

A | Review | of the | Boundary Question; | and a | vindication of Governor Lane's action | in asserting jurisdiction over | the Messilla Valley. | By Fernandez de Taos. | [*Rule*] | Santa Fé: | Collins & Kephart, Printers. | MDCCCLIII. [50]

13 x 24 cm. 32 p.

The name "Fernandez de Taos" is a pseudonym.

Bancroft Library. Henry E. Huntington Library.

Constitution | and | By-Laws | of | Paradise Lodge, No. 2, | of the | Independent Order of Odd Fellows | of the Territory of New Mexico. | Instituted at Santa Fé, by D. D. G. S., P. C., | Joseph D. Ellis, May 13th, 1852. | [*Rule*] | Santa Fé. | [*Rule*] | Printed by Collins, Kephart & Co. | [*Rule*] | MDCCCLIII. [51]

9.5 x 14 cm. 56 p.

Historical Society of New Mexico.

Las Leyes | del | Territorio de Nuevo Mejico, | pasadas por la tercera | Asamblea Legislativa, | en la ciudad de

Santa Fe; | a una sesion principiada el dia quinto de Diciembre | de 1853. | [*Rule*] | Santa Fé: | J. L. Collins y W. W. D. Havis [*sic*], Impresores. | [*Short rule*] | 1853. [52]

13 x 21.5 cm. 219 pp.

Historical Society of New Mexico. School of American Research.

Laws | of the | Territory of New Mexico, | passed by the third | Legislative Assembly, | in the city of Santa Fe; | At a session begun on the fifth day of December, | A. D. 1853. | [*Rule*] | Santa Fé: | J. L. Collins & W. W. H. Davis, printers. | [*Rule*] | 1854. [53]

14 x 22 cm. 220 p. English title, p. [1]; Spanish title, 2d p. [1]. Text in English and Spanish.

Henry E. Huntington Library. Historical Society of New Mexico.

Diario del Consejo del Territorio de Nuevo Mejico . . .
Santa Fé: J. L. Collins y W. W. H. Davis, 1854. [54]

Anderson Catalogue 1912, No. 470. See No. 57, below.

Proclamacion. | Proclamation. | Executive Office, | Santa Fe, N. M., April 10, 1854. | Whereas the tribe of Indians, known as the Jicarilla Apaches, | have made war upon, and commenced hostilities against, the | government of the United States; . . . | [*34 lines*] | William S. Messervy, | Acting Governor and Super. of Indian Af. [55]

23 x 28 cm. Broadside. English and Spanish text in two columns, the Spanish being in the right-hand column.

The proclamation forbids intercourse of any kind with the hostile Indians.

Historical Society of New Mexico.

Laws | of the | Territory of New Mexico, | passed by the
Fifth | Legislative Assembly, | in the City of Santa Fe,
at a session begun on the fourth day of December, 1854. |
[*Wavy rule*] | Printed in the Santa Fe Gazette Office. |
1855. | [56]

15 x 22.5 cm. 4 p. l., (1) 12-147 pp. Text printed in Spanish and English, on alternate pages. Spanish title page, 1st leaf; English title page, 2d leaf.

Henry E. Huntington Library. School of American Research (lacks last page).

Diario | del | Consejo | del | Territorio de N. Mejico. |
Siendo | la segunda sesion de la tercera Asamblea | Legis-
lativa | principiada y tenida | en la Ciudad de Santa Fe, |
Diciembre 4 de 1854. | [*Rule*] | Santa Fe: | J. L. Collins y
W. W. H. Davis, Impresores. | MDCCCLV. [57]

14 x 23.5 cm. 230 p. Printed paper covers.

New York Public Library.

Proclama. | Por autoridad a me conferida por la ley . . .
. | [*31 lines*] | Dada bajo mi firma y el sello | del Territorio,
en la ciudad de | Santa Fe, hoy dia 24 de Enero, | A. D.
1855. | D. Meriwether. | Por el Gobernador, | W. W. H.
Davis, Secretario del Territorio de Nuevo Mejico. [58]

17.5 x 27.5 cm. Broadside.

The proclamation calls for four companies of mounted volunteers of from 80 to 100 men each to serve for six months for a campaign against the hostile Indians.

Historical Society of New Mexico.

