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# NEW MEXICO HISTORICAL REVIEW

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THEODOSIUS MEYER, O.F.M.

FRANCE V. SCHOLES

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# *New Mexico Historical Review*



PALACE OF THE GOVERNORS, SANTA FÉ

*January 1944*

*Editors*

LANSING B. BLOOM

PAUL A. F. WALTER

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# NEW MEXICO HISTORICAL REVIEW

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## NEW MEXICO'S WARTIME FOOD PROBLEMS, 1917-1918: A CASE STUDY IN EMERGENCY ADMINISTRATION

*By* GEORGE WINSTON SMITH

*(Concluded)*

### IV. FOOD REGULATIONS AND THEIR ENFORCEMENT

While propaganda appeals besought the consumer to lend support to food-saving, the food administration grudgingly gave compulsion a place in its proposals for wartime stabilization. Soon after he received authorization in the Lever Act, Herbert Hoover took steps to remove forcibly the speculative profits which already had begun to creep into sales of grain and flour. At first restricting his orders to millers of wheat and rye, he directed them to secure licenses from the food administration. All licensees then had to disclose in frequent reports their average margins of profit. In determining what was a reasonable profit, the standard usually taken was the average pre-war normal profit of the business under free competitive conditions.<sup>1</sup> Before the end of September, 1917, sugar refiners were tied to the licensing regulations. And a proclamation of President Wilson, dated October 8, brought in a multitude of trading groups: elevators, warehouses, importers, millers, manufacturers, and distributors of all kinds of grain, beans, cottonseed, fresh fruit, vegetables, and many others. Exempted were those retailers whose gross sales of food commodities were not over \$100,000 per year, and millers whose establishments

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1. Mullendore, 127, 206.

had a capacity under seventy-five barrels per day.<sup>2</sup> After awhile bakers had to get licenses if they had a monthly consumption of more than three barrels of flour.<sup>3</sup> Dealers in poultry and eggs were licensed, and, on February 15, 1918, were forbidden to sell hens until April 30 so that there might be an increase in egg production.<sup>4</sup> Toward the end, the far-reaching influence of licensing extended to farm implement dealers, who had to get their permits in the summer of 1918.<sup>5</sup>

In New Mexico there was a considerable delay before the state food administration was able to put the licensing system into operation. That, however, was not due to any willingness on the part of Administrator Ely to ignore unfair trading practices. For, being somewhat influenced by the muckraking urge of the "progressive" era in politics, he was soon complaining loudly to food administration officials in Washington about instances of hoarding and profiteering.<sup>6</sup> Particular objects of his ire were the small retailers and jobbers who siphoned off large profits when they marketed the farmers' produce. The farmer, Ely protested, not only received less than his due, but he paid more than he should for shipping crates, oil for his pumping plant, hardware, groceries, and all of his other necessities.<sup>7</sup> As a remedy, Ely suggested the advisability of bringing the militant Farmers Alliance into New Mexico, and hinted that he would go as far as Hoover would allow him in organizing community buying and selling groups. A reply from Washington discouraged any such radical activities, although it suggested that a community market system used successfully in Quincy, Massachusetts, might be tried in handling certain products.<sup>8</sup> Dutifully, Ely laid aside any plans he might have had for consumer and producer coöperatives.

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2. *Ibid.*, 195-196, 216-217.

3. Santa Fé *New Mexican*, January 31, 1918.

4. *Ibid.*, February 15, 1918.

5. United States Food Administration, Washington, D. C., to Ralph C. Ely, Santa Fé, June 12, 1918 (copy), FA6HA3-3345.

6. *Id.* to *id.*, October 20, 1917 (copy), FA6HA2-3194; [Ralph C. Ely], Santa Fé, to United States Food Administration, Washington, D. C., December 26, 1917, *ibid.*

7. *Id.*, to Herbert Hoover, Washington, D. C., October 8, 1917, *ibid.*

8. United States Food Administration, Washington, D. C., to Ralph C. Ely, Santa Fé, October 15, 1917, (copy), *ibid.*

His administration already was fighting for its life against the attacks of hostile merchants and politicians. Discretion would seem to have been his only course, so he stressed conservation propaganda, and quietly sought to discourage among New Mexican distributors the practice of advertising special prices on sugar and flour. Nevertheless, by December it was generally thought that hoarding was bringing about a shortage of sugar; an increased demand for flour in wooden barrels had an ominous meaning, while salt, matches, and other staples began to disappear from the markets.<sup>9</sup> In fact, the woman's auxiliary of the state Council of Defense went so far as to send representations to Herbert Hoover requesting that ration cards be issued for those commodities that were scarce.<sup>10</sup> In reply, the federal food administrator's office left no doubt about Hoover's distaste for ration cards. It declared: ". . . He [Hoover] does not feel that the time has come to use ration cards and sincerely hopes that conditions will not arise to make this necessary."<sup>11</sup> Already the food administration, in addition to licensing, was creating a tight network of regulations to limit consumer consumption, cut down speculative profits, and stabilize prices. Ration cards could accomplish no more.

In New Mexico some of the most debatable restrictions dealt with wheat and flour, and brought business men within the sphere of still another war agency, the Federal food administration's United States Grain Corporation. Directed by Julius H. Barnes it endeavored to eliminate speculative practices in grain transactions by placing itself, like a great trading colossus, astride the paths of commerce. It bought wheat from the producers at a relatively high but stable price; it stored grain, sold it to millers, and regulated all other phases of the business.<sup>12</sup> Every elevator and mill licensed by the food administration had to abide by a number

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9. Santa Fé *New Mexican*, January 3, 1918.

10. Deane H. Lindsey, Santa Fé, to Herbert Hoover, Washington, D. C., December 19, 1917, FA6HA2-3193.

11. United States Food Administration, Washington, D. C., to Mrs. W. E. Lindsey, Santa Fé, December 28, 1917 (copy), *ibid.*

12. Mullendore, 130.

of basic rules: there could be no arbitrarily increased charges for services, wheat could be stored for no longer than thirty days, and there should be no contracts for the sale of flour on orders for delivery more than thirty days in advance of the sale date. Profit margins also were fixed: millers could make only twenty-five cents per barrel on flour, and they had to limit themselves to fifty cents per ton on livestock feed. Nor were they allowed to pay more for wheat than the fair price set by the government.<sup>13</sup> Putting the pieces of the puzzle together, it is apparent that they made a pattern of restrictions designed to prevent congestion in the lines of commerce, to keep wheat and flour flowing smoothly from producer to consumer, and to prevent hoarders from jamming the currents of trade with snags of self-interest. That there was a well-established chain of authority is seen in the responsibility of the licensee to the food administration; below the licensees there were unlicensed dealers and consumers who, the licensed miller had to make certain, did not get more than enough flour for normal sixty day requirements at one purchase, or more than 70% of their needs of the previous year.<sup>14</sup> Such was the system; it was not remarkable that within New Mexico distinctive conditions should make for peculiar hardships in application.

One outstanding problem in wheat and flour regulation came from the fact that New Mexico exported large quantities of wheat each year, but shipped in its flour from Kansas City or other milling centers.<sup>15</sup> There were no large elevators in the state at the beginning of the war. Licensed grain and flour dealers frequently were merchants who owned country stores, or who operated small stone mills. Their customers were usually the more indigent laborers, and

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13. *Ibid.*, 184.

14. *Ibid.*, 104-105, 212-213; Santa Fé *New Mexican*, January 28, 1918; Questionnaire report, March 23, 1918.

15. *Ibid.*, June 20, 1918. Ely claimed that New Mexico exported 3,000,000 bushels of wheat in 1917, and consumed flour made from roughly 2,000,000 bushels. However, Department of Agriculture statistics didn't agree entirely with him. The conclusion reached from its compilation was that New Mexico's normal wheat requirement was 3,166,000 bushels, and that the 1917 crop fell 952,000 bushels short of that figure. There was no disagreement over the fact that large amounts of New Mexican wheat were sent out of the state, and that large amounts of flour were imported.



their market depended upon their ability to undersell Kansas City flour. Therefore, as early as September, 1917, some of the small operators hastily came to the conclusion that profit-restricting regulations would drive them out of business. Although grinding only about seventy-five barrels of flour each day, they had managed to make a living by charging a profit of at least twice the twenty-five cent maximum allowed by the regulations. But even at that they had taken advantage of the transportation cost differential to supply their local or nearby customers under the Kansas City flour price.<sup>16</sup> They could, they argued, pay the disgruntled New Mexican farmers more than the price of wheat guaranteed by the Grain Corporation, grind the grain, extract their accustomed profit, and sell to the impecunious purchaser at a fair price.<sup>17</sup> Thus, in ignoring the regulations, they would actually *speed* the circulation of wheat products from grower to consumer, and defeat high living costs in the bargain!

There was another peculiarity in New Mexican conditions that complicated the task of regulating the flour and grain trade. That was the custom of the miller at the opening of a wheat season to collect from farmers (especially native Indian and Mexican) nearly all the wheat they had threshed. Some farmers, but very few, had places to store their wheat; the rest turned their crop over to the miller or country merchant to pay for bills they had made the previous winter and spring. In common parlance the miller or merchant "carried" the farmer from season to season, and felt that if he did not gather in the wheat at harvest time he would never be able to collect his accounts. Obviously the grain and flour rules hurt that kind of trade.<sup>18</sup> What was, for a time, even more of a problem, arose from the fact that certain mills were licensed while others were small enough to escape licensing; that meant communities fifty miles apart might have a difference of as much as thirty cents a bushel

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16. Charles Springer, Santa Fé, to W. S. Gifford, Washington, D. C., September 15, 1917, Council of National Defense Papers.

17. Ralph C. Ely, Santa Fé, to Arthur Pruitt, Roswell, December 14, 1917, (copy), FA6HA2-3193.

18. L. B. Putney and Co., Albuquerque, to Ralph C. Ely, Santa Fé, November 22, 1917, *ibid.*; Ralph C. Ely, Santa Fé, to United States Food Administration, Washington, D. C., December 5, 1917, *ibid.*

in the selling price of wheat. It was, therefore, at least a step in the direction of stabilization when, in February, 1918, all mills—large and small alike—were put under the licensing system.<sup>19</sup>

That did not mean, however, that the interests of the New Mexican grain dealers and millers were forgotten. Led by R. E. Putney, one of the most aggressive merchants in the state and a miller of wide experience, the food administration's flour and milling division called a meeting in January, 1918, to convince over one hundred leaders of the New Mexican grain and flour business of the advantages and necessity of restrictions.<sup>20</sup> Putney also tried to improve the opportunity to persuade New Mexicans that they should have a milling industry that would more nearly supply their needs for cereal foods. Instead of sending the profits outside the state to millers and to railroads which hauled both grain and flour, why should not the flour be milled within the state and the profits retained there?<sup>21</sup> Putney then told the millers that the best answer to the question lay in the improved efficiency of New Mexican mills. If, to take only one instance, New Mexico would adopt the uniform basis for grading grain that existed elsewhere, it would be a long step toward standardizing both wheat growing and the milling industry of the state. Wheat would have to come into the mills clean and no longer would "number one wheat prices be paid for number three wheat."<sup>22</sup>

Whether because of Putney's suggestions for heightened efficiency, or because of lax enforcement of the restrictive regulations—possibly because of both—the small mills appeared to flourish during 1918. So successful were they that an Albuquerque newspaper noted in September that large millers were protesting at the profits made by the small

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19. Questionnaire report, June 20, 1918.

20. Santa Fé *New Mexican*, January 23, 1918.

21. *Ibid.*, March 16, 1918; Ralph C. Ely, Albuquerque, to George H. Warrington, Washington, D. C., March 18, 1918, FA6HA2-3193; Due to the efforts of the extension service, at least two efficiently operated coöperative flour mills were installed; they supplied large areas in Socorro and Sandoval counties. See, A. C. Cooley, "Fourth Annual Report . . . December 28, 1918," pp. 61-62, Department of Agriculture Archives; Questionnaire report, June 20, 1918.

22. Santa Fé *New Mexican*, May 29, June 5, 1918.

producers.<sup>23</sup> The food administration then made something of an attempt to tighten the restrictions by promulgating new and still more complex rules.<sup>24</sup> In particular, a pledge card system was put into operation to check abnormally large sales of wheat mill feeds that supposedly were intended for chicken feed but which, in reality, were for human consumption.<sup>25</sup> Ely even went so far as to announce that accounts of flour mills were to be audited by food administration accountants to learn whether or not the millers were making excessive profits.<sup>26</sup>

Inextricably entangled in wheat and flour control was perhaps the most controversial of all regulations—the so-called 50/50 rule. Put in force throughout the nation on January 28, 1918, it required that millers should not grind wheat, and that wholesale and retail grocers should not sell wheat flour, unless in equal proportions with a wheat-substitute cereal.<sup>27</sup> Substitutes included: hominy, corn meal, oat-meal, rice, buckwheat flour, potato flour, soya bean flour, feterita flour, tapioca, and many another.<sup>28</sup> Exceptions to the rule were few, but there were a few common-sense interpretations. For instance, a farmer who already had a supply of home-ground corn meal might buy wheat flour if he could present an affidavit to support his statement concerning the amount of substitute he had on hand.<sup>29</sup> However, the 50/50 rule was accompanied by complementary regulations which intensified its effect. Even if the city-dweller bought wheat flour and substitutes in equal amounts, he could get only twenty-five pounds of wheat flour at one time; those in rural communities could take away forty-eight pounds at a single purchase; and ranchers, twenty-five miles from the nearest market, could secure twelve pounds for each person in their households.<sup>30</sup> As a climactic measure,

23. Albuquerque *Morning Journal*, September 11, 1918.

24. Questionnaire report, August 1, 1918.

25. Santa Fé *New Mexican*, September 24, October 7, 1918.

26. *Ibid.*, July 14, 1918.

27. Mrs. Sophia A. Córdova, Truchas, to Ralph C. Ely, Santa Fé, March 14, 1918, FA6HA2-3193; Mullendore, 105.

28. Santa Fé *New Mexican*, March 25, 1918.

29. Ralph C. Ely, Santa Fé, to John W. Hallowell, Washington, D. C., February 25, 1918, (telegram), FA6HA2-3193.

30. Santa Fé *New Mexican*, April 2, 1918.

the food administration finally decreed that the maximum allotment of wheat flour should be six pounds a month for persons in most areas, with twice that much for special occupations, as, for example, sheep-herders in camp during the lambing season.<sup>31</sup>

It was hard to convince people that they must use substitutes. The most frequent complaint, and often a just one, was that there weren't enough of them. Most of those that were normally grown in New Mexico suffered from the 1917 drought—so much so that Ely had to lower the percentage required when the 50/50 rule went into force.<sup>32</sup> Because there happened to be quantities of unsold potatoes, he further weakened the rule by permitting them to be considered substitutes for twenty days in the ratio of four pounds to one of wheat flour.<sup>33</sup> Nevertheless, that didn't satisfy the criticism that the food administration was not limiting the price of substitutes as it did that of wheat.<sup>34</sup> Ely asked for a change in the food control act so that the food administration might have such power, but the answer was that corn and other coarse grains did not pass largely through terminal markets where controls were exerted on wheat and rye.<sup>35</sup> To be sure, Herbert Hoover demanded that wholesalers should stop dealing with retailers who could not justify with respect to costs the prices they were charging for substitutes. The most expensive substitute, he announced, should be at least ten percent under the quotation for wheat flour.<sup>36</sup> Ely was willing to agree that many small dealers who sold to consumers in isolated places were likely to charge excessive prices. And, likewise, he pointed out the objectionable practice of avoiding substitutes

31. Ralph C. Ely, Albuquerque, to John W. Hollowell, Washington, D. C., March 30, 1918, (telegram), FA6HA2-3194; *id.* to United States Food Administration, Washington, D. C., April 5, 1918, FA6-HA2-3193.

32. *Id.* to *id.*, February 1, 2, 1918, (telegrams), FA6HA2-3194. Stocks of corn on hand, January 1, 1918 were 64,986 bushels, compared to 89,956 bushels on January 1, 1917. See, *United States Department of Agriculture Bureau of Markets Food Surveys* (Washington, D. C., 1918) vol. 1, no. 5, pp. 3-5.

33. Questionnaire report, March 23, 1918.

34. Las Cruces *Citizen*, May 11, 1918; Charles Springer, Santa Fé, to George F. Porter, Washington, D. C., December 5, 1917, Council of National Defense Papers; Las Vegas *Optic*, March 2, 1918.

35. Mullendore, 289-290.

36. Santa Fé *New Mexican*, February 9, May 10, 1918.

by the sale of excessive quantities of wheat flour wholesale on the plea that deliveries were made under contracts that had been negotiated before enforcement of the 50/50 rule. Although the food administration did little to make Hoover's fiat concerning the price level of substitutes a reality, its law department did rule that deliveries on prior contracts were unfair practice.<sup>37</sup>

Meanwhile, some New Mexican mills began to grind substitute flour in larger amounts, and others installed the necessary equipment.<sup>38</sup> On April 17, Ely was able to write Hoover that stores of flour were so good under the 50/50 rule that shipments into New Mexico had stopped.<sup>39</sup> Still, he felt compelled to admit that, if it should lower prices any, the people would favor price-fixing by the food administration. By June, substitutes' prices were still high, although they had begun to fall. If, Ely believed, instead of stocking up on corn meal and then attempting to force its sale, the merchants would have invested in several kinds of substitutes, the downward trend would have been more marked.<sup>40</sup> But notwithstanding all defects he felt that the 50/50 rule was observed.<sup>41</sup> On the contrary, when the 50/50 rule was abrogated (August, 1918), it was provided that all flour manufactured and sold had to be "liberty flour," made of eighty percent wheat and twenty percent corn. Since under the superseded 50/50 rule the consumer could buy his flour and do his own mixing, the likely inference would be that the 50/50 rule had not been completely successful.<sup>42</sup>

The 50/50 rule and numerous other regulations affected markedly the restaurateurs and bakers of New Mexico. To mention one of the specialized restrictions: after February 24, 1918, every baker had to use at least twenty percent of

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37. Ralph C. Ely, Santa Fé, to United States Food Administration, Washington, D. C., January 30, 1918, FA6HA2-3194; Law Department, United States Food Administration, Washington, D. C., to Ralph C. Ely, Santa Fé, January 31, 1918, (telegram copy), *ibid.*

38. Santa Fé *New Mexican*, February 7, 19, 1918.

39. Ralph C. Ely, Santa Fé, to Herbert Hoover, Washington, D. C., April 17, 1918, FA6HA2-3193.

40. Questionnaire report, June 20, 1918.

41. *Ibid.*

42. Albuquerque *Morning Journal*, September 8, 1918; John W. Hallowell, Washington, D. C., to Ralph C. Ely, Albuquerque, August 29, 1918, (copy), FA6HA3-3345.

substitute flour in all his products. Bread made under such conditions could be advertised as "Victory Bread," and so could cakes, pies, and pastry if they contained one-third substitute flour. All wheat flour had to be bought in the ratio of four pounds to one of substitutes; on April 14 the ratio was raised to three to one, on September 1 it again was reduced to four to one, and on November 12 (the day after the armistice) the requirement was cancelled.<sup>43</sup> Before regulations had been long enforced, Ely heard that some bakers were reducing the size of their loaves from sixteen to twelve ounces without a corresponding drop in price; as a result, the food administration set a maximum price of ten cents for a twelve ounce loaf.<sup>44</sup> To prevent other loopholes from developing, it was set forth that hotels, restaurants, clubs, and other public eating places which made their own bakery goods should operate under the bake-shop regulations. These restaurants and the like also were required to ration bread to patrons at the rate of two ounces per serving (about the same as in England), and to serve no wheat products unless they were specifically requested to do so by the customers.<sup>45</sup> From April to September, 1918, they were limited to a six pound allotment for every ninety meals served.<sup>46</sup>

Bakers, restaurant owners, and indeed all citizens were interested in the sugar supply. And, in December, 1917, Ely issued rules which prescribed that it should be sold in small quantities.<sup>47</sup> Confectioners and other non-essential users were given less than their accustomed quantities, but with the promise their quotas might be raised if they would use glucose, honey, and other substitutes.<sup>48</sup> Later, however, several causes combined to make the sugar problem more serious. The domestic sugar beet crop, the Louisiana cane output, and the supply from the West Indian islands all were

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43. Mullendore, 105-106; *Santa Fé New Mexican*, February 11, March 4, 5, 1918.

44. *Ibid.*, October 7, 1918; Questionnaire report, June 20, 1918.

45. *Santa Fé New Mexican*, January 31, February 5, March 2, May 1, October 14, 1918.

46. *Ibid.*, April 25, 1918.

47. *Ibid.*, December 31, 1917.

48. *Ibid.*, January 2, 1918.

less than the estimates. Ravages of war, especially the destruction of beet sugar factories in France and Italy, had their effect. An ever-present factor was the large amount of shipping needed to transport the growing American army to France.<sup>49</sup> Therefore, after July 1, a more rigid control of distribution to all sugar users was undertaken through rules enforced upon licensed manufacturers, wholesalers, and retailers. All principle sugar using trades were classified into five groups. Manufacturers of candy, soft drinks, and similar luxury foods were limited to fifty percent of their normal consumption. Ice cream makers got seventy-five percent of their needs, while commercial canners were granted enough for "necessary requirements." Restaurants and clubs were rationed on the basis of three pounds for each ninety meals served. Similarly, three pounds (later two pounds) monthly per person went to householders, with an extra twenty-five pound per family allowance for home-canning.<sup>50</sup>

In contrast to the ration card systems of other countries, sugar certificates were the means by which the system operated. At the outset business men were told to report the amount of sugar they had on hand or in transit; then their requirements (based upon their previous use of sugar) were tabulated, and certificates issued to the proprietors of the numerous types of business establishments: grocery stores, confectioneries, hotels, bakeries, etc. When making a purchase, certificates had to be given to the wholesaler in exchange for sugar. In turn the wholesaler submitted them to the refiner who, after cancelling them, returned them to the food administration.<sup>51</sup>

As might be expected this complicated system of rationing did not work entirely without friction. Certainly there was a considerable number of certificates issued. Sometimes grocers would receive certificates and then would sell sugar to bakeries; the bakery too might receive a certificate

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49. *Ibid.*, July 12, 1918.

50. Ralph C. Ely, Albuquerque, to John W. Hallowell, Washington, D. C., August 26, 1918, FA6HA3-3345; A large poster: "Rules as to the Use and Sale of Sugar," *ibid.*

51. Mullendore, 111-112; Questionnaire report, September 1, 1918.

for its needs, and consequently would duplicate its supply. Many business houses did not have adequate records of their previous sales upon which the food administration could base any accurate quota.<sup>52</sup> During July, no less than 150,000 pounds were distributed upon the presentation of special certificates for home-canning allotments; in August, 157,508 pounds went out in the same way.<sup>53</sup> Still, in spite of these evidences of laxity, Ely lauded the loyal coöperation of the merchants which made the system generally successful. And, in truth, it was the merchant who had to apply limitations upon the consumers' demands.

Unlike most states, New Mexico had a printed form which all householders had to fill out when they obtained sugar. It read as follows:<sup>54</sup>

Certificate as to the amount of Sugar Purchased from  
 ----- Grocer  
 ----- Town  
 ----- 1918

I hereby certify that I have received from the above  
 grocer ----- pounds of sugar and that this purchase  
 does not give me more than three pounds  
 per person per month in my family, there being  
 ----- persons in my household.

-----  
 Purchaser.

Of course, home consumption certificates did not govern the retailer's quota; that was set by his pre-ration sales. The certificate signed by the housewife was simply a method of bringing home the importance of conservation to the individual consumer. It also made it easier for the merchant to distribute his supply among his various customers. Conceivably, a housewife might "repeat" by signing these certificates in various stores, but it is a tribute to the attitude

52. *Ibid.*, August 1, 1918.

53. *Ibid.*; A. J. Maloy, Albuquerque, to John W. Hallowell, Washington, D. C., August 19, 1918 (telegram), FA6HA3-3345.

54. Certificate printed on 3" x 5" slip of paper. They were first issued in July, 1918, *ibid.*; See also, Cecil Barnes, "Sugar Distribution to Consumers" (mimeographed report), FA6HC5-3686.



of the New Mexican people that this was not generally done.<sup>55</sup>

Beginning August 1, all types of allotments were cut,<sup>56</sup> but as new stocks of sugar came in and the war picture brightened, it was found possible to restore the consumer's allowance to three pounds per month,<sup>57</sup> and all restrictions were removed soon after the war ended. It is difficult to assess the final results of sugar rationing. Acting food administrator, Bush, claimed in October that New Mexico already had saved over 500,000 pounds of sugar *more* than the allotment that the law gave to the state.<sup>58</sup> Earlier, Ely claimed that the average consumption of sugar was not over forty-five percent of normal, and that the sugar for canning was only fifty or sixty percent of what generally had been used before then.<sup>59</sup> On the other hand, the number of certificates issued indicates that the food administration was quite liberal, and that no one must have been deprived of sweet foods to any serious degree.

Hoover's food control plans had scarcely been made public when, because in his opinion the fixing of maximum prices had been harmful in belligerent European countries, he promised that aside from wheat and flour he would not attempt to fix the price of foodstuffs in the United States.<sup>60</sup> For the most part his policy followed his statement, but before the war ended, sugar, rice, cottonseed derivatives, and several other products had been placed under absolute

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55. Ralph C. Ely, Albuquerque, to John W. Hollowell, Washington, D. C., August 19, 1918, *ibid.*; Questionnaire report, September 1, 1918.

56. Santa Fé *New Mexican*, July 27, 1918.

57. *Ibid.*, November 1, 1918.

58. Albuquerque *Morning Journal*, October 7, 1918; United States Food Administration statistics are interesting in this connection. The total certificate pounds of sugar issued in the state were: July, 940,750; August, 1,069,644; September, 1,345,596; October, 1,110,777; November, 1,230,675. Allotments per capita were: July, 3.7 lbs.; August, 2.5 lbs.; September, 2.5 lbs.; October, 2.5 lbs.; November, 3.4 lbs. Compared to the per capita allotments, the per capita issues were: July, 2 lbs.; August, 2.4 lbs.; September, 3 lbs.; October, 2.5 lbs.; November, 2.8 lbs. See "Sugar Certificates Issued in the United States, July-December, 1918," FA48HBB5-24996; Joshua Bernhardt, *A Statistical Survey of the Sugar Industry and Trade of the United States* ([Washington], 1920), 96.

59. Ralph C. Ely, Albuquerque, to John W. Hollowell, Washington, D. C., April 17, 1918, FA6HA2-3194.

60. Albuquerque *Morning Journal*, September 8, 1917.

price control.<sup>61</sup> In addition, definite margins of profit were recommended for "middlemen," and sometimes these were enforced by an aroused public opinion.<sup>62</sup>

There were several reasons why it was hard to deal with the problem of price control in New Mexico. As food administrator Ely was wont to point out, high prices for grocery products were the rule in remote localities. This was due partly to the expense of cartage over long distances. But also it was owing to the number of transactions in which the goods were involved before they reached the hands of the consumer. As an illustration, some canned goods might be sent by a wholesaler in Albuquerque to a "little wholesaler" in Estancia, from there they would go to a retailer in a small mountain hamlet, and then finally to the consumer. Considering the high profits that were charged at each stage, an exorbitant price was inevitable. Long credits might accompany these transactions. For, according to Ely's observation, wholesalers often competed for business not so much on the quality of goods sold or the prices charged for them but in the credit terms which they were able to offer.<sup>63</sup>

Nevertheless, New Mexico grocers appeared eager to line themselves up behind a drive for reasonable prices. By January 15, 1918, a total of 4,175 retail grocers signed a "Retailer's Pledge Card," by which they promised to give consumers the benefit of fair and moderate prices.<sup>64</sup> A month later the food administration's grocery division sent blank-forms to the merchants asking them to forward the cost and selling price on a large number of staple food commodities.<sup>65</sup> Ely wasn't so receptive to a suggestion from federal food administration officials that he should send a list of housewives who would periodically report the pre-

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61. Santa Fé *New Mexican*, October 12, 1918.

62. *Ibid.*, October 9, 1918.

63. Ralph C. Ely, Albuquerque, to J. B. Clark, Washington, D. C., July 27, 1918, FA6HA3-3345; *id.* to United States Food Administration: Williams, Washington, D. C., July 20, 1918, FA45HAA1-23232.

64. Santa Fé *New Mexican*, January 15, 1918.

65. M. T. Dunlavy, Santa Fé, to John W. Hallowell, Washington, D. C., February 26, 1918, FA6HA2-3194.

vailing retail prices of food articles to Washington.<sup>66</sup> He was opposed also to the proposal that "fair price lists" should be published in every community as a warning against those grocers who garnered excessive profits.<sup>67</sup> It was only after the strongest pressure was brought to bear upon him from Washington that he finally made preparations to introduce such publications. Not until August was a beginning made in two counties;<sup>68</sup> even then Ely was not convinced. The lists, of course, did not set forth inflexible "ceiling prices." In one column there was printed the minimum and maximum prices which a retailer might pay for a number of items with recognition of possible variations in different retailers' costs due to diversity in the quality of goods, etc. In the right-hand column of each list were the prices that the consumer would be asked to pay. Those, too, might differ from store to store depending upon the retailer's overhead and other expenses. A number of items taken from a typical price list, published in Albuquerque on September 12, 1918, follow:<sup>69</sup>

Commodity		Retailer pays	Consumer should pay	
Wheat flour	(bulk) (per lb.)	5.80	6.80	.15 over cost
Corn Flour	" " "	6.20	9.60	.08 .08½
Cornmeal	" " "	5.50	5.85	.07½ .08
Sugar granulated	" " "	8.35	8.57	.09½ .10
Potatoes per pk.		8.35	8.50	.04 .04
Canned tomatoes standard gr. No. 2 can		.12		.15 .20
Canned corn	" " " " "	.15		.15 .20
Canned peas	" " " " "	.11	.20	.12½ .25
Canned salmon (Alaska pink) 16 oz. No. 1 can		.16 2/3	.16 2/3	.20 .25
Evaporated milk (unsweetened) 6 oz. can		.04½	.05½	.05 .07½
Butter creamery tub. print per lb.		.50	.52	.55 .57
Eggs (fresh), (stored) per doz.		.60	.60	.60 .70
Lard, pure leaf (in tin) per lb.		10.24½ (sic)	.24½	.33
Bacon sliced std. grade per lb.		.34	.45	.40 .50
Pork chops per lb.				.40 .40
Ham smoked sliced per lb.		.33	.35	.38 .40
Round steak per lb.				.35 .35

That it might improve its chances for success in price publication, the state food administration undertook to convince New Mexican business men that they should abandon long credits, and the all too frequent practice of concealing

66. United States Food Administration, Statistical Division, Washington, D. C., to Ralph C. Ely, Albuquerque, April 5, 1918, (copy), *ibid.*

67. M. T. Dunlavy, Santa Fé, to John W. Hallowell, Washington, D. C., January 21, 1918, *ibid.*; Ralph C. Ely, Albuquerque, to K. S. Clow, Washington, D. C., May 7, 1918, FA6HA2-3193.

68. K. C. Clow, Washington, D. C., to Ralph C. Ely, Albuquerque, May 15, 1918, (copy), *ibid.*; Questionnaire report, September 1, 1918.

69. Albuquerque *Morning Journal*, September 12, 1918.

interest payments in the high prices of the goods sold.<sup>70</sup> In the opinion of many merchants the arguments against such practices were reasonable; some dealers did limit credit to thirty days, and allowed discounts for cash payment.<sup>71</sup> The "cash and carry" system, however, did not become popular at the time, even though stores sometimes sharply curtailed their delivery services.<sup>72</sup> And the system of price publication too was painfully slow in developing. Not until September did the state food administration's field secretary spend much time working on the problem with newly appointed county administrators.<sup>73</sup> Even the Washington office of the administration decided it had better send a supervisor to help the state administrator with it, and business men from outside the state were called in to check prices.<sup>74</sup> Still, for the week of October 26 only five fair price reports were received from county price administrators.<sup>75</sup> After all efforts had been made, A. J. Maloy of the grocery division rather hopelessly applied to Washington for more fair price administrators' blank-reports; it was his conclusion that perhaps the fair price administrators had not reported because they had mislaid completely the blanks he had sent to them some time before that.<sup>76</sup> It would seem that fair price publication, as it was practised in New Mexico, left a great deal to be desired.

In the last analysis the effectiveness of the food administration's food saving regulations depended upon the manner in which they were accepted. Ely was certain that although in the beginning the New Mexican merchants had felt that the food administration would interfere with them, they later came around to the opinion that it helped them quite as much as it hampered them.<sup>77</sup> As a matter of fact, he

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70. Questionnaire report, September 1, 1918.

71. *Ibid.*

72. *Ibid.*, June 20, 1918.

73. *Ibid.*, October 1, 1918.

74. United States Food Administration, Washington, D. C., to H. G. Bush, Albuquerque, October 11, 1918, (copy), FA6HA3-3343.

75. L. F. Jaques, Washington, D. C., to *id.*, November 8, 1918, FA45HAA4-23258.

76. A. J. Maloy, Albuquerque, to United States Food Administration, Washington, D. C., October 29, 1918, *ibid.*

77. Questionnaire report, June 20, 1918.

went so far in the spring of 1918 as to give the merchants the main burden of carrying out the regulations. In his words: he made them agents of the administration "to enforce the rule," and held them "morally responsible for deception by customers."<sup>78</sup> If the regulations were enforced it was largely because of such coöperation. Reports of licensees were submitted to his office, but he took the attitude that it was the duty of the administration in Washington to review them and offer suggestions.<sup>79</sup> Until the summer of 1918 he revoked no licenses. On one or two occasions in the spring of 1918 he used the press to give veiled warning to transgressors, but no names were published in these warnings and there was no blacklist.<sup>80</sup> Several suspected violators were called in for conferences where they were treated in "a fatherly or brotherly sort of way." To use Ely's own expression: he "secured their compliance through their promises of voluntary coöperation."<sup>81</sup> In the same vein, individual letters were sent out "in many cases" with good results. For information about complaints, the food administration usually relied upon volunteers in each community. Traveling salesmen were enlisted as informal reporters. By the spring of 1918, however, the administration had one salaried inspector, and after awhile two others were added to the staff.<sup>82</sup> Even then few penalties were imposed, and it is doubtful if at times the regulations were consistent enough to permit detection of violations. As late as August, 1918, Ely was unable to tell whether or not all subject to the bakery regulations had secured their licenses. Reports by licensees appeared to be irregular, and he judged that many failed to report at all. Yet one reason he could not check upon them was that he knew his list of licensees was not correct!<sup>83</sup>

Still, on occasion, Ely was not loath to make a rather

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78. *Ibid.*, March 23, 1918; Ralph C. Ely, Santa Fé, to John W. Hallowell, Washington, D. C., February 27, 1918, FA6HA2-3193.

79. Questionnaire report, June 20, 1918.

80. *Ibid.*, March 23, 1918.

81. *Ibid.*, August 1, 1918.

82. *Ibid.*, March 23, 1918.

83. *Ibid.*, June 20, August 1, 1918.

flashy demonstration of his authority. In late June, 1918, he closed a confectionery store at Deming because its proprietor, an immigrant who couldn't speak English, made an untrue report on sugar requirements.<sup>84</sup> Another time, after trying to bring restaurant men of Albuquerque together for a conference, Ely sent the chief of police after those who failed to appear.<sup>85</sup> During July, 1918, one seed company's license was cancelled, and another firm lost its permit temporarily but had it restored when it paid \$1250 to the food administration for distribution to charity. In that case it was learned that the offender had made a profit of more than one hundred percent on some old stocks.<sup>86</sup> However, what was perhaps the most highly publicized enforcement incident, proved also to be one of the most embarrassing for certain state officials. It concerned a large store of wheat seized by the state food administration on the charge that the men who owned it had given no satisfactory explanation of their failure to sell at the government's ruling price. By chance the food administration press service in Washington used the story as the subject of a national press release which played up the point that the defendants were two brothers of German extraction. It made livid propaganda, but, unfortunately for harmony in the New Mexican war effort, one of the brothers was chairman of a county Council of Defense, and a prominent Republican state office-holder. Charles Springer, as executive chairman of the state Council of Defense, defended the brothers against the food administration's accusations. He asserted that far from hoarding their wheat they previously had offered their entire stock for distribution as seed grain among the farmers.<sup>87</sup> One of the most flagrant violations of food regulations was handled directly by Herbert Hoover.

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84. Santa Fé *New Mexican*, July 1, 1918.

85. Ralph C. Ely, Albuquerque, to McBowman (*sic*) [John McE. Bowman], Washington, D. C., January 3, 1918, FA6HA2-3194.

86. Questionnaire report, September 1, 1918; United States Food Administration, Washington, D. C., Press Release no. 1082, July 18, 1918, Press Releases, vol. 11.

87. Charles Springer, Santa Fé, to Arthur H. Fleming, Washington, D. C., April 8, 1918, Council of National Defense Papers, CND14-A2(71); United States Food Administration, Washington, D. C., Press Release no. 778, March 23, 1918, Press Releases, vol. 8.

The offender was a large inter-state seed company which did business in both Colorado and New Mexico. Its license was revoked for an indefinite period for unfair practice in the pinto bean trade, and it was in effect barred from commerce for the duration of the war.<sup>88</sup> In some respects the most interesting of all enforcement attempts related to the trade in ice. During the summer of 1918, a petition from consumers in Albuquerque asked the state food administration to investigate the high prices then being charged for ice. Ely acted without delay, and sent out mimeographed questionnaires to all ice-dealers in the state. Important in these mimeographed inquiries were comparative price schedules for the summers of 1917 and 1918. The answers showed that throughout the state the "ice situation" was relatively satisfactory. Nevertheless, an extensive hearing was held on the trade practices of a large Albuquerque ice company.<sup>89</sup>

#### V. PROBLEMS OF PRODUCTION AND MARKETING

Whatever efforts might be considered essential to halt hoarding and rising prices, the certainty remained that increased food production would be the only real safeguard against disaster. In spite of the drought there was, within a month after war began, an auspicious beginning of voluntary coöperation. Farmers readily signed agreements to increase the total acreage under cultivation. In June, 1917, A. D. Crile of the State College proudly announced that thirty-three and a third percent more land had been planted because of the production drive, and still there were hundreds of thousands of postcards going into the mails to urge farmers to plant acres as yet untilled.<sup>1</sup> But the state Council of Defense and other emergency agencies knew that success depended upon seed, and so, acting with the support of a large legislative appropriation, the council's agents began to

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88. *Ibid.*, no. 1072, July 15, 1918, vol. 11.

89. MS. petition from the people of Albuquerque, FA132AA1-38026; "Comparative Price Schedule" (mimeographed), *ibid.*; "Minutes of Hearing of Southwestern Brewery and Ice Co.," *ibid.*; Ralph C. Ely, Albuquerque, to United States Food Administration, Washington, D. C., July 7, 1918, *ibid.*

1. Santa Fé *New Mexican*, June 19, 1917.

extend loans to those who could buy seed in no other way.<sup>2</sup> Notes payable to the state disbursing officer on or before November 30, 1917, carried provisions for an interest charge at the rate of six percent per annum. Each loan was secured by a mortgage on the crop, and such other security as could be had.<sup>3</sup> After receiving the note and mortgage, the financial agent might issue the farmer an order upon the seed dealer or distributing agency designated by the county Council of Defense. In that way, according to incomplete statistics gathered by the extension service, at least 161,824 pounds of beans, 47,262 pounds of seed corn, 86,292 pounds of seed potatoes, and 345,000 pounds of wheat were distributed in 1917.<sup>4</sup> Most of that large amount was sold by business men at cost, and county agricultural agents aided too by locating seed. In Bernalillo county, 290 farmers were assisted; in San Miguel county, 486; and in Colfax county, 372.<sup>5</sup>

As the drought continued to parch the land during the later growing season, some of the farmers complained that it was unfair to make the mortgages upon other property than crops. They believed it nothing less than simple justice that their notes should have contained provisions for cancellation and return to the maker in the event of crop failure not due to the fault of the farmer himself.<sup>6</sup> But at a conference of the Council of Defense and county agricultural agents in the fall of 1917, it was decided that the existing type of interest bearing note was essential to the plan, and that it would increase the self-respect of the farmers. The State, however, should extend the time for the payment of seed loans when the farmer could not meet his obligations. Local organizations, the conference felt, might be used by the farmers but wherever possible "the farmer should be made to feel that the State was loaning him the money and

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2. Phil H. Lenoir, Santa Fé, to George F. Porter, Washington, D. C., May 11, 1917, (telegram), Council of National Defense Papers; Final Report of the New Mexico Council of Defense, 21-23.

3. "Letter of Instruction Sent Each Financial Agent, Santa Fé, May 15, 1917, from Governor" (copy), Council of National Defense Papers.

4. A. C. Cooley, Third Annual Report, p. 39.

5. *Ibid.*, p. 38.

6. Union County War Committee, Clayton, to W. E. Lindsey, Santa Fé, May 18, 1917, in Santa Fé *New Mexican*, May 21, 1917.



that the state was his greatest benefactor."<sup>7</sup> Some of the farmers who had borrowed gratified the Council of Defense by paying at least part of the principal, but many had to extend their loans at least in part.<sup>8</sup>

Results of the 1917 crop were mixed. Total production figures undoubtedly broke all existing records for corn, wheat, beans, and other crops. The wheat crop was approximately 900,000 tons higher than the average production of the previous ten years. Still the crops were somewhat disappointing. In Torrance county, bean yields per acre were no more than one-third of what had been anticipated. W. A. Gardner, the county agent for Lincoln county, reported that practically all the beans planted there had been lost in the string-bean stage. Although the bean acreage in Bernalillo county was three times larger the total crop was slightly under that of 1916.<sup>9</sup>

At first sight, 1917 agricultural prices would seem to have been very satisfactory,<sup>10</sup> but any such opinion would have to disregard rising costs of production and the drought conditions which reduced the per acre yield. Failure to conquer the problem of rising living costs by the fall of 1917 did not make the farmers any more eager to survey their drought-seared acres with complacency. Specific discontent over the government's fixing of the price of wheat was their most intense grievance. In August, Charles Springer, executive secretary of the Council of Defense, wrote a cheerful letter to county financial agents in which he assured them that they could begin a new campaign to encourage wheat acreage with the promise that the food control act recently passed by Congress would fix the minimum price of wheat for the next year's crop at \$2.00.<sup>11</sup> What he failed to consider was that even six weeks before then wheat had been selling in Clovis for \$2.50 per bushel,<sup>12</sup> and at that time the

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7. *Ibid.*, October 13, 1917.

8. "Report of the State County Agent Leader for the month of October, 1917," p. 5, Department of Agriculture Archives.

9. *Ibid.*, pp. 1-4; Santa Fé *New Mexican*, December 12, 1917 (citing the Portales Valley News.)

10. *Ibid.*, October 11, 1917.

11. *Ibid.*, August 17, 1917.

12. *Ibid.*, July 31, 1917.

staple was bringing corresponding prices elsewhere. By the end of July, even at that figure, only 50,000 bushels had been placed on the market in Curry county, with an estimated 450,000 bushels held back for higher prices.<sup>13</sup> In other words, the New Mexican farmer already had felt the speculative pull of wartime economy. Consequently, when the United States Grain Corporation fixed the "fair price" of wheat at the Kansas City price (\$2.15) less the freight from New Mexico to Kansas City, the implied drop of fifty to seventy cents a bushel from the prevailing price was in the farmers' opinion an intolerable discrimination.<sup>14</sup> Some of them began to feed their wheat to horses and cattle instead of shipping in other feeds.<sup>15</sup> Food Administrator Ely stated the case of the New Mexican wheat growers in a letter to Julius H. Barnes, head of the Grain Corporation, but Barnes refused to consider any special price adjustment, declaring it would be disastrous "to jeopardize the general plan of wheat price fixing because of special conditions in New Mexico."<sup>16</sup>

In the face of general discontent it was rather difficult to encourage increased planting of winter wheat. The Council of Defense, however, distributed red, white, and blue posters, and urged the patriotic duty of planting large acreage.<sup>17</sup> In some areas there was, in spite of opposition to the government's price, a favorable response. For example, in the Pecos Valley, there were several thousand new acres; more winter wheat was planted in Santa Fé county than ever before, and acreage in Doña Ana county increased five-fold by the spring of 1918.<sup>18</sup> Money for seed again was provided by loans from the Council of Defense. Also the Federal Land Bank of Wichita loaned well over

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13. *Loc. cit.*

14. Mullendore, 138, 149-151; Albuquerque *Morning Journal*, September 20, 1917; Ralph C. Ely, Santa Fé, to United States Food Administration, Washington, D. C., October 10, 1917, FA6HA1-3087.

15. Charles Springer, Santa Fé, to W. S. Gifford, Washington, D. C., September 14, 1917, (telegram), Council of National Defense Papers.

16. Santa Fé *New Mexican*, September 19, 1917.

17. *Ibid.*, August 31, 1917.

18. *Ibid.*, December 14, 1917, April 11, June 20, 1918; Albuquerque *Morning Journal*, September 21, 1917.

two million dollars on New Mexican lands by May, 1918.<sup>19</sup> As a year earlier, the county agents began in January to survey the needs for spring wheat seed.<sup>20</sup> In that month too, Governor Lindsey's appeal for more production, "A Foreward to the People of New Mexico," held out a hope for better weather. Heavy snow, he noted, had ended the drought.<sup>21</sup>

Nevertheless, dry weather, though not as bad as in 1917, continued to be a discouraging factor. By April it had resulted in a heavy abandonment of winter wheat in the eastern part of the state, and four months between January and September showed precipitation deficiencies. To be sure, during August some districts actually had an excess of rain, and there beans moulded in low-lying fields; but they were scattered areas. Wheat smut was another menace. In June, Department of Agriculture statistics showed that, whereas the state had 175,000 acres in winter wheat compared to 134,000 the year before, conditions were sixty-eight percent of perfect compared to seventy-five percent of average in 1917.<sup>22</sup> Nor did New Mexican farmers feel any better about the general price policy; there was no major alteration in it, although in June, when freight rates were raised, wheat prices were boosted a few cents per bushel to compensate for the change.<sup>23</sup> Yet, by and large, disaster was averted when, in the end, the crop yields were not so bad after all. Beans remained about the same as in 1917, while corn was up 642,000 bushels, and wheat was one third higher.<sup>24</sup> Ironically enough, just as the crops came in, New Mexican farmers were faced with new problems brought by the end of the war. Some farmers found credit tight when they attempted to finance their winter wheat

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19. Santa Fé *New Mexican*, May 30, 1918.

20. A. C. Cooley, Fourth Annual Report, pp. 31-32; "Report of the State County Agent Leader . . . January, 1918," *passim*, Department of Agriculture Archives.

21. Deming *Headlight*, February 8, 1918.

22. Santa Fé *New Mexican*, June 12, 1918; Albuquerque *Morning Journal*, September 12, 1918; Rupert L. Stewart, State College, to Ralph C. Ely, Albuquerque, June 14, 1918, FA132AA1-38029.

23. A. C. Cooley, Fourth Annual Report, p. 32; Santa Fé *New Mexican*, June 22, 1918.

24. *Ibid.*, October 12, 1918.

planting in the fall of 1918. Julius H. Barnes of the Grain Corporation warned that if any new supplies of grain were opened it would necessitate congressional appropriations to make effective the guaranteed price of wheat, and that growers who followed their usual practice of holding back wheat might find the market collapsing around them.<sup>25</sup> So, everything considered, the first World War was not a shortcut to Utopia for New Mexico's wheat farmers.

Like those who raised wheat, the producers of beans also had to make serious decisions. The harvest which preceded the war year of 1917 was one of the most encouraging in history. So large a crop bringing high prices allowed many farmers to pay off all their debts and have enough money left over to buy some luxuries.<sup>26</sup> Not a small number found themselves growing wealthy. Pinto beans had been almost unknown as a commercial crop only a few years before that, but capable of being raised where there was low rainfall, twenty-five million pounds were grown in the United States during 1916. In 1917 there was great expansion all over the country,<sup>27</sup> and in New Mexico the Council of Defense made every effort to expand bean acreage. Approximately \$80,000 was made available to farmers in the "value of seed distributed and other assistance given."<sup>28</sup> Drought which retarded the beans during the growing season, also placed them in hazard of an early frost. Yet in spite of other complaints that too much land had been planted for its most effective use, the crop of harvested beans bulked large.<sup>29</sup> Mountainair, "capital" of the bean growing country, was experiencing a business boom. In that vicinity smiling bean farmers built homes, and priced new automobiles.<sup>30</sup> At first prices remained high; from Clayton there was a report that, compared to the pre-war

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25. *Ibid.*, October 18, 1918; Earl J. Wilson, Hillsboro, to Ralph C. Ely, Albuquerque, September 21, 1918, FA132AA1-38027.

26. Albuquerque *Morning Journal*, April 13, 1917.

27. Frank Macy Surface, *The Grain Trade During the World War* (New York, 1928), 361-363.

28. Charles Springer, Santa Fé, to W. S. Gifford, Washington, D. C., November 17, 1917, Council of National Defense Papers; Questionnaire report, September 1, 1918.

29. Albuquerque *Morning Journal*, September 27, 1917.

30. *Ibid.*, September 4, 1917.

price of three cents, beans were bringing from nine to ten and one-half cents per pound. A county agent reported from Colfax county that farmers expected at least ten cents per pound f.o.b. at their shipping point.<sup>31</sup> What they failed to consider was that the amount of beans raised in the country had increased from about nine to twenty million bushels. Production of pinto beans alone was forty-five percent over that of 1916.<sup>32</sup>

Sensing a marketing problem, Ely late in September asked Herbert Hoover to arrange contracts with the army, navy, and European allies,<sup>33</sup> and Arthur C. Ilfeld of the Charles Ilfeld Co. (wholesale grocers at Las Vegas) was chosen by a group of producers and buyers to be the head of the state food administration's new bean producers' division.<sup>34</sup> The food administration had two objectives in bean marketing: first, to establish better relations between the buyers and producers, and, second, to bring about a standard marketable product. With regard to the second objective, the buyers and producers were able to decide upon certain regulations for the trade: all beans should be sold upon the basis of re-cleaned beans, all beans should be shipped in one hundred pound net weight sacks, and gross handling expense including the buyer's profit should not be more than five percent for choice re-cleaned beans.<sup>35</sup> Growers, however, were fearful that wholesale dealers, as in the past, would buy up the crop at a low figure. Since the farmers had no organization for marketing the beans, they had for years been at the mercy of local merchants. Therefore, with an eye to former practices, Charles Springer suggested to Walter S. Gifford, head of the national Council of Defense, that a government purchasing committee should buy through local purchasing agents directly from the producers. County Councils of Defense and county financial agents of the state

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31. Santa Fé *New Mexican*, October 26, 1917; State county agent leader's report for October, 1917, p. 2.

32. Mullendore, 302.

33. Ralph C. Ely, Santa Fé, to Herbert Hoover, Washington, D. C., September 22, 1917, (telegram), FA6HA1-3087.

34. Santa Fé *New Mexican*, October 20, 1917.

35. Ralph C. Ely, Santa Fé, to Herbert Hoover, Washington, D. C., October 20, 1917, (telegram), FA6HA1-3087.

council could have all the beans re-cleaned, sacked, and collected at shipping points upon the government's order.<sup>36</sup> Though at the time the suggestion was not accepted favorably, at least it foreshadowed later governmental action.

Behind the vexations of bean marketing loomed an impressive problem: the refusal of consumers in eastern cities to take the colored pinto bean so long as they could get the white navy bean. Especially in New England and the middle Atlantic states there were few calls for pintos, while the demand for white beans all but exceeded the supply. Even granting that markets in the west and middle west took large amounts of the colored beans, the increased supply (Colorado's crop was four hundred percent greater than that of 1916, and New Mexico's between fifty and a hundred percent larger) meant that there were some three thousand carloads above actual needs west of the Alleghenies.<sup>37</sup> The federal food administration tried advertising; it told the eastern housewife that pintos were just as nutritious as white beans, and pointed out that in times of soaring food prices they were thirty-five to forty percent cheaper. Pamphlets were sent out through local food administration outlets in New York City, Boston, and Philadelphia, while several large distributing houses like Montgomery Ward, Sears Roebuck, etc. listed the variety in their catalogues.<sup>38</sup> But there were few signs of favorable results from all the propaganda.

As the autumn of 1917 advanced, the New Mexican bean farmers tended to become worried and disillusioned. On the average, the yield per acre was low—about one hundred fifty pounds. Some fields had been lost altogether through hail and dry weather, and the production costs for the rest were not less than \$5.00 per hundred pounds.<sup>39</sup> Hopeful rumors that the United States government would fix the

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36. Charles Springer, Santa Fé, to W. S. Gifford, Washington, D. C., August 21, 1917, Council of National Defense Papers.

37. United States Food Administration, Washington, D. C., Press Release No. 552, December 23, 1917. Press Releases, vol. 6.

38. Surface, 364; Mountainair *Independent*, January 17, 1918.

39. Simon Vorenberg, Wagon Mound, to Ralph C. Ely, Santa Fé, November 1, 1917, (copy), FA6HA1-3087.

price of beans as it had that of wheat were disproved in October when the federal food administration informed Ely that although bean dealers would be licensed, the price of beans would not be fixed "at present."<sup>40</sup> Another spark of optimism flared when the army and navy announced they were making contracts for pinto beans, but flickering enthusiasm died quickly when the contracts designated the relatively disappointing price of \$7.75 per hundredweight.<sup>41</sup> And what made the news far more discouraging were the circulars distributed by local dealers to the effect that the government purchases would rule prices, and that New Mexican merchants, therefore, would offer no more than \$6.50 per hundred pound sack.<sup>42</sup> County agents of the extension service then met with farmers in "protest meetings"; appeals were sent to Ely, who, in turn, took the grievances to a November bean conference in Washington.<sup>43</sup> Meanwhile, suggestions of all kinds were made in the New Mexican press; typical was one that New Mexico pinto bean growers should send demonstrators to each of the army camps to popularize the pintos among the troops.<sup>44</sup> By early January, however, little if anything had been done. Ely, nettled by his failure in the east, tried without success to get loans on the security of beans in storage from the Wichita farm loan bank.<sup>45</sup> To make matters worse, Herbert Hoover wrote a letter to state representative Martin D. Foster which was published in the Mountainair newspaper. In this he mentioned that five years earlier "practically all the farmers stated that three cents per pound would make a profitable crop for them." Then, continuing, he reasoned: "It hardly seems possible that the expenses of growing have advanced three hundred percent in New Mexico but we do

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40. United States Food Administration, Washington, D. C., to Ralph C. Ely, Santa Fé, October 20, 1917, (telegram copy), *ibid.*

41. Simon Vorenberg, Wagon Mound, to Ralph C. Ely, Santa Fé, November 1, 1917, (copy), *ibid.*

42. "Report of the State County Agent Leader for the Month of November, 1917," pp. 2, 6, 9, Department of Agriculture Archives.

43. Santa Fé *New Mexican*, November 8, 1917.

44. *Ibid.*, December 18, 1917.

45. Ralph C. Ely, Santa Fé, to United States Food Administration, Washington, D. C., January 2, 1918, (telegram), FA6HA2-3193.

know that the selling price of beans has increased from one hundred percent to two hundred percent in the past few years, and as the public becomes better acquainted with this bean, we believe that its price will more nearly approach that of the white bean." If Hoover sought to convince irate bean owners he was mistaken. Scathing editorial comment accompanied the letter. Five years before, the editorial recalled, when beans sold at from two to three cents per pound, corn was selling at \$1.50 per hundred weight; in 1918 corn was selling at \$4.50. Flour had risen from \$3.00 to \$9.00 per hundred in the same interval of time. It concluded:<sup>46</sup>

Machinery, clothing, meats, and practically everything the farmer has had to buy, while growing these same beans, have advanced in the same proportion. And yet the pinto bean grower according to Mr. Hoover should be satisfied to accept the 6 cents a pound he is offered for his beans . . . Our farmers are anxious to help in every way possible in the present crisis, but that their products should go begging at less than actual cost of production, while they must pay so much higher prices proportionately, for their necessities, does not set well, nor tend to increase production.

Whether because of the indignation of the bean growers, or in spite of it, the United States Food Administration did succeed in marketing the bean surplus. The administration's Grain Corporation announced it would buy seventy-five percent of the bean crop at \$8.80 per hundredweight, provided it was offered re-cleaned, standardized beans, in new sacks. The price would be f.o.b. at all points of shipment in New Mexico and Arizona.<sup>47</sup> That this was an important boon to the farmers there can be no doubt; a month before that, two carloads of beans at Estancia and Moriarty had sold for \$6.75, and the market was dull at the prevailing \$7.00-7.50 price.<sup>48</sup> Yet there was no wave of jubilation after the Grain Corporation's announcement.

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46. *Mountainair Independent*, January 17, 1918.

47. *Santa Fé New Mexican*, February 13, 1918.

48. *Ibid.*, January 7, 1918.



Only with the greatest misgivings did many growers surrender their hopes for ten cent beans.<sup>49</sup> Better judgment, however, soon triumphed, and the Santa Fé *New Mexican* gave the common-sense attitude of many when it asserted: “. . . the bean grower isn't going to be meticulous about a fair-price—always provided that the fellow he sells his beans to isn't going to make the big rake-off after the farmer has had all the grief.”<sup>50</sup> By the middle of July, the food administration had contracted for forty-three million pounds of pinto beans in the United States. No less than 9,174,300 pounds had been shipped from New Mexico by then. But only 5,462,557 pounds were shipped under contract; many growers merely delivered their beans to food administration shippers without signing contracts.<sup>51</sup> There were a few instances of non-coöperation, as, for example, the case of two dealers who insisted that ten percent profit was insufficient for their services in cleaning, bagging, and marketing.<sup>52</sup> As a final word on bean production it is interesting to note that with characteristic optimism the New Mexican farmers planted another large bean acreage in 1918. To aid them, the food administration procured and stored quantities of selected seed which it sold at nine cents per pound, cash in advance. This seed was distributed from Charles Ilfeld and Co. at Las Vegas, and from the Isbell New Mexico Elevator Company at Willard.<sup>53</sup>

Perhaps a less important but no less bothersome marketing problem concerned the broom-corn raised in New Mexico. With the permission of Administrator Ely broom-corn was planted in some places, especially in Curry county, as a crop necessary to hygienic welfare. When the time came to

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49. Ralph C. Ely, Albuquerque, to [George H.] Warrington, Washington, D. C., March 18, 1918, FA6HA2-3194; *id.* to Herbert Hoover, Washington, D. C., June 26, 1918, FA6HA3-3345; Santa Fé *New Mexican*, March 2, 1918.

50. *Ibid.*, February 12, 1918.

51. *Ibid.*, July 18, 1918.

52. [K. P.] Kimball, Washington, D. C., to Ralph C. Ely, Albuquerque, March 19, 1918, (telegram copy), FA6HA2-3194.

53. O. H. Liebers, Denver, to “Newspapers and Bankers,” April 22, 1918, (mimeographed), FA132AA1-38029; “Federal Food Administrator,” Albuquerque, to Santa Fé Land and Development Co., Chicago, May 3, 1918, (copy), *ibid.*; *id.* to Charles Ilfeld Co., *et al.*, Las Vegas, etc., April 27, 1918, (copy), *ibid.*; *id.* to M. R. Gonzales, East Las Vegas, April 27, 1918, (copy), *ibid.*

market the crop in the fall of 1917, local buyers of broom-corn offered the farmers only from \$125 to \$200 per ton, but because of the county Farm Bureau it was known that it was bringing as high as \$325 on the large markets. Consequently, many were able to get higher prices with the coöperation of the food administration and Department of Agriculture which negotiated with dealers in New York and elsewhere to take the product directly from the growers. As an aftermath, one Curry county dealer was haled before the district court on the charge that he had engaged in monopoly practices to hold prices down below market levels. Three farmers testified against him before the grand jury, and it indicted him on the basis of monopoly that was presented. But the defendant's lawyers then presented a demurrer, and the presiding judge threw the case out of court. Thus unsuccessfully ended the farmers' battle with the broom-corn monopolist. But they had won a larger victory. Their marketing organizations were beginning to allow them to cut through the strangling limitations of local marketing controls.<sup>54</sup>

Drought, which was ever a portentous factor in New Mexico's wartime food problems, affected another of the state's vital enterprises—stock raising. It is true that, in spite of the weather, livestock increased in 1917; mules, horses, hogs, and cattle all were more numerous.<sup>55</sup> But nonetheless, during the fall of 1917, the withered range forced drastic measures in some regions. In Lea county, for example, practically all the stock was removed in September, and many families prepared to migrate.<sup>56</sup> With the drought unbroken at the end of the year, hundreds of

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54. R. E. Putney, Albuquerque, to E. Peterson, Clovis, May 11, 1918, (copy), *ibid.*; Ralph C. Ely, Albuquerque, to *id.*, May 13, 1918, (copy), *ibid.*; *id.* to Llata, Lowenberg, and Schlegel, Inc., New York City, June 21, 1918, (telegram copy), *ibid.*; *id.* to Frederick M. Stone, Washington, D. C., June 11, 1918, *ibid.*; M. T. Dunlavy, Santa Fé, to Julius Barnes, Washington, D. C., November 28, 1917, *ibid.*; E. Peterson, Clovis, to A. C. Cooley, State College, August 24, 1918, in "Broom Corn-Special Material," p. 410, Department of Agriculture Archives; "Report of the State County Agent Leader for the Month of December, 1917," p. 3, *ibid.*; State county agent leader's report for October, 1917, p. 2.

55. Santa Fé *New Mexican*, February 6, 1918.

56. W. L. Elser, State College, to W. M. Cook, Washington, D. C., December 29, 1917, Department of Agriculture Archives.

thousands of cattle were leaving the state.<sup>57</sup> What at first seemed to be a mild winter gave a little encouragement, but on January 9-10, a heavy blizzard piled up snowdrifts five to eight feet high, and after it came severe cold which added to the losses of stockmen in northern parts of the state.<sup>58</sup> Rumor had it that many cowmen were so discouraged that they had just about decided to give up herefords for angora goats whose fleece could be used as mohair for covering airplane wings—a new industry.<sup>59</sup>

What was to be done for the stockmen? It was a query which had several answers. In its own behalf the New Mexico Cattle and Horse Growers' Association decided that overhead expenses might be cut by using the drought as an argument in securing the reduction of a proposed ten percent increase in the tax valuation of cattle.<sup>60</sup> And, adopting another approach, it cooperated with the state Council of Defense and county extension service agents to secure a sizeable state appropriation for a fight against predatory animals and rodents.<sup>61</sup> To take advantage of all available pasture, the number of sheep permitted to graze in the national forest was increased from 100,000 in 1917 to 130,000 in 1918.<sup>62</sup> Self-reliant ranchers began to contract for grass and feed in Kansas and Missouri to protect their herds from starvation.<sup>63</sup> In the summer of 1918 such shipments continued, but then they were mostly to points in Texas where there had been heavy rains and the grass was in good shape.<sup>64</sup> Both the food administration and the Council of Defense worked hard to requisition railroad cars for the cattle. By November, 1917, 3,225 cars had already been secured. In the southern section of the state, the Santa Fé railroad granted preferential handling to cattle moved in the critical period. At the same time local embargoes

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57. Ralph C. Ely, Santa Fé, to United States Food Administration, Washington, D. C., January 8, 1918, FA6HA2-3193.

58. Santa Fé *New Mexican*, December 29, 1917, January 15, 1918.

59. *Ibid.*, December 14, 1917.

60. *Ibid.*, November 20, 1917, January 2, 1918.

61. Final Report New Mexico Council of Defense, 39-63.

62. Santa Fé *New Mexican*, February 16, 1918.

63. *Ibid.*, May 27, 1918.

64. *Ibid.*, July 16, 1918.

were laid against the movement of livestock from territories where there was an adequate supply of food for them.<sup>65</sup> Government lists were prepared and shown to farmers who desired buyers for their cattle or areas where pasturage could be found.<sup>66</sup> A proposal to send cattle into Mexico for grazing was discouraged by the food administration in Washington, chiefly on the ground that turbulent conditions in the Mexican states, and lack of responsible control of the states by the central Mexican government would make for insecurity if not worse.<sup>67</sup>

From another angle the problem of saving New Mexico's cattle was attacked by an effort to increase the food supply of cattle within the state. Scarcity and the high price of cattle feed was the greatest obstacle. In November, 1917, representatives of the Panhandle and Southwestern Cattle-men's Association, Deming District, informed Herbert Hoover that the price of cotton-seed products was so excessive that cattlemen would not be able to feed their stock.<sup>68</sup> Besides, New Mexican owners were having great difficulty in getting cotton-seed cake from Texas at any price. Priorities on shipment were secured, and E. A. Peden of Houston, state food administrator in Texas, was able to offer cake requisitioned by the food administration to cattle feeders at \$51.00 per ton, f.o.b. Galveston.<sup>69</sup> That was considerably under the market price, although it was not until October, 1918, that the price of cotton-seed products was definitely fixed, and jobbers were limited to a margin of four percent profit.<sup>70</sup> The task of bringing the feed into the state was not a small one, considering that at least one-third of New Mexico's million and three quarters head of cattle were going

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65. United States Food Administration, Washington, D. C., Press Release no. 427, November 5, 1917. Press Releases, vol. 5.

66. State county agent leader's report for November, 1917, p. 8.

67. M. T. Dunlavy, Santa Fé, to John H. Hallowell, Washington, D. C., December 19, 1917, FA6HA2-3194; United States Food Administration, Washington, D. C., to Ralph C. Ely, Santa Fé, December 12, 1917, (copy), *ibid.*

68. Santa Fé *New Mexican*, November 5, 1917.

69. United States Food Administration, Washington, D. C., Press Release no. 499, December 1, 1917. Press Releases, vol. 5; Ralph C. Ely, Santa Fé, to United States Food Administration, Washington, D. C., December 20, 1917, FA6HA2-3194; Santa Fé *New Mexican*, November 15, 1917.

70. Albuquerque *Morning Journal*, October 23, 1918.

to have to be fed.<sup>71</sup> It was made somewhat less expensive when the extension service, the state food administration, and the New Mexico State Corporation Commission jointly succeeded in getting a reduction of one-half in freight rates on all feed shipments into the drought-stricken areas.<sup>72</sup>

Ingenuity also uncovered new emergency feed. Chopped yucca came into common use, while an appliance similar to a gasoline blow-torch burned the spines from cactus so that it might be fed to cattle. Sotol and beargrass were found by tests at the State College to have value as feed. Shredding machines, necessary to prepare these plants, were put on the market, and county agents assisted stockmen in getting them.<sup>73</sup> Nor did the services of the extension organization stop there. In 1917 alone, 48,000 cattle were vaccinated for black-leg. It assisted in bringing in nearly five hundred head of pure-bred or high grade stock for breeding purposes; one milk testing association was organized, and one hundred and eight silos were built as a result of agents' activities.<sup>74</sup> Still another change was sought in New Mexico's production habits. Quite the same as in the case of wheatflour, New Mexico had been accustomed to import three quarters of its beef from outside the state. Cattle commonly were raised to the age of one or two years, then shipped outside the state to fatten. Therefore, the advantages of feeding, finishing, and home marketing of meats was proposed as the chief topic for discussion at a retail butchers' and grocers' conference held under the auspices of the state food administration in Albuquerque on December 27-28, 1917.<sup>75</sup> Three animal husbandry experts from the State College made addresses and gave demonstrations. Of course, it was highly advisable to avoid shipping hogs and cattle to eastern markets and then to ship the product back when railroads could hardly stand the strain. But the drought continued to be the limiting factor for the remainder of the war.

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71. Santa Fé *New Mexican*, November 15, 1917.

72. A. C. Cooley, Fourth Annual Report, p. 17.

73. *Ibid.*, pp. 53-54; Santa Fé *New Mexican*, February 15, 1918.

74. A. C. Cooley, Third Annual Report, p. 29.

75. Santa Fé *New Mexican*, December 26, 1917, January 7, 1918.

One of the elements in production costs that plagued farmers most was labor supply. It was not a problem peculiar to agriculture; coal mining, railroading, lumbering, and other essential New Mexico industries felt it. As a matter of fact, the use of school boys and girls helped the situation in agriculture to at least a small degree. From the earliest days of the war, J. H. Wagner, superintendent of public instruction, was engaged in enlisting young people for farm work. Simultaneously, he was director of the department of education and labor of the Council of Defense, federal state director of the United States Public Service Reserve, and state director of the Boys Working Reserve.<sup>76</sup> Particularly in the Boys Working Reserve many able-bodied high school youths were enlisted for agricultural service. During the 1918 vacation period, 860 boys and 809 girls were employed, and received wages that totalled over \$150,000. Each of these volunteers was entitled to wear the "Badge of Honor of Soldiers of the Soil."<sup>77</sup> Boys and Girls Clubs under the auspices of the extension service also were busy. In 1918, it was estimated that they cultivated 1,588,395 square feet of garden, and that from this they canned nearly 11,500 quarts of garden produce.<sup>78</sup> Open markets were set up, especially in Santa Fé, where the gardeners could bring their goods for sale or exchange.<sup>79</sup> In coöperation with the Council of Defense, the state food administration appointed Mrs. Isaac Barth to be the head of a home garden division, and under her direction over three thousand plots were planted in 1918.<sup>80</sup> A careful effort was made to see to it that no vegetables or fruit spoiled because of faulty preservation methods or lack of labor. In September, 1917, as an illustration, the state food administration and other agencies worked together to save thousands of pounds of peaches in San Juan county. Scores of home-made evaporators were built with the help of school

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76. Final Report New Mexico Council of Defense, 25.

77. Santa Fé *New Mexican*, March 9, October 17, 1918.

78. Charles Orchard Smith, "Report of Boys and Girls Club Work—1918," Department of Agriculture Archives.

79. Santa Fé *New Mexican*, May 4, July 9, 1917.

80. *Ibid.*, July 1, 1918; Questionnaire report, March 23, 1918.

boys, each plant with the capacity of one hundred pounds of fruit per day. Bleaching sheds were also constructed in every community, and in all not less than fifty carloads of perishables were saved.<sup>81</sup>

But valuable as it was, the labor furnished by young men and women in gardens, orchards, and elsewhere, was not enough. By August, 1917, it was conceivable that a substantial loss of food might occur because of a lack of laborers for the harvest. An aggravated complication in the labor shortage was the demand for laborers to construct cantonments and other government buildings at Deming. By offering higher wages, contractors caused many farm laborers to leave their places for opportunities at the army camps. Charles Springer, in suggesting a remedy for this condition, proposed that changes should be made in federal laws and regulations to permit the importation of Mexican contract laborers under bond to work on government construction projects. Other voices were overheard advocating that Japanese and Chinese in Mexico should be allowed to come in for labor in the fields. If those solutions couldn't be worked out then, it was further suggested, perhaps the Department of Commerce and Labor could induce American workmen from outside the agricultural districts to move in to do the construction work, with the contractors paying for their transportation.<sup>82</sup> November, 1917, found Springer renewing his appeals. He then advocated that one commission be sent by the federal government to Asia, and another one to South America "to select and secure a number of laborers who could be used under proper regulations in the United States for a limited time and during the continuance of the war emergency."<sup>83</sup> Although no widespread measures were taken to spread United States labor procurement over the world, it was reported that "hordes" of Mexican farm laborers flocked into the United States in the spring of 1918, and that they left for farm districts in Colo-

81. State county agent leader's report for November, 1917, p. 8; Ralph C. Ely, Santa Fé, to Herbert Hoover, Washington, D. C., September 22, 1917, FA6HA1-3087.

82. Charles Springer, Santa Fé, to W. S. Gifford, Washington, D. C., August 17, 1917, (copy), Council of National Defense Papers.

83. *Id.* to George F. Porter, Washington, D. C., November 21, 1917, *ibid.*

rado, California, and New Mexico.<sup>84</sup> As a part of a general drive against members of the International Workers of the World and other laboring class "radicals," J. O. Miller, a farm specialist at the State College, made a tour of observation through the Pecos valley and the eastern districts of the state. He recommended that sheriffs and their aides should begin a drive against vagabonds, idlers, and others who were trying to dodge work. That would do something to lessen the shortage of farm and ranch labor there.<sup>85</sup>

Naturally, the selective service system which called many New Mexicans into the armed forces had its influence upon the state's labor problems. Already in June, 1917, Springer, in an appeal to Secretary of War Newton D. Baker, asked that the draft regulations should exempt from military service those men "whose services in agricultural and industrial pursuits are of greater public necessity than their services in the army."<sup>86</sup> About six months later, General E. K. Crowder, provost marshal in charge of the draft, announced changes in the selective service system which promised to go far toward answering the request for deferment. It was explained that an occupational questionnaire would be sent to every registrant who had not yet been drafted, and only men who could be spared from industry and agriculture would be taken. The final decision of deferment, however, rested with the local "draft" or exemption boards.<sup>87</sup> President Wilson himself informed the people that farmers were being given no blanket exemption from the draft, though he hoped the new regulations would make it possible for the farmers' supply of labor to be "much less seriously drawn upon."<sup>88</sup> Policies differed somewhat from board to board. Frequently, the county extension service agents were called upon to testify concerning a man's value in his current occupation.<sup>89</sup> Exemption Board No. 1 decided

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84. *Santa Fé New Mexican*, May 17, 1918.

85. *Ibid.*, June 28, 1918.

86. Charles Springer, Santa Fé, to Newton D. Baker, Washington, D. C., June 9, 1917, (telegram), Council of National Defense Papers.

87. *Santa Fé New Mexican*, November 12, 1917.

88. *Ibid.*, January 31, 1918.

89. A. C. Cooley, Fourth Annual Report, p. 68.



to place in the deferred classification all young men who were turning out farm products that would be valuable to the nation in time of war, but with the proviso that if any man didn't come forth with the largest quantity of crops of which his labor and enterprise were capable his case would be reconsidered.<sup>90</sup> Notwithstanding the mitigations, there was a general opinion in the spring of 1918 that the draft would surely take many who would be needed to harvest the crops. Ely gloomily noted during April that most local exemption boards were classifying young farmers skilled in irrigation and dry land farming in "class one, division 'A.'"<sup>91</sup> Business and professional men began to consider closing their establishments, and taking to the fields with their employees to garner in the harvest.<sup>92</sup> And Secretary of State Antonio Lucero came forth with the neighborly proposal that "Home Guards" should be formed in every county to care for the farms of those who had been called into the army. County Councils of Defense, he believed, could forward such work.<sup>93</sup> Late in the summer, some "agricultural furloughs" were granted to men in the military service who were still reasonably close to their homes, and who were needed there in order that the crops might be harvested.<sup>94</sup> However, little was done to redistribute the civilian labor supply.<sup>95</sup> Had not the war ended in the fall of 1918, there would undoubtedly have been an extremely critical manpower shortage the following spring.

## VI. FOOD ADMINISTRATION: CLIMAX AND FINALE

In the last analysis the success or failure of price regulation, production, and many other tasks of wartime living depended upon the good sense and coöperative spirit of the people. Perhaps elaborate organizations like the Council of Defense and the state food administration were necessary to

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90. Santa Fé *New Mexican*, February 13, 1918.

91. Ralph C. Ely, Albuquerque, to [United States] Food Administration, Washington, D. C., April 11, 1918, FA6HA2-3193.

92. Santa Fé *New Mexican*, March 8, 1918.

93. *Ibid.*, July 10, 1918.

94. A. C. Cooley, Fourth Annual Report, p. 68.

95. Questionnaire reports, March 23, June 20, 1918.

coördinate the efforts of patriotic volunteers—at times they succeeded very well in doing just that. Yet it cannot be denied that morale shattering inconsistencies, much wasted effort, and hurtful quarrels were equally characteristic of them. This was particularly true of the state food administration. Its history until the autumn of 1918 was one of constantly growing complexity. With an endlessly shifting personnel, it had one of the most extensive organizations of any state food administration in the country. This was built around four central officials: the food administrator, assistant administrator (an office created on May 21, 1918), executive secretary, and field secretary. Ely chose H. G. Bush of the Deming Lumber Company to act as his assistant administrator, and after Ely's resignation in September, 1918, Bush succeeded him as acting administrator for a few weeks. The executive secretary, who was in fact the manager of the office and a more important figure than the assistant administrator, was a state senator, Melvin T. Dunlavy. On May 1, 1918, allegedly because of "office politics," he resigned, and returned to private law practice in Santa Fé. Later he served the administration as county administrator, and became secretary to Senator A. A. Jones. He was succeeded as executive secretary by M. R. Johnston, a public accountant, who served as acting food administrator during the last weeks of the war.<sup>1</sup> Ely's first field secretary, J. H. Toulouse, before he became associated with the food administration had been in the employ of the State College as assistant organizer of Boys and Girls clubs. For a time his relations with Ely were most satisfactory, but one of the most disgraceful quarrels of the administration, and one that resulted in Ely's resignation as well, caused him to leave the organization on July 15, 1918. His field secretary position then was filled by C. H. Lowber, who before that had acted as the administration's auditor.<sup>2</sup>

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1. Santa Fé *New Mexican*, April 29, 1918; Albuquerque *Morning Journal*, October 3, 1918; "Tabulation of Data Received in Questionnaires From State Administrators," FA6H-C71; "Personnel of the New Mexico Food Administration—Past and Present," FA6HC1-3609.

2. "Statement Showing Names and Rates Paid in the Office of the State Food Administrator at Albuquerque, New Mexico," FA6HA3-3343.

Outside of the central executive officers, the most important figures were the individual heads. At first they were few in number, but new ones constantly were added as the food administrator became involved in ever more varied activities. By the spring of 1918 there were no less than thirteen divisions, grouped into two bureaus: one "commercial," the other for "conservation." The divisions with their heads were:<sup>3</sup>

Grocery division	Arthur Pruitt of Roswell
Bakery	Charles Jaeger of Albuquerque
Beans and Canned Goods,	A. C. Ilfeld of Las Vegas
Law	M. J. Helmick of Santa Fé
Retail Stores	C. O. Cushman of Albuquerque
Fruits	L. Bradford Prince of Santa Fé
Livestock	B. F. Pankey of Santa Fé
Meat	A. B. Betz of Albuquerque
Utilization of Waste	John D. Clark of the University of New Mexico
Confectionery	L. M. Fee of Albuquerque
Hotels and Restaurants	John O. Pritchard, Clovis
Perishable Groceries,	Roy A. Stamm, Albuquerque
Transportation	N. E. Johnson of Albuquerque
Flour and Milling	R. E. Putney of Albuquerque

Another important office was that of "director of education" or "publicity agent," which E. Dana Johnson, editor of the Santa Fé *New Mexican*, continued to hold until the end of the administration. His deep involvement in New Mexican factional politics continually tinged the activities of the state food administration with political bias. For example, at one time Charles Springer of the Council of Defense barred one of Johnson's *New Mexican* reporters from his office on the ground that the *New Mexican* had accused the Council of Defense of being a political body. Then, gleefully aware that his critical shafts had found their mark, Johnson reported that Springer threatened the *New Mexican* with prosecution under the espionage act for

3. Santa Fé *New Mexican*, April 4, 1918.

criticizing the Council.<sup>4</sup> A much less controversial member of Ely's staff was George Roslington, vice president and general manager of the Occidental Life Insurance Company. As "financial adviser" his title was somewhat misleading, for actually he did not concern himself with the food administration's fiscal matters. In an informal manner he sought to advise numerous farmers who applied to the administration concerning ways and means of financing enlarged production and new farm equipment.<sup>5</sup>

Many of the division heads were only titular members of the administration. Few, if any, traces of activity can be found for some of these divisions, and Ely in his reports was frank to admit that they were not uniformly satisfactory. All of the division heads were civic volunteers who received no pay for their work. The praiseworthy diligence of some of them is for that reason a still better proof of their loyalty and civic pride. In the grocery division, perhaps the most active of all the divisions, A. J. Maloy was the able salaried assistant of Arthur Pruitt. In fact, in Ely's words, Maloy came to act as "dean" of the "commercial" bureau. At the head of the "conservation" bureau, David Ross Boyd, president of the University of New Mexico, occupied a similar office without compensation.<sup>6</sup> One of the most notable changes among divisional leaders was the replacement of B. F. Pankey with H. L. Kerr, state senator of the Grant-Sierra-Socorro district, as head of the livestock division. After stricter attempts were made to enforce the administration's regulations, an enforcement division was added with Judge R. P. Barnes as its leader; about the same time E. N. Boule of Gross-Kelly Company became head of an investigation division.<sup>7</sup> One of the divisions caused Ely not a little embarrassment. His first nomination for head of the bakery unit was that of G. A. Pappe of Albuquerque. Owing to unusual circumstances, Pappe, a German immigrant with property in Germany, had never received his final natural-

4. *Ibid.*, August 13, 1918.

5. Ralph C. Ely, Albuquerque, to John W. Hallowell, Washington, D. C., March 18, 1918, FA6HA1-3087.

6. *Ibid.*

7. Santa Fé *New Mexican*, June 14, July 1, 1918.

ization papers. At the outbreak of the European war in 1914 he had registered as a German reservist to prevent his holdings abroad from being confiscated. But as soon as it became known that an "enemy alien" had been made the head of a division in the state food administration there was loud excitement and much criticism. Amid the hysteria it was quite ineffectual for Ely to explain that Pappé's wife was a member of the Red Cross and that Pappé himself had bought many Liberty bonds. The Bernalillo county Council of Defense and city manager Redington demanded that Pappé be dismissed from his food administration post. At first, Ely stood his ground, but finally he gave way before the attack, and accepted the resignation, which, under the circumstances, Pappé was quite willing to offer.<sup>8</sup>

There was a steadily rising expense curve for the administration until the climax was reached shortly before Ely's resignation. In mid-summer, 1918, there were thirty-six paid workers receiving a monthly payroll of \$1201.41. By September, the number of salaried employees had dropped to twenty-six. Working with the paid employees, however, was an ever-changing but constantly growing staff of volunteers; they numbered almost one hundred seventy-five near the end of the administration.<sup>9</sup> In truth, Ely did not wish to appoint many of them to positions of city and county administrators. He held back until the summer of 1918, when the federal food administration practically forced him to make the appointments. At that time New Mexico was one of the few states which did not have county administrators. Ely had much preferred to develop "the natural leaders in the trades" through whom he could reach "the lesser merchants." As a supplement he was willing to depend upon "a scheme of reporters or inspectors for our widely separated communities."<sup>10</sup> Perhaps his dislike for the state Council of Defense reinforced his prejudice against

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8. *Ibid.*, March 23, 1918; Ralph C. Ely, Albuquerque, to John W. Hallowell, Washington, D. C., March 23, 1918, FA6HA2-3193.

9. "New Mexico Historical Summary of the Food Administration," FA6HC1-3609. Statement Showing Names and Rates Paid . . . , FA6HA3-3343.

10. Ralph C. Ely, Albuquerque, to K. S. Clow, Washington, D. C., May 13, 1918, FA6HA2-3194.

county organizations. At least he criticized the council's selection of county committees as hasty and arbitrary.<sup>11</sup> At another time he admitted that he was opposed to county administrators because they lent themselves with "such frightful ease" to political manipulation. As an alternative he suggested that the head of every division whose work touched upon one or more counties should appoint his own representatives in those counties.<sup>12</sup> That might have meant Ely's abnegation of political ambitions, but again it could have been a device for securing a stronger political following among the members of his organization. In the end, he decided to appoint county administrators; twenty-five were qualified and began to serve in July. Two counties, because of local conditions, were divided into two districts with an administrator for each.<sup>13</sup> Some of the administrators gave a substantial amount of time to the work, but because of internal turmoil it is doubtful whether the morale or effectiveness of the food administration was any higher in the fall of 1918 than it had been before. On the contrary, there is reason to believe that the organization was far more perfunctory then. Had not the war ended in November, a general reorganization would have been imperative.

Largely responsible for the declining importance of the state food administration was an inglorious demonstration of ineptitude and petty jealousies that led to Ely's resignation. In part, Ely himself must be charged with failure. For although of good appearance and plausible to a degree that he could make others believe in him, his ambitions and enthusiasms were apt to run away with his judgment. Frequently his generous loyalty to those who had won his confidence prevented him from taking steps which were manifestly in the interest of the public he was pledged to serve. To cite only a few instances: New Mexico was one of the last states in the union to have publication of fair price lists; it was among the most tardy in devising a

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11. *Id.* to United States Food Administration, Washington, D. C., February 18, 1918, FA6HA2-3193.

12. *Ibid.*; *id.* to K. S. Clow, Washington, D. C., May 20, 1918, *ibid.*

13. Questionnaire reports, August 1, September 1, 1918.

method to determine fair margins of profit for wholesalers and retailers; it was quite remiss in checking upon the practices of licensees. To be sure the federal food administration made very little effort to remedy defects in Ely's organization. Instead of applying pressure upon Ely to enforce what were understood to be its elementary policies, its administrators in Washington sent out voluminous reports, wrote letters (some querulous and some vague) about minor matters of administration, and in general spent their time in a snarl of details. Until the summer of 1918, only one competent executive was sent to New Mexico to check upon the course of the state food administration. Then, amid a secret service investigation and the like, the Washington administrators decided that drastic action was necessary.

During his last months in office, Ely began to show the strain of his consistently long hours of work in the administration. Perhaps this was because he devoted his time to small matters that might better have been handled by subordinates, but, if so, it was a weakness that sprang from generous impulses. Even granting that he did not have a sound knowledge of many aspects of economics and business practice, he was nonetheless eager to compensate for this with the energy and fervor of his efforts. He had the politician's sixth-sense of good fellowship. His office was always open to visitors, and he personally answered complaints or requests from the humblest household.<sup>14</sup> But as administrative problems multiplied, he became more irritable and short-tempered. Late in July, 1918, he wrote to one executive in Washington:<sup>15</sup> "I am getting very tired physically as well as mentally . . . I am giving this work all my time and every bit of energy that is in me. It probably represents more of a sacrifice than I can afford, and that, of course, worries me . . ." It was common gossip that Ely's personal finances were none too stable. Apparently he did not have an independent income, and after the early autumn of 1917 devoted

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14. See, numerous letters among Ely's correspondence in the food administration papers.

15. Ralph C. Ely, Albuquerque, to George H. Warrington, Washington, D. C., July 29, 1918, FA6HA3-3343.

his full time to the administration without compensation. Living extravagantly, a goodly number of his accounts were unpaid. Rumors connected him with a shadowy sulphur speculation, and trips into the mountains with prospective investors; but since little was known for certain, sinister doubts were raised at each retelling of half-believed suspicions.<sup>16</sup>

Most serious of the complications involving Ely was a violent dispute with his field secretary, J. H. Toulouse. At the beginning of the administration, Toulouse had come into the organization as Ely's political and personal friend. Ely was most liberal in his praise, and as late as May, 1918, he wrote a warm letter to Washington extolling Toulouse's patriotism for accepting the low salary to serve in the food crusade.<sup>17</sup> In January, however, the *Las Vegas Optic* (hostile to the food administration and friendly to the state Council of Defense) hinted mysteriously that Toulouse was planning to leave the food administration.<sup>18</sup> Toulouse denied it, but he later admitted that in February he offered his services to the State Council of Defense and the State College.<sup>19</sup> Ely found this out, and afterward Toulouse made no extensive field trips. Instead, he developed the idea of a large mother-daughter congress in Albuquerque, and in June the project was carried out with great success.<sup>20</sup> In reporting to Washington at its conclusion, Ely admitted that Toulouse had been responsible for it, and praised his work.<sup>21</sup> Nevertheless, Toulouse waited only a few days to tell the Washington administrators that he was going to resign from the state food administration; to leave little doubt about his motives he then asked for a position as field man with the federal administration. He might, he added, be

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16. J. H. Toulouse, Santa Fé, to John W. Hallowell, Washington, D. C., August 6, 1918, *ibid.*

17. Ralph C. Ely, Albuquerque, to [Frederick M.] Stone, Washington, D. C., May 17, 1918, FA6HA2-3193.

18. Santa Fé *New Mexican*, January 26, 1918.

19. J. H. Toulouse, Albuquerque, to E. F. Cullen, Washington, D. C., June 20, 1918, FA6HA3-3343.

20. (*Id.*) to John W. Hallowell, Washington, D. C., September 17, 1918, FA6HA3-3346.