Message | of | W. W. H. Davis, | Acting Governor | of the |
Territory of New Mexico, | delivered to the Legislative As-
sembly, December 3, 1855. | [*Filet*] | Santa Fé: | Printed
in the Santa Fé Weekly Gazette Office; | MDCCCLV. [59]

16 x 24 cm. 12 p.

W. W. H. Davis was partner of J. L. Collins in the printing business in 1853. In January, 1855, he was Secretary of the Territory under D. Meriwether, Governor.

Henry E. Huntington Library.

Mensaje | de | W. W. H. Davis, | Gobernador Interino | del | Territorio de Nuevo Mejico. | Leido á la Asamblea Legislativa, Diciembre 3 de 1855. | [*Filet*] | Santa Fé: | Imprimido en la Oficina de la Gaceta. | MDCCCLV. [60]

16 x 24 cm. 13 p.

Historical Society of New Mexico. New York Public Library.

Laws | of the Territory of New Mexico. | Passed by the Legislative Assembly. | 1855-56. | [*Filet*] | Santa Fé: | Printed in the Santa Fé Weekly Gazette Office: | MDCCCLV. | [61]

15 x 22.5 cm. 4 p. 1., (1) 12-176 pp. Text printed in English and Spanish on alternate pages. English title page, 2d leaf; Spanish title page, 3d leaf.

School of American Research. Henry E. Huntington Library.

Celebration | of the 4th of July. | The two Literary Clubs of this city will celebrate the anniversary of American Independence, on Friday morning next | . . . L. Alarid, | Nestor Sandoval, | C. Robles, | Spanish Committee. | Dav. J. Miller, | A. G. Mayers, | Wm. Drew, | American Committee. | Santa Fé July 2, 1856. [62]

21.5 x 14 cm. Broadside, with English and Spanish text in two columns, the Spanish version being in the right-hand column.

Henry E. Huntington Library.

Mensaje Anual | de | D. Meriwether, | Gobernador | del |
Territorio de Nuevo Mejico. | Leido Diciembre 2 de 1856
a las dos camaras de la Asamblea | Legislativa. | [*Wavy*
rule] | Santa Fé: | Imprimido en la Oficina de la Gaceta. |
MDCCCLVI. [63]

16 x 24 cm. 7 p.

Henry E. Huntington Library.

Revised statutes | of the | Territory of New Mexico. |
[*Filet*] | to which are prefixed, the Declaration of Inde-
pendence, the Constitution of the | United States, and the
organic law of the Territory. | [*Filet*] | Revised and ar-
ranged | by order of the Legislative Assembly, under the
direction of Governor | Meriwether. | by | James J. Deaven-
port, | Chief Justice of the Territory. | [*Rule*] | Santa
Fé: | Printed in the Santa Fé Weekly Gazette office; |
MDCCCLVI. [64]

14.5 x 22 cm. 563 p. English title page, p. [i] Spanish title
page, p. [iii].

*School of American Research. Henry E. Huntington Li-
brary.*

Laws | of the | Territory | of | New Mexico. | Passed by the
Legislative Assembly. | 1856-57. | Santa Fé: | Printed at
the Office of the Democrat. | 1857. | [65]

15 x 22.5 cm. 4 p. 1., (1) 12-112 p. Text printed in English
and Spanish, on alternate pages. English title page, 2d
leaf; Spanish title page, 3d leaf.

Henry E. Huntington Library. School of American Research
(with pp. 1-16 and pp. 109-112 supplied by printed copy in
different type).

Message | of | His Excellency | Governor Rencher | deliv-
ered to the | Legislative Assembly | of the | Territory of

New Mexico. | [*Wavy rule*] | Santa Fé: | Printed in the
Weekly Gazette Office. | 1857. [66]

16 x 24 cm. 8 p.

Henry E. Huntington Library.

An Address | Delivered February 10th, 1857, on the oc-
casion of the Anniversary | of the | Santa Fe Literary
Club, | by | Leonidas Smith, Esq., | a member. | [*Filet*] |
Published by order of the club. | [*Filet*] | Santa Fé: | Print-
ed in the Santa Fe Weekly Gazette Office | MDCCCLVII. |
[67]

12.5 x 19 cm. 7 p. Printed buff paper wrappers. Title
within double-rule border.

Cover title.