21. Ralph C. Ely, Albuquerque, to *id.*, July 2, 1918, (copy), *ibid.*



successful if they would allow him to stage a great national mother-daughter congress in Chicago.<sup>22</sup> For the moment John W. Hallowell of the states' administration division and other executives were not receptive to his suggestions, but certainly they were aware that there must be trouble within the New Mexico state organization, especially when Toulouse wrote on July 21 that he had accepted a position as field superintendent for the state Council of Defense.<sup>23</sup> Then, on August 3, Hallowell was thrown into consternation by a wire from Toulouse which read:<sup>24</sup> "I expect to prefer charges against Ely. Embezzlement government funds. Will await your advice." Hallowell's advice was to defer the charges, and to send him a complete statement of them. When Toulouse did so, it must have been clear to the executive that they were not conclusive. There was one accusation that Ely had charged certain personal expenditures to his government expense account. (That was similar to one of the charges that had been made against him at the time he was removed from his receivership of the New Mexico Central railroad.) But outside of several alleged trips to Jemez country sulphur mines no definite instances were cited of widespread violations.<sup>25</sup> Ely's trips outside the state had been unmistakably on food administration business, although his estimate in the 1918-1919 budget of \$13,000 for traveling expenses for the entire food administration personnel was unusually high in relation to the salary budget of \$22,000.<sup>26</sup> There was a trifling matter of \$57.00 that Ely was accused of misspending after the mother-daughter congress,<sup>27</sup> and finally, without submitting any evidence, Toulouse implied that Ely might have received a \$150 "gift" from one of his division heads and a bribe to secure the reinstatement of one licensee whose business had been sus-

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22. J. H. Toulouse, Albuquerque, to *id.*, July 5, 1918, FA6HA3-3343.

23. *Id.* to *id.*, July 21, 1918, FA6HA3-3346.

24. *Id.* to *id.*, August 3, 1918, (telegram), FA6HA3-3343.

25. *Id.* to *id.*, August 6, 1918, *ibid.*; John W. Hallowell, Washington, D. C., to J. H. Toulouse, Albuquerque, August 3, 1918, (telegram copy), *ibid.*

26. Ralph C. Ely, Albuquerque, to John W. Hallowell, Washington, D. C., May 9, 1918, (telegram), FA6HA1-3087.

27. J. H. Toulouse, Albuquerque, to *id.*, August 6, 1918, FA6HA3-3343.

pended for unfair practices.<sup>28</sup> Ely in turn attacked Toulouse in indignant letters.<sup>29</sup>

Jarred by the exchange of violent recriminations, the states administration division in Washington handed over to the secret service the entire file of complaints against Ely. Rolland K. Goddard, a secret service agent, was then sent to Albuquerque with instructions to investigate the charges. If the secret service report corroborated them, it was understood that Ely would be asked to resign when he came to Washington for a conference the first week in September.<sup>30</sup> Goddard's investigation was quite superficial; most of the testimony was gathered in conversations with Ely's sworn enemies.<sup>31</sup> Even though he hinted darkly of certain financial irregularities in the administration of the grocers' fund from which A. J. Maloy was paid, Ely was able to give a satisfactory accounting of it when requested to do so by the federal food administration.<sup>32</sup> No other evidence was produced that was strong enough for any criminal prosecution to be based upon. Still, Goddard's conclusion that "the Food Administration in New Mexico is a disgrace to the government" probably influenced Herbert Hoover and his associates in Washington.<sup>33</sup> Ely was approached about his trouble with Toulouse when he went to Washington,<sup>34</sup> and undoubtedly pressure was applied to secure his resignation. As soon as he returned to Albuquerque, he drafted a telegram that read:<sup>35</sup> "I am not within draft age but am poor and feel compelled to relinquish this work in order to provide for [my] family. Received attractive offer from California yes-

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28. *Ibid.*

29. Ralph C. Ely, Albuquerque, to [United States] Food Administration, States Administration Division, Washington, D. C., September 13, 1918, *ibid.*

30. [James] Miles, Washington, D. C., to [W. H.] Moran, Washington, D. C., August 16, 1918, *ibid.*

31. Goddard report, August 28, 1918, *passim, ibid.*

32. *Ibid.*, p. 21; "Account of Donations To Food Administration by the Retail and Wholesale Grocers," FA6HA3-3346; Ralph C. Ely, Albuquerque, to [United States] Food Administration, States Administration Division, Washington, D. C., September 17, 1918, *ibid.*

33. Goddard report, p. 26.

34. Ralph C. Ely, Albuquerque, to [United States] Food Administration, States Administration Division, September 13, 1918, FA6HA3-3343.

35. *Id.* to Herbert Hoover, Washington, D. C., September 20, 1918, (telegram), *ibid.*

terday which I desire [to] accept if I can be honorably released . . ." Hoover wrote a curt reply, but, on second thought he redrafted it to say:<sup>36</sup> " . . . in accepting your resignation I wish to express my appreciation of your devoted service. I am in hopes your new position will develop to your entire satisfaction . . ." So ended a stormy chapter in New Mexico's wartime economic history.

One aspect of Ely's resignation concerned his connection with state politics. When a copy of Hoover's "acceptance" telegram to Ely came to J. W. Hallowell's desk, the states' administration executive endorsed it with a note that made it clear he had been in touch with Senator A. A. Jones, and that the senator had been quite willing that the change should take place.<sup>37</sup> That was quite a different attitude than Jones had taken a year before. During the interval Ely steadfastly had maintained that he had done his utmost to keep politics out of the state food administration. Toulouse, on the other hand, testified that Ely had instructed him, as field secretary, to keep his eyes on politics, and to furnish the names of those who spoke well of the food administrator's efforts.<sup>38</sup> R. E. Putney, who resigned from the state Council of Defense soon after it began operations, was one of Ely's division heads. In September, 1918, Putney unanimously was chosen chairman of the Democratic organization in Bernalillo county,<sup>39</sup> and at the 1918 Democratic state convention he was an unsuccessful candidate for the gubernatorial nomination.<sup>40</sup> But if Ely, as his foes claimed, attempted to build a Democratic machine in the food administration, he failed miserably through his own lack of political skill. His factional opponents would have made him a target of unmerciful ridicule in the 1918 elections. Ely could hardly expect Senator Jones to tolerate

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36. Herbert Hoover, Washington, D. C., to Ralph C. Ely, Albuquerque, September 21, 1918, (copy), *ibid.*; Draft of telegram, *id. to id.*, September 21, 1918, *ibid.*

37. See, Hallowell's endorsement on telegram copy of Herbert Hoover to Ely, September 21, 1918, *ibid.*

38. [J. H. Toulouse], Albuquerque, to John W. Hallowell, Washington, D. C., September 17, 1918, FA6HA3-3346.

39. Santa Fé *New Mexican*, May 17, 1917; Albuquerque *Morning Journal*, September 3, 1918.

40. *Ibid.*, September 30, 1918.

failure to a much further degree than any other political leader.<sup>41</sup> However, there was a vastly different version which reported that Ely was preparing to throw over the Democrats in the summer of 1918. When Will Hays, Republican national chairman, visited New Mexico in April, 1918, he had spoken rather critically of some "Old Guard" practices. He had shaken hands warmly with Ely, and added, "There are no yesterdays in Republican politics."<sup>42</sup> By summer it had become apparent to all who watched the direction of national political straws in the wind that the Democratic hold was slipping. Many were scurrying for protection behind the Republican machine. It was then that large numbers of county administrators were appointed, and most of them were Republicans. Under those circumstances Ely's exit could have been tantamount to an execution of an inept political recusant.

Scarcely had Ely left New Mexico when the federal food administration began the task of selecting his successor. Not wishing to repeat its earlier mistakes, it dispatched a reliable executive, Philip B. Stewart, to the scene with instructions to make a careful investigation and to report upon prospective candidates. Upon arriving Stewart informed the Washington office that H. G. Bush, who had taken over as acting head when Ely resigned, was doing well. In his opinion Bush *might* make a good permanent head of administration, except for the fact that he was "bound to shoot all the time and not always at the mark."<sup>43</sup> With memories of Ely still fresh, that was enough to disqualify Bush, and besides he was anxious to get into the armed forces. On September 29, he submitted his resignation, and a short while later left to join the quartermaster's corps.<sup>44</sup> Many other names, all of them known as stable

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41. *Ibid.*, October 26, 1918.

42. Santa Fé *New Mexican*, April 23, 1918.

43. Memorandum [in George H. Warrington's handwriting], October 9, [1918], FA6HA3-3346; [Philip S.] Stewart, Santa Fé, to [John H.] Hallowell, Washington, D. C., October 1-2, 1918, (telegram), *ibid.*; *id.* to *id.* October 4, 1918, *ibid.*

44. United States Food Administration, States Administration Division, Washington, D. C., to M. R. Johnston, Albuquerque, November 6, 1918, (copy), FA6HA10-3440; H. G. Bush, Albuquerque, to J[ohn] W. Hallowell, Washington, D. C., September 29, 1918, (telegram), FA6HA3-3343.

business men, were suggested by Stewart, but of these two in particular stood out for serious consideration. One was that of Max Nordhaus—past president of the Albuquerque Chamber of Commerce, head of the New Mexico Liberty loan committee, and “active head” of Charles Ilfeld and Company. Stewart favored him as the best choice, but Nordhaus was a Republican and Senator Jones withheld his consent. The other prominent figure was Arthur Seligman, vice-president of the First National Bank of Santa Fé with many other business connections, and chairman of the Democratic state committee. Needless to say, Senator Jones highly approved of him. But, for that matter, Stewart pointed out that Seligman’s name met approval wherever it was mentioned. His political activities had been “clean” and free from “suspicions of political enmity.” For the time being he could take a non-committal attitude; after the November elections he would resign his political chairmanship, and join the food administration. Even Springer apparently was willing to have him under these conditions.<sup>45</sup> On October 9, however, word came that Senator Jones had “telegrams from several parties” urging that no selection be made until after the elections.<sup>46</sup> The appointment, therefore, was never made, because the armistice followed hard upon the voting. Instead, M. R. Johnston continued as acting administrator until the state food administration was liquidated the following February. Wisely enough his regular salary was increased to match his added responsibilities.<sup>47</sup>

In the bitter autumn election campaign of 1918, both the state Council of Defense and the state food administration figured in charges and counter-charges. In a speech at the Democratic state convention, Neill B. Field of Albuquerque made the assertion that the Council of Defense was “packed” with Republicans, and that it had spent \$325,000

45. [John W.] Hallowell, Washington, D. C., to [Philip B.] Stewart, Albuquerque, October 5, 1918, (telegram copy), *ibid.*; [Philip B.] Stewart, Albuquerque, to [John W.] Hallowell, September 30, October 1, 4, 1918, (telegrams); Edward A. Trefz, Albuquerque, to J[ohn] W. Hallowell, Washington, D. C., October 4, 1918, *ibid.*

46. [George H.] Warrington, Washington, D. C., to Philip B. Stewart, Santa Fé, October 9, 1918, (telegram copy), *ibid.*

47. [United States] Food Administration, States Administration Division, Washington, D. C., to M. R. Johnston, Albuquerque, November 15, 1918, (copy), *ibid.*

of the taxpayers' money without making a satisfactory accounting.<sup>48</sup> He was answered by H. O. Bursum at the Republican state convention.<sup>49</sup> County conventions of the parties then took up the issue; resolutions were passed either praising or condemning the Council, and indignant speeches accompanied them.<sup>50</sup> Among the newspapers, however, the campaign made strange allies. About the time the first campaign preliminaries were getting started, M. L. Fox, Ely's inveterate enemy, returned to the editorship of the Albuquerque *Journal* which he had left the previous spring. Soon he was lampooning Senator Jones' leadership of the Democrats; one of the senator's first mistakes, he contended, had been the appointment of Ely to the food administration.<sup>51</sup> But Ely was gone, and the food administration was not quite so much in the vortex of political turmoil as it otherwise surely would have been. Even Ely's strongest ally, the Santa Fé *New Mexican*, coyly came out in support of the Republican candidates, and almost unbelievably for those who had witnessed the vituperation its editor, Johnson, had poured upon the "Old Guard", it praised Charles Springer's uncompensated devotion to the cause of national defense.<sup>52</sup> To be sure, the *New Mexican* stressed national issues, and tried to add the appearance of consistency by saying that Republican state chairman George R. Craig was a vigorous influence for "progressivism" who would thwart the "Old Guard" machine. It was an ineffective dodge. Everyone knew that the "Old Guard" still ruled, and that Governor Lindsey had been cast aside for his tendencies toward independent action.<sup>53</sup> From gubernatorial candidate O. A. Larrazolo downward, the Republican slate featured party regularity. Nor was the State College passed by in the conflict. Fox warned in his Albuquerque *Journal* that a Democratic victory would mean the "return of State College to politics". Democratic state chairman, Arthur Seligman,

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48. Albuquerque *Morning Journal*, October 3, 1918.

49. *Ibid.*, October 24, 1918.

50. *Ibid.*; Santa Fé *New Mexican*, October 24, 1918.

51. Albuquerque *Morning Journal*, September 26, October 1, 1918.

52. Santa Fé *New Mexican*, October 24, 1918.

53. *Ibid.*, July 1, August 23, October 17, 1918.

he alleged, already had attacked the college because, when it was necessary to boost the production of foodstuffs, President Crile had asked the Council of Defense for money to carry on the work.<sup>54</sup>

After the returns had registered a Republican victory, Seligman demanded a complete list of the state food administration personnel from acting administrator Johnston. With unmistakable emphasis, Seligman let it be known that he didn't want *more* Democrats than Republicans in the organization, but that he would be glad to have "an even break". He also mentioned "reports" that the food administration had been more friendly to Republicans than to Democrats in the campaign that had just ended. In reply, Johnston admitted that he was a Republican, but affirmed that he had "scratched" his ballot. Most of the divisional heads were Democrats. As for the county administrators, Johnston professed that he knew the politics of only two of them. Yet he refused to remove county administrators who specifically were named as partisan by the Democrats, although one food administration inspector who had been found electioneering was dismissed from his place.<sup>55</sup> Either Johnston's statement was convincing to William B. Walton, who had been the Democratic candidate just defeated by Albert B. Fall for the United States senate, or else Walton was a "good loser", for he wrote to Johnston: "Like yourself I am convinced that the reports were without foundation in fact, and I am sincerely glad to know this."<sup>56</sup>

By the time that Johnston made his peace with the Democratic leaders, the war had ended and the food administration was entering its last phase. Only a month before the armistice, the *New Mexican* had quoted Herbert Hoover as saying there was no prospect of peace before the summer of 1919; meanwhile allied civilians, the armies, and certain neutral nations would require 5,730,000 more tons of food

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54. Albuquerque *Morning Journal*, October 26, 1918.

55. M. R. Johnston, Albuquerque, to [George H.] Warrington, Washington, D. C., December 13, 23, 1918, FA6HA3-3343; *id.* to Arthur Seligman, Santa Fé, December 23, 1918, (copy), *ibid.*

56. W. B. Walton, Washington, D. C., to M. R. Johnston, Albuquerque, December 30, 1918, (copy), *ibid.*

than had been available in 1918.<sup>57</sup> There was at least a possibility, some New Mexican leaders thought, that the food administration would continue to operate at least until the spring of 1919.<sup>58</sup> That it would be otherwise was clear after November 13, for Hoover then announced he was about ready to leave the food administration on a mission to keep Europe from post-war starvation. In a conference with senate leaders he agreed that extension of the food control law and the food administration beyond the duration of the war was unnecessary.<sup>59</sup> Thereafter, demobilization proceeded apace; by January 1 only eight paid workers were left in the New Mexico state administration, and but five volunteers were assisting them.<sup>60</sup> That state office closed on February 15; the furniture was sold, and the lease given up.<sup>61</sup> Johnston would have liked to prolong some of the services. In a letter to J. W. Hollowell, he proposed:<sup>62</sup> "I personally would like very much to continue in this work . . . with my stenographer and one clerk . . . I could do everything necessary and also a great deal of educational work amongst the foreign population of this state . . ." Hollowell's answer was in the negative.<sup>63</sup>

The end of the food administration did not imply that New Mexico's food problems were solved by the armistice, nor was it true that efforts to meet those problems were discontinued. After two years of the severest drought in its history, between fifty and seventy-five percent of New Mexico's range cattle had been sent to other pastures or to the slaughtering pens. Even in 1918 many of the crops in dry-farming regions had been failures. From early fall the price of corn and other grains had been dropping. Debt-ridden farmers were faced with the same old problem: high prices for what they bought, not so high prices for what

57. Santa Fé *New Mexican*, October 11, 1918.

58. *Ibid.*, November 13, 1918.

59. *Ibid.*, November 14, 1918.

60. Questionnaire report, December 27, 1918.

61. M. R. Johnston, Albuquerque, to [John W.] Hollowell (*et al.*), Washington, D. C., February 10, 1919, FA6HA14-3452.

62. *Id.* to *id.*, January 17, 1919, *ibid.*

63. [John W.] Hollowell, Washington, D. C., to M. R. Johnston, Albuquerque, January 24, 1919, (telegram copy), *ibid.*



they sold. Menacingly as ever, the middleman seemed to stand like a nemesis between producer and consumer.<sup>64</sup> For the period of reconstruction that was to accompany the return of peace, the Council of Defense and extension service remained in active operation. Of the two the extension service proved to be more active in long-range planning, although the Council of Defense, which by September, 1918, had expended \$125,000 on agricultural development, carried on some work until May, 1920.<sup>65</sup> There could be no doubt that in spite of the war, New Mexico agriculture had made great strides toward improved methods: great drainage projects were well started in Doña Ana and Bernalillo counties; more irrigation systems were in operation; commercial fertilizers were being more largely used; legumes were being plowed under; crop rotations were being planned; controls were being developed for soil blowing in dry farm regions; pinto beans were being standardized and raised from hand-selected seed. These were only a few of the many advances that the extension service fostered.<sup>66</sup> Other groups were beginning to take a hand with the remaining problems. One of governor-elect O. A. Larrazolo's first acts was to send an invitation to farmers and stockmen of stricken districts for a meeting where they might formulate recommendations for a recovery plan.<sup>67</sup> More belligerent were farmers' associations, typical of which was the New Mexican Bean Growers Association. Based upon the plan of organization followed by the California fruit growers, it frankly intended that measures should be taken "to insure the growers that middlemen will not eat up the profits and that they [the farmers] are not held up on necessities for production."<sup>68</sup> It was the beginning of a new era, in some respects a disappointing era that would suffer from faulty

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64. A. C. Cooley, Fourth Annual Report, p. 1; *Santa Fé New Mexican*, November 11, 1918.

65. *Ibid.*, October 11, 1917, September 18, 1918; Final Report New Mexico Council of Defense, p. 7.

66. A. C. Cooley, Fourth Annual Report, pp. 33-34.

67. *Santa Fé New Mexican*, November 11, 1918.

68. *Ibid.*, February 12, June 7, 1918; A. C. Cooley, Third Annual Report, p. 28; *id.*, Fourth Annual Report, pp. 59-60; *Albuquerque Morning Journal*, October 12, November 3, 1918.

economic adjustments. But 1919 was to inaugurate it auspiciously with plentiful rains and abundant crops. No one could say it was not a deserved contrast for a people that had had the stamina to replant its fields twice, three times, and even more in parched ground, and under a blistering sun. Such a people had needed nothing to remind them of the duty of patriots. Even for those who recognized, as a warning for a future wartime generation, that selfishness, indifference, and corruption occasionally cropped out in the food effort, there were just as evident demonstrations of optimism, courage, and faith—all adequate guarantees of future vitality.

NEW MEXICO AND THE SECTIONAL CONTROVERSY,  
1846-1861

By LOOMIS MORTON GANAWAY

CHAPTER VI

THE SECESSION MOVEMENT IN SOUTHERN  
NEW MEXICO

WHEN the Treaty of Guadalupe Hidalgo was negotiated in 1848, the international boundary between the United States and Mexico was partially determined by a map that was later found to be inaccurate. The error, when detected, created a boundary dispute between the two governments involving an area of five or six thousand square miles.<sup>1</sup> The region in question extended from the Mexican frontier town of El Paso on the Rio Grande northward along the west band of the river for approximately fifty miles and westward to the headwaters of the Gila River. Although it was uninhabited except by roving bands of lawless, nomadic Apache Indians, it was a fertile region which, under peaceful conditions, would invite settlement to an extensive degree.

Some fifty miles above El Paso del Norte and on the east side of the river, in the spring of 1851, was the small town of Doña Ana with five or six hundred inhabitants, and standing fifty or sixty feet above the bottom lands. It had been settled but a few years and was selected on account of the broad and rich valley near, and the facilities that existed for irrigating it. Six or eight miles below Doña Ana, on the opposite side of the river,<sup>2</sup> was the town of Mesilla, containing between six and seven hundred inhabitants, a place which owed its origin to circumstances growing out of the late war with Mexico. "*Mesilla* is the diminutive of the Spanish

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1. Paul Neff Garber, *The Gadsden Purchase* (Philadelphia, 1923), 16-17.

2. At this time, the Rio Grande was using a channel which ran much nearer the foothills on the east. Some thirty years later, the river picked a new channel west of Mesilla and near the foothills along the west side of the valley, where it is today. Our description is from Bartlett. See next note.

word *mesa* (table) and is applied to a lesser plateau in the valley of the Rio Grande, beneath that of the great *mesa* or table-land, which extends for several hundred miles in all directions from the Rio Grande. . . . Immediately preceding and after the war with Mexico, the Mexican population occupying the eastern bank of the Rio Grande in Texas and New Mexico were greatly annoyed by the encroachments of the Americans, and by their determined efforts to despoil them of their landed property." At this time an unestimated number of Texans arrived in that locality with "head rights," grants that were issued by the State of Texas to men who had served in her wars. These grants were usually for 640 acres of land, not specific as to the location. According to a contemporary writer, the Texans were not much concerned about the property rights of the Mexican inhabitants and in some instances evicted them from their homes and assumed ownership of other property that had been held by the Mexicans for generations.<sup>3</sup>

A partial compensation for the dispossessed Mexicans developed with the promise by the United States of protection from the Indians along the international frontier. According to the ninth article of the Treaty of Guadalupe Hidalgo, the United States bound itself to restrain the incursions of the Indians into Mexican territory with the same diligence that would be exercised in their control within American territory.<sup>4</sup> With this assurance of protection, the Mexicans moved their families across the Rio Grande into the Mesilla Valley.<sup>5</sup> The Texans, however, followed shortly, and asserted American sovereignty in this region as firmly as they had declared it on the eastern side of the Rio Grande. Conflicts again ensued, and this was the situation in 1851, when the entire disputed region was awarded to Mexico

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3. John Russell Bartlett, *Personal Narrative of Explorations and Incidents in Texas, New Mexico, California, Sonora, and Chihuahua, Connected with the United States and Mexican Boundary Commission, during the Years 1850, '51, '52 and '53* (New York, 2 vols., 1854), I, 211-215.

4. Act of March 10, 1848, U. S. Statutes at Large, IX, 930-932.

5. Samuel Woodworth Cozzens, *Marvellous Country; or Three Years in Arizona and New Mexico, the Apaches' home, etc.* (New York, 1874), 46-49.

by John Russell Bartlett, the boundary commissioner representing the United States.<sup>6</sup>

With the award to Mexico, the State of Chihuahua extended its authority over the Mesilla Valley with a demand that the Americans relinquish their claims immediately. The Texans not only refused to obey this order but also appealed for protection of their rights to James S. Calhoun, the territorial governor of New Mexico.<sup>7</sup> In order that this plea from the Americans in the Mesilla reach the governor at Santa Fé, a messenger was compelled to travel a distance of over two hundred miles, ninety of which was across the *Jornada del Muerto*, the most desolate region in the territory. Governor Calhoun received their entreaty with indifference, principally because he was so much involved in local problems that he had no time to engage in a controversy so far distant from Santa Fé.

Despite the governor's lack of interest in their quarrel, the Texans were successful in soliciting the aid of southern congressmen, whose constituencies might be benefitted by a trans-continental railroad, were it to follow a southern route. As a result of their interference, a senate report on the boundary dispute stated that the American commissioner, Bartlett, had acted beyond his authority in acknowledging the Mexican claims to the Mesilla Valley.<sup>8</sup> At their instigation, congress approved an appropriation of \$100,000 for a second survey, which was to be made under the direction of army engineers.<sup>9</sup> The positive interest of congress in the Mesilla question served to strength the bellicose attitude of the Americans in the Valley.

With the arrival of William Carr Lane as governor of New Mexico, replacing Calhoun who had died while in office, the Americans in Mesilla procured a champion not so far distant as the national capital. On March 13, 1852, Governor Lane by his own authority issued a proclamation in which he stated that the disputed territory would remain

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6. Bancroft, *History of Arizona and New Mexico*, 468-471.

7. *Sen. Ex. Docs.*, 32 Cong., 2 Sess., no. 41, pp. 13-14.

8. *Senate Reports*, 32 Cong., 1 Sess., no. 345.

9. Act of August 31, 1852, *U. S. Statutes at Large*, X, 94-95.

under the jurisdiction of the United States "until the boundary line should be established by the two governments."<sup>10</sup> To maintain his position, determined by the governor without consulting with the authorities in Chihuahua, he asked protection of the inhabitants in the Valley by the military forces stationed in New Mexico. Colonel Sumner, who was in command, believed that the governor had acted without proper authority and refused the support of the army.<sup>11</sup> In the meantime sustained by Governor Lane, the Texans in Mesilla and Americans coming to that vicinity from other parts of the territory were making plans to defend themselves. The governor of Chihuahua, alarmed at the preparations of the Americans, was reported to be equally active in defending Mexican sovereignty. When a serious conflict thus appeared inevitable, the United States through its agent, James Gadsden, purchased approximately 45,000 square miles of territory from Mexico along the international frontier. The Mesilla Valley, a small part of that region, consequently came within the sovereignty of the United States.<sup>12</sup>

In the year of the purchase, 1853, the population of the Mesilla Valley was approximately three thousand, probably all of whom had settled there after 1848. Farther to the west in the vicinity of the Gila River, small settlements of Americans soon appeared who were interested in the copper and silver mines of that region. Many more settlers would have been attracted to that vicinity by the possibility of sudden wealth, but the continued attacks of the Apaches restricted any extensive migration.

Now firmly established within the sovereignty of the United States, the law-abiding element looked forward to the extension of civil law to that region. In the Mesilla Valley, a rudimentary legal organization was set up, but farther to the west at Tubac and Tucson, men were compelled to rely on their own resources for protection of life and

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10. *House Ex. Docs.*, 32 Cong., 1 Sess., no. 81, 579.

11. *Ibid.*, 72.

12. William M. Malloy, compiler, *Treaties, Conventions, International Acts, Protocols and Agreements Between the United States of America and Other Powers, 1776-1909* (2 vols., Washington, 1910), I, 1121-1125.

property. A traveler in that locality during 1853 recorded that Americans and Mexicans killed each other, and everybody killed Indians.<sup>13</sup> After the discovery of gold in California, the large number of immigrants passing through southern New Mexico served to increase disorder. The Apaches made frequent attacks upon small caravans, and the Mexicans were not loath to engage in similar practices.

On August 4, 1854, congress added to New Mexico all of the territory acquired through the Gadsden Purchase.<sup>14</sup> Shortly thereafter, the legislature of the territory extended over it local law and placed the entire region in Doña Ana County.<sup>15</sup> So extensive in area was this county and so far removed were the inhabitants from the more populous settlements along the Rio Grande north of the Jornada that by 1856 a movement was in progress in southern New Mexico for a territorial government independent of New Mexico. A convention for this purpose met at the village of Tucson on August 19, 1856. At this meeting, a memorial was formulated by the members for submission to congress, asking for an independent territorial government.<sup>16</sup> So certain were they of success that in September of that year, Nathan P. Cook was elected delegate. This and subsequent petitions during the next four years represented ineffectual efforts by the inhabitants to gain territorial status, regulation of land claims and mining titles, and establishment of courts. In this failure of the federal government to establish orderly government, a fundamental cause for the rapid growth of the secession movement in southern New Mexico was engendered.

The inhabitants attributed the denial by congress of their petitions to the unwillingness of free state congressmen to create an independent territory in the geographical lati-

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13. Raphael Pumpelly, *Across America and Asia* . . . (New York, 1879), reported the conduct of the Americans as rivaling the most wanton acts of the Indians. A recent study of social conditions in that locality is that of W. Clement Eaton, "Frontier Life in Arizona, 1858-1861," *Southwestern Historical Quarterly*, xxxvi (1933), 173-192.

14. Act of August 4, 1854, *U. S. Statutes at Large*, X, 575.

15. *Laws of the Territory of New Mexico. Passed by the Legislative Assembly, Session of 1854-1855.*

16. Bancroft, *History of Arizona and New Mexico*, 504-505.

tude of southern New Mexico. Their opinion was probably not altered following the defeat of such a bill, introduced by Senator Green of Missouri late in 1860.<sup>17</sup> According to the governor of New Mexico, so thoroughly disheartened were the people at Mesilla by the neglect of the federal government that, in the latter part of 1860, rumors were current in Santa Fé of a revolutionary spirit among the Americans south of the Jornada.<sup>18</sup>

Much of the bad temper was aroused by Sylvester Mowry, the editor of the Tubac *Arizonian*, who had first come to southern New Mexico as a young army officer. Probably the agitation of Mowry was responsible for the action of a convention which assembled at Tucson in 1860. At this meeting, the delegates adopted a temporary plan of government independent of New Mexico, and proclaimed their ability to govern themselves until congress was willing to "organize a territorial government and no longer."<sup>19</sup> This convention, which has been called a "direct precursor of the Confederate Territory of Arizona, which built upon the edifice already constructed, even to the extent of retaining many of the officials,"<sup>20</sup> represented the most determined effort of the Anglo-American inhabitants up to that time to establish independent civil authority.

The thirty-one official delegates decreed that Arizona Territory (for such it was to be called) should include all of New Mexico south of the parallel of latitude 33°-40'. The four counties of Doña Ana, Mesilla, Castle Dome, and Ewell were defined, Ewell County receiving its name as a mark of respect to Captain Richard S. Ewell. He was reputedly at Tucson in the interest of mining investments at the time of the convention and accepted membership at the suggestion of Mowry.<sup>21</sup>

After approving a plan of territorial government which

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17. *Congressional Globe*, 36 Cong., 2 Sess., 195.

18. Abraham Rencher to Lewis Cass, Santa Fé, September 10, 1859, N.A., State Department Records, Territorial Papers, New Mexico.

19. Bancroft, *History of Arizona and New Mexico*, 507.

20. Charles S. Walker, "Causes of the Confederate Invasion of New Mexico," *NEW MEXICO HISTORICAL REVIEW*, VIII (1933), 78-96.

21. *Mesilla Miner*, April 9, 1860.



included a bicameral legislature, the delegates added a provision calling for a census for the entire territory. It was stipulated that the sheriffs should make the census, and should be paid for the enumeration of slaves as well as white inhabitants.<sup>22</sup> This indirect recognition of slavery was the only reference to that institution. Not awaiting a popular election of a governor, the convention selected Lewis S. Owings of Mesilla. Under the authority given him, Owings named James A. Lucas, who, like the governor, was a former Texan, as territorial secretary; Sam Bean, as marshal; Ignacio Orantia as lieutenant governor, the only Mexican given an office; G. H. Oury, Samuel Cozzens, and Benjamin Neal, as members of the supreme court; and a number of less important officials.<sup>23</sup> Although no census was taken by order of "Arizona Territory" in 1860, the federal census of that year listed a total white population of 8,760.<sup>24</sup> Of this number, perhaps a third was of Anglo-American stock.<sup>25</sup> The Apaches likewise numbered several thousand, but because of their nomadic character, government officials could only approximate their total population.

Although the federal government had secured its release in 1853 from the ninth article of the Treaty of Guadalupe Hidalgo, the inhabitants still expected the United States to provide protection from the Indians. However, it became increasingly evident to the people that the Indians were every year becoming a greater threat to life and property. By 1860, the situation had become so alarming in the vicinity of Tubac that one correspondent reported "a new outrage every day."<sup>26</sup>

For this reason, the people of southern New Mexico did not evince much concern in the slavery controversy and the secession movement until the withdrawal of Texas from the Union in February, 1861. However, most of the Anglo-Americans were former Texans, whose ties of kinship became evident in the succeeding months. In a letter to an

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22. *Idem.*

23. *Idem.*

24. *Eighth Census of the United States, 1860, I, 566-573.*

25. Bancroft, *Scraps*, vol. 96, p. 23.

26. *Idem.*

official at Washington, a visitor at Tucson wrote about this time that the people in that part of the territory were rapidly coming under the influence of the secessionists from Texas and that "the slave power in this Territory [Arizona] and New Mexico has been as proscriptive of Republicans as in South Carolina."<sup>27</sup>

The first active measure in the direction of secession for "Arizona Territory" followed the arrival at Mesilla of Philip T. Herbert, a lawyer from El Paso. In a letter to "Governor" Owings, Herbert stated that he had been commissioned by Texan authorities

to confer with the people of New Mexico and Arizona Territories in relation to the present political crisis, and invite their co-operation in the formation of a Southern Confederacy to be composed of such Slave States as may unite themselves for this object.<sup>28</sup>

In arousing the people to the expediency of secession from the Union, Herbert had the support of a number of prominent Anglo-Americans. Among these was Simeon Hart, a native of New York, who had been an early settler near Franklin, the village on the international boundary which later was renamed El Paso. After the erection of Fort Bliss and other garrisons along the frontier of Mexico, Hart secured a government contract for supplying the troops with flour. His profits were large, and his investments at Mesilla and elsewhere in that locality were likewise considerable.<sup>29</sup> Reports were current throughout the Valley that Hart offered to lend the Confederacy sums estimated from \$150,000 to \$300,000 by provisioning troops for an occupation of New Mexico. In some quarters, his support of the Confederacy by the offer of a loan represented no loyalty to the South but rather a means of protecting his

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27. William Need to William H. Seward, Tucson, February 8, 1861, N.A., Interior Department Records, Secretary's Office, Appointment Division, Incoming Papers.

28. *Mesilla Times*, March 2, 1861. A copy of this paper for this date is located in the N.A., Justice Department Records, Attorney General MSS., and was received in that office on July 13, 1861.

29. Bancroft, *Scraps*, vol. 96, p. 25.

property.<sup>30</sup> The *Mesilla Times* of June 8, 1861, printed a statement concerning Hart, which was written by an individual under a pseudonym. The writer accused Hart of being an abolitionist, whose interest in the Confederacy was selfish financial profits.

Another resident in the southern part of the territory who welcomed Herbert, the Texan commissioner, was James Magoffin. Since 1828, he had been living in New Mexico or Chihuahua, and had been an active participant in the negotiations which resulted in the peaceful occupation of New Mexico by General Kearny in 1846.<sup>31</sup> At the end of the Mexican War, Magoffin settled at a place henceforth known as Magoffinsville, which lay a long mile below Koontz Ranch (or Franklin) and across the river from the Mexican Paso del Norte. After securing a federal contract to supply the military in that locality with wood, he engaged the services of several hundred natives, who became dependent upon him for their livelihood. On this account, he was credited with being the most influential Anglo-American south of the Jornada. His active support of Herbert was significant to the cause of secession, and he became a leader in the movement at Mesilla and elsewhere in the valley.<sup>32</sup>

During the time that Herbert was busy arousing secession sentiment at Mesilla, a similar movement was being promoted at Tucson by Mowry. In appealing to the inhabitants there, Mowry assured them that under a Confederate government they would find protection from the unrestrained attacks of the Indians. Mowry, although a native of Rhode Island, was in a position not unlike that of Simeon Hart. Supported by financial interests in the East, he had acquired the Patagonia silver mine near Tucson. Were he to express Union sentiment, he ran the risk of being driven from the territory and losing his property. Whether this motivated his action or whether he was a sincere exponent

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30. *Idem.*

31. Stella M. Drumm, ed., *Down the Santa Fé Trail and into Mexico, The Diary of Susan Shelby Magoffin, 1846-1847* (New Haven, 1926), introduction. In Bancroft, *Scraps*, vol. 96, pp. 21-22, a contemporary account of Magoffin's participation in affairs in southern New Mexico during this period is recorded.

32. Bancroft, *Scraps*, vol. 96, pp. 21-22.

of southern institutions is not clearly defined. He was reported as being the leader of "the band of outlaws who advocate the disruption of our federal union of states and who has done more than any other through his paper to stir up hatred to the North in this part of New Mexico."<sup>33</sup>

John Rains was another who "walked the streets of Tucson and dared a man to declare his loyalty to Abe Lincoln and the Union." At the beginning of the war, when a group of army officers passed through Tucson in route from California to their homes in the South, Rains assisted Mowry in welcoming them to "Arizona Territory." Their reception was friendly, "leaving no doubt in the minds of the officers as to the sentiments of the people in Arizona." Rains provided all of the officers with fresh mounts and accompanied them a part of the distance in the direction of Mesilla.<sup>34</sup>

The friendly reception at Tucson was doubtless reported upon the arrival of the army officers at Mesilla. Here, plans had already been made for a meeting of all the people of the "Territory of Arizona" on March 16, 1861. According to an eyewitness account, this meeting which was "known generally to be a secession convention aroused Mesilla by the importance of the occasion."<sup>35</sup> The convention was to meet

33. Bancroft, *Scraps*, vol. 82, part 1, p. 191; Mowry was described by a contemporary as a "bold and swaggering fellow, . . . a leader among men even in Arizona." When the Confederate army was compelled to withdraw from Arizona in 1862, Mowry remained at his mine, Patagonia. With the arrival of General James H. Carleton and the federal military force, called the California Volunteers, at Tucson in June, 1862, Mowry was arrested and was marched through the principal streets of the town in chains. A reporter to a California newspaper wrote that Mowry was "taking things quite coolly, puts on a good many airs; had along his mistress, Private Secretary and servant. I think a dose of military treatment will cure him. He has been guilty of writing secession letters and giving shelter to outlaws." Shortly after his arrest, he was brought before a military tribunal, where he was found guilty of being "in treasonable correspondence and collusion with well known secessionists, and has afforded them aid and comfort when they are well known publicly to be enemies to the legally constituted authority and Government of the United States, and that there are sufficient grounds to restrain the said Sylvester Mowry of his liberty, and bring him before a military commission." After being detained for a week at Tucson, he was removed to Fort Yuma on the Colorado River, where he was held a prisoner until November 4, 1862. All of his property was confiscated by the federal authorities. After his release, he went to England where, after futile efforts during the next six years to raise money for further mining operations in Arizona, he died. Bancroft, *Scraps*, vol. 82, part 1, 191, 243.

34. Bancroft, *Scraps*, vol. 82, part 1, pp. 198-194.

35. *Mesilla Times*, March 30, 1861.

at a hall used for various purposes. As the time drew near for the meeting to begin, business houses closed, and people were seen moving in small groups in the direction of the convention place. Before an audience of several hundred, James A. Lucas called the meeting to order and announced as the first speaker, General [?] W. Claude Jones, a practicing lawyer of Mesilla.

In beginning his address, Jones said that the people of the territory must choose "the Black Republican banner, waving over our people, unprotected and neglected, denied their constitutional rights," or "unite with the South and ask that protection and equality of legal right which is the birthright of our citizens."<sup>36</sup> At the North, he said, were only "insult, wrong and oppression," while at the South

a brilliant and glorious pathway of hope, leads to the star of empire smiling over a Constellation of free and sovereign States, and inviting us into the life-giving rays of its galaxy. There is no middle ground. . . . It is too late for compromise.<sup>37</sup>

He reminded his listeners that the people of Arizona were southerners in their heritage, and only in the South could they expect to find a correction of the evils that had plagued them since they had come as pioneers into the country. The Confederacy, he promised, would never disregard their petitions as had the federal government, but would welcome them as a territory into a confederacy of southern states. Neither would the people be overlooked in the building of an overland mail route. Under Confederate control, he predicted that within a year the people would have a tri-weekly mail service, running from Texas to the Pacific coast and protected all the way by "hardy sons of the South, not by prebold [?], mungrel materials from the U. S. Army."<sup>38</sup> In concluding his speech, Jones said:

Arizona constitutes the greatest portion of the northern [?] border of the State of Texas. Your destiny is linked with hers. You must be made a

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36. *Idem.*

37. *Idem.*

38. *Mesilla Times*, March 30, 1861.

bulwark against the fell tide of Northern encroachment and fanaticism, or you must be a seething den for abolitionists, from which they can hurl their incendiary bolts into the heart of the South. You must be a hot-bed for Northern upas-like exotics, poisonous to Southern institutions, or you must be the home of independent freemen, growing and prospering under the seven starred banner of the South as it waves protectingly above you. The hell of abolitionism glooms to the north—the Eden of liberty, equality and right, smiles upon you from the south! Choose between them.<sup>39</sup>

Herbert, the Texan commissioner, was next invited to address the meeting. He reaffirmed Jones' promises, reminded the people again of their southern heritage, and expressed the hope that the inhabitants were prepared to take definite action to support what he believed were their principles.<sup>40</sup>

A set of resolutions had been drawn up prior to the meeting, and they were now brought forward by a delegation of five men. After their presentation to James A. Lucas, he, as chairman, read them to the convention. Following a lengthy preamble, in which the aggressions and the neglect of the federal government were enumerated, eight recommendations were offered for consideration: (1) that Arizona endorse the action of the southern states; (2) that Arizona look to the Confederacy for protection; (3) that Arizona become a part of the Confederacy, and not a part of any state that had seceded; (4) that Arizona have a regular mail service to the Pacific states; (5) that Arizona take steps immediately for the election of a delegate to the Confederate congress; (6) that the people of the western part of Arizona be invited to join a movement for union with the Confederacy; (7) that the people of the territory do "not recognize the present Black Republican administration," but resist any officers sent to Arizona by that administration by whatever means the people possess; (8) that the proceedings of the convention be published in the *Mesilla Times* and a copy

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39. *Idem.*

40. *Idem.*

of the newspaper be sent to the president of the Confederacy with a request that the same be acted upon by the Confederate congress. All the resolutions were unanimously adopted, and according to the *Times*, "with three cheers for Jefferson Davis," the meeting adjourned.<sup>41</sup> Some weeks after this meeting, notices were posted throughout "Arizona" calling for an election of a delegate to the Confederate congress.<sup>42</sup> Oury, who had been active in the Tucson convention, was chosen to represent the territory at Richmond.

In contrast with the participation by the natives in territorial affairs at Santa Fé, under the guidance of the American politicians, no such support was solicited from them at Mesilla. One explanation for this slight was offered by a writer to the *Mesilla Times*, who said that "one good company of Texan cavalry can do more to insure their [Mexican] loyalty to the Confederacy than all the offices in the territory."<sup>43</sup> Some observers in other parts of the territory regarded as fatal to secession the failure to insure native support. In a letter to the commissioner of Indian affairs, a Santa Fé politician stated that the natives of southern New Mexico were well aware of the feeling of the former Texans for them, and were only awaiting the arrival of a federal military force to profess their loyalty to the Union. The disloyalty of southern New Mexico was attributed to the open state of rebellion which had prevailed among a lawless group for some years. The only solution for destruction of the "stronghold of secessionism" would be to send a strong military force to Fort Bliss, the garrison located a short distance from El Paso.<sup>44</sup>

Captain R. M. Morris, an officer located at Fort Craig, likewise believed that the secessionists were not taking full notice of the natives. In a letter to his commanding officer at Santa Fé, Morris said the natives were capable of hamper-

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41. *Mesilla Times*, March 30, 1861.

42. William Need to William H. Seward, Santa Fé, August 8, 1861, clipping enclosed with letter; N.A., State Department Records, Miscellaneous Letters.

43. *Mesilla Times*, July 20, 1861.

44. James L. Collins to William P. Dale, Santa Fé, June 22, 1861, N.A., Interior Department Records, Office of Indian Affairs, New Mexico Superintendency, Letters Received.

ing any military operations that the Confederates might attempt, and this, he believed they would do. The Confederates, he added, had not believed it necessary to employ the natives, and as a result, "they are expressing a desire to support the Union, and to join the Union forces, once the Union marches into the southern part of the territory."<sup>45</sup>

The most detailed description of the sentiment at Mesilla in June, 1861 is given in a letter written by W. W. Mills to Judge John S. Watts, a former justice of the territorial supreme court and at this time New Mexico's delegate to congress.

I assure you that I find matters here in a most deplorable condition. A disunion flag is now flying from the house in which I write, and this country is now as much in the possession of the enemy as Charleston is. All the officers at Fort Fillmore, except two, are avowedly with the South, and are only holding on to their commissions in order to embarrass our Government, and at the proper time to turn over everything to the South, after the manner of General Twiggs. The Mesilla Times is bitterly disunion, and threatens with death anyone who refuses to acknowledge this usurpation. There is, however, a latent Union sentiment here, especially among the Mexicans, but they are effectually overawed. Give them something to rally to, and let them know that they have a Government worthy of their support, and they will teach their would-be masters a lesson.<sup>46</sup>

That there was good reason for Judge Watts or any other federal official not to come to Mesilla was manifested by the experience of a federal Indian agent to the southern Apaches. This agent, Lorenzo Labadie not only had refused to pledge loyalty to the Confederacy but was believed by some of the secessionists to be organizing the Indians for attack against the inhabitants of Mesilla and that vicinity. According to his own account, Labadie was threatened with

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45. R. M. Morris to E. R. S. Canby, Fort Craig, August 13, 1861, N.A., War Department Records, Letters Sent Book January, 1852 to December, 1863.