Henry E. Huntington Library.

Laws | of the | Territory of New Mexico. | Passed by the
Legislative Assembly. | 1857-58. | [*Filet*] | Santa Fe: |
Printed in the Santa Fe Weekly Gazette Office | MDCCC-
LVIII. | [68]

15 x 22.5 cm. 4 p. l., (1) 12-96 p. Text printed in English
and Spanish, on alternate pages. English title page, 2d
leaf; Spanish title page, 3d leaf.

School of American Research. Henry E. Huntington Library
(with fore-edge closely trimmed cutting into the imprint
and some of the side notes).

Diario | de la | Camara de Representantes | del | Terri-
torio del | Nuevo Mejico, | Sesion de 1857-58. [*Filet*] |
Santa Fe: | Imprimido en la Oficina de la Gazeta de Santa
Fe. | 1858. [69]

15 x 23 cm. 83 p. Printed buff paper wrappers.

The above is the cover title; the title page carries no im-
print.

Historical Society of New Mexico.

Extraordinario de la Gazeta. | [*Rule*] | Santa Fé, Nuevo
Mejico, Abril 23, 1859. | [*Rule*] | [70]

32.5 x 41.5 cm. Broadside. Text printed in four columns.

“Procedimientos de una junta publica de los Democratras
Nacionales del Condado de Taos, tenida, en la casa de Corte
en Fernandez de Taos el Domingo, 10 de Abril de 1859.”

Henry E. Huntington Library.

Laws | of the | Territory of New Mexico. | Passed by the
Legislative Assembly, | Session of 1858-9. | [*Filet*] | Santa
Fé: | A. De Marle, Public Printer. | 1859. | [71]

15 x 22.5 cm. 95 p. Text printed in English and Spanish,
on alternate pages. English title page, 1st leaf; Spanish
title page, 2d leaf.

*School of American Research. Henry E. Huntington Li-
brary.*

Journal | of the | House of Representatives | of the Terri-
tory of | New Mexico. | Session 1858-59 | [*Filet*] | Santa
Fé: | A. De Marle, Public Printer. | 1859. | [72]

14.5 x 23.3 cm. 108 p. Printed cream paper wrappers.

Henry E. Huntington Library.

Proclamacion. | [*Filet*] | Septan todos que esta Proclama
vieren que yo, por virtud de la autoridad que me es con-
ferida por la Ley, ordeno que será tenida una Eleccion en
los varios Precintos del Condado de | Santa Fé . . .
Dada bajo mi mano y Sello del Condado en la Prefectura |
de Santa Fé, Nuevo Mexico, hoy dia 22 de Agosto de 1859. |
Antonio Matias Ortiz, | Juez de Pruebas. | . . . [73]

19.5 x 25 cm. Broadside. Printed on blue ruled paper.

No imprint.

Henry E. Huntington Library.

Religion. | La Religion pura consiste en reconocer y venerar . . . | [*At bottom of p. (3)*]: Antonio Martinez de Santistevan. | Taos Septiembre 24 A. D. de 1859. Imprenta de J. M. M. á Cargo de V. F. R. | [*At bottom of p. (4)*]: Imprenta &c. ut supra. [74]

20 x 31.5 cm. [4] p. (p. [2] blank).

The article on religion occupies the first and third pages. The fourth page begins "Sigue una Carta remitida á la Gaceta de Santa Fe concerniente a las notas sobre Religion." It contains a letter over the signature "Antonio J. Martinez" to the "Señor Editor de la Gaceta de Santa Fé N. M." attacking in strong terms an editorial in the *Gazette* "el dia 3 del corriente Septiembre."

Historical Society of New Mexico.

Laws | of the | Territory of New Mexico. | Passed by the Legislative Assembly, | Session of 1859-60. | [*Filet*] | Santa Fé, N. M.: | O. P. Hovey, Public Printer. | 1860. | [75]

14.5 x 22 cm. 141 p. Text printed in English and Spanish on alternate pages. English titlepage, p. [1]; Spanish title page, p. [3]. Printed buff paper wrappers.

School of American Research. Henry E. Huntington Library.

Junta Publica. | [*Double rule*] | Convocada el dia 12 de Agosto de 1860 | [*At end*]: Anastacio Sandoval, | Pres'te. | J. M. Gallegos, | O. P. Hovey, | N. Gonzales, | Vivente Garcia, | Vice | Presidentes. | J. Howe Watts, | Nic. Quintana, | Demetrio Perez, | Secretarios. [76]

23.5 x 34.5 cm. Broadside, printed both sides, text on each side in 3 columns; English version on verso, headed at top of first column "Public Meeting."

The text gives the proceedings of a meeting held in Santa Fe to consider the "state of the Territory with reference

to the depredations of the Navajoe Indians." The governor is asked to call for volunteers to suppress the hostiles.

Historical Society of New Mexico.

Discurso al Pueblo del Nuevo Mejico, | tocante á las hostilidades que existen con los indios Navajóes . . . |[At end]: Santa Fé Nuevo Méjico. | á 13 de Agosto de 1860. [77]

13.5 x 31 cm. Printed on page 1 of a 4-page folder.

Historical Society of New Mexico (2 copies).

Santa Fé, N. Mejico, Agosto 14 de 1860. | Senor: [12 lines] | Jose Manuel Gallegos, | O. P. Hovey, | Miguel E. Pino, | Felipe Delgado, | Comisionados de | Correspondencia. [78]

20 x 25 cm. Broadside.

This is a communication transmitting a copy of the proceedings of the meeting at Santa Fé on August 12, 1860, and calling for representatives from each county to convene at Santa Fé on August 27th, for further action with reference to the hostile Navajo Indians.

Historical Society of New Mexico.

Proclamacion | del Presidente de la Convencion General, al | Pueblo de Nuevo Mejico. | Caros Conciudadanos. | [73 lines of text] | José L. Perea, | Presidente de la | Convencion Gnrl. | Santa Fé, N. M. | Agosto 28 de 1860. | [Santa Fe: 1860.] [79]

16 x 21.5 cm. Broadside. Text in 2 columns.

This proclamation calls for volunteers skilled in Indian warfare, for a campaign against the Navajo Indians.

Henry E. Huntington Library.

El Diario | de la | Cámara de Representantes | de la |
Asamblea Legislativa | del | Nuevo Méjico. | De una Sesion
comenzada y tenida en la Ciudad de Santa | Fé, Territorio
del Nuevo Méjico, el dia cinco de Diciembre el año de
Nuestro Señor mil ocho- | cientos cincuenta y nueve, siendo
la | Nona Asamblea Legislativa | del dicho Territorio |
[*filet*] | Santa Fé: N. M., | O. P. Hovey, Impresor Publico. |
1860. [80]

15 x 23 cm. 171 p. Printed buff paper wrappers.

Historical Society of New Mexico.

NOTES AND COMMENT

The Quivira Society, organized in 1929 by a group of investigators engaged in research pertaining to the early history of the southwestern part of the United States and of northern Mexico, proposes to publish a series of volumes embodying chiefly English translations of original Spanish documents relating to that vast and interesting field, although rare original English accounts will not be ignored.

The Society is sponsored by Arthur S. Aiton, University of Michigan; Lansing B. Bloom, editor of the *New Mexico Historical Review*; Herbert E. Bolton, Director of the Bancroft Library, University of California; Charles W. Hackett, University of Texas; George P. Hammond, University of Southern California, Los Angeles; Edgar I. Hewett, Director of the School of American Research, Santa Fe, New Mexico; F. W. Hodge, Museum of the American Indian, Heye Foundation, New York; J. Lloyd Mecham, University of Texas; Agapito Rey, Indiana University; A. B. Thomas, University of Oklahoma, and H. R. Wagner, San Marino, California.

The advisory editors are Herbert E. Bolton and F. W. Hodge. George P. Hammond is managing editor.

The volumes will be handsomely printed in Caslon type on good paper, and each will be adequately annotated by one or more specialists in order that its contents may be fully elucidated. They will be thoroughly indexed, and, when necessary, illustrated. A few copies will be printed in a special *de luxe* autographed edition.

The books will be available only to subscribing members of the Society. The rates will necessarily vary with the cost of publication, but in every case will be very reasonable.