46. W. W. Mills to John S. Watts, Mesilla, June 23, 1861, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (131 vols., Washington, 1881-1901), Series I, Vol. IV, 56, hereinafter cited as O.R.A.



physical violence unless he left the territory immediately. As a warning to any other federal officer who might think of coming to that locality, Labadie was told that Mesilla had ready "a fine barrel of tar" for any officer appointed by Lincoln who failed to heed the warning. He added that the secessionists had threatened to "feather him, and start him out to fly."<sup>47</sup>

Upon the receipt of this information at Santa Fé, Judge Sidney Hubbell, recently arrived in the territory from Salisbury, Connecticut, as judge for the Mesilla district, questioned the propriety of attempting to hold court unless protected by a federal military force.<sup>48</sup> The *Mesilla Times* in commenting upon the prospective arrival of Judge Hubbell at Mesilla, reminded the judge of the action taken by the people at the March convention, and concluded by noting, "No comment is necessary."<sup>49</sup>

Having professed adherence to the Confederacy, the "disaffected elements" looked forward to a display of military force from the South in order to strengthen this position. Some uneasiness was felt in Mesilla when rumors reached there in June that Colonel Canby was making preparations for an occupation of the Valley. Communications were addressed to Confederate officials repeating these rumors and appealing for protection. Among those who wrote President Davis was M. H. McWillie, designating himself "Chief Justice of Arizona Territory," who urged the necessity of sending an army from Texas. If protection to the inhabitants were not a sufficient cause for such an expedition, he offered other considerations:

The stores, supplies and munitions of war within New Mexico and Arizona are immense, and I am decidedly of the opinion that the game is well worth the ammunition. The movement, if undertaken soon enough, would undoubtedly have the effect to

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47. Lorenzo Labadie to James L. Collins, Las Cruces, New Mexico, June 16, 1861, N. A., Interior Department Records, Office of Indian Affairs, New Mexico Superintendency, Letters Received.

48. Sidney Hubbell to Edward Bates, Santa Fé, June 16, 1861, N.A., Justice Department Records, Attorney General MSS.

49. *Mesilla Times*, June 1, 1861.

overawe and intimidate the Mexican element, which comprises at least nineteen-twentieths of our entire population. . . . The expedition, I suggest, would relieve Texas, open communications to the Pacific, and break the line of operations, which . . . is designed to circumvallate the South.<sup>50</sup>

McWillie also suggested the feasibility of arming a regiment of Cherokee or Choctaw Indians as a further means of dominating the natives.<sup>51</sup>

To what extent the inhabitants north of the Jornada were aware of the development of the secession movement in the southern part of the territory during the spring and summer of 1861 cannot be fully ascertained. Available evidence suggests that they were far more concerned with the situation at Santa Fé and at Washington than with the movement at Mesilla. Their almost complete isolation from southern New Mexico probably accounted for the failure of the *Santa Fé Gazette* and of local correspondents to discuss in much detail the situation at the south. The renewal of Indian outrages made hazardous any communication between the two sections during the summer of 1861. Few travelers ventured southward from Santa Fé and then only with military escorts. Most of the accounts from north of the Jornada indicate some information concerning support of the Confederacy by the people at Mesilla and at Tucson, but otherwise they were ignorant of conditions in that part of the territory. Three months after the secession convention at Mesilla, an officer at Santa Fé wrote to the commander at Fort Fillmore, a federal military post near Mesilla, that "The extent of the disaffection in the Mesilla valley is not fully known here and will not be fully developed there until the civil authorities enter upon their duties."<sup>52</sup> If the officer had in mind the presence of Judge Hubbell, protected by the military, he failed to clarify his statement. The *Santa Fé Gazette* made frequent allusion

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50. McWillie to Davis (inclosure), A. T. Bledsoe to Brigadier General Ben McCulloch, August 1, 1861, *O.R.A.*, Series I, Vol. IV, 96.

51. *Idem.*

52. A. L. Anderson, Acting Assistant Adjutant General, to Major Isaac Lynde, Santa Fé, June 16, 1861, *N.A.*, War Department Records, Adjutant General Office Files.

to the disrupted communications throughout the territory and admitted that, in Santa Fé, they knew little about other parts of New Mexico.<sup>53</sup> The same issue of the paper reported a rumor that an army of Texans had been assembled for an invasion of New Mexico.

That such an expedition was more than a rumor was realized when Fort Bliss was occupied by the Confederates in July, 1861. Late in the same month, Lieutenant Colonel John R. Baylor in command of the Second Regiment of Texas Mounted Volunteers occupied Mesilla. According to the *Mesilla Times*, the populace made the arrival of the Texans a day of celebration. After expressing the gratitude of the inhabitants at their deliverance from abolitionism, the *Times* predicted that under the protection of the Confederacy in Arizona

every field of labor will be developed; and a golden age of prosperity and progress will be our heritage, instead of studied neglect and a continued series of misfortunes. Well may our citizens rejoice; 'tis a full theme of joy and congratulations.' We have changed from sorrow to gladness, from death to life.<sup>54</sup>

Two days after the arrival of Colonel Baylor at Mesilla, he engaged a federal force at Fort Fillmore under Major Isaac Lynde.<sup>55</sup> After a running battle in which Lynde attempted to withdraw, Baylor captured him and the entire force. From the Confederate viewpoint, the abject surrender of Major Lynde, for which he was later court-martialed, had a salutary effect upon the attitude of the natives.<sup>56</sup> The *Mesilla Times*, after praising the Confederates for their superior fighting ability, added that the victory should serve as a warning to any other Union army that aspired to engage "so gallant an adversary." As to those individuals, especially the Mexicans, who had heretofore

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53. *Santa Fé Gazette*, May 25, 1861.

54. *Mesilla Times*, July 27, 1861.

55. James Cooper McKee, *Narrative of the Surrender of a Command of U. S. Forces, at Fort Fillmore, N. M. in July 1861* (Boston, 1886), 7-13.

56. Lieutenant Colonel E. R. S. Canby to Assistant Adjutant General, Santa Fé, August 4, 1861, *O. R. A.*, Series I, Vol. IV, 2-20.

hesitated to supply the Confederates with commodities, the *Times* expressed its opinion that it was now time for them to look favorably on Colonel Baylor and his army if they expected to remain in the country.<sup>57</sup>

After having achieved so signal a success, Baylor now set about establishing a provisional military government until the Confederate congress could provide civil authority. In a proclamation of August 1, 1861, he praised the people for the action of the Mesilla Convention, and declared that, in his opinion, a temporary military government would be expedient because of the prevailing conditions in the territory.<sup>58</sup> He announced the boundaries of Arizona Territory approximately the same as decreed by the Tucson constitution and ordered that laws heretofore in force in Arizona and not inconsistent with the constitution and laws of the Confederacy were to remain in operation. All officeholders appointed by the Territory of New Mexico or the federal government were dismissed. Baylor designated Mesilla as the territorial capital and laid the basis for the judicial organization of the territory. Shortly after issuing the proclamation, he named a number of temporary territorial officers.

At the suggestion of Philip T. Herbert, who had directed events leading to the Mesilla Convention, William M. Ochiltree, a representative from Texas, presented the petition for territorial recognition to the Confederate congress. This request was received and accepted without comment on April 29, 1861.<sup>59</sup> Not until November 25, however, did Representative John H. Reagan, likewise from Texas, present a bill "to organize the Territory of Arizona, and to create the office of surveyor-general therein."<sup>60</sup> This and the credentials of the Arizona delegate, Oury, were referred to the committee on territories.

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57. Clipping from *Mesilla Times*, N.A., Justice Department Records, Attorney General MSS.

58. "Proclamation of John R. Baylor to the People of the Territory of Arizona," *Mesilla*, August 1, 1861, *O. R. A.*, Series I, Vol. IV, 20-21.

59. *Journal of the Congress of the Confederate States of America, 1861-1865* (Washington, 1904), I, 160.

60. *Ibid.*, 475.

The next action on the bill was taken about two weeks later when Representative J. A. P. Campbell of Mississippi, a member of the committee on territories, made a request that it be placed on the calendar for discussion by congress on December 18.<sup>61</sup> On that date, congress met in executive session with Oury addressing the members. Six days later, when the bill was again before congress for discussion, Representative Campbell recommended the enlargement of Arizona Territory at the expense of New Mexico. Although the change was not agreed to, a resolution was adopted which stated that the Confederacy did not forfeit "the right or claim . . . to the remainder of the Territory of New Mexico," by limiting the boundaries of Arizona.<sup>62</sup> On January 2, 1862, the bill was before congress, and again on January 13, when it passed by an unrecorded vote.<sup>63</sup> Shortly thereafter, President Davis signed it and Oury was admitted to congress as the delegate from Arizona Territory.<sup>64</sup>

By the terms of the enactment, slavery was to be protected by territorial and congressional legislation; and, before Arizona could be admitted to statehood, the state constitution must provide for the "full, adequate, and perpetual maintenance and protection of slavery."<sup>65</sup> Provision was made for a territorial legislature of two houses with the power to override a governor's veto, if supported by a two-thirds majority of both houses. Congress retained the right to modify or change any act passed by the territorial legislature or to initiate any legislation that might be deemed expedient. Appeals could be made from territorial courts to the supreme court of the Confederacy if the amount involved exceeded one thousand dollars. However, no such limitation prevailed in cases involving slave property or questions of personal freedom.

In contrast with the solicitous interest in the Mexicans by the politicians at Santa Fé, the Confederate constitution for Arizona Territory accented its indifference to this group

61. *Ibid.*, I, 551.

62. *Ibid.*, I, 613.

63. *Ibid.*, I, 661.

64. *Ibid.*, I, 691, 701.

65. The territorial constitution is printed in the *Journal*, I, 612-620.

by decreeing that all proceedings of the territorial courts be conducted in the English language.

Although the secession movement in southern New Mexico reached its climax with the Confederate enabling act of January 13, 1862, a brief summary of civil activities under Confederate government seems necessary to complete this picture. On March 13, 1862, President Davis submitted nominations to the Confederate senate for the Territory of Arizona: governor, John R. Baylor of Texas; secretary, Robert Josselyn of Mississippi, the president's former private secretary; chief justice, Alexander M. Jackson of Mississippi, the former secretary of New Mexico Territory; associate justice, Columbus Upson of Texas; attorney, Russell Howard of Arizona; marshal, Samuel J. Jones of Arizona.<sup>66</sup>

During the brief period of Arizona's connection with the Confederacy, territorial government scarcely had time to function. It is even doubtful that all the officers had reached their posts before the middle of August, 1862, when the Union military occupied Mesilla, and cut short further civil government under the authority of Richmond. However, during this period two sessions of the probate court were held, and the property of individuals who were believed to be opposed to the Confederacy was confiscated. In the eastern part of the territory, few seizures occurred, but in the vicinity of Tucson and Tubac, some mines owned by northern companies or individuals were appropriated under the direction of Palatine Robinson.<sup>67</sup>

Brigadier General Henry H. Sibley, who had been at Fort Bliss, Texas, since the fall of 1861, announced in December of that year that he was now prepared to establish Confederate sovereignty over the whole of New Mexico. In a proclamation issued on December 20, 1861, he stated that an army of the Confederacy had arrived at the borders of New Mexico to take possession of the territory, which by "geographical position, by similarity of institutions, by

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66. *Ibid.*, II, 59.

67. Bancroft, *Scraps*, vol. 82, part 1, 192.

commercial interests, and by future destinies" rightfully belonged with the Confederacy.<sup>68</sup>

He declared that the Confederate army had not come to the territory to wage war upon the peaceful inhabitants, but to free them from "the military despotism erected by usurpers upon the ruins of the former free institutions of the United States."<sup>69</sup> His men, having the highest regard for the religious institutions of the natives, would insure their protection. With respect to the strength of his force, Sibley added:

The army under my command is ample to seize any force which the enemy now has or is able to place within its limits. . . . Follow, then, quietly your peaceful avocations, and from my forces you have nothing to fear. Your persons, your families, and your property shall be secure and safe. If destroyed or removed to prevent me from availing myself of them, those who so co-operate with our enemies will be treated accordingly, and must prepare to share their fate.<sup>70</sup>

He declared that he had been reliably informed of acts of intimidation and of fraud which had been employed by the federal government to secure enlistments in the ranks of the Confederacy's enemies. He promised that the day was not far off, when they could rebel against such authority, and disperse quietly to their homes. "But," he added, "persist in the service and you are lost."

As to the future of New Mexico, Sibley said:

When the authority of the Confederate States shall be established in New Mexico, a government of your best men, to be conducted upon principles with which you are familiar and to which you are attached, will be inaugurated. Your religious, civil, and political rights and liberties will be re-established and maintained sacred and intact. In the meantime, by virtue of the powers vested in

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68. "Proclamation to the People of New Mexico," *O. R. A.*, Series I, Vol. IV, 88-90.

69. *Idem.*

70. *Idem.*

me by the President and Government of the Confederate States, I abrogate and abolish the law of the United States levying taxes upon the people of New Mexico.<sup>71</sup>

In conclusion, Sibley appealed to his "old comrades in arms, still in the ranks of the usurpers of their government and liberties," to renounce service under such tyrants "and array yourselves under the colors of justice and freedom!"

Shortly after issuing this manifesto, General Sibley marched north from Mesilla on an invasion of the territory. The Civil War had come to New Mexico.

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71. *Idem.*



## CHAPTER VII

### CONCLUSION

**H**UBERT HOWE BANCROFT, a distinguished writer of New Mexico history, in discussing the position of this territory at the beginning of the Civil War, has said :

In a general way, so far as they had any knowledge or feeling at all in the matter, the New Mexicans were somewhat in sympathy with the southern states as against those of the north in the questions growing out of the institution of slavery. Their commercial relations in early times had been chiefly with southern men; the army officers with whom they had come in contact later had been largely from the south; and the territorial officials appointed for the territory had been in most cases politicians of strong southern sympathies. Therefore, most of the popular leaders, with the masses controlled politically by them, fancied themselves democrats, and felt no admiration for republicans and abolitionists. Yet only a few exhibited any enthusiasm in national politics, apathy being the leading characteristic, with a slight leaning on general principles to southern views.<sup>1</sup>

Although Bancroft sensed the importance of officials, civil and military, in influencing political trends within New Mexico in the pre-war period, he probably magnified the interest taken by the natives in southern institutions. What he failed to recognize is that the slavery controversy was superimposed upon the natives. They were not interested in negro slavery, despite the efforts of propagandists and abolitionists to involve them in a national controversy. With so few negroes in the territory—the census of 1860 enumerated eighty-five—they could not be expected to appreciate the contradictory viewpoints advanced concerning it. Peonage, a system with which they had been familiar from the period of the Spanish conquest, practically satisfied their need for unskilled labor. In addition, they enslaved captive

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1. Bancroft, *History of Arizona and New Mexico*, 680.

Indians. From either, they derived all the advantages of negro slave labor with none of its obligations. Southern agitators failed to recognize the impossibility of placing their system of slavery in competition with these local systems.

Likewise, they were unwilling to admit the truth of Daniel Webster's declaration that in New Mexico, nature was on the side of the free states. Even if it had been admitted to the Union as a slave state in 1860, natural conditions would have aligned it eventually with the free states, as Charles Francis Adams foresaw. Because northern leaders recognized this alliance of nature with their principles, they did not wage so intensive a campaign as did pro-slavery advocates.

Southern politicians were concerned with increasing their numerical strength in congress. If New Mexico could be brought into the Union as a slave state, its support in the senate would restore the balance destroyed by the admission of California in 1850. Such procedure appealed also to local politicians, who were ambitious for political preferment. The adoption of a slave code in 1859 represented one step towards the program, which was cut short by the outbreak of the Civil War. That the South was interested in New Mexico was evidenced by the rapidity with which southern New Mexico, known as Arizona, was admitted to territorial status by the Confederacy. In that section of the territory, allegiance to the South was apparently universal. However, the unanimity reflected only the support by the Anglo-American inhabitants. The natives were generally disregarded politically.

In 1861, the latent hatred of the natives for Texans was revived by federal authorities as a means of winning their support. This animosity, engendered by the Texas Revolution and by the efforts of Texas to absorb the most fertile areas of New Mexico following annexation of the territory, was effective, once the natives were awakened.

Without intent, the nomadic Indians contributed to the power of the federal authority in New Mexico. Their

depredations necessitated the maintenance of forts and troops throughout the territory. By representing the federal government, the military effectively suppressed any open demonstrations of sympathy for the Confederacy.

As William Need observed, "despite the machinations of secession forces who are now straining every nerve, using every device, pulling every cord, to circumvent the supporters of our glorious Union,"<sup>2</sup> they were doomed to failure. Local institutions, an apathetic populace indifferent to controversies alien to them, and nature itself were aligned with each other in determining the political history of New Mexico from 1846 to 1861.

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2. William Need to Simon Cameron, Fort Fauntleroy, New Mexico, September 27, 1861, N. A., War Department Records, Secretary of War Document File.

## BOOK REVIEWS

*Man and Resources in the Middle Rio Grande Valley.* By Allen G. Harper, Andrew R. Cordova and Kalervo Oberg. (The University of New Mexico Press, 1943. Pp. 134 with twenty half-tone plates.)

It is a very dismal picture of present economic conditions and prospects of the Middle Rio Grande Valley that is drawn by the authors of this study. It must be regarded as authoritative for it is the result of a thorough investigation by well-trained, experienced scientific engineers whose record, as set forth in biographical notes appended, leaves no doubt of their competency.

The silting of the Rio Grande, the erosion of its tributary country, soil exhaustion, floods, drouths, over-grazing and over-population are some of the factors which make the outlook for the future rather hopeless unless drastic and exceedingly costly remedies are applied. "The great need," writes Harper in the foreword, "is the creation of some organization wherein all governmental agencies—state as well as federal—could coördinate their efforts in a sound program of action." No matter, whether the aim is to be "subsistence" farming on homesteads, say of approximately twenty to forty acres each, or commercial farming on a large scale, the Valley will not support adequately the present population on its farms. In fact, there seems to be eventual satisfactory living from the soil for only one third of the people now located on its agricultural lands. The reasons are set forth in detail and analyzed.

The first chapter describes the land from the San Luis valley on the north, down to what was once San Marcial. It is apparent that such low-lying Pueblo lands as those of San Ildefonso, Santo Domingo, San Felipe, are doomed by the progressive silting of the river bed. The tributaries of the Rio Grande carry immense amounts of silt into the main stream especially during flood times when banks are cut away and every arroyo carries soil into head waters. Conclude the authors: "As it leaves its watershed in Colo-

rado, the water of the Rio Grande is clear. When the river reaches the southern end of the Middle Valley, below the Rio Puerco, *it carries in flood stage ten times as much silt as an equal volume of flood water of the Mississippi.* The silt load is, in turn, a leading cause of the acutely difficult economic and resource problems with which man is confronted in the valley."

"The People" is the title of the second chapter. It is a tri-cultural population living mostly in towns and villages rather than on the land under cultivation. The Indians number 11,000, the Spanish-Americans 108,000 and the so-called Anglos 5,000. The Anglo-Americans are increasing more rapidly than the other two categories. The Anglo "introduced a radically different method of settlement. \* \* \* He was a seeker after a cash crop, not mere subsistence. He tended to disperse over the area; to him the highway, rather than the village, was the link between his home and school, church, postoffice and traders store." Further, the other settlers "cling to the use of primitive agricultural practices and farm implements which require little or no capital investment and are well adapted to subsistence economy." It takes no prophet to foretell who and what will eventually prevail in the economy of the middle Rio Grande valley.

The third chapter deals with the history and causes of the "Deterioration of Physical Resources." It is asserted and proof given that deterioration came only during the last hundred years and that through the Anglo-Saxon intruders, who cut timber ruthlessly, over stocked the ranges, exploited the soil. "Sixty years ago," according to the book, "the runoff of rains and melting snows was spread over these meadow-like valleys. Today every large and practically every small valley has been cut by any ugly-looking channel." \* \* \* "Sixty years ago the streams carried the clear mountain waters to the lower elevations unencumbered by the burden of sand, rocks and boulders." The different water sheds are described from the Chama down to the Puerco and statistics are given to demonstrate that deterioration has been progressive. This has caused "The Rise of Eco-

conomic Instability," the fourth chapter heading. When General Kearny entered the Rio Grande valley in 1846 he found that the economy of the two ethnic groups was on the subsistence basis. "Food crops, such as wheat, corn, beans, squash and chili were home grown, locally processed and stored. Cattle, sheep, goats, hogs, chickens, as well as deer and antelope, were the source of meat supply. Clothing was largely made from home grown wool and cotton; leather, from various hides. Houses were built from adobe bricks and vigas from the nearby foothills. The irrigable land resources were about 200,000 acres. Several million acres of grazing land were free and accessible to the Spanish and Indian users alike." In brief: "A uniformity of economic and social position prevailed. The production of surpluses was as unusual as the existence of want; nobody had too much or too little of anything. In the Spanish villages life was extremely simple, stable and integrated upon a single level of economic well being."

How different today: "Dependency is diversified; only thirty per cent of the population are dependent upon farm operation; the rest depend upon various forms of wage and relief work, salaries and private incomes derived from outside of the valley."

A broad program for "Solving the Problems of the Middle Valley" is presented in the final chapter. Public education, vocational training, building of dams to increase water supply for irrigation and to prevent silting. "The health of the Spanish Americans is a major problem" according to the authors. "Basically the cause of their high death and disease rates is rooted in their poverty, but apart from this conditioning factor, there are others; the ignorance of the people as to proper methods of personal hygiene; the superstitious beliefs of the people in homely remedies, herb doctors (*curanderos*) and evil influences; the practice of untrained and incompetent midwives; the effects of primitive systems of sanitation; and the pollution of domestic water supplies." In conclusion "the problems which have arisen from man's efforts to exploit the natural resources of the Middle Rio Grande Valley for his economic benefit

are incredibly difficult; worse still, these problems, so long as they remain unsolved, offer critical menace to our American democracy."

An index, a brief bibliography and fine reproductions of good photographs, add to the value of the volume, which is undoubtedly thus far one of the most useful productions of the School of Inter-American Affairs of the State University, reflecting great credit upon the head of the school and general editor of its publications, Dr. Joaquin Ortega.—P. A. F. W.

*Mission Monuments of New Mexico.* By Edgar L. Hewett and Reginald G. Fisher. (The University of New Mexico Press, Albuquerque, 1943; 270 pp., illustrations, bibliog., index. \$4.00)

Another of Dr. Hewett's series, *Handbooks of Archaeological History*, is from the press and, while *Landmarks of New Mexico* may have a more general and popular appeal, many will regard this volume on the historical missions as decidedly the best of the series to date. Perhaps we are prejudiced, for, as the authors agree, the book is about nine-tenths history with only a modicum of archaeology; and also, as is evident throughout, the authors have been well posted as to the results of historical research in this field during recent years.

It was a happy thought to trace our missionary era in the Southwest from its beginning in the Umbrian hills of Italy. After the Foreword and chapter on "Myth, legend and history" by Dr. Hewett, Dr. Fisher gives an adequate and very sympathetic account of Francis of Assisi, of the Franciscan Order which he founded, and of the long trail followed from Assisi to Santa Fé. Chapter III, "The struggle for the faith," is a portrayal of the dramatic seventeenth century from the first colonizing to the tragic Indian revolt of 1680, and is followed by a chapter on "Sanctuaries that survived." One of these sanctuaries, however, (Acoma) is grouped by Dr. Hewett with Pecos, Quarái, Abó, "Gran Quivira," and Jémez in what he terms "the Archaic Group." These six missions are the theme of the last chapters:

"Ruins of the greater outposts of the Cross" and "Reclamation and re-dedication." And here archaeology comes into its own, showing, in the work of excavation, results which are remarkable, almost incredible, to those who knew all except Acoma in their former ruined state.

Dr. Fisher has added several interesting appendices, and here a few corrections might be suggested. Even three of the "Errata" (p. 270) could well be omitted: "Fray Francisco de Jesús María" (as he always signed himself) appears as "Casañas" only in later records; there was no "Fray Juan de Morales" nor anyone martyred at San Juan in 1680; while Carbonell (or Carboneli) *was* killed at San Cristóbal instead of at Taos.

Turning to the list of martyrs (pp. 243-244), probably both Fray Diego de San Lucas and Fray Juan Mínguez should be omitted; it is true that both were killed in Indian attacks but neither was a martyr in the proper sense of that term. On the other hand, the list of custodians (p. 245) lacks at least eight names to be complete for the period indicated.

Perea did not bring twenty-nine new missionaries in 1629 (p. 86). By his own account (and confirmed by *Contaduría* records) he brought only twenty-one. Of those listed by Dr. Fisher, some were already in New Mexico; Gonzales died on the way north; San Francisco and San Lucas were other lay-brothers. Fray Juan Ramírez here and "Manso's successor" of the same name (pp. 97-98) were two different men. The use of the census of 1749 (p. 109) is somewhat misleading, for eleven other missions "del Paso" and of the "Junta de los Rios" have been omitted, both of which groups were parts of New Mexico in Spanish times. Indeed, when he made up this census, the custodian, Varo, was himself located at Senecú del Sur! The population of New Mexico by the complete census was 23,001 instead of the figure here shown.

We question also whether "greed and thirst for power" (p. 102) are an adequate explanation for the tragic Indian revolt of 1680. That violent climax was caused chiefly by the resort to force instead of persuasion by Spaniards and



Franciscans alike. We have evidence of it through the seventeenth century in such "discipline" as the cutting off of *chongos* and burning with hot tar; in the seizing and destroying of native paraphernalia and preventing of native ceremonies; in the dealing with "witchcraft" even to the public whipping and hanging of their native priests (called "sorcerers"); culminating finally while Treviño was governor in the *destroying of their kivas*—the very heart of native religion. This last outrage on the natives was repeated during the reconquest, and it was perpetrated still a third time while Mogollón was governor. All of this, surely, was quite foreign to the spirit of Saint Francis; and the tragic pity of it, that it should largely have nullified the heroic lives of so many of the Franciscan fathers and even the martyr blood with which so many of the pueblos had been watered.

The authors have made an excellent use of illustrations throughout the text. These include the St. Francis murals by the late Donald Beauregard (several of which were finished by Carlos Vierra and Kenneth Chapman); the Vierra series of mission paintings; and photographs of the major missions before and after their excavation.—L. B. B.

*Life in Old Tucson.* By Frank C. Lockwood, University of Arizona. Published by the Tucson Civic Committee. (The Ward Ritchie Press, Los Angeles, 1943. Pp. 255, illustrated.)

Biographical sketches of a dozen or more Tucson pioneers give a lively picture of events in Tucson in the transition period from 1854 to 1864—from the days of the Gadsden Purchase to the closing days of the Civil War—during which Arizona emerged as a separate territory. Somewhat akin in manner to as old a method as that of Plutarch, the author tells the story of an assorted lot of picturesque characters, ranging from notorious outlaws to famous financiers and Army men, including in his gallery of portraits both Confederates and Federals. Purporting to be motivated by the childhood reminiscences of Atanacia Santa Cruz, the widow of Sam Hughes, he admits in his preface:

"In the minds of most old-timers, everything that had

to do with remote days, or even events of the recent past, seemed to be in a muddle." Further: "No two old-timers agreed as to any fact of the past, and the older the inhabitant the more he had his facts mixed." The author, who is on the faculty of the University of Arizona, therefore, searched old newspaper files, official records and read numerous magazine articles and early volumes, and thus produced a book which is as fascinating as it is authoritative, as far as any history of that kind can be authoritative. The period covered was a wild one in southern Arizona, and Tucson was the center of happenings which gave color to many stories of "The Wild West."—P. A. F. W.

*A Doctor Comes to California. The Diary of John S. Griffin, Assistant Surgeon with Kearny's Dragoons, 1846-1847.* Introduction and notes by George Walcott Ames, Jr.; foreword by George D. Lyman, M. D. (California Historical Society, San Francisco, 1943, 97 pp.)

Griffin's diary and Emory's *Notes of a Military Reconnoissance* . . . constitute the only complete contemporary accounts of Kearny's march from Santa Fé to San Diego. Griffin's story was used by Bancroft, but this is its first publication in full. It is divided into two parts: a narrative of the trip to Warner's Ranch, near San Diego; and Kearny's part in the conquest of California with supplementary information about the doctor's experiences in Los Angeles and San Diego. Forty-nine pages of the journal cover the overland trip and fighting, and twenty-six pages deal with his experiences after hostilities had ceased.

The annotation is well done with eight and a half pages of notes. Four maps are reproduced from Emory's *Notes*, showing the route from Santa Fé to the Copper Mines, from the Mines to the Maricopa Village, the Village to Warner's Ranch, and thence to San Diego and Los Angeles.

A twelve page foreword furnishes a touch of glorification for Kearny's dragoons, quite in contrast with the doctor's rather straightforward account of their experiences. The diarist was an observer of the flora and fauna of the region traversed; he was able to appreciate the scenic beauty

despite the hardships of the trail; and his descriptions of medical treatment reveal the great progress made in medicine during the past few generations.

The balmy climate of southern California attracted Dr. Griffin, as many a later American, and after a few more years in army service he lived in Los Angeles until his death in 1898, a highly respected citizen and prominent surgeon.

—FRANK D. REEVE.

## NECROLOGY

*Ira L. Grimshaw.*—On New Year's day, 1943, Ira L. Grimshaw answered the last summons from a notable career which gave him national prominence after having attained distinction in his chosen profession in New Mexico. He died in the prime of life, having been born in Denver, Colorado on December 31, 1886, death having occurred a day after his 57th birthday. He was the son of S. B. Grimshaw, who had been superintendent of the New Mexico Central Railroad and later was postmaster of Santa Fé. Young Grimshaw attended the University of Michigan from which he received his B. A. degree and studied law in the offices of the late Aloys B. Renehan and of Catron and Gortner, a partnership consisting of Hon. Thomas B. Catron, who became U. S. senator from New Mexico, and Robert C. Gortner, who after serving as district attorney for the First New Mexico Judicial District, took up residence in Los Angeles as corporation counsel. Admitted to the bar of New Mexico by examination on January 9, 1909, he practiced law in Santa Fé until he was named reporter and law clerk of the state supreme court in 1915, in which position he made the acquaintance and won the respect and friendship of bench and bar. He compiled Volumes 20 to 28 of the *New Mexico Reports*. From 1916 until 1923, he was a member of the state board of bar examiners. In the latter year he accepted the position of legal assistant to Hon. Stephen B. Davis, who had been appointed solicitor of the department of commerce, and accompanied him to the national capital. From there he went to New York City as counsel for the National Broadcasting Company. The progress he made in his profession before and after leaving New Mexico is ample evidence of his skill as a lawyer and of his fine character. Many of us remember him well as a friend and companion and we share with his surviving family a grievous loss.—P. A. F. W.

*Thomas A. Whelan.*—A native of Leake county, Mississippi, Thomas A. Whelan was born on July 5, 1880. He received his LLB. degree from Georgetown University,

Washington, D. C., in 1912, at the age of 32. In 1913 he was admitted to the bar in Mississippi, from where he came to New Mexico three years later as a special agent of the General Land Office, a position he held until 1919. Admitted to the New Mexico bar in January 1920, he located in Clayton, the seat of Union county, where he maintained his law office for ten years, also serving as district attorney from 1924 to 1928. In 1929, he took up his residence in Lovington, Lea county. He is survived by his widow, Mary B. Whelan. A memorial service was held in the County Court House with District Judge James B. McGhee presiding. Judge McGhee referred feelingly to the kindness and sterling character of the deceased who, having no children of his own, gave generous assistance and counsel in the education of worthy young men and women. Burial was in his home state, Mississippi.—P. A. F. W.

*Wheaton Augur*, who was the republican candidate for attorney general of New Mexico in the 1932 campaign, died on March 23, 1943, at his home in Santa Fé after a long illness, caused by privations suffered during the First World War when he served in the Field Artillery in France. A graduate of Yale University and of Harvard Law School, he had a fine legal mind and attainments. Born in Chicago on July 18, 1888, he was 54 years of age when he died. Mr. Augur came to New Mexico for health reasons in 1930 after having been in active practice in Chicago from 1912 to 1930, except for the interruption of war service. He was admitted to practice in New Mexico courts in 1934 and was attorney in a number of important civil cases. The funeral services held in the Episcopal Church of the Holy Faith in Santa Fé by the Rev. C. J. Kinsolving, took place on March 24. Interment was in Graceland Cemetery, Chicago. Augur was commander of the Veterans of Foreign Wars, a member of the American Legion and vice president of the Santa Fé Kiwanis Club at the time of his death. Augur was married and is survived by his wife who retains her residence in Santa Fé and is active in war and civic work.—P. A. F. W.

*George S. Klock*, one of the oldest members of the New Mexico bar and for years a member of the committee on history and necrology, died of a heart attack in his room at the Vera Hotel in Albuquerque. He was engaged in the practice of the legal profession for more than sixty years, forty of them in New Mexico. Klock was born at St. Johnsville, N. Y., on January 6, 1859, was educated at Fort Plain and Whitestown Seminaries, and read law under Judge W. G. Scripture, at Rome, N. Y. He was admitted to the New York bar at Syracuse in January 1880, and also was admitted to practice in Arizona and in Michigan. He came to New Mexico in 1901 because of tuberculosis and, after practicing under temporary license, was admitted to the New Mexico bar on January 14, 1904. A staunch republican, he served as district attorney of Oneida county, New York, 1893-1898, and from 1909 to 1912 as district attorney of the Sixth Judicial District, New Mexico. An orator of great eloquence he was much sought as a speaker on patriotic occasions, and was an authority on the life of Abraham Lincoln. As a member of the Sons of the American Revolution he served as registrar for well nigh forty years. Klock was a regular attendant at the meetings of the American Bar Association of which he was a member. Past president of the Albuquerque Lawyers Club, he also held membership in the New Mexico Historical Society. He became a Mason 56 years ago and retained his membership in Roman Lodge No. 223. Funeral services were conducted at Albuquerque by Temple Lodge, No. 6, A. F. & A. M. He was active in the Knights of Pythias from early manhood. Mrs. Klock, wife of the deceased, to whom he was married at Phoenix, Arizona, March 18, 1902, died twenty years ago. There were no children.

The following tribute was paid editorially by the *Albuquerque Morning Journal*: "Albuquerque residents, especially the old-timers, are going to miss the pleasant smile and kindly personality of George S. Klock. The veteran lawyer died Tuesday, old in years but young in spirit. He practiced his profession to the last.

"Uncompromisingly honest, Mr. Klock made a record for fearless law enforcement in the closing days of the territorial regime, when he was district attorney here. He brooked no interference or dictation, political or otherwise. But he knew when to be lenient, especially when it meant the salvaging of young men for careers as decent citizens, rather than denying them that opportunity by branding them as criminals.

"Mr. Klock's memory went back to Lincoln's time. He loved to recount the events, and the sayings of prominent leaders long since dead. But he did not cherish bitter memories, preferring to recall only the sweet. And that is the way his friends in Albuquerque will long remember him."

Among noteworthy cases he tried was that of four young men who caused the wreck of a fast passenger and mail train in Oneida county, N. Y., which became widely known as "The Trainwreckers Case." Highly emotional he once burst into tears when he presented before the New Mexico Supreme Court a case involving the death of a pet dog, during which he pronounced an eloquent panegyric on "man's best friend."—P. A. F. W.

*Herman D. Sears.*—Not in active practice for the past ten years on account of illness, Herman D. Sears, a member of the New Mexico bar since March 1916, died on August 14, 1943, at his home on Canyon Road, in Santa Fé, at the age of 70 years. Sears was born in Ashfield, Massachusetts, May 2, 1873. He attended Yale University and graduated from Columbia University Law School. He was admitted to the New York bar in November 1902 and practiced in New York City until he came to Santa Fé in March 1916 for health reasons. He was admitted to practice in New Mexico on January 10, 1917. He was a member of the Masonic Order in New York City. He is survived by his widow, Mrs. Clara H. Sears who retains her residence in Santa Fé, and two sisters, the Misses Mary and Blanche Sears, and a brother, Frederick Sears, of Northampton, Massachusetts. Rev. Paul Rich of the Baptist Church officiated at funeral services in Santa Fé.—P. A. F. W.

*Percy Wilson.*—In the death of Percy Wilson at Silver City, the New Mexico bar lost another veteran who, for more than forty-three years, took an active part in the association as well as in the civic and political life of the state. Although Silver City is strong in its democratic allegiance, it elected Mr. Wilson, a republican, for seventeen terms as its mayor. Mr. Wilson, born on January 10, 1872, at Fort Clark, Texas, was a son of Colonel David B. Wilson of the United States Army, who at the time was a lieutenant of the 25th U. S. Infantry. After attending high school and MacAlaster College in St. Paul, Minnesota, he entered Princeton University where he graduated with a Bachelor of Arts degree. Matriculating in the Law School of the University of Michigan he there received his LLB. degree. On August 28, 1894, he was admitted to the practice of law by the supreme court of Colorado, and engaged in practice in Denver for five years, moving to Silver City in February 1900. There he was given temporary license until admitted by the New Mexico supreme court on January 9, 1901, continuing in active practice at Silver City until early in 1942 when he retired on account of illness. During his first years in Silver City, Wilson was in partnership with Attorney Thomas E. Heflin. Later the partnership of Wilson & Walton was established, the latter representing New Mexico in congress for a time. This partnership was dissolved in 1920. In 1925, the firm of Wilson and Woodbury was formed with Wilson as the senior member, the partnership continuing until Wilson's retirement. While Wilson had a wide and diversified practice, his major work was in connection with the mining industry and in the formulation of mining legislation. He was counsel, from its organization, for the Chino Copper Company and the Gallup American Coal Company, now the Chino Mines Division of the Kennecott Copper Corporation. Mr. Wilson was a member of the first New Mexico board of bar commissioners. Mayor of Silver City from 1907 to 1925, he saw Silver City grow from a frontier cattle and mining town into a busy city with modern improvements and public services. Highly respected by both bench and bar, Wilson



was steadfast in what he believed to be right, and brooked no compromise with his regard for high legal ethics.

Mr. Wilson married Violetta Ashenfelter, who died in 1941, and is survived by his daughter, Ava, wife of R. J. Grissom. The funeral took place in Silver City on September 22, under the auspices of Elks Lodge, with the Rev. Fred F. Darley of the Presbyterian Church officiating.—P.A.F.W.

*Frank Faircloth.*—Born in the County of Clare, Ireland, on Christmas Eve in 1874, Frank Faircloth died in the Tucumcari Hospital on September 29. Although ill for a number of years, he was active in his profession until the Saturday before his death. His parents were Patrick and Kathryn Faircloth, his father having been a railroader, which may account for the subject of this sketch being employed as telegraph operator by the A.T.&S.F. Railway for some time. Faircloth attended the public grade and high schools at LeRoy, Illinois and Farmer City, Illinois, and night schools in St. Louis. He graduated from the Missouri College of Law in St. Louis on January 19, 1903. He was admitted to the Missouri bar on April 8, 1905, at St. Louis, where he engaged in his profession until April 1, 1908. He came to Taiban, New Mexico, September 4, 1908, where he lived until November 1, 1912. He became a resident of Santa Rosa on January 8, 1913, where he had his home until his death. For brief periods, Faircloth had lived in East St. Louis, Illinois, Pocasset, Oklahoma, and at Topeka, Kansas. Granted a temporary license by the late Judge William H. Pope on June 26, 1908, he was admitted by the state supreme court on September 4 of that year.

The deceased represented the legislative district composed of Santa Fé, Torrance and Guadalupe counties in the lower house in 1919. He was district attorney for the Fourth Judicial District for four and a half years, served two terms as a member of the board of trustees of Santa Rosa and as treasurer of Guadalupe county for two terms. A 32d degree Mason, he was past master of Liberty Lodge No. 51, A. F. & A. M., in Santa Rosa, and also a member

of the Shrine. He also held membership in the Las Vegas, New Mexico, Lodge of Elks.

On November 24, 1898, Faircloth was married at Lostant, La Salle county, Illinois, to Mary Kelso, daughter of Alexander and Mary Kelso, his wife surviving him, together with four daughters. The funeral was conducted from the Methodist Church at Santa Rosa, on Sunday afternoon, October 1, by the Rev. Therman Harris, the Masonic Lodge of Santa Rosa officiating at the grave.—P. A. F. W.

*Sheldon Parsons.*—Sheldon Parsons, one of the best loved of Santa Fé's artists, died on September 24. He was a pioneer of the local artist group, having resided in Santa Fé continuously since 1914. His work is widely known and is distinguished particularly for warm colors and skillful treatment of light and masses. His beautiful Southwestern landscapes are perhaps unrivalled in popularity with visitors to the region. He liked best to paint outdoor scenes of the fall season, and his aspen paintings are especially notable.

Parsons was born in New York, April 3, 1866, the son of a country physician. His boyhood love of nature led him to the palette, and encouragement which he won while still in his teens led him to take up study in the New York art schools, particularly the National Academy of Design, and within a few years he had won recognition as a portrait painter. Commissions which he executed during this period included portraits of President McKinley, Vice-President Hobart, Senator Mark Hanna, Senator William M. Evarts, Susan B. Anthony, Edward H. Harriman, and members of many well known families. But his love for the out-of-doors turned him from portrait painting almost wholly to the interpretation of nature, and some of his most successful canvasses during his New York life from 1895 to 1912 were landscapes from the Adirondacks. Then the death of his talented wife, Caroline Redd Parsons, caused him to seek new fields, away from the old haunts and familiar places; and so he came to the Southwest and to Santa Fé.—*El Palacio*, IV (Jan. 1914), 84-97; L (Oct. 1943), 250.

*William Penhallow Henderson*, noted artist and architect whose inspired influence upon Santa Fé homes and public buildings will be felt for years to come, died in Santa Fé on October 15. He was born in Medford, Mass., June 4, 1877, of English and French ancestry. He spent part of his early childhood in Texas and Kansas, finally returning to Boston where he studied in the Massachusetts Normal Art school and the Boston Museum of Fine Arts where he won the Paige traveling scholarship and so was able to extend his studies to Europe. He did not enter any of the art schools abroad but visited all of the important galleries—London, Berlin, Dresden, Madrid, and Florence, and as a result brought back many canvasses of his own with a record of his impressions. These were shown in Boston, and later in Chicago where he taught in the Academy of Fine Arts.

In 1904, Henderson painted in Arizona and Mexico. From 1916 when he first came to Santa Fé he devoted himself to the painting of Southwestern subjects. As both architect and artist, he designed, among others, the homes of Albert Schmidt and Miss Amelia White, and he planned the restoration of the Sena Plaza, for many years the home of the Sena family.

His wife, still living, Alice Corbin Henderson, is well known in the fields of both poetry and prose.—*El Palacio*, IV (April 1917), 97-105; L (October 1943), 252.

## EDITORIAL NOTES

We regret that two of our major studies were not completed within the limits of Volume XVIII of our quarterly. We may blame it on the war and say that conditions incident thereto made it necessary to extend over into this issue. Dr. Smith, formerly at Washington and Lee University and now at the American University in Washington, was delayed in completing his paper so as to begin in July as we had planned; while Dr. Ganaway has been in training camps for over a year. The latter is now a lieutenant and (at this writing) is stationed at Clemson, South Carolina. His study will shortly be available in book form also, as he arranged for it to be added to our series "Publications in History."

For our April issue we shall have a paper by Eleanor Adams on "Two New Mexico Libraries of the 18th Century," and one by Julia Keleher on "The Land of Shalam: Utopia in New Mexico." We hope also to have an illustrated paper by Clinton P. Anderson on architectural alterations made during the last century in the old Palace of the Governors in Santa Fé. Representative Anderson was working on it during the holiday recess of Congress.

The Historical Society is indebted to Mr. Anderson for three gifts made recently: a typed copy of a private journal of W. W. H. Davis, July 1855; a typed copy of an original inventory, April 24, 1883, from John C. Pearce (curator of the Historical Society) to W. G. Ritch (president of the Society and Territorial secretary) for all books, letters, photographs, etc. received by Pearce from Ritch on that date; and a considerable part of the original manuscript copy in Ritch's handwriting from which the first *Blue Book* (1882) was printed. Collating of this last has already shown a good many misprintings in names, etc. At one point, four consecutive names were out of place. The inventory or receipt shows a number of items which had been acquired by the Society during the years 1859-63.