There will be no initiation fee, and no dues, the only

expense being the cost of the volumes to be issued, which will be announced in advance of their appearance. It is not expected that more than two volumes will appear annually. The first volume to be published is Luxán's *Relation of the Espejo Expedition*, translated by George P. Hammond of the University of Southern California, and Agapito Rey of Indiana University, which is now in press. The cost of this volume to subscribing members will be \$3.50. The *de luxe* copies will sell for \$10.00, but no more will be printed than may be ordered in advance.

Other volumes in the series will be:

Luz de Tierra Incógnita, by Juan Mateo Manje, edited by Herbert E. Bolton.

Informe a S. M. sobre las tierras de Nuevo Mejico, Quivira y Tegwayó, by Fray Alonso Posadas, edited by A. B. Thomas.

Memorial on New Mexico, by Fray Alonso de Benavides, the hitherto unpublished revised edition of 1634, accompanied by the *Verdadera Relación* and *Segunda Relación* of Estévan de Perea, edited by F. W. Hodge.

Historia de la Nueva Mexico, by Gaspar de Villagrá, which has never before been published in English.

Students of the Southwest who may be interested in this series should communicate immediately with the managing editor.

BOOKS AND REVIEWS

Missions and Pueblos of the Old Southwest.—By Earle Forrest. (The Arthur H. Clark Company, Cleveland, Ohio, 1929, p.p. 386, \$6.00) Rather rambling and disconnected and yet interesting, this volume makes accessible to the general reader data and observations of one who more than twenty-five years ago, as a cowboy, rode the cattle ranges of the Southwest in search of adventure and incidentally interested himself in the ancient ruins and the landmarks of New Mexico and Arizona. As the author states in his preface: "When you are with a cow outfit the opportunities for visiting and discovering remote places inaccessible to other travelers are almost without limit, and I made the most of my advantages." Still he admits: "You cannot go into any corner of the old Southwest, no matter how remote, without bumping into some padre or adventurous Spaniard who was there hundreds of years ago." The author says further: "In this volume I have given first-hand information on these missions and pueblos which has not hitherto been available. I have used every care to present the facts with historical exactness, checking my personal records and observations with published material." He continues: "From the founding of the first New Mexico mission, known as the Mission of Frail Ruiz, at old Puaray pueblo in 1581, down through two hundred years forty-eight others were established in New Mexico and eighteen in Arizona. Before July 6, 1769, the date Father Junipero Serra founded San Diego de Alcala, the first of the California missions, forty-eight had been established in New Mexico and sixteen in Arizona." . . . "During the ten years following 1598, the year that mission work was really started on an extensive scale, eight thousand Indians were converted, and by 1617 there were between eleven and fourteen thousand neophytes. In 1630 there were 33 mis-

sions and in 1680, the year of the great Pueblo rebellion, there were forty. Sixteen of the New Mexico missions are still in use, mostly for the Indians; twenty-six are in various stages of ruin, and the remaining seven have disappeared utterly from the face of the earth. Arizona has one mission still in use, nine are in ruins, some of which are almost gone, while all trace of the remaining eight has completely vanished." He pays the following tribute to the early missionaries: "Unlike California, the history of these Southwestern missions was written in the lifeblood of the padres. It is impossible for anyone, no matter of what denomination, to go over the records of those times without gaining a great admiration for those Spanish priests. Their story is one of the marvels of American history. Voluntarily they left their own fair land across the sea, never to return, and buried themselves in the unknown deserts of our present Southwest to gain converts for their religion. They not only endured the dreary solitude and suffered the hardships of the wilderness for long years, but they constantly faced death from the raiding Apaches, Navajos and Comanches, and sometimes, at the hands of their own neophytes. Between 1540 and 1680 twelve priests are known to have been murdered by the natives, and in the Rebellion of 1680 no less than twenty-one, found martyrs' graves." The author enters upon an eloquent defense of the Spanish regime in the Southwest and compares the tolerance of the early Franciscan martyrs with the intolerance of many present day zealots who would suppress Indian ceremonies and customs by laws.

It is in this sympathetic vein that the author writes: "The Southwest should have a special appeal to every American, for it had a civilization as ancient as that of Europe. While the Indians, Spaniards and Mexicans of New Mexico, Arizona and California furnished an early population as picturesque as can be found in any section of the world; . . . the manners and customs of the early people

of the Southwest, their dances, fiestas and other ceremonies held at frequent intervals throughout the year, cannot be excelled in interest and are seldom equalled by any other race."