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# *New Mexico Historical Review*



PALACE OF THE GOVERNORS, SANTA FÉ

*April, 1944*

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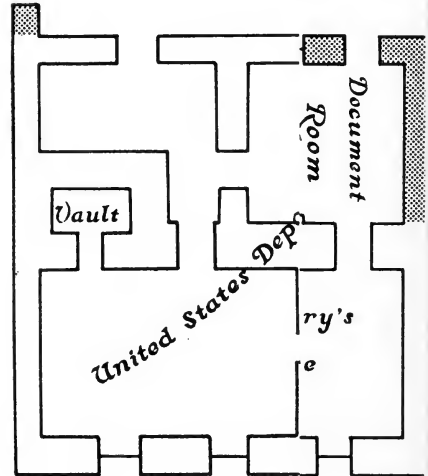
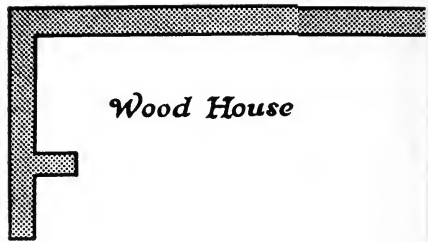
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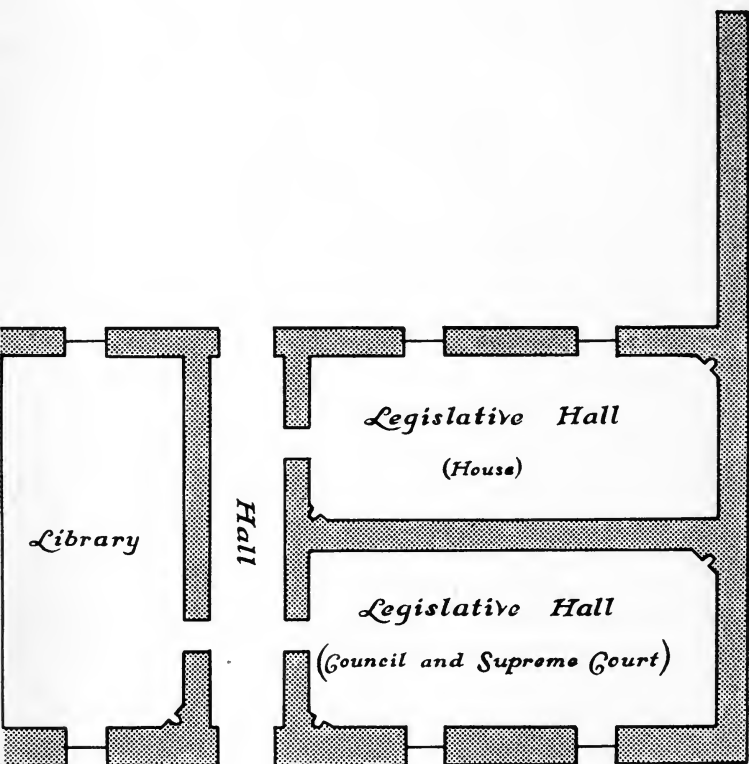
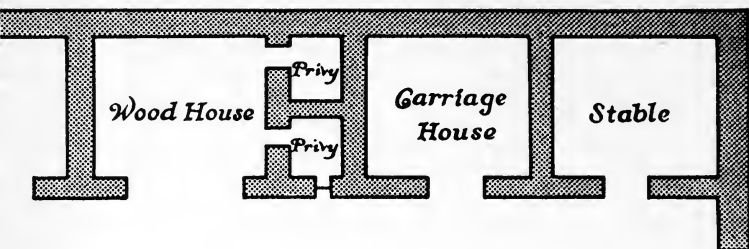
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# NEW MEXICO HISTORICAL REVIEW

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## THE ADOBE PALACE

*By* CLINTON P. ANDERSON

THE DECADE of the 1880's blossomed into importance in New Mexico by the construction of the Santa Fé railroad into the territory near Raton and on to the city of Albuquerque. There the long strands of steel that started at the terminals of Atchison and Kansas City along the Missouri river were destined to join with those of the Atlantic & Pacific railway and stretch across desert and mountain into Los Angeles to form a trans-continental system.

Albuquerque marked the junction, but Santa Fé gave to the system its commonly-accepted name. For this, there was sound reason. From the days of William Becknell, the Santa Fé Trail had been a route to adventure and fortune. It had brought the traveler on a "tour of the prairies" and the merchant with his schooners of silks and supplies to the capital of Northern Mexico. Over that trail had passed the Bents and the St. Vrain, a Kit Carson and a Lucien B. Maxwell, a delicate artistic Josiah Gregg and a swash-buckling, speeding Francis X. Aubry. Finally, along it came General Kearny and his American soldiers, sliding their heavy cannon over Raton mountain on the wooden paths which "Uncle Dick" Wootton had laid down for the wagons of the Santa Fé trade,—and a new epoch was at hand.

Once in Santa Fé, travelers over the Trail, from Becknell in 1821 to Kearny in 1846 and for another generation after the American occupation, all made their official way into the sprawling pile of native timbers and adobe mud known to modern Santa Fé as the "Palace of the Governors." No other governmental building in the United

States approaches it in age; few compare with it in historical significance. Yet there were periods when it fell into a bad state of repair and almost into disuse. Albert Pike could write in 1831: <sup>1</sup> "Neither is the Governor's palace in Santa Fé anything more than a mud building, fifteen feet high with a mud covered portico, supported by rough pine pillars."

In the first flush of enthusiasm that followed the coming of the railroad, the people of New Mexico saw visions of prosperity and sudden commercial activity. The territorial Bureau of Immigration came into being. William G. Ritch, former secretary and acting governor of the territory, became its president on February 27, 1882. He had just prepared and seen come from the presses the first *Blue Book of New Mexico*, into which he had put lists of early governors, secretaries, members of supreme and district courts and odd bits of history. From his pen came *Illustrated New Mexico*, which went through five editions of more than 20,000 copies in all and finally went into a sixth edition under the name of *Aztlan* which Ritch financed and issued privately. There came a stream of county publications, such as the Prichard report on San Miguel County. Ritch was to report that during his first two years in the office more than two million pages of printed matter had been distributed. <sup>2</sup>

Behind this zeal for publications and more publications was the intense interest of Ritch in the historical aspects of New Mexico and his conviction that in its history lay New Mexico's greatest tourist attraction. He was, when he assumed the presidency of the Bureau of Immigration, also president of the Historical Society of New Mexico, and the driving force behind that group's ambitions to acquire a notable library and a collection of antiques. If the new territory was to become great, reasoned Ritch, it needed to preserve the evidence of its distinguished ancestry.

1. Albert Pike, *Narrative of a Journey in the Prairie* (Vol. 4, Publications of the Arkansas Historical Association), p. 98.

2. Report of Ritch to the Annual Meeting of the Bureau of Immigration on Feb. 16, 1884, p. 6.

Thus we have in 1882 a legislative memorial to Congress petitioning that the Adobe Palace be assigned and dedicated to the "Use, Benefit and Behoof of a Historical Society." The resolution was sent to the proper authorities in Washington and was reprinted on the back of the title page of the second publication of the Historical Society, the address of Adolph F. Bandelier on "Kin and Clan," delivered in the Palace on April 28, 1882.

That resolution supplies the title to this article. The building was designated as the "Adobe Palace" for nearly half a century. Prior to the coming of Kearny and his men in 1846, the term "Royal Palace" seems to have been used. After the building passed into the hands of the territory, at least after statehood was achieved, the term "Palace of the Governors" became established. But as we seek to follow the changes in shape, occupancy and ownership of this most venerable of the public buildings within the limits of the United States, we will remember that during the time the building belonged to the United States, it was most frequently referred to in correspondence, in reports, in files, and particularly in the headings of the government's files as the "Adobe Palace," and it is to utilize that device of subject limitation that our title has been selected.

What was the shape, the occupancy, and the general condition of the Palace when the Americans marched into Santa Fé? Strangely, the military men who first came to New Mexico had very little interest in its public buildings. We know that they found the Palace in use and that they themselves adapted it to their purposes, but in the archives in the War Department there is little to give detailed information as to the building. Even the careful examination of New Mexico made by Lieutenant Abert resulted in only this line in his description of the plaza: "On the north side is the palace, occupying the whole side of the square." <sup>3</sup>

The best description is to be found in George Rutledge

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3. Abert examination of New Mexico, House Ex. Doc. No. 31, 30th Congress 1st session, p. 441.

Gibson's *Journal of a Soldier under Kearny and Doniphan*. Gibson went to the palace and gave us his impressions of it. They were distorted by his interest in the domestic rather than historical aspects. He saw the ballroom, the kitchens, the bake ovens, but he found no offices and it may be that the structure was then used only as a residence of the governor except for the portion used as a jail.<sup>4</sup>

Information as to its occupancy also comes from the laws of the Territory itself. In 1856 the Deavenport code was issued under the direction of Governor Meriwether. That code recites<sup>5</sup> an Act of January 6, 1853 as to the use of public buildings and lists as occupants of the Palace entitled to the use of its rooms the legislative assembly, the secretary of the Territory and the governor. We know that in addition James S. Calhoun, who was Indian agent and governor at Santa Fé, made use of a room in the western end of the Palace for Indian affairs.

The best of the early accounts comes to us from W. W. H. Davis who was appointed United States attorney in 1853 and who printed in 1857 a book based upon the diaries of his New Mexico experiences called *El Gringo: or New Mexico and Her People*.

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4. "The general was in fine spirits, took us through the Palace, and introduced us to the ballroom, as well as [to] the private chamber of the governor's lady. The ballroom is a large, long room, with a dirt floor, and the panels of the interior doors [are] made of bull or buffalo hide, tanned and painted to resemble wood. There are various other rooms besides the ante-chamber, which has the lady's private apartment at one end and the ballroom immediately back of it and parallel to it. The office of [the] Secretary of State is on the east side, and the guard room and prison on the west end of the block.

"The rear contains kitchens, bake ovens, and ground for a garden, the whole being roomy, convenient, and suitable to the dignity of a governor in New Mexico. Some parts of the building appear to be made bomb proof or so to be intended, but it would hardly be a defense against American arms. Many parts of the building are in a state of decay and have been neglected for some time, especially the apartments near the calabozo. The walls are all thick, and it contains as few doors and windows as possible."—Gibson, *Journal of a Soldier under Kearny and Doniphan*, edited by Ralph P. Bieber, Southwest Historical Series, Vol. III, p. 213.

5. Deavenport code, page 452, chapter 50, sections 3 and 4:

"3. That the rooms now used by the Legislative Assembly together with the committee rooms adjoining them shall hereafter be appropriated to the use of the said Assembly in the same manner in which they are at present occupied by said Assembly.

"4. That the rooms now occupied by the Secretary of the Territory shall be appropriated to the use of the Secretary of the Territory, and that all other property remain at the disposition of the Governor."

The account of General Davis would attract my interest, for I believe him to have been a careful worker. In the Bucks County Historical Society Museum, at Doylestown, Pa., there is a copy of his fine work, *The Spanish Conquest of New Mexico*, and on it, this inscription: "The historian, Bancroft, read every page of the manuscript of this volume before it was put to press. W. W. H. Davis." Such a man takes his historical writing seriously.

Davis begins his description of public buildings in Santa Fé by a comment on the court-house, located "on the street that leads out at the northeast corner of the square,"<sup>6</sup> which he finds to be a building nearly a hundred feet in length and some twenty five feet wide formerly used as a store of the quarter-master's department. The court room, he tells us, is some sixty feet long. Confirmation of the accuracy of his description of that building can be found in a letter written December 21, 1851, by Judge Grafton Baker, then chief justice of the New Mexico supreme court, to Daniel Webster, then secretary of state.<sup>7</sup>

With Davis as a guide, let us start through the palace. "We enter the Plaza at the northeast corner, and immediately the eye ranges along the portal of the palace in front of which we are now standing. It is not far from three hundred and fifty feet in length, and varies from twenty to seventy-five feet in width."<sup>8</sup>

Before entering, we should have a map. In the files of

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6. Davis, *El Gringo*, p. 166.

7. Baker to Webster:

"... I would beg leave to call attention to the necessity of providing temporarily, rooms suitable for the accommodation of the Supreme Court of the Territory. The terms of the Supreme Court are fixed at Santa Fé, and the same rooms might serve for the accommodation of the District Court of the First Judicial District, and the Circuit Court of Santa Fé County. There is at the North East corner of the Plaza, a building containing one large room, (70 by 26 feet) and several smaller ones well suited for the use of juries, Marshal, and Clerk, which may, with the expenditure of a few hundred dollars to make the necessary adaptations, be made to answer very well for the purposes of the several courts located in Santa Fé.

"This building, as I have been informed, had always, prior to the conquest of the country by our armies, been used and occupied by the civil authorities of the Province of New Mexico for civil purposes;—it has been held and, until recently, occupied by the military authorities of the Territory. . . ." (National Archives. Misc. Letters. Dept. of State. Dec. 1851.)

8. Davis, *El Gringo*, p. 168.

the various governmental departments dealing with the territory of New Mexico during the days immediately following the American occupation, there are many maps. The departments of Interior, Treasury, Justice and Army,—all had need for drawings and maps of New Mexico. In the Archives at Washington are many drawings of the Palace, but for our purposes there are two diagrams which must be used together if we are to see the Palace as it was when the American troops entered Santa Fé and as it became when the American government repaired, remodeled and to some extent rebuilt the Palace during the years from 1860 to 1868. The first of these was submitted to the government by H. H. Heath who assumed the office of secretary of the Territory on July 18, 1867.<sup>9</sup> The other, far more accurate, shows the original as well as the rebuilt walls of the Palace and was submitted to the Treasury Department in 1869 by Henry S. Martin, one of its special agents.

There is a background to the preparation of these two diagrams. The Civil War left its marks all over the nation, including the Territory of New Mexico. When Heath was named secretary of the territory, he went to New Mexico to claim the office as a bit of political patronage thrown in his direction by his late comrades in arms. Heath was a former Union soldier, the captain of Company L of the old First Iowa Cavalry<sup>10</sup> and the organizer of the Grand Army of the Republic in New Mexico.<sup>11</sup>

Heath was, by any standard of measurement, a bitter partisan. During the effort to remove President Johnson, he was to write: "We wait for impeachment."<sup>12</sup> It is my privilege to possess the letter-press copies of his correspondence while secretary and acting governor of the ter-

9. See Heath's letter to R. W. Taylor, First Comptroller of the U. S. Treasury, July 27, 1867.

10. See his letter of January 25, 1868, to John A. Miller, Esq. Central City, New Mexico.

11. See letter from Heath, March 9, 1868, to Comrade Wm. T. Collins, A.A.G., Washington, D. C., reading in part:

I have the honor to receive General Order No. 4, G.A.R., establishing New Mexico as a Department and announcing me as Prov. Commander thereof. . . . I shall take immediate steps to organize this Department.

12. Letter dated March 26, 1868, from Heath to Col. J. Francisco Chaves, then delegate from the Territory of New Mexico to Congress.

ritory. In them, he cries out against the "copperheads," he stands by his old comrades-in-arms, he still wars with those who opposed the Union.

The public depositor for the territory was Col. James L. Collins, whose politics displeased Heath and toward whom the secretary steadily displayed his spleen. On November 19, 1867, Heath wrote Collins a strong letter, pointing out that he, Heath, was "Custodian of the Public Buildings at Santa Fé," that the repairs to the Palace, then under way, were his concern; that Col. Collins was permitting the contractor to over-spend the federal appropriation for that purpose, and that as custodian he demanded that the work cease until further funds were available.

Now the facts were that, legally, he was undoubtedly right. The Act of the federal congress of June 25, 1860, had permitted repairs to the old Adobe Palace, and in furtherance of that act, \$7,851.20 was expended during the years 1861, 1862 and 1863.<sup>13</sup> An advice to J. Francisco Chaves, delegate in Congress from New Mexico<sup>14</sup> shows that the amount spent on the old Palace in 1867 and 1868 was \$5,869.19 which came from the appropriation for repairs and preservation of public buildings. Heath in the above mentioned letter advised Collins "you were authorized to expend the sum of \$5000 for those improvements, and that sum has been by you so expended, and no further sum has, as yet, been authorized or allowed."

In subsequent correspondence, Heath asserted that Collins had made political use of the contract for the repair of the Palace. He was determined not to have that happen in subsequent elections. He sought to make sure of his ground by sending to Washington a full report on the condition of the Palace. This report supplemented the earlier communication of W. F. M. Army.<sup>15</sup> Heath's report was dated August 20, 1867 and was accompanied by a drawing

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13. Letter to J. C. Rankin, acting supervising architect, dated January 26, 1871, to J. Francisco Chaves, delegate.

14. *Ibid.*

15. Report of W. F. M. Army as superintendent of public buildings for the Territory, dated June 13, 1867.

of the Palace which was for a time at least hung in the room of the House committee on appropriations.<sup>16</sup>

Collins, who had been publisher of the *Santa Fé Gazette*, was not without his friends. The dispute was referred to Washington and was temporarily resolved by action of the interested departments in sending Mr. Martin to New Mexico to sift through the rival claims and specifically to see what the government got for its money. He inspected the Palace in September, 1868, wrote his report January 16, 1869, cleared his fellow Treasury employee by pointing out that the repairs were "substantial and necessary," and that while there had been "\$869.19 more money expended than was authorized, the Government can well afford to allow this . . . The enclosed plan shows the new work—more than was expected—hence the increased cost beyond estimate."<sup>17</sup>

To have a clear understanding of the descriptions carried by General Davis in *El Gringo*, it is necessary to use the Heath diagram reproduced herewith, but to understand the transition that took place in the period from 1860 to 1868, it is necessary to have also the Martin diagram of 1869 reproduced at page 97. With these available, we are now equipped with the necessary guides to help us through the Palace, following the descriptions of General Davis as carried in *El Gringo* to which we now return.

The first apartments we come to in going the rounds of the palace are the office of the secretary of the Territory, which we enter through a quaint

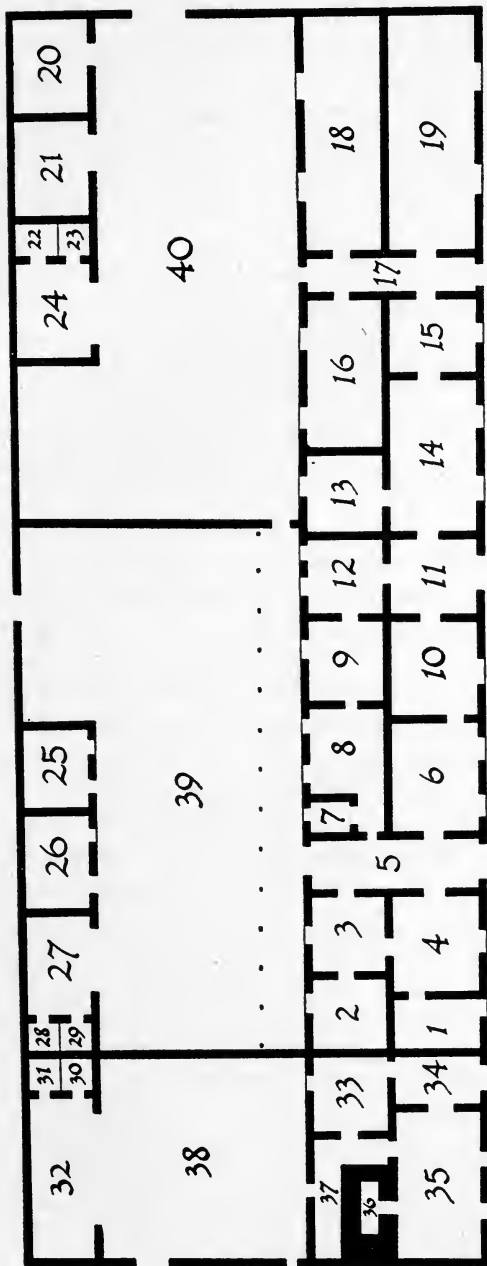
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16. For the full text of his report of August 20, 1867 see appendix, from House Executive Document 33, 40th Congress, 2nd session.

17. Letter of Martin to Hon. H. McCulloch, secretary of the treasury, Washington, January 16, 1869, reading:

My attention having been called to expenditure for repairs of Pub. Building at Santa Fé, N. M. I have the honor to report that I personally inspected the property known as the "Palace" in September 1868.—So far as completed, these repairs were substantial and necessary, and the property greatly enhanced in value. There had been \$869.19 more money expended than was authorized, but the Government can well afford to allow this, and probably \$4000, in addition to put in complete order, all of this, the *best property in Santa Fé*. It is of little consequence who superintends the work, Let it be well done, and the property is worth enough more to fully justify the expenditure. The enclosed plan shows the new work—more than was expected—hence the increased cost beyond estimates. Respectfully, Henry S. Martin, Special Agt., Treas. Dept.





The Heath diagram, from the original now in The National Archives (Washington), Records of Dept. of the Interior, Office of the Secretary, Patents and Misc. Div., File Box No. 274

For identification of rooms, see the Heath letter in Appendix

little old-fashioned door. The office is divided into two rooms: an inner one, in which the books and records are kept, and where the secretary transacts his official business, and an outer one, used as an ante-room and a store-room. The latter is divided by a cotton curtain, hanging down from the beams above, into two compartments, one of which is stored with the old manuscript records of the Territory which have been accumulating for nearly three hundred years. The stranger will be struck with the primitive appearance of these ruins: the roof supported by a layer of great pine beams, blackened and stained by age; the floors are earthen, and the woodwork is heavy and rough, and in the style of two centuries ago.

It will be readily seen that the Davis description does not fit the Heath diagram; but by reference to the Martin diagram we see that the entire east end of the building to be used for legislative halls of the House and Council had been completely rebuilt and that a part of the wall of what was to be the Territorial Library had been reconstructed. Therefore, when General Davis started on his tour of the Palace he did not start with the ruins at the corner, but he regarded himself as entering at the point that then marked the eastern end of the Palace as it was then standing and in reasonably good repair.

Davis, therefore, enters room numbered 15 on the Heath diagram and it is that room which he describes as being the office of the secretary of the Territory. Actually the dividing wall which was later to make room No. 16 on the Heath diagram was not then constructed and the room of the secretary extended into a portion of what is shown as No. 16 on the Heath diagram.<sup>18</sup>

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18. In his letter to R. W. Taylor, first comptroller, U. S. treasury, dated July 27, 1867, complaining of his lack of facilities, Heath says:

A room 13 x 15, you will readily agree with me, is unsuited to the performance of all the business of this office and its voluminous records extending back for nearly 300 years. In another room about the size of this one named, are piled the desks and chairs of the Legislature and about 20 bushels more or less of books, papers and old manuscripts in every stage of decay and delapidation. Very many, probably 1000 volumes, being the laws and journals of the past legislatures of this Territory. [The storage room to which he refers is numbered 13 on the Heath diagram.]

To continue now with Davis as our guide:

We next visit the chamber of the Legislative Council. Passing along under the portal, we again enter the palace about midway of the front, and turning from a small vestibule to the right, we find ourselves in the room where a portion of the wisdom of New Mexico annually assembles to make laws. The room is a comfortable one, with a good hard floor, and just large enough to accommodate the thirteen councilmen and the eight officers. The pine desks are ranged round the wall facing inward, and the president occupies a raised platform at one end, which is ornamented with a little red muslin drapery. Figured calico is tacked to the walls to prevent the members carrying away the whitewash on their coats—a thing they have no right to do in their capacity of law-makers. The executive chamber is on the opposite side of the passageway.

This, by the Heath diagram, makes very good sense. We have entered the Palace in the little vestibule which he has numbered 11 (today the main entrance of the State Museum). We have turned to the right into room 14, home of the legislative council, and after inspecting that room we have gone back into the vestibule and on the opposite side of the passageway we have stepped into room numbered 10, the executive chamber of the governor.

To return to Davis:

Next in order is the House of Representatives—la Camara de Representantes, the door of which opens upon the portal. This room differs in no essential particular from the council-chamber except being about one half larger, and having a small gallery separated from the body of the room by an adobe wall breast high, where the “unwashed” and “unterrified” sit and behold the operation of making laws with wonder and astonishment.

This is not so easy to identify. Somewhere among the rooms numbered 1, 2, 3, 4, 6, and 8, plus the corridor 5 and the pantry 7, is this room. If I were to make a guess, I should first refer to the Martin diagram and note that back

of the governor's office there was a kitchen, dining room and pantry, together with what Martin calls a back kitchen and pantry. These rooms were quite obviously in a bad state of repair and quite possibly were regarded as sufficiently private to the uses of the governor so that General Davis did not examine them.

Also, it will be noted on the Martin diagram that the two bed chambers as reconstructed in 1869 involved new walls and it might be that these were either semi-private or in the state of general dilapidation that the kitchen and dining room had been in. I should like to imagine that all of rooms 4 and 6 (and that part of the corridor labeled 5 which extended to the general partition line) constituted the House of Representatives. Roughly, that area is about half again as large as room 14. In addition, the room numbered 1 could have comprised the gallery which was "separated from the body of the room by an adobe wall breast high."

Originally, the entrance from the portal was directly into the big room through the door which, by 1867, opened into the hallway marked 5.

All this must be based on the assumption that the walls on the east side of room 4 and the west side of room 6 were of relatively recent origin. Confirmation of that surmise might be indicated by the Heath diagram which shows the west wall of room 6 to be narrower than any other wall in the entire Palace.<sup>18a</sup> Of course this could as well be careless sketching, but the descriptions of Davis would prompt us to believe that the old House of Representatives consisted of rooms 4 and 6 plus the contiguous portions of the hallway numbered 5 in the Heath diagram.

Says Davis:

Leaving the hall of the House we enter the territorial library, which opens into a small vestibule leading from the portal. We find ourselves in a room not more than fifteen feet square, filled with books from the floor to the beams over-

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<sup>18a.</sup> The author refers to the wall which is broken by a door from hall no. 5 into room no. 6. Unfortunately the thinness of this wall was lost by the copyist in reproducing the Heath diagram for our illustration.—Editor.

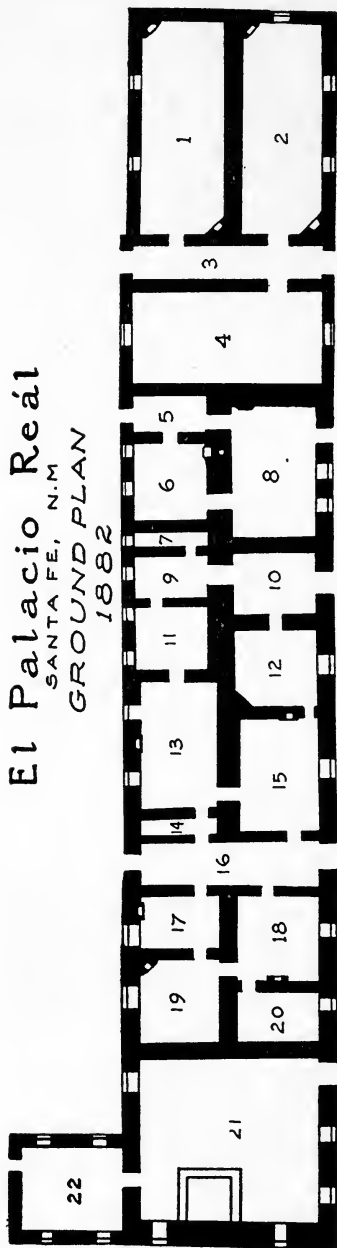
head, ranged around the wall on shelves, and numbering some two thousand volumes. They embrace the standard textbooks on the various branches of common and civil law and equity, the reports of the United States and the state courts, and codes of the various states and territories, besides a number of congressional documents. The judge, other United States officers, and members of the bar have access to the library, and can take out books to keep a limited time, after they shall have been registered by the librarian, and being responsible for their safe return. Opening into the same vestibule is the office of superintendent of Indian Affairs, which, with a storeroom adjoining, occupies the west end of the Palace building. Near by is a large vacant room, appropriated to the use of Indians when they come in to see the superintendent on business, at which times they are fed by the government.

Here again the Heath diagram is completely satisfactory. The vestibule leading from the portal is numbered 34. The territorial library, if it is fifteen feet square, could well be numbered 33 which scales exactly to that measurement. Opening into the same vestibule is number 35 which, by the time Heath was writing about it, had become the public depository with a vault labeled number 36, and part of the storeroom, number 37. Earlier, when Davis wrote *El Gringo*, this room number 35 could quite well have been "the large vacant room appropriated to the use of the Indians."

In the publication No. 29 by the Historical Society of New Mexico, "The Palace of the Governors, The City of Santa Fe, its Museums and Monuments" by Ralph Emerson Twitchell, there is a ground plan of "El Palacio Real" as it was in 1882, which is here reproduced.

What changes had there been in the ground plan from the days of Davis to that period when William G. Ritch and L. Bradford Prince were the president and first vice-president, respectively, of the Historical Society of New Mexico, and were involved in the campaign to wrest the title of the Adobe Palace from the government of the United

**El Palacio Real**  
SANTA FE, N.M.  
GROUND PLAN  
1882



1. House of Representatives
2. Council and District Court
3. Entrance Hall

4. Territorial Library

5-6-8. Attorney General

7-20. Apartments and Offices occupied by the Governor  
21-22. U. S. Attorney and U. S. Marshal

(from *Historical Society of New Mexico Papers, No. 29*)

States? What additional changes took place from that day until that later time when the full use of the Palace was vested in the Historical Society?

In the beginning we have seen that the southeast corner, which was lying in ruins at the time of the Davis visit, has been repaired by 1868 so that the two legislative bodies could be moved to the extreme east end of the Palace. There, in their new homes, each of which was fifty feet long and in the case of the council twenty feet wide but in the case of the House eighteen feet wide, they were enabled to hold sessions pending the completion of the territorial capitol.

The ground plan of 1882 shows these two rooms as in use by the house of representatives and the council and district court; but a diagram of the Palace in the handwriting of L. Bradford Prince and submitted by him in 1888, shows these rooms as historical rooms and the territorial law library on the opposite side of the hall as vacant. In 1889 all three were listed as New Mexico Historical rooms.

The center of the building has had a more interesting history because it became involved in litigation and at various times seemed likely to pass into private ownership.

The Martin map shows the old room occupied by the territorial council with a room back of it once piled high with furniture and books, becoming the office of the secretary of the Territory with his document room in the rear. This had ceased to be the function of the room by January 10, 1877 when William G. Ritch as custodian of the Adobe Palace submitted to the assistant secretary of the treasury, a plan of the Palace. In that plan Ritch shows a passageway along the west side of the territorial library and shows the occupant of the rooms on the west of the passageway to be William Breeden, attorney general of the Territory. The ground plan of 1882 carried in the Twitchell pamphlet shows the elimination of the passageway and the use of rooms 5, 6, and 8 on his ground plan, by the attorney general.

The 1888 ground plan of Governor Prince shows these

rooms as the offices of William Breeden, M. A. Breeden and W. B. Sloan. There is this comment on the bottom of the rough plan of Governor Prince: "It will be observed that the only portion of this building now used for any necessary public purpose is the historical rooms. Both the Governor and Secretary have offices in the territorial capitol."

The secretary of the Territory on October 1, 1889, in submitting a plan of the building shows these rooms as "law office of the former attorney general of New Mexico and now occupied by him without authority."<sup>19</sup> We shall have more to learn about this controversy in a moment.

When the legislative assemblies were moved to the eastern end of the Palace, the entry numbered 11 on the Heath diagram, marked as a hall on the Martin diagram, numbered 10 on the Twitchell ground plan of 1882 and all the rooms up to 19 and 20 on the Twitchell plan (1 and 2 on the Heath plan) became the residence of the governor and apparently remained that way through many years. The Ritch diagram of 1877, the Prince ground plan of 1888, and the secretary's sketch of October 1, 1889 all so designate them.

The southwest corner has had an interesting history. In the beginning of the American occupation it was first used by the office of Indian Affairs and was so used up to 1856 when *El Gringo* was printed. In 1867 it had become the public depository and is so shown on both the Heath and Martin diagrams. The Ritch plan of 1877 shows the space as "late U. S. depository and still occupied by the receiver of the U. S. Land Office of Santa Fé, New Mexico." The Twitchell ground plan of 1882 shows it as the office of the U. S. attorney and U. S. marshal; the Prince rough plan shows it as the residence of the secretary of the Territory and the 1889 diagram as the U. S. post office. In between, it had been the office of the Second National Bank of Santa Fé,—a further example of the encroachment in the building of private interests.

The story of the effort to put a large portion of the

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19. Records of the Department of Interior, Office of the Secretary, Patents and Miscellaneous Division 2252-1889.



Palace and most of its adjoining gardens into private possession is almost a separate narrative in itself. The controversy came to a head in 1881 and ended about ten years later when possession of the building was vested in the Territory of New Mexico.

On July 7, 1881, W. G. Ritch, then secretary of the Territory and custodian of public buildings, sent to the Honorable S. J. Kirkwood, secretary of interior, a petition from the Historical Society of New Mexico that it be permitted to use certain rooms in the Palace not needed by the government. The next day the then Attorney General William Breeden, the U. S. Surveyor General Henry M. Atkinson, John Watts, William Griffin and Brigadier General Edward Hatch signed a separate and confidential petition to the Secretary in which they pointed out that they did not want to be understood as recommending that any portion of the building occupied by public officers be assigned to the Society, but so far as they were concerned, only the rooms in the rear of the offices of the chief justice and the U. S. attorney.

Back of this double dealing was a long series of differences between Ritch and Breeden. Ritch had written to the secretary of interior on May 27, 1881 informing him that Breeden had entered upon and taken possession of a piece of land "known and heretofore occupied, as the garden lot and being as near as may be the north half of the Adobe Palace property." His letter pointed out that the garden had been cultivated under permission of Governor Lew Wallace since Wallace came to the territory as governor. Ritch claimed that Breeden had taken possession of the lot with the intention "to erect a building thereon for the use of the post office."

The device used by Breeden and his friends was interesting. They had attempted to enter on the land by the use of half-Indian script. The General Land Office later held that to be an improper use of the script.<sup>20</sup>

As to the building itself, the U. S. Depository had oc-

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20. See letter of C. W. Holcomb, acting commissioner to S. J. Kirkwood, secretary of interior, June 23, 1881.

cupied the southwest corner of the Palace and had had special vaults constructed for its use. It had, however, discontinued to occupy the space in the autumn of 1876.<sup>21</sup> On May 3, 1877 the then secretary of treasury leased the space formerly used by the Depository to John Sherman, Jr. for a term of two years. Sherman was then U. S. marshal of the Territory and it was expected that he would occupy the rooms. His lease was renewed for three additional years, during which time a financial institution, the Second National Bank, moved into the premises. When the extended lease expired May 2, 1882 the bank gave notice that it had not vacated and did not intend to vacate until ejected by due process of law.

The U. S. attorney was given instruction to commence legal proceedings, but on May 10, 1882 the bank addressed a letter to the postmaster general saying that it only wanted to remain in the building for eight or ten months while it was constructing a new bank building and that it would pay a monthly rental of \$75 for the privilege. L. Spiegelberg, an officer of the bank, on July 5, wrote Tranquilino Luna, then delegate in congress, saying that the new bank building would be completed by the first of January and that all the bank wanted was an extension until that date.

But that did not prove to be the case. The postmaster general, T. D. Hour, on January 6, 1883 asked the secretary of interior to set aside the old depository space for a postoffice and the following day Henry M. Teller, secretary of interior, sent instructions to the secretary of the Territory to make the space available to the postmaster. A month later, an inspector from the post office department informed his chief that he had been in Santa Fé waiting for the Second National Bank to move and that "the bank moved late Saturday night" but failed to keep its agreement to deliver peaceable possession to the department when the bank building was ready to be acquired. D. K. Osborne, a clerk of the Texas, Santa Fé and Northern

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21. See letter of Charles Folger to H. M. Teller, secretary of interior, May 19, 1882.

Railway, headed by T. B. Catron, had jumped the property as a squatter.<sup>22</sup>

As usual, Ritch painted a true picture to the secretary of interior. In his letter of February 23, 1883 to Secretary Teller, Ritch told how Osborne had jumped the property, that he had moved in a bed and chairs and that with fire-arms in hand he declined to vacate the premises. William Breeden was retained to defend him and Ritch caught the significance in the fact that Breeden was also the regularly retained attorney for the bank, as well as an occupant of rooms in the Palace. While he had been attorney general for the Territory for several years, Breeden had claimed that the rooms he occupied were his personal property.

Ritch then gave the real background for the "occupation." Osborne had indicated that he would not interfere if the Internal Revenue Office wanted the rooms but that he would not vacate them for the Post Office. Says Ritch, "It has been suggested to me that a solution would be found in the following facts. Osborne is a clerk of a certain railroad company of which T. B. Catron is president. Catron owns the building now occupied by the Santa Fé Post Office and rents said building to the Post Office for a liberal rental. It is important as maintaining a material value of the property thus occupied and that adjoining, also belonging to Mr. Catron, that the post office remain where it is and not be removed as was proposed to the property jumped by the clerk of Mr. Catron's railroad company."

It could hardly be important to tell in detail the rest of the story. George W. Prichard, who had been made

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22. The letter dated February 6, 1883, from L. F. Lee, inspector, to Col. David B. Parker, chief post office inspector at Washington, reads, in part:

Sec. Ritch, when I showed him your dispatch, agreed to give me possession of the premises for the Department yesterday morning. When visiting the building, was surprised to find the clerk of the Texas, Santa Fé and Northern Railway in possession, having moved his furniture in the building during the night. Spiegelberg, President of the Second National Bank, is one of the principal stockholders or the Treasurer of the Railway. Mr. Breeden, council for the jumpers is Vice President of the bank. It looks to me as though the government had no right here that the old Santa Fé ring was bound to respect. They assert that the building is not Government property and that any squatter or jumper who takes possession can maintain his claim against the Government.

United States attorney for New Mexico, brought suit against Fiske and Warren for the southwest corner room and got judgment against them. Thus began the steady legal process by which Breeden, Dr. Sloan, Fiske, Warren and agents of T. B. Catron were forced from the building.

Into the picture comes L. Bradford Prince, not only as the president of the Historical Society, but as a member of the Republican central committee of the Territory of New Mexico of which William Breeden was chairman. On December 10, 1884 Mr. Prince wrote to the Honorable John A. Logan, United States senator, and urged that he help get two rooms at the east end of the Palace, formerly used by legislators, for the Historical Society. On December 12 he sent a letter to the secretary of interior making the same request.

But he could not keep the political aspects entirely out of it. In a later note to Secretary Teller, he mentioned that the Democrats might give the permission to the Historical Society and he wanted the Republicans to have the credit.<sup>23</sup> Again on February 14 he wrote from New York on the letterhead of the Republican central committee pleading that the Republicans should have the credit as a party for doing what everyone in the Territory approved.<sup>24</sup> The appeal was successful. On March 2 the secretary of the interior turned over to the Historical Society of New Mexico "two rooms in the Adobe Palace Building formerly used by the Territorial Legislature."

That was not the end. A later secretary of the Territory tried to turn over these same rooms to A. Seligman, postmaster, in 1888 but he did not succeed. In 1889 the

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23. Letter to Teller dated February 2, 1885, says:

The Democrats are sure to give the permission as they have promised it and I am anxious to have it come from our side so that we can have credit instead of dealing that to them.

24. Prince to Teller, February 14, 1885:

As the time grows short before the 4th of March I grow more anxious about obtaining that order for the Historical Society of New Mexico to occupy the East rooms of the palace at Santa Fé while it still can come from Republicans. Do let us have the credit as a party of doing what everyone in the Territory approves and will appreciate.

post office was moved instead into the southwest corner. In January of 1889 the war department sought to take over most of the Palace and it looked for months of if the army would succeed. Finally General Nelson A. Miles, after receiving a voluminous file to which many names connected with New Mexico history were finally appended, ruled that the Adobe Palace should be transferred to the interior department "at the earliest convenient date."<sup>25</sup>

With all the adverse occupants out of the building, the stage was set for title to pass to the Territory of New Mexico under a rather definite understanding that the Historical Society might realize its hope or goal of a permanent home. On June 21, 1898 congress enacted a law granting lands to the Territory of New Mexico and the last clause of section 6 read: "The building known as the Palace in the City of Santa Fé, and all lands and appurtenances connected therewith and set apart and used therewith, are hereby granted to the Territory of New Mexico."

That should have ended the matter and it might have, except that Miguel A. Otero had become governor. In his report for the year ending June 30, 1899, he suggested that section 6 should be repealed as the Territory was not "financially able to take proper care of and preserve this building."

There were other complications. Though it yielded the building to the Territory, the government wanted the post office to retain its space rent free. A. A. Keen, who still lives at Albuquerque to the delight of all who know him, was commissioner of public lands for the Territory and demanded from the government annual rental of \$600 for the post office space. Governor Otero was not pleased by the whole situation. Again on October 31, 1900 he wrote to the secretary of interior and said: "I am still of the opinion that the old palace building ought to go back to the government who could properly care for it. I am very much afraid that if it is not turned back it will go to rack and ruin. . . . I have always thought that this historical

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25. Letter of Major General Nelson A. Miles, Commanding, Headquarters Division of the Pacific, San Francisco, California, August 8, 1890, to the Attorney General, United States Army, Washington, D. C.

old building should have been made a branch of the Smithsonian Institution."

But the determination of the governor did not prevail. The Historical Society had fought too long and too hard for a home. It had ambitions for other displays, both scientific and historical. It visioned then the possibility that it could spread through many of the rooms and enjoy the spaciousness which they would give to its functions.

The agitation to return the building to the federal government died down. The private owners were satisfied with court decrees requiring them to find other locations. The Adobe Palace passed permanently into the possession of the citizens of New Mexico to become as it now stands, a shrine for the long and varied history of those cultures, races and flags that have known it in the centuries it has stood. The oldest government building in the United States had obtained a permanent custodian.

APPENDIX<sup>1</sup>

Office Secretary of the Territory,  
Santa Fe, New Mexico, August 20, 1867.

Sir: The undersigned, appointed by you on the 13th of June last a commission to "make a full and thorough examination" of "the public buildings" in this Territory, etc., have the honor to submit the following report:

That about the time of receiving your communication of the 13th June, Hon. W. F. M. Army, superintendent of public buildings for this Territory, under instructions contained in a memorial of the last legislature, made a report upon the subject of public buildings belonging to the government in New Mexico, which report was concurred in by various officials of the government then here, and which, it was then thought, covered all the points of information desired. Subsequently, however, and upon another perusal of your communication, we discovered that the report of Governor Army was incomplete, the "palace" having remained unreported upon by him. We have, therefore, deemed it necessary to a full understanding by the Secretary of the Interior of the whole subject of public buildings in New Mexico, to submit this statement, as a report upon the only public building in the Territory occupied for civil purposes.

The "palace," as it is familiarly known, is an ancient adobe building, one story in height, 240 feet long by 36 in depth. It is of great age, having been erected, according to the traditional history which exists, early after the occupation of the country by the Spaniards. During the existence of Spanish rule in Mexico the "palace" was the chief residence of the rulers of the province. It was subsequently occupied by the Mexican governors; and since the acquisition by the United States, it has been the residence of the governors, and parts of it have been occupied for various public purposes. Its walls are from 2 to 3½ feet in thickness, which, considering their great age, remain in a remarkably good and sound condition, with some exceptions.

From time to time, evidently, judging from appearances, since the erection of the main building, additions have been made, and probably some new walls inserted. At present, however, with the exception of the west end, which was improved last year under authority from the Secretary of the Treasury, and which was then, as it is now, used for a public depository, the whole building may be said to be in great general dilapidation; few repairs having ever been made upon it since becoming the property of the government.

This building is at present occupied—1st, by the public depository of government moneys; 2d, as a private apartment for the same;

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1. From House of Representatives Ex. Doc. No. 33, 40th Congress, 2d session.

3d, by the governor of the Territory as a residence; 4th, by that functionary as an executive office; 5th, by the secretary of the Territory for offices; and, 6th, by the territorial library.

Under authority of the treasury, recently obtained, the considerable sum of five thousand dollars is now being expended in general repairs upon the building and for making such special alterations therein as will inure to its preservation, and at the same time greatly enhance its value to the government by reason of the increased facilities it will afford when completed to the public officials whose duties will be performed therein.

These improvements, however, contemplate no material internal or external architectural changes in the palace. They propose among other things the removal of the territorial library to a large and somewhat more suitable room, the substitution of a stable which adjoins the building for a legislative council chamber, and the room in which the library now is, in the east end of the building, to be taken for the house of representatives. Either of the two rooms proposed for legislative purposes, may, when the legislature is not in session, be used for the federal courts of the Territory.

It is to be remarked, however, that while the rooms named are thus to be used for legislature and judicial purposes, they will be very small; about 50 feet in length, by 20 and 18 feet, respectively, in width. Still it is believed that public economy will be subserved temporarily by this arrangement, and until the federal government shall complete the State-house or capitol, now so far advanced in erection. And it is also to be noted that the library room, now so entirely inadequate for the purpose to which it is dedicated, is to be but slightly benefited by the change proposed, though the new room will enhance the facilities of that interesting and important branch of territorial interest. The main reason for changing the library at all is that the two rooms to be used by the legislature may be brought together.

The outbuildings pertaining to the palace are at this time little better than ruins, but the contemplated improvements will extend to them and increase their usefulness.

The accompanying diagram is the ground plan of the palace, as it will be when the work now going on is completed, and will be occupied as follows: (See plan, and numbers, etc., in red ink.<sup>2</sup>)

Numbers 1, 2, 3, 4, 6, 7, 8, 9, and 12, by the governor as a residence.

Number 10, by the governor as an executive office.

Numbers 25, 26, 27, 28, and 29, for servants' rooms, store rooms and water closets attached to the governor's residence.

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2. The original drawing of this diagram is in the room of the Committee on Appropriations.



Numbers 20 and 21, for stable and carriage house for the governor.

Number 13, 14, and 15, for offices of the secretary of the Territory.

Number 11, passage between the executive and secretary's offices.

Number 5, passage leading through the governor's residence.

Number 16, territorial library.

Numbers 18 and 19, rooms for the legislative assembly.

Number 17, a passage common for the legislative rooms, secretary's office, and library.

Numbers 22, 23, and 24, wood-house and water closets for secretary's office, library and legislature.

Number 33, private apartments of the public depository.

Number 34, passage leading into the public depository.

Number 35, office of public depository.

Number 36, vault of public depository.

Numbers 30, 31 and 32, are wood-house and water closets attached to the office of the public depository.

Number 38, a placita in rear of the last named office.

Number 39, a placita in rear of the governor's residence.

Number 40, a placita in rear of secretary's office, library, and legislative rooms.

In front of the palace, and extending along its entire length and facing a public plaza, is a plain portal or porch, shed roof, supported by hewn posts seventeen feet high and standing ten feet apart. This portal is unpaved and unfloored.

The roof of the entire palace is composed of earth, after the manner of building roofs in this country. The roofing of the portal is alone constructed of lumber, it being a comparatively recent improvement. Much labor is required to insure a water-tight roof over the main building, the present one being entirely unsafe during any period of rain.

In the rear of the palace, and extending some 250 or 300 feet back, is a fertile plat of ground which has been and is still used as a garden by the territorial executive.

The small round red ink lines on either side of the diagram mark the windows;<sup>3</sup> these, by the improvements now going on on, are increased in number to the extent of four in front and six in the rear of the building. Hitherto the rooms in the palace have been, particularly in cloudy weather, exceedingly dark. The increase of windows will obviate a very serious difficulty.

We have thus briefly, though not very satisfactorily to ourselves, exhibited to you a view of the palace; regretting, however,

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3. In copying the Heath diagram for reproduction, these little markers were not shown.

that it has not been possible for us to make it more acceptable. We venture to trust, at the same time, that our report will, as presented, subserve your purpose.

In conclusion, we trust that we do not exceed the bounds of duty in expressing the hope that, although a small sum of money is being now expended upon repairs of the old palace, the great public interest that attaches to an early completion of the public buildings in this Territory, a capitol and penitentiary, both of which are considerably advanced in their erection, may not be lost sight of.

Temporarily and for a few years, while the capitol is being completed, it is possible, by making a virtue of necessity, for the public business to be transacted in the building upon which we have reported; but for any purpose beyond such temporary use, it is just to add that the building in question is now, and will continue to remain, greatly inadequate.

When the legislature is in session, halls for the federal courts are now and must be rented. All the offices for the functionaries of the federal courts have now to be rented, and this must continue until the capitol is completed.

For the legislature there will be no lobby or committee rooms for either branch. The latter must be rented; and for no officer of either house, presiding or clerical, is there a room. Two small naked rooms 50 by 18 and 20 feet are all that the legislature of this Territory can have at its disposal for any purpose whatever, until the completion of the capitol, unless they are rented outside of the public buildings.

It is therefore readily seen what necessity exists for an early completion of the capitol in this Territory, not only when considered in the light of public economy, but perhaps in what is more important, a due regard to the public convenience, in connection with the discharge of important public functions by those to whom the government intrusts their performance.

We have the honor to be, very respectfully, your obedient servants,

ROBERT B. MITCHELL,  
Governor of Territory,  
H. H. HEATH,  
Secretary of Territory,  
J. L. JOHNSON,  
Commissioners

HON. W. T. OTTO,  
Assistant Secretary of Interior, Washington, D. C.

## THE LAND OF SHALAM: UTOPIA IN NEW MEXICO

By JULIA KELEHER

ONE OF the most fantastic coöperative commonwealths in the long history of Utopian concepts of society materialized near Las Cruces, New Mexico, just before the turn of the twentieth century. The originator of the settlement, called the land of Shalam, was a John B. Newbrough, of Boston, the corporate name of the society was The First Church of Tae, and the articles of incorporation were filed with the secretary of the territory on December 30, 1885.

The settlement was conceived in fanaticism and built on an idealistic and humanitarian foundation. In its development, however, appeared the personal greed and individual selfishness which such societies usually encounter but fail to banish from their organization. Newbrough and his co-founder, Andrew M. Howland, came from a long line of socially conscious reformers. Most of their predecessors fabricated ideal commonwealths for the betterment of mankind out of dreams and wishful thinking, building word cities on mythical islands, on inaccessible mountains. Newbrough and Howland transmuted their dream city into New Mexico adobes on the banks of the Rio Grande.

Not very much is known about the originator of the project, Newbrough, prior to his New Mexico interlude, except that he had established a reputation in Boston as a hypnotist, and had also been identified with spiritualistic circles for some time. The picture left us by George Baker Anderson is no dry-point, however, for from him we learn that:

The doctor stood six feet four inches in height, weighing two hundred and seventy-five pounds, perfectly proportioned, extremely handsome, highly educated, dignified, cultured, refined and distingue.<sup>1</sup>

That the charming doctor was nobody's fool is quite obvious from the fact that on his exploratory trip through

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1. George Baker Anderson, "The Land of Shalam," *Out West*, November, 1906, p. 414.

the West in search for a Utopian site, he realized the possibilities for developing an agrarian commonwealth on one of the few potential garden spots in New Mexico, the rich Mesilla Valley land. He took an option on nine hundred acres, and then returned to Boston to hook the financial backer of his project, a wealthy coffee importer named Andrew Howland.

Howland fits into the Utopian framework perfectly, a gentle, guileless visionary who might have read about Coleridge's fantastic plan for establishing an ideal commonwealth in America on the banks of the Susquehanna River. At any rate, he had some pronounced theories in regard to social reform, and what was most important, he had a fortune. He, too, was very much interested in spiritualism. This Boston background of the two men is very interesting because it ties up with another Boston social reformer, Edward Bellamy, whose study of a cooperative society, *Looking Backward*, was published in Boston in 1887. Bellamy's social theories had been attracting a great deal of attention, not only in the New England states but throughout the country, and it is not improbable that the two men were influenced by some of his ideas. Bellamy's Utopian state is laid in Boston in the year 2000, and the visualization of his ideal picture of society at that period is projected through the technical advice of a hypnotic trance. Some authorities on *The Land of Shalam* contend that Newbrough got Howland to convert his entire fortune, estimated at half a million dollars, into available cash for the New Mexico commonwealth by hypnotizing him.

Whether this contention is accepted or not, it is true that Howland fell with a thud which pains the modern reader. Newbrough sold him his plan for purchasing a tract of land somewhere in the West, free from the complexities of modern civilization, and the establishment of a city which should be the center of a commonwealth in which all should be equal. He apparently swallowed, too, Newbrough's fanatical illusions to the effect that although he had been divinely appointed by Jehovah to buy a tract of land for the ideal commonwealth, the Lord had told him that

Howland would supply the money necessary for the fulfillment from on High. One of the most revealing clues in regard to Howland's character and the humanitarian ideals which motivated him in the venture is the fact that the feature which interested him most in the projected set-up was the establishment of a home for foundling children.

So the coffee fortune was turned into ready cash, and the two men started on the long journey in Newbrough's preconceived search for a site for the ideal settlement. At this point, in one of the most curious chapters in New Mexico's colorful history, Newbrough put on a pre-arranged burlesque show in an effort to further impress Howland. He convinced him apparently that:

Angels from on high had commanded him to travel towards the setting sun, and that when the divinely appointed place would appear they would both immediately and intuitively know it. The journey was uneventful until Socorro, New Mexico, was reached, at which point Newbrough told Howland that he was getting warm, and that he felt that they were nearing the place. At Las Cruces he was very warm, and a few miles beyond this settlement, he climaxed the show by allowing himself to be driven blindfolded through the vicinity; then at the psychological moment, at the very spot he had previously chosen, which is the present site of Doña Ana, he stopped, lifted his hands dramatically to heaven, and rendered thanks to Jehovah and all the angel ambassadors for their guidance.<sup>2</sup>

The commonwealth got off to a good start when it was agreed that the title to all the land should be invested in Howland. The structure of Shalam's government consisted of an Inner Council and an Outer Council known as The Tae. Each Council was to have a Chief elected by a ballot for a term of one year. The settlement drew up no constitu-

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2. *Ibid.*, p. 419. Anderson's local geography was here at fault, for Doña Ana lies, north, not south, from Las Cruces; also the colony tract of about 900 acres was not "the present site of Doña Ana" but bottom land which lay to the west, between Doña Ana and the river. A more extended account, and in some ways more accurate, is "The Land of Shalam," an anonymous article which was incorporated in *History of New Mexico* (Pacific States Publishing Company, 1907), pp. 511-518.

tion or by-laws, but all of the applicants were required to enter into what was known as a Holy Covenant which reads thus:

I covenant unto thee Jehovah, that since all things are thine, I will not own or possess exclusively unto myself, anything, under the sun, which may be intrusted to me, which any person, or persons may covet, desire, or stand in need of.<sup>3</sup>

The members of the colony were guided by a long tract called *Oahspe* which Newbrough claimed that he wrote at the inspiration of Jehovah. The so-called "New Bible" was a hodgepodge of classical myths, plus the legends of India and China, larded with nonsense and weighted with rhetorical ravings. The following description concerning the creation of The Land of Shalam is an example of its style, and the approach of the author to subject matter:

Next south lay the kingdom of Himalawawoganapapa, rich in legends of the people who lived here before the flood; a kingdom of seventy cities and six great canals, coursing east and west, and north and south, from the Ghiee mountains in the east to the west mountain, . . . the place of the king of bears . . . In the high north lay the kingdom of Olegalla, the land of giants, the place of yellow rocks and high spouting waters . . . [After describing the main irrigation ditch, he continues:] There were seven other great canals, named after the kings who built them, and they extended across the plains in many directions, but chiefly east and west, [forming a great network through the valley of the Rio Grande.] Betwixt the great kings and their great capitals, were a thousand canals, crossing the country in every way, so that the seas of the north were connected with the seas of the south. In kanoos the people traveled and carried the productions of the land in every way.<sup>4</sup>

3. Ellis vs. Newbrough and Howland, 6 *N. M. Supreme Court Reports* (1896), p. 191.

4. Anderson, *op cit.*, 416-417. Anderson's alleged "quotation" is found to consist of four disconnected excerpts from the "First Book of God," chapter xxv, sections 18, 16, and 9. (See *Oahspe: A New Bible*, pp. 364-365). The clause placed in brackets, identifying the region with "the valley of the Rio Grande," is not in the original but apparently is a gloss added by Anderson.—Editor.

One of the most curious publications of the sect, in addition to *Oahspe*, was a pamphlet called *The Faithists Calendar*. In addition to information concerning Utopian plans, ideals and ambitions, *Faithists Calendar* Kosmon 38 contains an involved Almanac calculated for the latitude of southern New Mexico. Calculations regarding the moon's phases are mathematically worked out, and parallel memoranda and selections from *Oahspe* are listed. Of particular interest to New Mexicans is the meteorological report giving the general average of temperature in Shalam, N. M., during eleven signs, or up to the 335 day inclusive of Kosmon 37. One must admit, after reading the following "remarks" that the Shalam weather man was on the job:

Owing to the high altitude and dry atmosphere of Shalam, the heat is not as oppressive at 110 degrees here as it is in New York or Boston at ninety degrees. The rainfall during the year was about ten inches.

The coldest weather we had last winter, the temperature fell to 11 degrees Fahrenheit. On this occasion we had ice half an inch thick on standing water, but it melted away early in the afternoon. Although the above shows a comparatively mild temperature, the high winds made a few of the days in winter very disagreeable, especially as the people of Shalam lived in huts of poor construction. Although the high temperature exceeds but little that of New York and Philadelphia, yet we had many days in which temperature in the sun rose perhaps fifteen degrees higher than in either of the other places mentioned. The peculiarity accompanying this high temperature is that there are no sun strokes, or prostrations from heat as there are in northern latitudes. The dryness of the atmosphere prevents putrefaction in vegetables and animal refuse.<sup>5</sup>

Between 1885 and 1900 Shalam's welcome on the doormat was broadcast through their tracts and *Calendar*. A cordial invitation was extended to Faithists all over the world to come and share their "blessed home" and make it

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5. *The Faithists Calendar*, Kosmon 38, p. 17.

one of the "garden-spots of the world." Threading their very cordial invitations, however, were these admonitions:

Idle or indolent people would not be happy here. Neither is it an old-folks or a home for taking in invalids. Yet it is open for the strong, or the weak, young or old, rich or poor who can live the life of the commandments. We came not for ourselves alone, but to prepare a way for the raising of foundlings and orphans from infancy. How can Shalam, far away in New Mexico hope to work any good for the whole world? And this is what we say back: "Is the problem of life solved? Who knows how to live? What of the countless thousands in the great cities out of employment, out of food, sick and dying?" Oh, for a home on Jehovah's plan that the wise, the good, and learned may find a fact mightier than all the books in the world!<sup>6</sup>

Five years after its inception The Land of Shalam was apparently prospering as an agrarian one. Two hundred acres of the nine hundred original ones were under cultivation, and five hundred additional acres had been acquired through donations and contributions by applicants. Newbrough was an amazing combination of the fanatic and the realist. That he was "no idle dreamer of an idle lay" is attested to by the fact that in order to provide irrigation independently of ditches, he acquired two steam engines, one six horse-power, and one fifty horse-power, which raised from the Rio Grande about one million gallons of water an hour. The subsequent construction of the Elephant Butte Dam in Sierra County at a cost of seven million dollars, is ample proof that the Bostonian was a man of judgment, visualizing the possibilities of irrigation in a desert country.

Andrew Howland's dreams for orphans materialized. By 1891, a large and beautiful home for the orphans that they had been collecting at the rate of five a year, regardless of race or color, had been completed. It is interesting to note that "in front of a tree-lined lawn of the home is a

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6. *Ibid.*, p. 23.



gushing fountain, flinging its silvery spray from massive stone columns."<sup>7</sup>

One cannot say whether the children liked the uniforms required, a sack-like garment containing holes for the free use of the arms, but they certainly must have enjoyed the bath-tubs which were provided "one for each child." Porcelain bath-tubs during this era in New Mexico history were not on the pioneer's priority list. In fact, it was the wash-tub doubling for the bath-tub in most sections of America.

The ones in charge of the orphans must be given credit for the announced intention of teaching them "politeness and gracefulness of behaviour." The Shalamites had a practical slant on education, and a modern approach to vocational guidance which may be seen from the following lament over the *status quo* of the prevailing educational methods:

To train boys and girls how to use their hands, is this not education? To learn to work at everything skillfully, this is the method of education in Shalam. How lamentably stupid is the method of education in this so-called civilized world! The young men and women graduates are as shiftless as babies!<sup>8</sup>

By this time several other large buildings had been erected for the care and comfort of the colonists. Among these, in addition to the Orphans' Home, was a large building for life members called a Fraternum, provided with a living-room, a library, and three adeptries or spiritrooms. (One of the red-letter days on their calendar was called "Holy Veil Day," formerly called "Rochester Knockings," or the beginning of Modern Spiritualism.)

One of the most significant accomplishments of these two commonwealth builders, from the viewpoint of those interested in the historical structure of Utopias, was the erection of a co-operative store with its various compartments separated by glass partitions. A department store in Mesilla Valley in this period must have been enough to

7. *Albuquerque Evening Citizen*, July 18, 1890, p. 2.

8. *Calendar*, p. 21.

make even the most lukewarm crackpots join up with the Faithists just for the opportunity of buying a package of Arbuckle's in such elegance. The ultra-modern approach to community life is one feature of The Land of Shalam which definitely ties up with Bellamy's model store in *Looking Backward*. The following description of the settlement gives one some idea of the plant:

The residence of Andrew Howland contains a fine library. Adjacent to his home are extensive barns, stables and corrals where fine Jersey and Guernsey stock is kept. The irrigation plant is probably the most extensive operated by a single owner in the territory. At Levitica, where the country store is located, are a row of comfortable cottages designed as homes for laborers and colonists. Nearby a well has been dug. A 60 horsepower boiler runs a pump, having a capacity of 1,000 gallons a minute by means of which the water is led directly into ditches or into a reservoir covering an acre of space. This season four full crops of alfalfa were cut. In large and thrifty vineyards hang luscious muscats.<sup>9</sup>

If the reader wishes a close-up of a few of the upper-bracket colonists, let him take a look through the telescope of time at Dr. Bowman, a man who made a considerable fortune later in California, but who at the historical present, clad only in a pair of white pajamas is busily engaged in irrigating the young peach trees. Or notice Dr. Tanner, the man sitting in the sun with his back against the adobe wall of the co-operative store. He is the one who proved his superiority over the flesh and the devil by fasting forty days and forty nights. Chatting with him is Mrs. Sweet, a newcomer from California. The lady may be trying to explain just why she left her husband, head of an esoteric cult. Probably the fact that he claimed that his body lived in the reincarnated soul of an ancient being who had wielded a sceptre long before the establishment of Christianity, bored her. Notice now the finely proportioned six-footer coming out of the store—it is none other than the emissary

9. *Evening Citizen*, July 18, 1890, p. 2.

of Jehovah on his daily tour of inspection of the commonwealth. Mrs. Sweet has also spied him, and immediately hurries over to join him, leaving the fasting prophet to give his undivided attention to the cockle-burrs clinging to his cotton pajamas.

The colonists were obviously led to believe that all of them were to enjoy equally a permanent place in the settlement, with no authority on the part of any member or members toward the exclusion of another, by such a statement as: "We are perhaps the only community in the world living peacefully and voluntarily together without a mortal leader."<sup>10</sup> By 1900, however, Newbrough began to show signs of hurdling such bulwarks against authoritarian power, and his ambitious plans for installing himself as the eventual owner and ruler of a 1400-acre kingdom on the Rio Grande became apparent to such colonists as Bowman and Tanner who had put money into the common fund.

The one who precipitated crystalization of dissent, which had been growing for some time, however, was none other than Mrs. Sweet, whom Newbrough had married shortly after she had become a member of the colony. The lady had ambitious plans too, other than being the wife of an emissary from on High, and when it began to be noised around the settlement that she too had her eye on the fortune that Howland had invested in the project, the colonists most concerned demanded either their money back, or clear titles to a fair share of the rich Mesilla Valley land.

When neither money nor a share in the property seemed to be forthcoming, one of the colonists by the name of Jesse M. Ellis filed suit in the District Court of Doña Ana County against John B. Newbrough and Andrew M. Howland for \$10,000. The verdict of the jury in this trial awarded Ellis \$1500, whereupon Newbrough appealed the case and took the dream-city to the Supreme Court of the Territory of New Mexico. On August 19, 1891, an opinion was handed

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10. *Calendar*, p. 20.

down by this court which reversed the decision of the District Court.

The Supreme Court review of the case is a lengthy one, and as curious a document from the viewpoint of rhetoric, as the literature of the Faithists. The judges who reviewed the case were: J. D. O'Brien, William D. Lee, Edward P. Seeds and A. A. Freeman. Judge Freeman wrote the opinion in which the court frankly admitted that the case was a most extraordinary one and as far as they had been able to extend their researches, without precedent.<sup>11</sup> The following recitation of the Supreme Court is an example of the Court's frilled literary approach to law:

The most that can be gathered from the declaration is that the defendants had conceived some Utopian scheme for the amelioration of all ills, both temporal and spiritual, to which the human flesh and soul are heir; had located their new Arcadia near the shores of the Rio Grande in the County of Doña Ana, in the valley of the Mesilla; had christened this new-found Vale of Tempe "The Land of Shalam"; had sent forth their siren notes, which sweeter and more seductive than the music that led the intrepid Odysseus to the Isle of Calypso, reached the ears of the plaintiff at his far-off home in Georgia and induced him to "consecrate his life and labors and all his worldly effects," etc., to this new gospel of Oahspe. This much is gathered from the pleadings. The evidence in support of the plaintiff's demand is as startling as the declaration is unique.<sup>12</sup>

The reasons advanced by Ellis for joining the colony, his association with it for two years, and his complaints against the founders were carefully weighed by the Court. The facts were established that Ellis had made no sacrifice of property in order to become a member of Shalam, and that he could read, and had read the tracts and manifestos of the Faithists. What was more important, and the crux around which the decision of the judges was rendered, was the fact established by the court that Ellis had entered into

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11. 6 N. M. Supreme Court Reports (1896), p. 182.

12. *Ibid.*, p. 184.

what was called "The Holy Covenant," (the pronouncement required by the Faithists of applicants) and therefore: "Under the terms of this covenant, he cannot maintain his suit, for the defendants insist, and the proof is clear, that they 'covet or desire or stand in need of' the \$10,000 for which the plaintiff sues."<sup>13</sup>

The opinion of the court was to the effect that Ellis was a man of ordinary intelligence, and because he had entered into the venture with his eyes open, he was therefore not entitled to any share in the property. The decision thus handed down by this court disillusioned those sincerely caught up in a fog of religious fanaticism, or those who were interested in tracing a new pattern of social and economic life, so they stripped off their sack-like garments, put on their old clothes, and took themselves off to greener fields.

Newbrough made an effort to carry on in spite of crumbling foundations in his Utopian venture, and in spite of serious cracks in his apparent good neighbor policy, but after a few years of trying to attract new colonists he got discouraged, and made his exit from the melodrama by dying in El Paso.

The former Mrs. Sweet was no defeatist, however, and not to be outwitted by the turn of events had centered her attentions on Andrew Howland, and married him. No attempt was made by her to re-colonize, and Howland, always a follower, never a leader, saw the buildings which his money had made possible fall into ruin, and the people whom he had sincerely wanted to help, shadows of his dreams. The closing scene of Utopia in New Mexico is painted by a contemporary of the period thus:

Andrew M. Howland, the chief sufferer through the duplicity of Newbrough, and his wife still reside upon the property which was the scene of this unparalleled enterprise. All that remains of the fortune which he was persuaded to invest, is the land itself, and a few adobe buildings. He became widely known throughout the Mesilla

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13. *Ibid.*, p. 191.

valley as a man of many eccentricities. At home he is usually to be found attired, summer or winter, in a thin suit of white pajamas enjoying a sun bath in the corrals of the institution. In spite of peculiarities of his personality, he and his wife are famed for their kindness of heart, and in referring to them, those familiar with the true history of the wretched fiasco of The Land of Shalam, should think twice before they give expression to aught but sentiments of pity.<sup>14</sup>

The reader may mentally dispose of Newbrough as he sees fit, but on the basis of his humanitarian concept of society, Andrew M. Howland does seem to deserve a place in the list of Utopian dreamers. He belongs, perhaps, in an humble way, with that famous company of men, numbering Plato, Thomas More, Francis Bacon, Jean Jacques Rousseau, and Edward Bellamy, who in a Heavenly Utopia may be continuing to debate the merit of their commonwealths, their successes and their failures.

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14. Anderson, *op. cit.*, p. 424.

## TWO COLONIAL NEW MEXICO LIBRARIES

1704, 1776

By ELEANOR B. ADAMS

IN AN EARLIER article, written in collaboration with France V. Scholes,<sup>1</sup> we discussed the information available concerning books current in New Mexico prior to the Pueblo Revolt of 1680. Data about this phase of the intellectual life of the frontier of New Spain are scanty, and the sources for the eighteenth century contain very few references to books. No evidence has been found with regard to books owned by colonists. In general, of course, there would have been little occasion to record the books belonging to private individuals, but it is doubtful that the majority of the Spanish settlers had many. The lack of education among the colonists appears to have been still greater than in the preceding century, and, as before, the friars and the provincial governors were almost the only persons who had received the benefit of any formal academic training. Despite the gradual growth of permanent settlement, life in New Mexico in the eighteenth century continued to be that of an isolated frontier outpost, and the chief contact with the intellectual progress of the outside world necessarily came through the Franciscan missionaries and the governors of the province.

Two lists dated more than seventy years apart must serve as examples of the kind of books imported by these secular and ecclesiastical leaders. The first is taken from an inventory of the property of Don Diego de Vargas, the reconqueror of New Mexico, made at Santa Fe, April 20, 1704, shortly after his sudden and mysterious death.<sup>2</sup> The second is a catalogue of the library of the Custody of New Mexico remitted in 1777 to the Provincial of the Franciscan

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1. E. B. Adams and F. V. Scholes, "Books in New Mexico, 1598-1680," *NEW MEXICO HISTORICAL REVIEW*, XVII (1942), 226-270.

2. *Ymbentario de los vienes que se hallaron del señor Marques de la naba de Brazinas ya difunto governador y capitan general que fue deste Reino de la nueva mexico*....., Santa Fe Archives, Historical Society of New Mexico, Santa Fe, Sec. 100.

province of the Holy Gospel, Fray Isidro Murillo, by Fray Francisco Atanasio Domínguez as part of his report on his tour of inspection of the New Mexico missions.<sup>3</sup> These are given in the Appendix exactly as they appear in the documents, with the addition of explanatory identifications of author and title when this is necessary and possible.

Don Diego José de Vargas Zapata y Luján Ponce de León y Contreras, Marqués de la Nava de Brazinas, was born in Spain in 1643. He belonged to an illustrious and ancient family whose members included many great soldiers, churchmen, and administrators prominent in Spanish affairs over a period of several centuries. It is natural that men of such an energetic and enterprising heritage should have turned to the New World in search of even greater opportunities to exercise their talents and fulfill their ambitions. Don Diego was not the first of the Vargas line to come to America, and on his mother's side he was descended from some of the early conquerors. His career in New Spain began in 1673 when he arrived in Mexico City as a royal courier carrying dispatches to the viceroy. For several years thereafter he served in various administrative posts in New Spain. In 1688 the Crown appointed him governor and captain general of New Mexico with instructions to undertake the reconquest. He reached El Paso in February, 1691, and began the difficult task of restoring the rebellious province to the Spanish Crown. After a successful military expedition in 1692, a second expedition entered the province in the autumn of 1693 to resettle it and establish a presidio at Santa Fe. The following three years were spent in subduing the natives by force of arms, refounding the missions, and establishing the colonists in their new homes. Vargas' appointment as governor expired in 1696, and his successor, Don Pedro Rodríguez Cubero, arrived in Santa Fe in July, 1697. The new governor turned the colonists against the reconqueror, who spent the next three years in prison. Meanwhile the Crown acknowledged Vargas' achievements by granting him the title of Marqués de la

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3. Biblioteca Nacional, Mexico (cited hereafter as B. N. M.). leg. 10, doc. 43.



Nava de Brazinas and an *encomienda* in New Mexico. Vargas was released from prison in the summer of 1700 and went to Mexico City to defend himself against the charges preferred by Cubero and the citizens of Santa Fe. The authorities in Spain remained unaware of the whole unhappy situation until 1700, and, after reviewing the case, they ordered the viceroy and *audiencia* to settle it as soon as possible. As a matter of fact, steps had already been taken in this direction, and in 1703 Vargas was completely exonerated. In 1697 he had been reappointed to the governorship of New Mexico to succeed Cubero, and he was now authorized to resume the office. He reached Santa Fe late in 1703 and lost no time in re-establishing his authority. The problem of hostile Indians was as acute as ever, and late in March of the following year Vargas led an expedition against the Faraon Apaches in the Sandia mountains. He was not destined to carry it through to a successful conclusion, for he fell ill while pursuing the enemy and died at Bernalillo on April 8, 1704.<sup>4</sup>

The day before he died Vargas made a will at Bernalillo,<sup>5</sup> leaving in force an earlier will drawn up in Mexico City in 1703. The latter has not been found. Although he made a number of specific bequests of his clothing and personal effects, his books are not mentioned.

There are thirty-three books listed in the inventory of Vargas' property made after his death. In view of conditions on the frontier at that time, however, and the length and dangers of the journey to Santa Fe, it seems a comparatively large number. On the whole it is a curious collection for a frontier library.

The largest group of works concerns the history of the rulers and noble families of Spain and includes López de Haro's *Nobiliario* (1, 4),<sup>6</sup> *Ilustraciones Genealógicas de los*

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4. See J. M. Espinosa, *First Expedition of Vargas into New Mexico, 1692* (Albuquerque, 1940); ———, *Crusaders of the Rio Grande* (Chicago, 1942); L. B. Bloom, "The Vargas Encomienda," *New Mex. Hist. Rev.*, XIV (1939), 366-417.

5. There is a translation of this will in R. E. Twitchell, *The Spanish Archives of New Mexico* (1914), Vol. 1, 301-310.

6. The numbers in parentheses refer to the books listed by the same numbers in the Appendix.

*Cathólicos Reyes* by Garibay y Zamalloa (6), Salazar de Mendoza's *Origen de las dignidades seglares de Castilla y León* (13), and Moreno de Vargas' *Discursos de la nobleza de España* (15). Pizarro y Orellana's *Varones ilustres del Nuevo Mundo* (10) carries the story to the New World. Other historical writings deal with the lives of Charles V (5) and Philip IV (18). The large proportion of such works clearly reflects Vargas' aristocratic origin and his pride in it. Still other titles (*Grandezas de Madrid*, *Menosprecio de Corte*, *Tesoro militar de caballería*, a chronicle of the province of Soria, *Solo Madrid es corte*, etc.) increase the impression that this active soldier and frontiersman was not immune from nostalgia for the things he had left behind in order to win new glory for himself and his king at one of the outposts of the Spanish empire. Even his cook book (23) may have had its origin at court. It is a temptation to believe that these books were important to him chiefly as a symbol of a way of life.

Like those of his pre-Revolt predecessors,<sup>7</sup> Vargas' library contained a few items of politico-moralistic character (7, 8, 14, 29) and a number of standard works on law (3, 17, 19, 21, 22, 25). There are also a half a dozen of the devotional writings found in almost any collection of this kind. Perhaps the inclusion of the *Regla de las cinco órdenes de Arquitectura* (31) arose from practical motives.

Six items deal specifically with America. Solórzano Pereira's *Política Indiana* (19, 25) needs no comment, and we should be surprised if it had been omitted. González Dávila's *Teatro eclesiástico* (12) and Peña Montenegro's *Itinerario* (9) relate to the history and practice of the Church in the Indies and would have been of utilitarian value in a mission province. Vargas Machuca's *Milicia y descripción de las Indias* (27) is a learned and comprehensive work in three distinct parts, which include a treatise on military science as well as a detailed description of the Indies. *Varones ilustres del Nuevo Mundo* (10) and the

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7. See Adams and Scholes, "Books in New Mexico, 1598-1680."

life of Gregorio López (28) describe the achievements of outstanding personalities in the New World. It is also interesting to note that Vargas owned a copy of the *Mística Ciudad de Dios* (26). Its author, the Spanish mystic, Sor María Jesús de Agreda, was identified as the famous "Lady in Blue" of Southwestern legend who was miraculously transported to that region in the early seventeenth century and prepared the way for the conversion of certain tribes.

Apparently Vargas had no great interest in the lighter forms of literature such as novels or the drama, for there is not one book of this nature listed. He undoubtedly had little time or inclination to read purely for pleasure, and his library is that of a man of action interested in books mainly for their usefulness to him in carrying forward an old tradition in new fields of endeavor.

Fray Francisco Atanasio Domínguez,<sup>8</sup> who arrived in New Mexico in March, 1776, where he had been sent as *comisario visitador* of the Custody of the Conversion of St. Paul by order of his Provincial, Fray Isidro Murillo, divides the "kingdom of New Mexico" and its Custody into two branches. He refers to them as the El Paso branch, consisting of a Spanish villa and four Indian pueblos, and the more important New Mexico branch in the interior, which included three Spanish villas (Santa Fe, Albuquerque, and La Cañada) and twenty-two Indian pueblos. Between the time of his arrival and June 10, 1776, Fray Francisco inspected all but three of the missions belonging to the latter group. A letter which he wrote to the Provincial after he returned to El Paso in May, 1777, and other documents indicate that he was also acting as custodian.

In June, 1776, he made plans for an expedition to Monterey with Fray Francisco Vélez de Escalante, then missionary at Zuñi. After various delays they set out on July 29 with eight citizens who had volunteered to accompany them. After traveling a considerable distance into

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8. Unless otherwise indicated in the notes, the following account is based on B. N. M., leg. 10, docs. 42-49, which include letters from Domínguez to the Provincial, the report of the *visita* of the New Mexico missions in 1776, and other letters and papers concerning the New Mexico and El Paso missions.

Utah, they abandoned the idea of reaching Monterey and turned back early in October, despite the protests of some of the soldiers. They reached Zuñi on November 24, and, after resting there until December 13, proceeded to Santa Fe, making several stops on the way. Apparently it was during the return journey to Santa Fe that Domínguez made an informal inspection of three missions he had failed to visit in the spring, Laguna, Acoma, and Zuñi. He reached Santa Fe on January 2, 1777.

Although the Vélez de Escalante-Domínguez expedition into Utah did not accomplish the results they had hoped for, it was the first important exploration of that region. The two friars recorded their experiences in a detailed diary full of significant descriptive material about the country and its inhabitants.<sup>9</sup>

In May Domínguez returned to El Paso, leaving Vélez de Escalante as vice-custodian. On May 27 he forwarded his report on the interior missions, together with various documents relating to mission affairs, to the Provincial in Mexico City. He had not yet begun his visitation of the missions belonging to the El Paso branch of the Custody but intended to do so immediately, and on June 26 he wrote that the inspection had been finished and that he was drawing up his report.

Domínguez' activities and reports clearly indicate that he was a man of zeal and intelligence. Nevertheless, the letters and report sent from El Paso reveal great weariness and discouragement. He begged the Provincial to allow him to renounce the office of custodian because he felt unable to cope with the problems he had found in the Custody. This unhappy frame of mind may have been partly due to the after effects of the hardships he had undergone during the journey into Utah, but there is no doubt that he had found conditions in both the New Mexico and the El Paso districts far from satisfactory and that it had been impossible for

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9. *Diario in Documentos para la historia de México, Segunda série* (Mexico, 1854), Tomo I, 275-558; P. Otto Maas, *Viajes de misioneros franciscanos a la conquista del Nuevo México* (Seville, 1915), 89-133; H. H. Bancroft, *Works*, Vol. XXVI, *History of Utah* (San Francisco, 1889), 7-17.

him to fulfill certain of the instructions given him by the Provincial. The parish records were incomplete and in bad shape, and, because of their ignorance and lack of interest, he was unable to make use of the testimony of the citizens with regard to births, marriages, etc. He was even informed by the Indians that certain *alcaldes mayores* and lieutenants of the New Mexico pueblos had removed the "libros de administración" from the missions "cuyas hojas se han chupado."<sup>10</sup> Moreover, after an outbreak in 1764, Governor Tomás Vélez Cachupín, with the consent of some of the friars, had shut up a number of culprits "en la celda destinada entonces para librería y archivo de esta Custodia, y por su desesperación, o qué sé yo, se chuparon muchos libros y quemaron cuantos había de la administración." Some of the missionaries, especially the friar stationed at La Cañada, were suffering extreme poverty, while others were getting comparatively rich by engaging in commercial activities forbidden to them as members of the Order. The necessity of avoiding public scandal prevented Domínguez from dealing with irregularities in an uncompromising fashion, and this caused him some uneasiness about the milder course of action he was forced to take. To add to his difficulties, he had to defend himself against the complaints made by some of the discontented friars, who attempted to stir up trouble for him in various quarters.

He was also deeply shocked to find how little progress had been made in civilizing the Indians after so many years of Christian teaching. To use his own words:

"Even at the end of so many years since their reconquest, the specious title or name of neophytes is still applied to them. This is the reason why their condition now is almost the same as it was in the beginning, for generally speaking they have preserved some very indecent, and perhaps superstitious, customs. . . .

"Most of them do not know their saints' names and those who know them do not use them, and when we call them by their saints' names they usually have their joke

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10. This may mean that they used the paper to make cigarettes.

among themselves, repeating the saint's name to each other as if in ridicule. . . .

"Their repugnance and resistance to most Christian acts is evident, for they perform the duties pertaining to the Church under compulsion, and there are usually many omissions. They are not in the habit of praying or crossing themselves when they rise or go to bed, and consequently they have no devotion for certain saints as is customary among us. And if they sometimes invoke God and His saints or pray or pay for masses, it is in a confused manner. . . .

"They do not confess annually. If the fathers find some who know how to make a proper confession, and these are few, there is rarely anyone capable of receiving communion. When in danger of death they do indeed confess, most of them through an interpreter, since out of all the pueblos only those of Isleta, Nambe, San Juan, and Abiquiu (except at Abiquiu the interpreters are Spanish) do not make use of one, with very rare exceptions, for the fathers find it necessary for clearer explanation.

"They are exceedingly fond of pretty reliquaries, medals, crosses, and rosaries, but this does not arise from Christian devoutness (except in a few cases) but from love of ornament. And these objects are always kept for special occasions, and only when the friars admonish them for not wearing them all the time do they wear them until that little scolding has been forgotten. Then they put them away again until another reproof, and so it goes. . . ."

After a description of the personal habits of the Indians, Domínguez goes on to discuss the use of the estufas and then the various dances. He divides the latter into two groups: those resembling the contredanse or minuets as danced in Spain, and the "bailes de cabellera." He considered the first a fairly harmless social dance, but was strongly opposed to the second.

"The fathers have been very zealous in their opposition to this "baile de cabellera," but they have only received rebuffs, and so the fathers are unable to abolish this custom and many others, because excuses are immediately made on the ground that [the Indians] are neophytes, minors, etc.

“Under such pretexts they will always be neophytes and minors with the result that our Holy Faith will not take root and their malice will increase. May God our Lord destroy these pretexts so completely that these wretches may become old Catholics and the greatest saints of the Church. . . .”

In spite of his feeling at this time, Domínguez apparently spent most of the next twenty years laboring in the frontier missions. On May 1, 1795, he wrote from Janos to the Provincial, Fray Francisco de Cruzealegui,<sup>11</sup> asking him to use his influence at the Chapter meeting of 1796 to obtain for him the title of *definidor*. He stated that he had been serving for twenty years as a missionary in New Mexico and as chaplain in presidios of Nueva Vizcaya and that he had documents to prove his merits and services.

Although the report made by Domínguez in 1777 is rather clumsily organized, it is very detailed and conscientious. After a short general statement about New Mexico, each mission is described separately, beginning with that of Santa Fe. In each case there is a careful description of the church, convent, and any other religious edifice, with inventories of their furnishings, equipment, and supplies, statements of income and expenses, services rendered by the Indians, calendar of feasts, and notes concerning the history and organization of the *cofradías*, etc. He also includes data about the location of the pueblos, the physical characteristics and products of the land, the language and customs of the inhabitants, and the number of families living in the mission pueblo and the surrounding area. He gives the name, age, birthplace, and years in the Order of the friars in residence at the time of his visita (most of them were natives of New Spain), and a short summary of their careers as missionaries.

This information is followed by an account of the administration of the mission, which varied little throughout the province. Mass was said on Sundays and feast days, after which the congregation often recited the Chris-

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11. Museo Nacional, México, Asuntos 238.

tian doctrine. In addition, the young unmarried people were summoned to recite the doctrine every morning, and sometimes in the afternoon as well. On these occasions the father devoted more or less time to expounding various points. This seems to have been the extent of the instruction given to the Indians. The obstacles in the way of further teaching were great, for in many pueblos the Indians either did not speak Spanish at all, or spoke little and understood less. Moreover, as Domínguez' general statement about the Indians, quoted above, shows, they had little real interest in matters pertaining to the Faith. The results obtained depended largely on the ability and energy of the friar in charge. It is interesting to note that Father Domínguez was very favorably impressed by the régime at Jémez under Fray Joaquín Ruiz. Here certain of the choirboys were taught to speak Spanish well and also to read, in order that they might serve as teachers and interpreters for the other Indians.

"The system here is different, for one of the little choirboys . . . takes the catechism and with it in his hand recites the doctrine with the others. In addition, he (Ruiz) persuades many married people, who do not know it and are very backward in it, to come to recite the doctrine, although this requires repeated efforts."

In his *auto de visita* Domínguez warmly expressed his thanks to Father Ruiz for the good order he had found at the mission.

"His Reverence was most gratified and pleased to see the little teachers of the doctrine so learned and well instructed in Christian doctrine, reading, singing, and the manner of assisting at mass, as well as [to observe] their decorum and modesty, for they resemble novices. For all this he gave many thanks to God and charged Father Ruiz to persevere and to continue the fine régime which he has observed up to now."

In fact he was so impressed by the good friar's methods, which he considered those best suited to the spiritual direction and instruction of the Indians, that he gave strict orders that Ruiz' successors should follow them. In order



that there might be no excuse, he ordered Father Ruiz to write a detailed account and post it in the convent. This case is unique, for in general Domínguez had a low opinion of the instruction given to the Indians.

Only one other school is mentioned in the report. This was a "muy corta escuela de niños," presumably for Spanish children, conducted by the father at the villa of La Cañada. In return the parents of the children made a small annual payment in kind for the maintenance of the priest. Unfortunately this school was already disintegrating because of the mortal illness of the minister.

At the end of the Appendix to this article there is a list of the books found at each mission as shown in the inventories of the sacristies and convents included in Domínguez' report. The number is very small indeed, and, except at Santo Domingo, represents only the essential items for the celebration of the divine offices. Since Domínguez exercised extreme care in recording everything belonging to the missions, we must assume that if there were any other books at the missions, they must have been the property of the friar in charge or borrowed from the library of the Custody. Probably they had their own breviaries. Acoma is the only place where a bookcase is listed among the convent furnishings. The scarcity of books at the missions seem significant in relation to the small amount of formal instruction given to the Indians.

The library and archive of the Custody were kept at the convent of Santo Domingo. The books belonging to the convent itself, including some left behind or donated by various friars, are mentioned in the section of the report which concerns that mission. The catalogues of the library and archive of the Custody are appended at the end of the report. It is not clear whether the prisoners in 1764, already referred to, destroyed any of the library or whether they confined their mischief to the mission records. It will be noted that many of the books were in bad shape when Domínguez saw them.

The catalogue of the library as it existed in 1776 shows two hundred and fifty-six items, including a number of

duplicates. The actual number of volumes, including sets and duplicate copies listed under a single heading, is somewhat larger. Up to the time of Domínguez' visitation it had apparently been the custom for the friars to borrow books from the collections at the Santo Domingo convent without formality. Certain titles were missing from the convent library, and Domínguez therefore issued an order to the resident missionary and his successors not to allow any friar to take books from the mission without leaving a signed memorandum.

We have no information as to how the books were accumulated. Some may have been donated by friars and laymen of the province. Probably a larger number was supplied by the Order. The Crown evidently provided liturgical books and other things in special cases, for in a few items it is specifically stated that the articles are "del Rey."

There are very few works of non-religious character. Virgil (267) and Ovid (276) are the only Latin classics mentioned by name. Two Greek grammars (208) are listed, as well as Nebrija's dictionary (41) and a few other items of this nature (256, 278, 279). The laws and history of the Indies are represented by Solórzano Pereira (50) and Solís (105). Jiménez' translation of Hernández' important work, *Naturaleza y virtudes de las plantas* (197) is the only medical publication. Finally, there was a copy of Philip Cluver's geography (264).

The largest group of writings are of devotional character and include a large and varied assortment of sermons, prayers, etc., a few lives of saints and religious, and some of the works of the Spanish mystics. Then come the theological treatises of various kinds, among which the scholastics are well represented. The collection is rather weak as far as canon law is concerned. The Decretals (157), the Council of Trent (131, 281), and the Mexican Councils (70) are listed, but Fray Manuel Rodríguez (84, 129, 130, 141), whose works had long enjoyed great popularity in New Spain, is one of the few outstanding canonists mentioned. On the other hand, the history and regulations

of the Franciscan Order seem to be fairly well covered. The Custody also possessed a number of Bibles and exegetical writings. In addition to the liturgical books in use at the missions, the library of the Custody had quite a few.