While the author often digresses from the title he has given his book, and accepts romance and tradition as historical fact, and thought he cites dates and quotes figures with an assurance by no means shared by critical research workers and historians he has given the reading world a sprightly book that is worthy of a place on every library shelf.—W.

Chronicles of Oklahoma. Joseph B. Thoburn contributes to the September number of *Chronicles of Oklahoma* an outline of the prehistoric cultures of Oklahoma from the time of the lower levels of the gravel pit at Frederick, Oklahoma, to the coming of the white man, and including the Ozark cave man, the Basket-makers, the Mound-builders, the Caddoan earth-lodge, the Siouan and Athapascan cultures. The essay should prove of especial value to teachers of history in Oklahoma and for use in the history classes of high-schools, at the same time furnishing an excellent synopsis of present day knowledge and theories of prehistoric occupation of that portion of the American continent. Carolyn Thomas Foreman writes of "The Foreign Mission School at Cornwall, Connecticut" at which quite a number of Indians from the Southwest received their education. As early as 1820, the school had 29 students, the Indians representing five or six different tribes. "A Reminiscence of a Methodist Minister's Daughter" tells of the devoted service among the Indians of Oklahoma of a missionary couple, Francis Marion Paine of Tennessee and his wife, Sue Rich of Alabama. "A Tribute to Captain D. L. Payne," by W. H. Osburn, turns out to be the first instalment of an interesting account of a trip into the Oklahoma country before it was opened to settlement. How settlement finally

came, nine years later, is recounted at length and vividly by Dan W. Peery, in the first instalment of his story: "The First Two Years." An account is printed of the unveiling of a boulder commemorating the signing on September 27, 1830, of the Dancing Rabbit Creek Treaty by Choctaws and United States representatives. The signing of the treaty had been violently opposed by seven old women who sat in a ring surrounded by six thousand Choctaws but after several days of parleying the Indian chieftains signed so as to escape taxation, working the roads and attending musters with which they were threatened. By this treaty the Choctaws yielded sovereignty over a vast extent of territory east of the Mississippi. The Oklahoma Historical Society at its last meeting commended Governor Holloway for the steps he has taken to conserve archaeological remains found in the state and to prevent their excavation and removal by parties outside the state.—W.

The Catholic Historical Review. The second issue for this year of *The Catholic Historical Review* has as its leading article: "The Washington Carrolls and Major L'Enfant" by Elizabeth S. Kite; Alfred Barry writes of "Bossuet and the Gallican Declaration of 1682," and Felix Fellner of "Ludwig von Pastor, the Historian of the Popes." Other titles are: "Catholic Military Naval Chaplains, 1776 to 1917." "The Origin of the University of Prague," and "The Papyrus and Early Vellum Bulls." The Book Reviews are comprehensive and scholarly. Among the Catholic chaplains enumerated are Alexander Grszelachowski of the Second New Mexico Infantry of the Union Army during the Civil War; Damaso Alarid of the First New Mexico Infantry; and Timothy P. O'Keefe of Santa Fe.

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ERRATA

p. 56, l. 16, *read* Oraibi

p. 63, beginning in line 32, "and found a delegation of Monache Utes" and continuing to p. 64, l. 12; to include the words "After they had started," transfer the entire passage so as to follow p. 63, line 22. The proper sequence is as follows: ". . . on the 19th. After they had started I immediately sent word . . . (line 32) and reminded San Pablo (p. 64, line 13) and several others present . . ."

This document was a retain-copy written by Agent Dolan, in which he had inserted the above misplaced passage as "page 7½." The manuscript was in the editor's file of unpublished material, and during his absence in Spain last winter it was inadvertently released without having been edited.

p. 85, transpose line 5 to follow line 11.

p. 85, line 30, *read* worth noting

p. 153, l. 7, *after* Colorado *insert* to

p. 163, l. 22, *read* taking leave of them

p. 189, l. 22, *read* Gutierrez

p. 198, l. 29, *read* (the boys)

p. 201, in next to last signature, *read* Freitas

p. 218, l. 29, *read* murderer

p. 221, l. 23, insert note reference "3"

The map facing page 150 should be marked as an archive found at Sevilla by Dr. Thomas, in A. G. I., Estado de Mexico, legajo 13.

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