Because of the insufficient data given in the catalogue, it is impossible to determine the exact number of American imprints. In some cases where it is possible to identify author and title, we have no way of knowing whether an American or European edition is referred to. Although most of the books must have been imported from Spain, between twenty and thirty at least are almost certainly of American origin. These fall into several categories and include some of the most famous products of the Mexican press.

Among the first books published in Mexico were grammars and vocabularies of the Indian languages, especially Nahuatl. These, together with a number of doctrinas, catechisms, and devotional works in Indian languages, were written to aid the clergy in their great task of converting and teaching the natives. The Custodial library at Santo Domingo lists a vocabulary (64) and three grammars (110). Other items of this nature are the Dominican Fray Martín de León's *Camino del cielo en lengua mexicana* (111), which had wide circulation, and two volumes of sermons in Mexican (179). The Franciscan Fray Juan Bautista's *Advertencias para los confesores de indios* (232) was composed for the same general purpose.

At least four of the liturgical books in the library of the Custody were published in Mexico. These are the manuals of Palafox (161), Contreras (243), and Serra (140), and the *Ceremonial* (271) of the Franciscan province of the Holy Gospel. The manuals in use at the mission pueblos (Vetancurt and Osorio) were also of Mexican origin.

The author who appears most frequently is Fray Clemente de Ledesma (96, 112, 123, 146, 227, 228, 238, 239). Ledesma was a prominent Mexican Franciscan of the late seventeenth century who wrote many religious books of

various kinds. He served as Provincial of the province of the Holy Gospel during 1694-1696.<sup>12</sup>

Devotional works published in Mexico include Barcia's *Epístola exhortatoria* (147), Muñoz de Castro's *Exaltación de la Betlemítica Rosa* (162), Diego López de Andrade's "tomo quaresmal" (289), and the fine sermons of the Jesuit Juan Martínez de la Parra (200), who was a native of Puebla. There are many editions of the *Luz de Verdades*, which was printed in Spain after the first edition appeared in Mexico in 1691-1692.

Other Mexican imprints listed are Hernández' *Natural-eza y virtudes de las plantas* (197), works by Fray Antonio Escoto (265), Borda (274), Velasco (226), and Larraga (221), the "Crónica de Dieguinos" (40), and the *Concilio Mexicano* (70). The life of Father Margil (320), listed as missing from the convent library at Santo Domingo, was also probably a Mexican publication. The dates of the first editions of these American books range from the early days of the Mexican press to the 1760's.

Although the library of the Custody seems a rather haphazard collection in some ways, very weak in certain fields, it covers a wide range of religious thought. Presumably it was reasonably adequate for the needs of the friars it served.

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12. Fray Francisco Antonio de la Rosa Figueroa, *Becerro General*, MS. in Newberry Library, Chicago.

## APPENDIX

## I

Año de 1704. Ymbentario de los vienes que se hallaron del señor Marques de la Naba de Brazinas ya difunto gouernador y capitan General que fue deste Reino de la nueua mexico: los quales reziuiu el thenyente General Juan Paez hurtado como su albazea y testamentario y thenedor de vienes que por clausula de testamento deyo dicho señor marques.

- (1) Mas un libro biejo yntitulado nobiliario genealoxico de los Reyes y titulos de España. [Alonso López de Haro, *Nobiliario genealógico de los reyes y títulos de España*, Madrid, 1622, 2 vols.]
- (2) Mas otro libro biejo flor sanctorum de Villegas. [Alonso de Villegas, *Flos Sanctorum*. The *Primera Parte del Flos Sanctorum* of Villegas was first published in Toledo, 1578. Four to six parts were published and appeared in a number of editions.]
- (3) Mas otro libro biejo segunda parte de las leyes del Reino. [Cf. no. 22, *infra*.]
- (4) Mas otro libro biejo segunda parte del nobiliario genealoxico de los Reyes y titulos de España. [See no. 1, *supra*.]
- (5) Mas otro libro biejo sin principio Ystoria de Carlos Quinto. [Possibly Prudencio de Sandoval, *Historia de la vida y hechos del emperador Carlos V*, Valladolid, 1604-1606, 2 vols., and later editions; or Pedro de Salazar, *Historia y primera parte de la guerra que don Carlos Quinto, emperador de los romanos, rey de España y Alemania, movió contra los príncipes y ciudades rebeldes del reino de Alemania, y sucesos que tuvo*, Naples, 1548, Seville, 1552.]
- (6) Mas otro libro biejo y ilustraciones genealoxicas de los catolicos Reyes de las españas. [Esteban de Garibay y Zamalloa, *Ilustraciones Genealógicas de los Cathólicos Reyes de las Españas y de los Christianísimos de Francia y de los Emperadores de Constantinopla*, Madrid, 1596.]
- (7) Mas otro libro ibea (*sic*) prinsipe politico xptiano representadas en cien empresas. [Diego Saavedra Fajardo, *Idea de un príncipe político cristiano representada en 100 empresas*, Münster, 1640, Munich, 1640.]
- (8) Mas otro libro biejo y quemadas como veinte ojas en medio de marco aurelio. [This may refer to Fray Antonio de Guevara's famous work, *Libro Aureo del Emperador Marco Aurelio con el Relox de Príncipes*, Valladolid, 1529, and many later editions.]
- (9) Mas otro libro intitulado itinerario para parocos de Yndios.

- [Alonso de la Peña Rivas y Montenegro, *Itinerario para párrocos de indios*, Madrid, 1668, and later editions.]
- (10) Mas otro libro biejo intitulado varones Ylustres del nuebo mundo. [Fernando Pizarro y Orellana, *Varones ilustres del Nuevo Mundo, descubridores, conquistadores y pacificadores del opulento, dilatado y poderoso Imperio de las Indias Occidentales: sus vidas, virtud, valor, hazañas y Claros Blasones, Ilustrados en los Sucesos de estas Vidas*, Madrid, 1639.]
  - (11) Mas otro libro yntitulado grandezas de Madrid. [Gil González Dávila, *Teatro de las grandezas de la villa de Madrid*, Madrid, 1623.]
  - (12) Mas otro libro apollillado biejo intitulado teatro écclesiastico de la primitiva Yglesia. [Gil González Dávila, *Teatro eclesiástico de la primitiva iglesia de las Indias Occidentales*, Madrid, 1649-1655, 2 vols.]
  - (13) Mas otro libro intitulado origen de las dignidades seglares de Castilla y leon. [Pedro Salazar de Mendoza, *Origen de las dignidades seglares de Castilla y León, con relación sumaria de los Reyes de estos Reynos, de sus acciones, casamientos, hijos, muertes, sepulturas de los que las han creado y de muchos Ricos Homes confirmadores de privilegios, etc.*, Toledo, 1618, and later editions.]
  - (14) Mas otro libro intitulado menosprecio de corte y alabansa de aldea. [Antonio de Guevara, *Menosprecio de Corte y Alabanza de la Aldea*, Valladolid, 1539, and later editions.]
  - (15) Mas otro libro intitulado discursos de la nobleza de españa. [Bernabé Moreno de Vargas, *Discursos de la nobleza de España*, Madrid, 1622.]
  - (16) Mas otro libro intitulado tesoro militar de caualleria. [José Micheli y Márquez, *Tesoro militar de cavallería antiguo y moderno, modo de armar cavalleros y profesar, según las ceremonias de qualquier Orden militar . . .*, Madrid, 1642.]
  - (17) Mas quatro tomos de la nueba Recopilasion. [*Nueva recopilación*, Alcalá, 1567.]
  - (18) Mas otro libro biejo intitulado istoria de Don Phelipe quarto Rey de las Españas. [Gonzalo de Céspedes y Meneses, *Historia de D. Felipe IV, Rey de las Españas*, Lisbon, 1631, Barcelona, 1634.]
  - (19) Mas otro libro intitulado politica Yndiana. [Juan de Solórzano Pereira, *Política indiana*, Madrid, 1648.]
  - (20) Mas otro libro intitulado coronica de la Prouinsia de Soria. [Not identified.]
  - (21) Mas otro libro intitulado primera y segunda parte de la Curia Phelipica. [Juan Hevia Bolaños, *Curia philipica*, Lima, 1603, Valladolid, 1605, and later editions.]
  - (22) Mas otro libro biejo intitulado Recopilazion de las Leyes

destos Reynos por D. Phelipe segundo nuestro señor. [*Recopilación de las leyes destos reynos hecho por mandado . . . del Rey don Philippe segundo*, Alcalá de Henares, 1569, and later editions.]

- (23) Mas un libro intitulado arte de cosina. [Possibly Francisco Martins Coutinho (Martínez Montiño), *Arte de cocina, pastelería, bizcochería y conservería*, Madrid, 1611, and later editions. The book appears on the lists of various colonial booksellers of Mexico. Martins Coutinho, a Portuguese, was Philip II's cook. He also wrote poetry.]
- (24) Mas otro libro intitulado el deuoto peregrino y viage de tierra santa. [Fray Antonio del Castillo, *El Devoto peregrino y viage de tierra santa*, Madrid, 1654, and later editions.]
- (25) Mas otro libro intitulado politica yndiana. [See no. 19, *supra*.]
- (26) Mas tres tomos de la Madre Maria de Jesus de agreeda. [Sor María Jesús de Agreda (María Fernández Coronel y Arana), *Mística Ciudad de Dios . . .*, Madrid, 1670, 3 vols., and later editions.]
- (27) Mas otro libro intitulado milisia y description de las Yndias. [Bernardo de Vargas Machuca, *Milicia y descripción de las Indias*, Madrid, 1599.]
- (28) Mas otro libro intitulado vida de Gregorio Lopez. [Francisco de Loza, *La Vida que hizo el Siervo de Dios Gregorio López en algunos lugares de esta Nueva España*, Mexico, 1613, and later editions.]
- (29) Mas otro libro intitulado solo Madrid es corte. [Alonso Núñez de Castro, *Solo Madrid es corte*, Madrid, 1658, and later editions.]
- (30) Mas tres libros pequeños yntitulados flor ystorico. [Not identified.]
- (31) Mas otro libro intitulado Regla de las zinco ordenes de arquitectura. [Probably *Regla de las cinco órdenes de Arquitectura de Vignola*, Rome, 1583, Madrid, 1593.]
- (32) Mas un librito intitulado Lus del alma. [Fray Ambrosio Roca de la Serna, *Luz del Alma*, Valencia, 1634.]
- (33) Mas otro librito intitulado combate espiritual. [Not identified.]

## II

*The Library of the Custody of St. Paul, 1776*

## Insercion

En la relacion de la Mission de N. P. S. Domingo, al pie del auto de visita, bajo del rotulo: *addicion* dije, hallarse en ella una caja con cosas del Soberano para las Misiones de Nabajo, libreria, y archivo de esta Custodia. De lo que contiene la caja me parece ocioso el detenerme en referirlo, pues en prueba de que se cuida, estan las firmas de los Prelados confesando lo que ai y assi paso a lo demas, que esta sin curiosidad, en orden de juegos.

## Libreria

## En folio

- (34) Quatro tomos de Teologia moral por Villalobos. [Fray Enrique de Villalobos, *Summa de la Theologia Moral y canónica*, Salamanca, 1622, and later editions.]
- (35) Ortus Pastores: no se ve autor. [Not identified.]
- (36) Questiones de Escoto contra Lombardo. [John Duns Scotus.]
- (37) Dos Panegiricos de Maria Santisima por Fr. Martin Castillo. [Fray Martín del Castillo,<sup>1</sup> *Commentaria in Debboram et Jafelem: sive Panegiricus de S. S. Maria, Domina nostra, in illis Veteris Testamenti heroicis et celebratissimis Faeminis adumbrata*, Seville, 1678, and later editions.]
- (38) Discursos morales por Almonaci. [José de Almonacid, *Discursos para los domingos y ferias principales de la Quaresma*, Madrid, 1676.]
- (39) Practica de curas y confesores por el P. Noidens: en dos tomos. [Benito Remigio Noydens, *Práctica de curas y confesores y doctrina para penitentes*, Madrid, 1658, and later editions.]
- (40) Chronica de Dieguinos. [Possibly Fray Baltaser de Medina, *Chronica de la Santa Provincia de San Diego de México de Religiosos Descalços de N. S. P. S. Francisco*, Mexico, 1682.]
- (41) Bocabulario de Nebrija. [Antonio de Nebrija, *Dictionarium latino-hispanicum*, Salamanca, 1492.]
- (42) Un expositivo: sin principio ni fin.
- (43) Logica de Rodrigues. [Not identified.]
- (44) Propugnacion de verdades catolicas por Torrecilla. [Probably a work of Fray Martín Torrecilla of the Carmelite Order. Cf. nos. 51, 114, and 120, *infra*.]

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1. Fray Martín del Castillo, who was born in Burgos early in the seventeenth century, had a brilliant career in the Franciscan Order in Mexico, serving as Provincial of the province of the Holy Gospel, rector of the college of San Buenaventura, consultor of the Holy Office, and *procurador general* in Madrid of all the provinces of the Indies. He was a learned and prolific author. See also nos. 208 and 251.



- (45) Casos de conciencia por Filguera. [Manuel Ambrosio Filguera, *Summa de casos de conciencia que se disputan en la Teología Moral*, Madrid, 1667.]
- (46) Meditaciones de la vida oculta de Christo por Salmeron. [Fray Marcos Salmerón, *El príncipe escondido, Meditaciones de la Vida oculta de Christo*, Madrid, 1648.]
- (47) Obras del P. Ministro Juan de Avila. [Juan de Avila, *Obras*, Madrid, 1588, and later editions.]
- (48) Otro expositivo: sin principio, ni fin.
- (49) Dos tomos de Chronologia de N. P. San Francisco.
- (50) Solorsano, gobierno de Yndias: estar desquadrado. [Juan de Solórzano Pereira, *Disputationes de indiarum iure, sive de iusta Indiarum Occidentalium inquisitione, acquisitione et retentione*, Madrid, 1629. Cf. no. 19, *supra*.]
- (51) Consultas Apologicas de Torrecilla. [Fray Martín Torrecilla.]
- (52) Cuarta, quinta & partes asta la onzena morales de Diana. [Antonio Diana, *Resolutionum moralium pars prima et secunda*, Palermo, 1629. Ten more parts were published 1636-1656. There are many editions of the twelve parts.]
- (53) Monumentos antiguos seraficos acerca de la Virgen: en dos tomos por Astorga. [Fray Pedro de Alva y Astorga, O. F. M., who wrote many works concerning the Virgin.]
- (54) Segunda parte de la suma de S. Tomas. [St. Thomas Aquinas, *Summa Theologica*.]
- (55) Un tomo de Teologia escolastica: sin principio, ni fin.
- (56) Una Biblia: sin principio, ni fin.
- (57) Logica de Soto. [Fray Domingo de Soto.]
- (58) Un tomo de Teologia por Macedo. [Probably a work of the seventeenth century Portuguese theologian, Fray Francisco de San Agustín Macedo.]
- (59) Segundo tomo moral de Bonacina. [Probably the Italian theologian, Martín Bonacina, d. 1631.]
- (60) Segunda y tercera parte del moral de Corella. [Fray Jaime de Corella, *Suma de la Theología moral*, Barcelona, 1690, and later editions.]
- (61) Dos tomos de teologia: sin principio.
- (62) Constituciones de nuestro orden por Fr. Gabriel Adongo.
- (63) Tercera parte de la suma de San Tomas. [See no. 54, *supra*.]
- (64) Bocabulario Mexicano.
- (65) Segunda parte de los comentarios por Baesa en los Evangelios. [Diego de Baeza, *Commentariorum moralium in Evangelicam Historiam*, 1624-1627, 4 vols.]
- (66) Quatro comentarios de Poncio en la Teologia de Escoto. [Juan Poncio, *Comentarii Theologici, in quibus Subtilis Doctoris Quaestiones in libros Sententiarum elucidantur*, Paris, 1661.]
- (67) Fisica de Soto. [Fray Domingo de Soto, *Super octo libros*

- Physicorum Aristotelis commentaria*, Salamanca, 1555, and later editions.]
- (68) Física de Escoto. [John Duns Scotus.]
- (69) Varios sermones por el Dr. Delgado. [Possibly Antonio Delgado Buenrostro, bishop of Puebla de las Angeles, *Sermones varios*, Seville, 1696.]
- (70) Concilio Mexicano. [Probably Francisco Antonio Lorenzana, *Concilios provinciales primero y segundo celebrados en la muy noble y muy leal ciudad de México en 1555 y 1565*, Mexico, 1769; *Concilium mexicanum provinciale III celebratum Mexici anno 1585, ibid.*, 1770.]
- (71) Grammatica especulativa de Escoto. [John Duns Scotus.]
- (72) Otro expositivo: sin principio.
- (73) Conquistas de Filipinas. [Fray Gaspar de San Agustín, *Conquistas de las Islas Philipinas: la temporal, por las armas del Señor Don Phelipe Segundo el Prudente: y la espiritual, por los religiosos del Orden de Nuestro Padre San Agustín: Fundación, y progressos de su Provincia del Santísimo Nombre de Jesús, Parte Primera*, Madrid, 1698.]
- (74) Exercicios quaresmales por Balderrama. [Fray Pedro de Valderrama, *Exercicios espirituales para todos los días de la Quaresma*, Seville, 1602, and later editions.]
- (75) Sesenta y cinco anales de Ubadingo. [Luke Wadding, O. F. M., *Annales minorum*, 1625-1654, 8 vols.]
- (76) Tercer tomo del Dispertador cristiano. [José de Barcia y Zambrana, *Dispertador Christiano de Sermones Doctrinales, sobre particulares assumptos*, 1678-1684, 5 vols., and many later editions.]
- (77) Los Salmaticenses. [*Collegii Salmaticensis FF. Discalceatorum B. Mariae de Monte Carmeli primitivae observantiae Coursus theologicus . . .*, Salamanca, 1631. There are many editions of this work, which comprises a complete course in theology as given in the University of Salamanca during the seventeenth and eighteenth centuries.]
- (78) Una Biblia.
- (79) Segundo tomo de las sentencias de Escoto. [John Duns Scotus.]
- (80) Resoluciones morales de Diana. [See no. 52, *supra*.]
- (81) Un moralista: sin principio, ni fin.
- (82) Biblia: sin principio, ni fin.
- (83) Historia sagrada de Susana.
- (84) Un tomo de cuestiones regulares, y canonicas. [Fray Manuel Rodríguez, *Quaestiones regulares et canonicae*, Salamanca, 1598-1602, 3 vols., and later editions.]
- (85) Quarta parte de la Monarquía Ecclesiastica sin principio ni fin. [Fray Juan de Pineda, *Los treinta libros de la Monarquía Ecclesiástica*, Salamanca, 1588, 4 vols., and later editions.]

- (86) Otro expositivo: sin principio, ni fin.
- (87) Tres mas: como el dicho.
- (88) Fr. Tomas Ubaldense de sacramentos. [Thomae Ubaldenis Anglici, *De sacramentis et sacramentatilo*, Salamanca, 1557.]
- (89) Dos tomos de la suma de Teologia de S. Tomas. [See nos. 54 and 63 *supra*.]
- (90) Bocabulario Ecclesiastico: sin fin. [Rodrigo Fernández de Santaella (Maese Rodrigo), *Vocabularium ecclesiasticum*, Seville, 1499, and later editions.]
- (91) Concordancias de la Biblia.
- (92) Controversias Teologicas: sin principio ni fin.
- (93) Marial de Quirós. [Fray Juan de Quirós, *Rosario Inmaculado de la Virgen*, Seville, 1650; *Marial, o segundo tomo de los mysterios y glorias de María, ibid.*, 1651.]
- (94) Dos tomos moralistas por el P. Tomas Sanches, Jesuita. [Tomás Sánchez, *Opus morale in praecepta Decalogi*, Madrid, 1613, 2 vols.; or *Concilia seu Opuscula moralia*, Lyons, 1625, 2 vols.]
- (95) Silva racional, y espiritual de los divinos oficios.
- (96) Ledesma: moral. [Probably refers to one of the numerous works of the seventeenth century Mexican Franciscan, Fray Clemente de Ledesma. Cf. nos. 112, 123, 146, 227, 228, 238, 239.]
- (97) Primera parte del moral de Fr. Manuel Rodrigues. [Fray Manuel Rodríguez, *Obras Morales en Romance*, Madrid, 1602, and later editions.]
- (98) Un mistico: sin principio, ni fin.
- (99) Conferencias morales por Sinttrseenigo (*sic*). [Not identified.]
- (100) Controversias Teologicas por el P. Rada. [Fray Juan de Rada, *Controversiae Theologicae inter S. Thomam et Scotum*, Paris, 1589, and later editions.]
- (101) Historia de Ester por el P. Bolaños. [Juan de Bolaños, *In sacram Esther historiam Commentarius . . .*, Seville, 1701.]
- (102) Tiara simbolica de S. Pio quinto.
- (103) Otro despertador cristiano. [See no. 76, *supra*.]
- (104) Un tomo de Sanctoral serafico.
- (105) Solis de Yndias. [Probably Antonio de Solís y Rivadeneyra, *Historia de la conquista de México, población y progressos de la América septentrional, conocida por el nombre de Nueva España*, Madrid, 1684, and later editions.]
- (106) Seis expositivos de Salmeron. [Possibly P. Alfonso Salmerón, S. J. (1515-1585), one of the first Spanish exegetes, author of sixteen volumes of Scriptural commentaries.]

## En cuarto

- (107) Vida de Fr. Sebastian de Aparicio: en latin. [Nicolaus Plumbensis, *Opusculum vitae Ven. servi Dei Fr. Sebastiani ab Apparitio*, Rome 1696.]
- (108) Discursos predicables por el P. Rota.
- (109) Tesoro de la doctrina por Furlot.
- (110) Tres artes de lengua Mexicana.
- (111) Camino del cielo: en Mexicano. [Martín de León, *Camino del cielo en lengua mexicana*, Mexico, 1611.]
- (112) Quatros tomos morales de Ledesma. [See no. 96, *supra*.]
- (113) Un moral de Fr. Anselmo Gomes. [Anselmo Gómez, *Tesoro de la sciencia moral, y suplemento de las sumas más selectas y modernas*, Valladolid, 1668 (?).]
- (114) Siete libros que tratan de los propociones condenadas por los Papas. [Cf. no. 120, *infra*.]
- (115) Un libro de Christo, y Maria por Fr. Fernando Peralta. [Fray Fernando de Peralta Montañes, *Libro de Cristo y María*, San Lúcar de Barrameda, 1626.]
- (116) Echarri: moral. [Fray Francisco Echarri, *Directorio Moral*, Valencia, 1770, and later editions.]
- (117) Acosta: sermones quaresmales.
- (118) Discursos predicables por Pauleti.
- (119) Teologia escolastica de Uberto.
- (120) Dos tomos de propociones condenadas por N. P. Innocencio 11. [Fray Martín Torrecilla, *Consultas morales y exposición de las proposiciones condenadas por los Santos Padres Inocencio XI y Alexandro VII*, Madrid, 1693.]
- (121) Exercicios quaresmales.
- (122) Sumulas de Moral.
- (123) Seis Dispertadores de noticias morales. [Fray Clemente de Ledesma, *Dispertador de Noticias de los santos sacramentos*, Primer tomo, Mexico, 1695; *Compendio del Despertador de noticias de los Santos Sacramentos*, Mexico, 1695; *Despertador de Noticias Theológicas morales que apuntan y despiertan las letras del A, B, C, al Cura y al Confesor*, Segundo tomo, Mexico, 1698; *Despertador Republicano que por las Letras del A, B, C, Compendia el Segundo Tomo del Despertador de Noticias Theológicas*, Mexico, 1699; *Despertador Republicano que por las letras del A, B, C, Compendia los compendios del Primero y Segundo Tomo del Despertador de Noticias Theológicas*, Mexico, 1700.]
- (124) Sermones quaresmales.
- (125) Meditaciones del amor de Dios. [Possibly Fray Diego de Estella (Fray Diego de San Cristóbal), *Meditaciones devotísimas del amor de Dios*, Salamanca, 1576, 1578.]
- (126) Ceremonial de los Papas.
- (127) Un tomo de la scema de Coretla.

- (128) Un tomo de la quaresma de Barcia. [José de Barcia y Zambrana, *Quaresma de sermones doctrinales*, 1686, 3 vol.]
- (129) Explicacion de la Crusada. [Fray Manuel Rodríguez, *Explicación de la bulla de la Sancta Cruzada*, Alcalá, 1589, and later editions.]
- (130) Adiciones a essa explicacion. [Fray Manuel Rodríguez, *Adiciones a la explicación de la Bula de la Cruzada*, Salamanca, 1598, 1601.]
- (131) Concilio Tridentino. [Decrees of the Council of Trent. Many editions.]
- (132) Dos tomos de sermones latinos.
- (133) Certamen Mariano de Arbiol. [Fray Antonio Arbiol y Díez, *Certamen Marianum ubi veritas examinatur in splendoribus Sanctorum et opus mirabile Civitatis Dei*, Zaragoza, 1698.]
- (134) Doce tomos de varios sermones.
- (135) Un tomo de selectos de la escriptura por Pereiro. [Not identified.]
- (136) Dos tomos de discursos morales.
- (137) Laurea evangelica. [Fray Angel Manrique, *Laurea Evangélica*, Salamanca, 1605, and later editions.]
- (138) Fisica de Merinero: dos tomos. [Possibly Fray Juan Merinero, O. F. M. (1583-1663).]
- (139) Cinco tomos predicables por Dias. [Not identified.]
- (140) Dos Manuales de Cerra. [Fray Angel, Serra, *Manual de administrar los santos sacramentos a los españoles y naturales de esta provincia de los gloriosos Apostoles S. Pedro y S. Pablo de Mechuacan conforme a la reforma de Paulo V y Urbano VIII*, Mexico, 1681.]
- (141) Questiones regulares: dos tomos. [See no. 84, *supra*.]
- (142) Tesoro de la ciencia moral. [Cf. no. 113, *supra*.]
- (143) Dos tomos de sermones por Niceno. [Fray Diego Niseno, Hieronymite, (d. 1656), one of the most eloquent preachers of his time.]
- (144) Teologia simbolica.
- (145) Recopilacion de los privilegios de los Menores.
- (146) Dispertador republicano. [See no. 123, *supra*.]
- (147) Epistola exortatoria de Barcia. [José de Barcia, *Epístola exhortatoria*, Puebla de los Angeles, 1693.]
- (148) Varios oficios de nuestros santos.
- (149) Varios mismos de Augustinos.
- (150) Diceptacion mistica.
- (151) Varios sermones de Guerra. [Possibly Fray Manuel Guerra y Ribera, *Sermones varios de Santos*, Madrid, 1677-1680.]
- (152) Celo Pastoral.
- (153) Flores de questiones Teologicas. [Fray José Anglés, *Flores Theologicarum quaestionum in libros Sententiarum*, Caller, 1575-1576, 2 vols., and later editions.]

- (154) Dos tomos de sermones por Garces. [Possibly Fray Francisco Garcés, O. F. M.]
- (155) Varios oficios de Mercedarios.
- (156) Casos morales.
- (157) Dos tomos Decretales sin principio, ni fin.
- (158) Dos Montenegros de Yndios. [Cf. no. 9, *supra.*]
- (159) Tres Bocabularios Ecclesiasticos viejos. [See no. 90, *supra.*]
- (160) Dialogo entre confesor, y penitente.
- (161) Manual de D. Juan Palafox. [Juan de Palafox y Mendoza, *Manual de los Santos Sacramentos, conforme al ritual de Paulo Quinto*, Mexico, 1642, and later editions.]
- (162) Exaltacion de la Betlemitica Rosa. [Br. Pedro Muñoz de Castro, *Exaltación magnífica de la betlemitica rosa de la mejor americana Jericó y acción gratulatoria por su plantación dichosa*, Mexico, 1697.]
- (163) Disputas Teologicas: sin autor.
- (164) Dos tomos de platicas por Miranda. [Possibly Fray Luis de Miranda, *Pláticas y colaciones espirituales*, Salamanca, 1617, 1618. Cf. no. 171, *infra.*]
- (165) Erudicion cristiana. [Fray José Luquián, *Erudición christiana, en veinte y cinco discursos devotos muy provechosos para el alma*, Tarragona, 1594.]
- (166) Discursos predicables.
- (167) Instruccion de Predicadores.
- (168) Varios sermones de Cespedes. [Possibly Antonio Céspedes, *Sermones varios*, Madrid, 1677.]
- (169) Dispertador Cristiano. [See no. 76, *supra.*]
- (170) Abecedario espiritual y ley de amor. [Fray Francisco de Osuna, *Abecedario espiritual*. The first part was published in Seville, 1528, and the entire work consists of six parts of which there are many editions. The *Cuarta parte o Ley de Amor* appeared in 1530.]
- (171) Platicas, y colaciones espirituales. [See no. 164, *supra.*]
- (172) Año Apostolico.
- (173) Un libro de oficios sueltos.
- (174) Triunfos de la gracia, y gloria de los Santos.
- (175) Un tomo de oraciones Evangelicas.
- (176) Apologia de confesores regulares. [The Biblioteca Nacional de México has the following: Gabriel Novoa, *Apología de confesores y predicadores regulares. Respuesta a una consulta en derecho regular, en la que se tratan y deciden todas las dificultades que suelen ocurrir entre los regulares con los obispos y más ordinarios en materia de aprobación y licencias de confesar y predicar*, 2a Imp., Salamanca, 1705.]
- (177) Un libro de Teologia sin principio, ni fin.
- (178) Lexicon Ecclesiasticum. [Fray Diego Jiménez Arias, *Lexicon*

*ecclesiasticum latino-hispanicum ex sacris Bibliis, Conciliis, Pontificorum, etc.*, Salamanca, 1565, and many later editions.]

- (179) Dos libros de sermones en Mexicano.
- (180) Discursos predicables en latin.
- (181) Dos tomos de tentativas Complutensis. [Fray Francisco Félix, *Tentativae Complutensis . . . Duns Scoti mens . . . elucidatur . . . Angelici Doctoris doctrina sponitur . . .*, Alcalá, 1642-1646, 2 vols.]
- (182) Un tratado de voto.
- (183) Un tomo de ortu, et interitu. [Probably a commentary on Aristotle.]
- (184) Los dos estados de la espiritual Jerusalem. [Fray Juan Márquez, *Los dos estados de la espiritual Hierusalem sobre los psalmos CXXV y CXXXVI*, Medina del Campo, 1603, and later editions.]
- (185) Declaracion de los siete psalmos penitenciales.
- (186) Orden Judiciario por Miranda. [Fray Luis de Miranda, *Liber ordinis iudiciarii*, Salamanca, 1601.]
- (187) Sermones de Segura. [Not identified.]
- (188) Conceptos predicables: sin principio, &a.
- (189) Panegiricos de Oviedo. [Juan Antonio de Oviedo, *Panegyricos sagrados en honra y alabanza de Dios, de María Santissima, etc.*, Madrid, 1718.]
- (190) Dos Fueros de la conciencia.
- (191) Tesoro de confesores. [Dr. Juan Daza y Berrio, *Tesoro de confesores y Perla de la conciencia para todos estados*, Madrid, 1648.]
- (192) Apologia en defensa de nuestro orden. [Possibly Gabriel de Guillixtegui, *Apología en defensa de la Orden de Penitencia de San Francisco*, Bilbao, 1643.]
- (193) Resumen moral de Machado. [Juan Machado de Chávez y Mendoza, *Suma moral y resumen brevísimo de todas las obras del doctor Machado*, Madrid, 1661.]
- (194) Vida de Cristo por Villalobos. [Not identified.]
- (195) Una Biblia: sin principio ni fin.
- (196) Tratado de anima. [Probably a commentary on Aristotle.]
- (197) Naturalesa, y virtudes de las plantas. [Francisco Hernández, *Cuatro libros de la naturaleza y virtudes de las plantas y animales que están recibidos en le uso de Medicina en la Nueva España*, Mexico, 1615. Trans. from Latin by Francisco Jiménez.]
- (198) El superior predicando: sin principio.
- (199) Dos tomos de discursos Evangelicos: sin principio.
- (200) Un tomo de las platicas del P. Parra. [Probably Juan Martínez de la Parra, *Luz de verdades católicas y explicación de la doctrina cristiana, que según la costumbre de la casa profesa*

- de la Compañía de Jesús, todos los jueves del año se platica en su iglesia, Mexico, 1691, 1692, and many later editions.]*
- (201) *Tratados del modo de corregir.* [Possibly Gaudentius van den Kerckhove, *Methodus corrigendi regulares, seu praxis criminalis fratribus minoribus propria, omni regulari iudici accomodata.*]
- (202) *Directorii decisiones regulariis.* [Fray Antonio de Hinojosa, *Directorium decisionum Regularium, Madrid, 1627.*]
- (203) Un moralista: sin principio, ni fin.
- (204) Soliloquios de las cosas divinas.
- (205) Una Logica.
- (206) Dos tomos predicables por Niceno. [See no. 143, *supra.*]
- (207) *Tratos, y contratos de mercaderes* por un Dominico. [Fray Tomás de Mercado, *Tratos y contratos de mercaderes y tratantes, Salamanca, 1569, and later editions.*]
- (208) *Dos grammaticas de lengua griega.* [Possibly Fray Martín del Castillo, *Gramática de la lengua griega en Idioma Español, Lyons, 1678.*]
- (209) *Phisica de un Jesuita.*
- (210) *Moral de Delgadillo.* [Fray Cristóbal Delgadillo, O. F. M.]
- (211) *Apologia de las obras de Tertuliano.* [Possibly Fray Pedro Manero, *Apología de Quinto Séptimo Florente Tertuliano, presbítero de Cartago, contra los gentiles, en defensa de los cristianos, Zaragoza, 1644, and later editions.*]
- (212) *Delgadillo de Incarnatione.* [Fray Cristóbal Delgadillo, *De Incarnatione, Alcalá, 1653.*]
- (213) *Sermones varios: en latin.*
- (214) *Concilio Tridentino.* [See no. 131, *supra.*]
- (215) Una Biblia.
- (216) *Oraciones Ecclesiasticas.*
- (217) *Questiones morales.*
- (218) *Regla de nuestra religion.*
- (219) *Varios oficios sueltos.*
- (220) *Sermones varios: sin principio.*
- (221) *Veinte, y dos morales de Larraga.* [Fray Francisco Larraga, *Promptuario de la Theologia Moral, Puebla de los Angeles, 1766, and later editions.*]
- (222) *Arte Mexicano.*
- (223) *Triunfos Evangelicos.*
- (224) *El tercer tomo de el hijo de David perseguido.* [Dr. Cristóbal Lozano, *El Hijo de David más perseguido, Madrid, 1740, and later editions.*]
- (225) *Unos discursos morales: sin principio ni fin.*
- (226) *Arte de sermones por Velasco.* [Alonso Alberto de Velasco, *Arte de sermones para saber hazerlos y predicarlos, Mexico, 1728.*]
- (227) *Moral de Ledesma.* [See no. 96, *supra.*]



- (228) Dispertador moral por el mismo. [See no. 123, *supra.*]  
 (229) Segunda parte de la Monarquía mística. [Lorenzo de Zamora, *Monarquía mística de la Yglesia, hecha de hieroglyphicos, sacados de humanas y divina letras*. Segunda parte, Alcalá, 1601, Madrid, 1611.]

## En octavo

- (230) Dos tomos de sermones por el Granatense. [Fray Luis de Granada?]  
 (231) Casos de conciencia por Burgraber.  
 (232) Quatro tomos de advertencias para confesores de Yndios. [Fray Juan Bautista, *Advertencias para los confesores de los indios*, Mexico, 1599.]  
 (233) Manual de confesores por Ascargota. [Fray Juan de Ascargota, *Manual de Confesores*, Madrid, 1713, and later editions.]  
 (234) Concideraciones espirituales: en latin. [Fray Juan de los Angeles, *Considerationum Spiritualium super librum Cantici Canticorum Salomonis in utraque lingua, Latina et Hispana*, Madrid, 1607.]  
 (235) Questiones Teologicas.  
 (236) Dubia regularia por Portel. [The Biblioteca Nacional de México has the following: Laurentius de Portel, *Dubia regularia tam ad subditos quam ad praelatos, in utroque foro attinentia, fere per compendium resoluta*, Rome, 1712.]  
 (237) 5 Morales de Escoto. [John Duns Scotus.]  
 (238) Manual de confesores por Ledesma. [See no. 96, *supra.*]  
 (239) Dos despertadores morales por el mismo. [See no. 123, *supra.*]  
 (240) Siete exposiciones de nuestra regla por Fr. Martín de S. Jose. [Fray Martín de San José, *Breve exposición de los preceptos que la Regla de los Frayles Menores obligan a pecado mortal, según la mente de los Sumos pontífices, y de San Buenaventura*, Zaragoza, 1638, and later editions.]  
 (241) Dos mismos por Navarro. [Fray Pedro Navarro, *Exposición de la regla de Nuestro Padre San Francisco*, Madrid, 1636.]  
 (242) Dos morales de Ascargota. [Fray Juan de Ascargota?]  
 (243) Manual de Contreras. [Fray Pedro de Contreras Gallardo, *Manual de administrar los Santos Sacramentos a los españoles y naturales desta Nueva España conforme a la reforma de Paulo V*, Mexico, 1638.]  
 (244) Declamaciones de la Virgen. [Possibly Fray Luis de Carvajal, *Declamatio expostulatoria pro immaculata Conceptione Genitricis Dei Marie*, Paris, 1541.]  
 (245) Dos manuales de sacerdotes por Arbiol. [Fray Antonio Arbiol y Díez, *Manuale sacerdotum Sacris Scriptoris et Sanctorum Patrum sententiis Illustratum*, Barcelona, 1711.]  
 (246) Examen de confesores por Blanco.  
 (247) Oraciones latinas: sin principio.

- (248) Dos morales de Salazar. [Possibly Fray Simón de Salazar, *Promptuario de materias morales*, Alcalá, 1674.]
- (249) Otro mismo de Allosa. [Juan de Allosa, *Flores summarum sive alphabetum morale*, Lyons, 1665, and later editions.]
- (250) Catecismo de S. Pio quinto.
- (251) Sermones de S. Pedro Crisologo: sin principio, ni fin. [Probably Fray Martín del Castillo, *Divi Petri Chrysologi Sermones*, Lyons, 1676.]
- (252) Moral de Remigio. [Benito Remigio Noydens.]
- (253) Declaracion de las Epistolas de S. Pablo.
- (254) Tres manuales de confesores por Villalobos. [Fray Enrique de Villalobos, *Manual de Confesores*, Salamanca, 1628, Valladolid, 1628, and later editions.]
- (255) Tratado de las siete palabras de Christo en la Crus.
- (256) Dos explicaciones de la syntaxis.
- (257) Tratado del bien estado religioso. [Francisco Rodríguez, *El libro del bien del estado religioso, compuesto en latín por el P. Hieronymo Plati de la Compañía de Jesús*, Medina, 1595.]
- (258) Dos moralistas latinos: sin principio ni fin.
- (259) Compendio de los Concilios.
- (260) Dos libritos de las Epistolas de S. Geronimo.
- (261) Practica de confesores por Escobar. [Antonio de Escobar y Mendoza, *Examen y práctica de confesores . . . sacados de varios doctores*, Zaragoza, 1632, and many later editions.]
- (262) Itinerario Catolico por Gusman. [Probably Fray Juan Foher, *Itinerarium Catholicum Proficiscentium, ad infideles convertendos, . . . Nuper summa cura et diligentia auctum, expurgatum, limatum ac praelo mandatum per fratrem Didacum Valadesium. . . . Ad Reverendissimum Patrem F. Franciscum Guzmanum, omnium Indiarum maris Oceani Commissarium generalem*, Seville, 1574.]
- (263) Sermones latinos del Granatense. [Cf. no. 230, *supra*.]
- (264) Geografia de Cluberi. [Philip Cluver, *Introductio in universam geographiam tam veterem quam novam*, Leyden, 1624, and many later editions.]
- (265) Tratado del confesor solicitante por Fr. Antonio Escoto. [Fray Antonio Escoto, *Scutum Confessionis contra nefarios Sacordotes in Sacramento Poenitentiae ad turpia provocantes*, Mexico, 1703.]
- (266) Suma de las virtudes.
- (267) Virgilio.
- (268) Versos latinos: sin principio, ni fin.
- (269) Epistolas en verso latino: sin principio.
- (270) Compendio moral: sin principio.
- (271) Ceremonial de la Provincia. [Probably Fray Isidro Alfonso

- Castaneira, *Manual Summa de las ceremonias de la Provincia de el Santo Evangelio de México*, Mexico, 1702, 1703.]
- (272) Sermones de Segura. [Cf. no. 187, *supra*.]
- (273) Sermones feriales de quaresma.
- (274) Practica de confesores de Monjas por Borda. [Fray Andrés de Borda, *Práctica de confesores de monjas*, Mexico, 1708.]
- (275) Practica de Exorcistas. [Benito Remigio Noydens, *Práctica de exorcistas y ministros de la iglesia*, Madrid, 1660.]
- (276) Ovidio.
- (277) Humildad del corason.
- (278) Explicacion del arte de Nebrija. [There are many seventeenth and eighteenth century "explicaciones" of Nebrija.]
- (279) Advertencias de la grammatica. [Possibly Bernardino de Llanos, S. J. (1557-1639), *Advertencias de Gramática*, Mexico, 1645.]
- (280) Ceremonial Romano. [Possibly Pedro Ruiz Alcolado, *Ceremonial romano*, Alcalá, 1589; or Fray Juan de Zamora, *El Ceremonial Romano*, Burgos, 1603.]
- (281) Concilio Tridentino. [See no. 131, *supra*.]
- (282) Manifiesto chronologico, y satisfatorio.
- (283) Instruccion de Presbiteros.
- (284) Un tomo suelto de Teologia.
- (285) Manual de confesores por Navarro. [Martín Azpilcueta (Dr. Navarro), *Manual de confesores y penitentes*, 1552, and many later editions.]
- (286) Sermones de adviento por Castro. [Fray Pedro Núñez de Castro?]
- (287) Tercer tomo de la historia de la alma.
- (288) Doce Breviarios viejos.
- (289) Un tomo quaresmal por Fr. Diego Lopez Andrade. [Fray Diego López de Andrade, *Tractados sobre los Evangelios de Quaresma*, Madrid, 1615; *Segunda parte*, Madrid, 1617; and later editions.]

## III

*Books Found at the Missions in 1776*

## Villa de Santa Fe

[In the church]:

- (290) Tres Missales viejos con Santos nuestros.  
 (291) Un Manual de Osorio servible. [Fray Diego Osorio, *Manual para administrar los Santos Sacramentos arreglado al Ritual Romano*, Mexico, 1748.]  
 [Capilla de Nuestra Señora de la Luz]:  
 (292) Un Missal nuevo con nuestros Santos.

## Tesuque

- (293) Un Missal viejissimo.

## Nambe

- (294) Un Missal mui viejo.  
 (295) Un Manual de Ossorio. [See no. 291, *supra.*]

## Pujuaque

- (296) El Missal es viejissimo y tiene Santos nuestros.

## San Ildefonso

- (297) Un Missal servible.  
 (298) Otro mui antiguo.  
 (299) Dos Breviarios viejos, que con dho Missal y unos papeles con Introitos, etc. en puntos de solfa sirven a los cantores.

## Cañada

[In the church]:

- (300) Un Missal.  
 [Capilla del Carmen]:  
 (301) Antonio Martín . . . dió a esta capilla del Carmen . . . un missal viejo.

## San Juan

- (302) Un Missal servible.  
 (303) Otro viejo.  
 (304) Manual de Ossorio. [See no. 291, *supra.*]  
 [Río Arriba]:  
 (305) Missal viejo.

## Picuries

- (306) Missal viejo con registros de correas, y aderesado por el P. García.  
 (307) Manual de Vetancurt, que dio este mismo P. [Fray Agustín de Vetancurt, *Manual de administrar los santos sacramentos, conforme a la reforma de Paulo V y Urbano VIII. Sacado de los Manuales de los Padres Fr. Miguel de Zarate, Fray Pedro de Contreras, etc.*, Mexico, 1674, and later editions.]

## Taos

- (308) Missal viejissimo.  
 (309) Manual de Ossorio. [See no. 291, *supra*.]

## Santa Clara

- (310) Un Missal viejo con registros de correas, que el P. Sambrano dio siendo Vice-Custodio.  
 (311) Otro tal mas viejo.  
 (312) Manual de Ossorio. [See no. 291, *supra*.]

## Abiquiu

- (313) Missal servible.

## Santo Domingo

[In the church]:

- (314) Un Missal nuevo de nuestro orden, que puso el P. Samora.  
 (315) Dos Manuales de Betancurt mui viejos. [See no. 307, *supra*.]

[In the convent]:

- (316) Dies y seis libros de varios tamaños y tiempos que tratan diversas materias por diversos autores, y los han dejado algunos PP. Estan inventariados, y fuera de ellos faltan los que dize en el auto de visita.

[Auto de visita]:

Mission de N. P. S. Domingo, y primero de junio de mil setecientos setenta y seis años. En prosecucion de la visita juridica, que de esta Custodia esta haciendo N. R. P. Fr. Francisco Atanasio Dominguez Predicador del numero en el convento grande de N. P. S. Francisco de Mexico y Commisario Visitador de esta Custodia por N. M. R. P. Ministro Provincial Fr. Isidro Murillo: paso a ver, y vio S. P. R. este Inventario el que aunque concuerda con lo existente, y que pertenece a Iglesia y sacristia; por lo que toca al convento se echan menos los libros:

- (317) Quaresma de Niceno. [Fray Diego Niseno.]  
 (318) Oraciones Evangelicas de Fr. Diego Malo. [Fray Diego Malo de Andueza, *Oraciones Evangélicas y Férias principales de Quaresma*, Madrid, 1661-1664.]  
 (319) Manojito de Flores.  
 (320) Vida del P. Margil. [Fray Isidro Felix de Espinosa, *El Peregrino Septentrional Atlante: delineado en la exemplarissima vida del Ven. P. F. Antonio Margil de Jesús*, Mexico, 1747; or Fray Hermenegildo Vilaplana, *Vida portentosa del americano septentrional apostol, el V. P. Fray Antonio Margil de Jesús*, Mexico, 1763.]

Por lo que se ordena y manda al P. Missionero actual Fr. Mariano Rodríguez de la Torre, o al que en lo de adelante fuere, que jamas permita, que religioso alguno saque libros de la Mission o de la libreria de la Custodia que aqui se

mantiene, sin que primero le deje por escrito, y firmado los libros, que llevare, para assi saber de ellos, y cobrarlos. . . .

#### Sandia

- (321) Un Missal con Santos nuestros, que dio el Rey.
- (322) Otro viejissimo.
- (323) Manual de Ossorio. [See no. 291, *supra.*]

#### Albuquerque

- (324) Un Missal bueno.
- (325) Otros dos viejos.
- (326) Manual de Vetancurt. [See no. 307, *supra.*]  
[Capilla de N. S. de la Concepción, Alameda]:
- (327) Missal usado.
- (328) Manual.  
[Tomé]:
- (329) Missal viejo.

#### Cochiti

- (330) Un Missal tratado, y sus registros de correas.
- (331) Manual de Ossorio servible. [See no. 291, *supra.*]

#### San Felipe

- (332) Un Missal viejo.

#### Santa Ana

- (333) Un Missal bien tratado.
- (334) Manual de Ossorio tratado. [See no. 291, *supra.*]
- (335) El mismo de Vetancurt. [See no. 307, *supra.*]

#### Sia

- (336) Dos Missales viejos.
- (337) Manual de Ossorio tratado. [See no. 291, *supra.*]
- (338) Dos viejos de Vetancurt. [See no. 307, *supra.*]

#### Gemes

- (339) Un Missal viejissimo y no tiene Santos nuestros.
- (340) Dos mismos, medios, y desquadrados, de los Nabajoës.<sup>2</sup>
- (341) Manual de Ossorio. [See no. 291, *supra.*]

#### Laguna

- (342) Un Missal razonable.
- (343) Otro viejo.
- (344) Manual de Ossorio. [See no. 291, *supra.*]

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2. Father Menchero had brought various articles donated by the Crown for use in the Navajo missions. Some of these were in use at Sandia, others were stored at Santo Domingo, and these two missals may have come from the same source.

## Acoma

- (345) Un Missal servible, de clerigos.
- (346) Otro mui viejo.
- (347) Manual de Ossorio. [See no. 291, *supra.*]

## Zuñi

- (348) Missal viejo.
- (349) Manual de Ossorio tratado. [See no. 291, *supra.*]

## Isleta

- (350) Dos Missales viejos.
- (351) Manual de Ossorio. [See no. 291, *supra.*]

## Pecos

- (352) Missal servible.
- (353) Tres Manuales viejos de Vetancurt. [See no. 307, *supra.*]
- (354) Otro de Ossorio, al que las ratones tienen bien conjurado con sus dientes. [See no. 291, *supra.*]

## Galisteo

- (355) Missal servible.
- (356) Manual de Vetancurt, viejo. [See no. 307, *supra.*]

## NEW MEXICO'S CONSTITUTION IN THE MAKING— REMINISCENCES OF 1910<sup>1</sup>

*By* THOMAS J. MABRY

THE FIRST effort on the part of the people of New Mexico to secure admission into the Union through the formal method of writing and submitting a constitution was made in 1850. A meeting of representative citizens was held in Santa Fé on April 20th of that year, resolutions seeking admission of the state were adopted, and Col. Monroe, then military governor, was requested to issue a proclamation calling delegates to a constitutional convention. In pursuance of such call, a regular constitutional convention was held, the opening session being on May 15th. James H. Quinn was elected president. The convention sat for 10 days. The most controversial matter was that involving slavery for the new state, against which the document contained a clear and ringing declaration. This document was submitted to congress, but statehood was declined largely because of this anti-slavery declaration, we are told. A bitter debate was then raging in congress on the slavery question. The Southern representation at that time was anxious that any new state then to come in should be one to balance against California's anti-slavery attitude.

Historians tell us that, had New Mexico declared for slavery at that time, it might have been admitted to the Union. As indicative of the temper of the people in favor of statehood, the overwhelming vote of 8,371 in approval of the constitution as compared with only 39 negative votes, should be noticed. Somebody suggested that this reflected smooth election machinery rather than unanimity of opinion—but we will skip that.

The next effort came with the convention which met in Santa Fé in 1889, this time authorized by the territorial legislature. This effort also brought no results, excepting to again impress upon congress our ardent desire for state-

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1. Address by Supreme Court Justice Thomas J. Mabry at the annual meeting of the State Bar of New Mexico in Santa Fe, October 22-23, 1943.



hood. There were 74 delegates elected to this convention, among whom were five who subsequently served in the authorized convention of 1910 through which statehood was finally obtained. These delegates serving in both conventions were: E. S. Stover and Alejandro Sandoval of Albuquerque; G. W. Prichard of Santa Fé; John G. Clancy of Puerto de Luna, and Silvestre Mirabal of Valencia county.

The people of New Mexico likewise adopted this constitution, submitted, together with a stirring address prepared by what was called a "committee of the constitutional convention" of which Hon. J. Francisco Chávez was the chairman. The theory upon which the people of New Mexico was approaching the question at this time was, as we gather from the words of this committee, that "God helps only them who help themselves and the time has come for New Mexicans to stand up, insist on, demand your rights!" In this address it is pointed out that New Mexico, as a territory, has furnished a place of forage for politicians who couldn't be either supported or elected to any office in their home states; that "a delegate to congress is only a paid beggar licensed to enter its halls. To him little more respect is paid than to the ordinary mendicant who walks your streets." The address further pointed out that of 31 states admitted into the Union since 1789, only three of them at the time of their admission "possessed more property or wealth than New Mexico has at present." Needless to say that nothing was accomplished by this effort, and New Mexico remained a territory.

Then a convention was called in 1910 to write the constitution for the proposed new state. This was to be first submitted to the people, then to congress and the president for approval. This time New Mexico acted under authority of an act of congress known as The Enabling Act. Under this act the chief justice of the supreme court, the governor of the Territory and the secretary of the Territory were selected to apportion the 100 delegates which the act provided should meet at Santa Fé and formulate the constitution. This apportionment was soon made. The Territorial governor, Judge Wm. J. Mills, issued his proclamation calling an

election for September 6, 1910, for the selection of delegates for a constitutional convention to open in Santa Fé on October 3, 1910, and which was authorized to sit for not more than 60 days. Of the 100 delegates to this convention, 71 were republicans and 28 were democrats, and there was one socialist. Bernalillo, with the largest population, elected eight delegates while McKinley had only one. The state was then composed of 26 counties, including the newly created county of Curry, with which Quay and Roosevelt had to share their representation. The democrats, usually claiming the distinction of speaking for the common man, were challenged by this lone socialist, Green B. Patterson of Chávez county, who said no one was closer to the poor man and the grass roots than he. "I am the only man in this convention," he boasted, "that came to Santa Fé directly from a dug-out."

The convention met on October 3, 1910, and adjourned on November 21, without consuming the entire 60 days allowed, and having left from the \$100,000.00 appropriated by congress for holding the convention something over \$7,000.00. This was later returned by Mr. Nathan Jaffa, then secretary of the Territory, to the U. S. Treasury. This perhaps set a precedent in practice of giving back government money not theretofore observed in the territory; nor thereafter in the state, so far as most of us can recall. The convention met in the house chamber of the capitol, the old brass rail being removed and desks were placed almost to the back wall. The excellent record made by Mr. Jaffa as the last secretary of the Territory and the courteous and impartial treatment shown all delegates of the convention will long be remembered by those who knew him then. Mr. Jaffa is still living, I am happy to report, and is in reasonably good health although now at the age of 79. (Mr. Jaffa was in the hall and was asked to take a bow.)

The election to approve the constitution was held on January 21, 1911, after a vigorous and bitter campaign, the vote being 31,742 in favor of adopting the constitution, with a negative vote of 13,309. Women did not vote at this time,

of course. The constitution carried in all counties but those of Roosevelt, Lincoln, Sierra and San Juan.

The democratic party, as an organization, was opposed to the constitution as submitted, and fought its adoption, particularly on the ground of its conservative character and of the alleged general conservative form of the referendum provision and the entire absence of any form of initiative or recall. But, at a central committee meeting of that party which was held at Santa Fé soon after the close of the convention in 1910, it was resolved that party loyalty would not be tested by any man's vote upon the constitution, that all democrats would be free to vote as "their conscience should dictate."

The preparation for, and opening of, the constitutional convention at Santa Fé was accompanied by much social and political activity. That the republican party, overwhelmingly in the majority, would have its own way was apparent from the first; but the democrats, constituting slightly more than one-fourth of the convention, made up for its lack of numbers in oratory and disunity; and thus stoutly maintained the party tradition.

Former Governor and Mrs. L. Bradford Prince, the popular Judge and Mrs. N. B. Laughlin, and the popular ex-Governor Miguel A. Otero, and others, took a leading part in extending social courtesies and doing many of the nice things which made a few of the early days of the convention particularly enjoyable, socially; after the first few days, however, partisan feeling arose to such a high pitch that most delegates were occupied with other thoughts than those associated with receptions, dinners and buggy rides about scenic Santa Fé. There were many social activities thereafter, I remember, but these were confined largely to smoke-filled hotel rooms of the old Palace Hotel where card tables, brass spittoons and Old Taylor took the place of lovely, well-dressed ladies serving tea and cookies. Cocktail parties, openly conceived and advertised, had not yet come into wide favor. Mrs. Laughlin, an intense partisan, was a most gracious hostess, and like Mrs. Prince, belonged to the old school.

Not to have known Mrs. Mary Prince was to have missed a lot of life. My acquaintance with her, it is true, was in the sunset days of her life, but it was a sunset of bright glow, and color, and hope; somewhat disturbed, perhaps, by the thought that the new generation then taking over was declining to show proper political deference to her gallant husband, then also advanced in years. She strove earnestly, cared deeply, for the acclaim of achievement, success, blue ribbons, culture, distinction and for political preferment for her husband.

The document, as finally written, was largely the handiwork of such able delegates of the majority party as T. B. Catron, thereafter U. S. senator; Charles A. Spiess, president of the convention and an outstanding attorney; Charles Springer of Raton, also an able lawyer and representing as well as possessing, large property interest; H. O. Bursum, an able man though not a lawyer, a ceaseless worker and the party's first candidate for governor; A. B. Fall of Three Rivers, an able lawyer, then in the prime of life and in his best fighting condition; Clarence J. Roberts; Frank W. Parker, and Solomon Luna, of Valencia. Luna never made a speech in the convention, but it is said, that he needed only to lift a finger or his eyebrows, to stop any proposal which he deemed against the best interest of his people, his party, or the proposed new state. I omit mention of the many able democrats, since these, after all, were in a hopeless minority, and, as I have often said, were there to get into the document what they could, of our program, but whose principal function seemed to be to vote "no."

The convention became a rough and tumble political fight from the day it opened until the day it closed. Some of the most controversial subjects with which the convention dealt were: direct legislation (the initiative and referendum), term of office for county and state officials; succession to office; power to be given to the state corporation commission; specific manner and method of our selection and retention of public lands granted by congress; authorizing payment of the bonded indebtedness of Santa Fé and Grant counties, legalized by congress; the price or term at

which public lands might be sold or leased; the protection of established water rights; methods of amending the constitution; the matter of the creation of legislative and judicial districts; and the method of selecting the judiciary.

Both parties were united in its purpose to end the pernicious and extravagant fee system for county officers. No party lines were drawn when it came to the much debated subject of how to select district judges and justices of the supreme court, whether by election or appointment; and, likewise, as to their terms of office. A considerable number of both parties favored and fought for some appointive system, but the overwhelming majority in both parties favored electing all judges, disagreeing only as to the length of term and the salaries to be paid.

It will be remembered that the constitution left to the first state legislature the matter of fixing county salaries for all county officers, and this task brought on what was perhaps the most prolonged and bitter contest between the legislative and executive branches of our state government that has ever been known in New Mexico. The disagreement between the legislature and the governor over the classification of counties and the fixing of salaries for the various officials was wholly irreconcilable. Governor McDonald vetoed the salary bill passed by the first legislature of 1912, and his veto was sustained by the narrow margin of one vote in the senate.

It was Delegate H. O. Bursum who introduced the provision limiting succession to certain state and county offices and providing for the abolition of the unsatisfactory and unpopular fee system employed in the compensation of certain county officers.

H. B. Fergusson, M. D. Taylor, C. M. Compton, Sr. (father of our able District Judge J. C. Compton), E. D. Tittmann, R. W. Heflin and J. W. Childers, to mention those names that now occur to me, represented the so-called irreconcilables among the minority in the convention, who would be satisfied with nothing less than a thoroughly progressive constitution; while C. R. Brice, G. A. Richardson, A. H. Hudspeth, J. L. Lawson and H. W. Daugherty would

probably be classified with the ablest of that portion of the minority which was endeavoring, through compromise and agreement, to get into the organic law as much of the party's philosophy and program as was possible without unduly antagonizing the majority; and these leaders, working with the majority undoubtedly did accomplish a good deal. We secured a pretty fair and workable constitution, although unmistakably, of a most conservative flavor. As for my own position, it is pretty well stated in a quotation I find credited to me by the *New Mexican* of the day after the close of the convention (Nov. 22nd) when short interviews from several delegates were obtained. I was quoted as follows: "Curry county will support the constitution. I will work for its adoption \*\*\*. While we wanted direct legislation, we are confident of getting it after statehood." That last phrase shows I was unjustifiably optimistic, as well as somewhat politically naive.

One of the bitterest controversies raged over the provision relating to districting the state for judicial and legislative purposes. We heard much about this charge of "Gerrymandering" for at least twenty years after the state's first election. The "Gerrymandering" went merrily on notwithstanding all protests and wailing from the minority. The superiority in numbers possessed by the majority party, then well united, was to it proof enough of the justice of its course. And, while refined amenities of statecraft were pretty nearly upset over this districting incident, it did not make much difference in the long run, for, as one of the majority delegates once declared in heated debate, the democrats are against us anyway and are here to "raise hell whatever the majority does; and we are here to write a constitution for this glorious new state to be—and, to protect the interests of the republican party." In passing, it might be noticed, that the complaint in respect to the Gerrymander has largely subsided since the democrats, many years ago, obtained control of both the senate and the house, and, likewise, came to elect most of the district judges. I suppose it might be said that when the pain of defeat was thus al-

leviated there was no occasion to kick about the tight shoe that had theretofore pinched the political foot.

In support of the charge that there had been a highly successful "Gerrymander" as to legislative districts, it will be noticed that, although the democrats elected their governor, approximately half the state officers, and their candidate to congress, at the first state election, the republicans controlled the legislature by a two-thirds majority in both the senate and the house.

Notwithstanding the bitter controversy which waged throughout practically the whole of the deliberations, many of these differences, political and personal, were forgotten at the close; and the last day and night session witnessed a great get-together with much forgetting, and forgiving, on all sides. Obviously, most delegates were glad that the job was over and that statehood was on the way.

I recall the splendid eulogy paid to Mr. Spiess, the very impartial presiding officer of the convention, by Delegate G. A. Richardson of Roswell, when, on the closing night, he presented to the president a beautiful silver service set, the gift of all the convention. The speaker might have overstated the case a bit in his eulogy and, likewise, President Spiess was not too restrained in speaking kindly of the democrats in his response. This lack of restraint on both sides was later emphasized by its bold contrast to the hot campaign speeches which followed. I have often thought that it would have been a nice thing, and would have greatly neutralized a lot of political oratory, if the speakers of the closing night of this historic event had preserved and restated some of the high points of these fine eulogies in the subsequent campaigns; but, I soon learned that this is a practice not theretofore, then, nor thereafter, observed in New Mexico politics.

Of course, I realized that perhaps the three barrels of bottled beer and the large supply of sandwiches (a contribution from whom, we never knew—at least I never knew) which were rolled into the foyer of the house chamber on that closing night might have had something to do with calming the spirits of the belligerents. Certainly a good

time was had by all until the adjournment of the convention *sine die* at about 4 a. m. the next morning.

I recall one incident when there ensued a bitter personal encounter between a prominent democrat and a leading republican of the convention, when, after an exhibition of violent language and bared fists, both men were led from the floor by their respective friends, while the sergeant-at-arms, alarmed at the fast movement of events, remained over in one corner of the room. Major Whiting was the sergeant-at-arms. He had gone through the Civil War, but he was then a little old to referee bouts of such promise as this one. The republican member returned to the hall within a day or two, but the democratic delegate refused to return until he could have a public apology from the offending brother. This was never forthcoming and the delegate with the tender feelings never came back, while the other went to the U. S. senate.

Delegate E. D. Tittmann of Sierra county would provide authority for a civil service system for all state employees. The *New Mexican* of November 4th shows, significantly, that this motion was lost for want of a second. Both parties ignored the suggestion, evidently hoping to profit by the spoils system, as they have—or have they?

Delegate Parker, then a territorial supreme court justice also, was responsible for the specific authority found in the constitution (Art. 6, Sec. 13) for the establishment of juvenile courts. According to newspaper files of the time, Delegate Brice arose to object to the Parker proposal for the specific mention of juvenile courts on the theory, to quote from the press report: "that Sec. 1 already gives the legislature that power; it is just adding unnecessary language."

The proposed amendment then adopted, was placed at the end of Sec. 1 of Art. 6, providing for the establishment of courts inferior to district courts, and it read: "including juvenile courts." From this little history it can be seen that Brother Brice has always been consistent in his advocacy of less words and more ideas, in all writing upon the law.

I recall an instance in recent months when, in a moment of slight impatience with one of his associates on the bench



because of what Brother Brice thought was too much language with too little said, he remarked, "Judge, I believe you can compress more words into a small idea than any lawyer I ever knew." Brother Brice scolds his associates at times for what he terms obstinacy of opinion. However, he guides us away from many errors, even if, occasionally, he would unintentionally lead us into a few.

It might be said that this three-word phrase, "including juvenile courts," which Judge Parker insisted upon writing into the constitution even at the risk of slight verbosity, may have saved to us the juvenile courts as thereafter, and nearly a quarter of a century ago, established by the legislature. In a recent case (*In re: Santillanes*, 138 P. 2d 503) such courts as now established were challenged as depriving the district court of the powers given to them exclusively by Art. 6, Sec. 13. Whether or not exactly decisive of the issue there presented, this three-word phrase so written into the constitution, was the subject of vigorous attack, and support, with varying interpretation, by counsel as well as by members of the court in their very lengthy consideration of that case.

One of the bitterest political controversies of all the convention debates revolved about the question of direct legislation—the initiative and referendum—with the recall enjoying a considerable share of the spot-light. There was never any doubt that there would be no provision for either the initiative or recall, but the minority party, since all delegates were pledged to both a liberal initiative and liberal referendum, and many favored the recall, made an issue of this question which greatly stirred the convention; and this issue was echoed in many political speeches of later campaigns. Mr. Fergusson, the minority leader in the convention, and who at the time, shared with A. A. Jones of Las Vegas, and Felix Martinez, the honor of speaking authoritatively upon party matters, made what was to my mind, one of the greatest speeches of the convention. This was upon the question of direct legislation. The speech was at night, and it was a field day for discussion of that intriguing issue, with all standing space and the galleries completely filled with the

delegates' wives, Santa Fé society and other visitors. I cannot recall now much of what was said by him. But the press of that date gave liberal space to all the talks of the occasion, the high-light of all convention oratory. In reading of these now from newspaper files, I am less thrilled by the art and histrionics of this effort of Fergusson, as well as that of Fall, Catron, Bursum, Brice, Holloman, Nestor Montoya, Richardson and Jim Hall, all of whom spoke that afternoon and night. "Few speeches which have produced an electrical effect upon listeners can bear the colorless photograph of a printed record," some sage has very appropriately reminded us.

H. B. Fergusson, an average size, rather stooped, man with deep-set brown eyes and with what I would call a Cordell Hull expression of a thinker with a soul, was then perhaps about 60 years of age. I have often speculated upon how deeply he might have stirred the convention had he been of the majority faith, and how different the results might have been. I recall how, upon that occasion, he played upon the harp strings of our emotions—although he changed no votes—in showing how the poor and neglected of the great masses (we had not yet coined the term "forgotten man") was being trampled underfoot by the greedy rich and corporate interests which proposed to "control this convention, and write this constitution for one of the last two states to be born upon the American continent!"

One phrase he used, and which I think I can quote, substantially verbatim, was:

"From the cankerous womb of governmental neglect are born, to contest for supremacy in this government founded for all free men, two great classes: The very poor and the very rich—the economic tramps and the millionaires. I dedicate my life, I cast my lot, with the common man."

As I sat there in wide-mouth, youthful wonder and listened to the delegates expounding these two clearly separated political philosophies—the one implying that business prosperity was paramount, and from it would flow prosper-

ity for all; and the other that moral and economic considerations common to the average man should persuade us,—I pondered, as in after years I decided, that both sides, perhaps, had overstated their case.

The Santa Fé *New Mexican*, the acknowledged spokesman for the majority at the time and then edited by that inimitable and able Paul A. F. Walter, now a banker and still living, expressed the sentiment of the majority pretty well on the second day of the convention when it said: "There is a world of difference between the initiative and referendum. While the Constitutional Convention will not for a moment consider seriously any effort to adopt the Initiative or the Recall, it will be disposed to adopt a modified referendum, and such exists to a certain extent in New Mexico today." Then the editorial goes on to show that we already had a modified form of referendum in matters involving extension of municipal boundaries, fixing municipal bonded indebtedness, permitting a local vote in fixing "herd law" districts, etc. But, continued the editorial, "there is a big distinction between this and the referendum which the socialists advocate."

For a youngster in New Mexico politics, Delegate (later Judge) Reed Holloman, who hailed from Quay county, (and who I always contended held the democratic viewpoint, if he did have republican leanings) had much to do with forming the party's policy on direct legislation, and my information is that he appraises as I do the hesitant, careful and limited steps which the convention took when it consented to embody in the constitution any provision for the referendum. As Mr. Justice Sadler, who authorized the recent opinion in the so-called Tobacco Tax case (*State v. Cleveland*, 47 N. M. 140, 141 P2d 192) said: "After all, we have a representative form of government. The delegates to our Constitutional Convention were schooled by tradition in representative government. At the time it convened the initiative and referendum were largely new and untried. The convention moved cautiously in the matter, rejecting the initiative altogether and giving us the referendum carrying a broader exemption in the safety clause than is to be found in any

other state constitution. There was nothing covert or concealed in the matter. On the contrary, the question was widely publicized in the press and from the platform all over the State and the Constitution was adopted with a full knowledge by all of just what it did and did not have on the subject." And, continuing, the opinion reads: "If it seems desirable that a larger reservation of power be lodged in the people under which the popular veto of legislation may be exercised, the remedy is not through the courts \*\*\* but rather through an amendment to the constitution using language of similar import to that urged upon, but rejected by, the constitution makers in 1910." The opinion then points out that in no other constitution of the some twenty states employing the referendum is like language employed in defining the exceptions from referendum operation; that "In most, if not all, of the other constitutions providing for the referendum the language of exemption is 'laws *necessary* for the *immediate* preservation of the public peace, health or safety,' or that in substance." The convention advisedly rejected the minority report which would have employed the term "Laws for the *immediate* preservation of the public peace, health and safety." The official proceedings of the convention (Pages 66 & 67) disclose that Delegates A. H. Hudspeth and H. B. Fergusson brought in and urged the adoption of the minority report, which, had it been employed, would, of course, have greatly widened the operation of this instrument of legislation veto.

Father Julius Hartmann, now of Santa Fé, then in his late twenties, was the chaplain of the convention, and was very popular with all delegates. His prayers were sufficiently general in application and abstract and impersonal in character to create no feeling of partiality. This was in strong contrast to the Presbyterian minister<sup>2</sup> who, as chaplain of the first state senate, of which I was also a member, had, by certain prayers, when he thought the majority was running a little too rough-shod over the weak minority, invoked divine guidance that the blows might be softened. I

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2. The Rev. B. Z. McCullough, then pastor of the Santa Fé Presbyterian Church.—  
Editor.

remember, too well, that the blows were *not softened*; and also (it was generally understood) that a caucus of the majority was called to ascertain whether the chaplain should not be "talked to," or even discharged, because of what was thought to be an unnecessary effort to invoke God in our local politics. I recall that neither was the chaplain discharged nor was the tone of his ministerial rebuke thereafter materially (though it may have been a little) modified.

We remember that the president did, in the summer of 1911, veto the first act of congress approving, jointly, the New Mexico and Arizona constitutions; and it was on account of Arizona's liberal acceptance of direct legislation. I was in Washington at the time of this veto with a committee of New Mexico democrats, there trying to help secure democratic house reservations and conditions, upon which to base approval, and heard him announce to this committee, the day after the passage of the act in congress, that he proposed to veto it. He explained that he was sorry he had to do this since he approved heartily of New Mexico's excellent constitution; but that he did not propose to violate his oath of office which had bound him to preserve the traditional American form of government for all states.

Incidentally, I am the only surviving member of this small, unofficial, group in Washington at the time. It was composed of: A. A. Jones, Summers Burkhart, H. B. Fergusson, P. F. McCanna, Felix Martinez, J. D. Hand, W. R. McGill, and myself.

We know of the compromise which was then worked out in congress by which it was proposed that Arizona should first vote upon the question of removing this feature so obnoxious to the president; and within a few weeks the new act of congress was passed and signed by the president, and statehood for both territories was thus achieved. Arizona did remove the source of annoyance, but at the next election after statehood, voted by a tremendous majority to replace it.

It might be noted in this connection that the most unfavorable feature of the original of our constitution, that relating to the method of amendment, was modified by popu-

lar vote at the first state election through provision, insisted upon by the democrats and exacted by congress, for a vote upon this issue, as a condition precedent to our admission. The original provision would have made any amendment most difficult, we can all now see, in the light of experience which shows it to be difficult enough to secure desirable amendments even upon questions upon which both major parties agree.

Of the 100 delegates to the convention only seventeen survive as of this writing. Strange to say, the democrats, with a little more than one-fourth of the original membership, now have one majority of those surviving. This is not counting, either, the few republicans of that convention who later became democrats. Incidentally, it might be added, that all of these men who changed to democratic affiliation are still living. Whether it is purely co-incidental that long life and party irregularity go hand in hand, I hazard no guess. The record does not disclose that any democrat of that convention ever changed his party affiliation, which may, after all, offer some support to the familiar saying that only the smart man changes his mind.

I have heard of no particular explanation as to why the democrats outlived the republicans, as a group, excepting it will be noticed that most of the younger delegates were of the democratic faith. This may be the explanation. Brother Pat Hamilton is my authority for the assertion that democrats do not, as a fact, live any longer than republicans; it just seems longer.

In Oklahoma, of the 112 delegates to that state's constitutional convention of 1907, thirty-one were living at the time of a reunion held at Guthrie on September 18th, last, the report of this meeting tells us. So, when we remember that all but thirteen of these delegates were democrats, there might be, after all, something to the fact that democrats live longer than republicans.

While no member of the convention ever became governor of the state, we know that the first two United States senators, Catron and Fall, were members of the body, and

likewise, H. B. Fergusson, who, with George Curry, first represented us in congress.

It might be noted, incidentally, that at no time since statehood has our supreme court been without one or more members who served in this convention: Justices Roberts, Parker, Raynolds, Davis, Brice, Hudspeth, and your humble servant. But for his defeat by the republican candidate, Mr. Justice Bickley, of our court, would have had the same distinction. He had not learned yet, or probably he didn't care too much, that Colfax hadn't begun to elect any democrats to office by 1910. Certainly not when the powerful and able Charles Springer was the alternative. Numerous other members later served in district, county and state office, all with honor and credit, as far as the record shows.

It may be of interest to the bar to know that the original of the constitution, with the signatures of the signers, which has been left lying about in the vault of the secretary of state through the years, is now to be preserved in a neatly constructed glass-covered box and under lock and key, provided by our present secretary of state, Mrs. Cleveland. It is sad to relate that but few of the original papers and records of the convention proceedings have been preserved. I do find in that office the original files on the preamble, and the boundaries of the state, and two or three others.

As I reflect upon those days and the men of this convention, I believe it can be said that, notwithstanding the wide difference in political philosophy which separated the two parties at that time—many of which differences have now ceased to exist as experience has taught us all to distinguish between that which is desirable and that which is not—that no more patriotic or earnest body of men ever assembled in any territory in preparation for statehood. That somewhat selfish purposes motivated some of the delegates goes without saying; but the fact that most of such purposes were pretty well circumscribed or thwarted, justifies this tribute to the patience, skill and patriotism of that body as a whole.

New Mexico's interests were varied and, in many cases, rather conflicting; and the idea of writing a constitution which would fairly serve the people for decades and not

years merely, and which would, at the same time, pass muster in a congress then divided, politically, with a democratic house and republican senate, and which would meet the approval of a most conservative president, was no little problem. And, it might be noticed that, although we have had, at all times, authority for the legislature to initiate the calling of a constitutional convention to rewrite, or revise, our constitution, yet there has never been, from any quarter, so far as I have learned, any demand for such a convention. All of the few essential amendments adopted have been made through the more simple and direct method.

It is quite possible that no one of the seventeen framers of our constitution now surviving, will live to see called a convention to revise; and this, in itself, would represent a record of general approval not achieved in many such conventions.

We can't say there was anything unusual, or outstanding, that came from this convention. We were dealing simply with the ideologies and problems which were common to political parties, the several state legislatures and congress itself, in that period of growing political pains and restlessness. It was the unusual era which lay, say, between the early 90's and the time of the first World War.

It was simply Democracy feeling its way along: marching, battling, hating, loving. Political corruption, confined exclusively to neither political party, and economic injustices inflicted upon the great masses, and selfishness, had bred unnecessarily deep class-hatreds; bigotry and tolerance were struggling, each for supremacy as in no other like period of our history, perhaps; certainly never on such a wide scale. And, the wonder is, not that our country as a whole eventually achieved so little in unity, security and justice, but rather that we in fact escaped that yawning pit of political darkness which came later to devour the other world democracies—those which, in desperation, accepted the rule and dictates of *men*, as they turned away from government by *law*. And, for this *we must owe something to Divine Guidance.*



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# *New Mexico Historical Review*



PALACE OF THE GOVERNORS, SANTA FÉ

*July, 1944*

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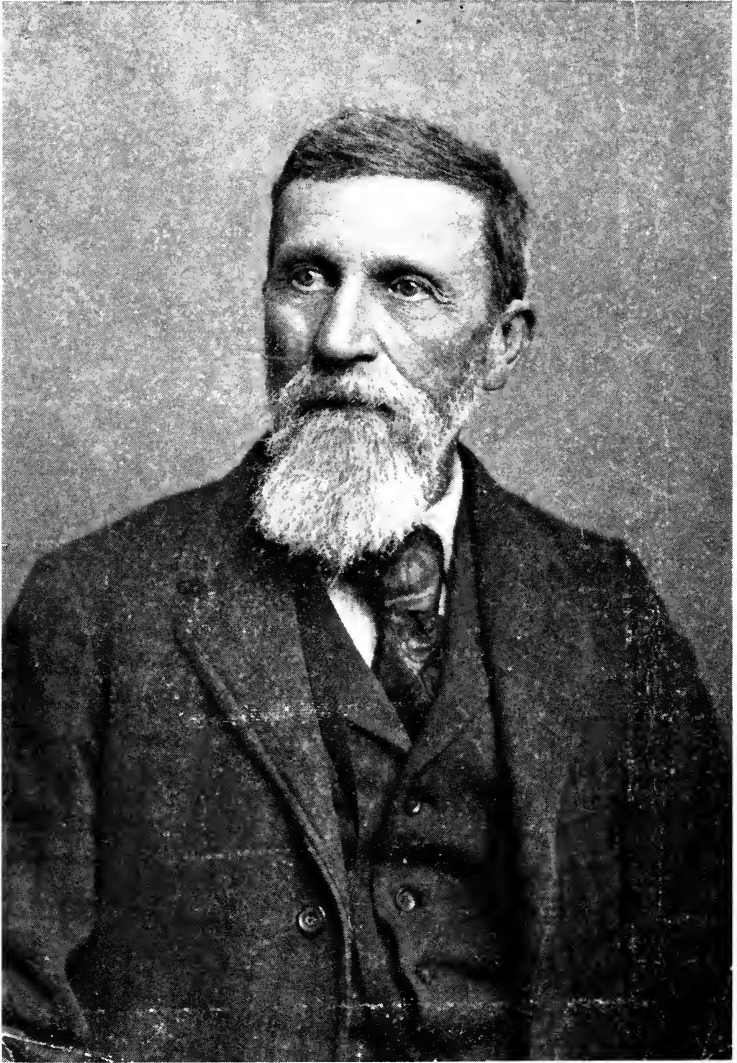
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WILLIAM KRONIG (1827-1896), PIONEER AT WATROUS, N. M.

# NEW MEXICO HISTORICAL REVIEW

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WILLIAM KRONIG, NEW MEXICO PIONEER  
from his memories of 1849-1860

*By* CHARLES IRVING JONES

**EDITOR'S FOREWORD:** The author informs us that he has written his account of William Krönig from notes which Krönig himself left. It is evident that these notes did not constitute a diary, nor were they otherwise contemporary; rather they were reminiscences which he wrote not earlier than 1861 and perhaps at a later date. This is shown, for example, by his references to John C. Frémont as "General." Frémont did not enjoy that title until his service during the Civil War; during his earlier military service he attained only the rank of lieutenant-colonel.

From data supplied by the author and also found elsewhere, we are informed that William Krönig was born in Pataborn, Westphalia, Germany, on February 3, 1827. He migrated to the United States in 1847, and within two years after landing in New York City he had roamed over a considerable part of this country: out to Wisconsin, then to St. Louis and south to New Orleans. There yellow fever was raging and he returned up the river to Williamsport. After a trip to Texas, he headed east: Louisville, Cincinnati, Philadelphia, and back to New York. There for a short time he worked in an "underground grocery" at \$6.00 a month, but was fired because he would not pass counterfeit money. Again he headed for Milwaukee and from there he made his way to St. Paul on foot. Returning to Milwaukee, he learned of the discovery of gold in California and on July 4, 1849, he was at Independence, Mo., starting with others for the diggings.

All the notes have been supplied by the editor.—L.B.B.

## CHAPTER I

**C**HOLERA! This word was on every lip. People were dying. It was a horrible plague; once contracted, it would bite into one's life with such viciousness that it would not let go until the poor unsuspecting victim had weakened to a mere shadow and then—watch death creep

up slowly until the end. This was Independence, Missouri, in 1849.

I had come, from the east, to this large outfitting Emporium for the purpose of meeting wagon trains and trappers, with the intention of later joining General Frémont's troops and going to Santa Fé, New Mexico, and California. My boat became bogged in the Missouri River mud and I missed a chance to join this military force, but was determined to see the vast country to the west.<sup>1</sup>

On July 4th of the year mentioned, in company with a young German doctor with whom I had become acquainted, I prepared to leave this disease-tortured community. We soon arranged to travel with a wagon train, and for a sum of money they agreed to carry our luggage and feed us over the entire trip to Santa Fé.

In due time the train was on its way west. We were riding our recently purchased horses alongside the moving vehicles. The train was composed of a number of canvas-covered wagons, drawn by oxen with bull whackers at their sides, lashing their blacksnake whips. It was surprising to see how cleverly these men manipulated their whips with such short handles. It seemed to me that some of them could pick a fly off an oxen's back.

The wagons rumbled along for days with the oxen yokes squeaking under the strain of the pulling animals. The wheel marks, deep in the earth, made pathways for future travelers and never-to-be-forgotten times of history.

The trip became monotonous as we rode over the rolling hills with clusters of trees along the stream beds. We finally reached Cow Creek<sup>2</sup> which, I would judge, was about 200 miles or more from Independence. Here we saw our first

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1. Krönig's memory was at fault here. He can be referring only to Frémont's winter expedition of 1848-49, financed by his father-in-law, Benton, and others of St. Louis who wanted to find passes through the Rockies for a railroad from the upper waters of the Rio Grande westward to the Pacific. It was not a "military force" because Frémont had been court-martialed for his doings in California in 1846 and had resigned his commission in 1847. It is difficult to explain Krönig's reason for failing to find Frémont at Independence, Mo., because the latter had gone west some nine months before. Perhaps Krönig was misled by belated news items regarding Frémont.

2. A north tributary of the Arkansas River near modern Hutchinson, Kans.

buffalo grazing on the hillside in the distance. The Captain halted the wagon train and ordered several of the younger men to kill some fresh meat. The order was obeyed at once by several of the most energetic young men, who started out on their horses. In my position near the wagon train I was able to observe one of the young men ride along the side of a galloping buffalo and fire a ball into the beast. The animal was running full blast and when the lead struck him he toppled to the ground with his nose grinding into the dirt. The bullet must have pierced his heart for he did not kick. The rider was off his horse and with a long butcher knife cut the dead animal's throat. If the animal had been alive he would have plunged the knife into the jugular veins just the same. By the time this exhibit was over, the wagon train had formed in a circle and the oxen and horses were turned loose or staked in a grassy location so they could feed for the night. Before sun-down there was buffalo meat roasting on the fire.

Next day, not to be out-done, I went forth to prove that a tenderfoot could kill a buffalo; and before leaving I made a brag that I would return with meat for the wagon train. It was rather a sad lesson to me for I lost my way before night. I did not give a thought to the fact that our camp would be at another location before I returned, for they were steadily traveling westward. As I rode along, I saw a bear-looking animal of small stature moving casually. I rode up cautiously and shot him. He died before long and I tied him to the saddle and looked around. By this time it was getting toward afternoon and the sun was far toward the west. It was then that I began to think of camp. I rode in great haste trying to locate them and as dark came on I dismounted, letting my horse graze in the rich grass growing everywhere. I sat down nearly exhausted, and I was about to make my bed down for the night and stake my horse nearby, when I noticed some lights in the distance. I had been warned that we were nearing the Indian Country, and this roused me to move cautiously and not ride directly into camp without first investigating. It was about an hour later that I decided

to ride up. I did and to my amazement I was back in my own wagon train camp. I had carted the badger all the way with me and when I neared the camp I threw him away, staking my horse near the wagons and throwing my saddle and bedding near by. I went into camp and was pleased, for food was near the fire, and to tell the truth it was very tasteful.

Not knowing it, I had brought in something that was needed by the bull whackers. However, they found the badger in the morning and skinned it. The hide was used for crackers on their whips. I was told that in the future if I killed any more badger I was to skin it and save the hide. During the day I explained how I had been unable to find any buffalo and that I had become lost; and from then on, as long as I stayed with the train, nearly all of the men teased me for being a tenderfoot.

Each day we traveled, making a few miles. Nearing Pawnee Forks,<sup>3</sup> we overtook a wagon train owned by Mr. M. McGuffin.<sup>4</sup> It was an amusing sight to see his carriage drawn by oxen. He had had a number of fine horses that he intended to take to Chihuahua, Mexico, to sell, as there was a good market at that point. Two days before we overtook his train he was robbed by the Indians, who took all his horses leaving only the oxen.

The two wagon trains traveled together, and when we reached Fort Mann,<sup>5</sup> we were robbed of all our horses except mine; he was staked away from the other horses and so escaped. The Indians had crept into camp that night and stolen the horses without anybody knowing it.

The next night I was on guard duty until 12 midnight, when I went to bed. The night was one of those black nights. I unrolled my blankets on the ground as usual and staked my horse within ten feet of where my bed was located, using my saddle as a pillow. There was a heavy dew falling so I covered my head with the canvas. However,

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3. Another north tributary of the Arkansas, between Larned and Kingsley, Kans.

4. Without doubt, this was one of the Magoffin brothers, perhaps Samuel but more probably James W., who was already established at "Magoffinsville" within what is now El Paso, Texas.

5. Fort Mann was eight miles from Dodge City, Kans.



I was worried about my horse and every little while I would look around. About two hours later the night had somewhat cleared; a person could be seen for some distance and, as I looked this time, I saw an Indian leading my horse away. I roused the camp, but the Indian mounted the animal and was gone. I grabbed my gun and shot pouch and started after him. It was not long until I was within shooting distance but I found, that during the confusion, I had grabbed up the wrong shot pouch, so returned to camp. It was not until afterward that I found out I was nearly shot. A man in the McGuffin camp saw the horse being lead away and he returned to camp a short distance away for his gun. It was when he looked again that I came in view; he aimed and just as he was about to pull the trigger, he saw my hat and pulled the gun upwards as he fired it. I was curious, and when I returned to where my bed had been laid out on the ground, I found a pair of Moccasins. Some of the bull whackers said that they were made by the Pawnee Indians.

The trip across from the Arkansas River to Cimarron, which began near Cold Springs and ended near Sand Creek,<sup>6</sup> was a distance of about 60 miles and no water between the two points, so the traveling was done without much stopping. The day was very tiring, and the night more so. Part way across, our wagon Captain permitted us to stop for 20 minutes to eat some cold bread and beans; but nature was against us for as we sat down to eat, a storm came up driving us under the wagons. The hail was so large that the oxen would not stand still and the bull whackers had to unhitch them. However, we were so hungry that we completed the pot of beans before the hail storm quit. I have seen many hail stones but these were the largest I had ever witnessed. I presume being inexperienced with the west, this made a great impression on me. However, I can still remember the beans.

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6. There is an unfortunate confusion here, for Krönig has Cold Spring at the wrong end of the "Cimarrón Cut-Off." Checking with the tabulation given us by Josiah Gregg, we find that, coming west (from the Arkansas to the Cimarrón), Sand Creek was 50 miles from the Arkansas Crossing, and Cold Spring was 93 miles farther west.

As we neared the Cimarron River, we encountered a friendly band of Comanche Indians. Here we had an opportunity to replace our animals, so I purchased an iron grey. He was a friendly animal and did my bidding with dispatch. Time went on and as I wearied of traveling so slowly, I set out ahead, following the trail for miles over grassy, rolling hills until I reached the water hole where the wagon train was to camp that night. I watered my horse, unsaddled him and then picketed him nearby. I was tired so lay down, using my saddle as a pillow, and went to sleep. If it had not been for the flies bothering my horse, I would probably have been murdered. The picket rope was set so close to me that the rope dangled across my body as the horse fought the flies that gathered on his back. It was when he swung his head around that the rope caught on my arm and awakened me. I looked around and not a very great distance away I saw several Indians riding towards me at a fast gallop. There was a chance that I could escape them. I saddled my horse rapidly, not stopping long enough to tighten up the cinch, and was on my way back towards the wagon train. The Indians gained on me but their yelling frightened my horse so that he out-distanced them and when the ride was over we were in sight of the wagon train. The bull whackers and others, seeing the predicament, ran out towards me with their guns. I must have been a funny sight for I was hanging to the horse's mane with one hand and with the other trying to hold the saddle from sliding off the horse.

As we neared the line of New Mexico, news of Indian atrocities reached us, and our wagon train Captain doubled precautions, and additional guards were placed to prevent surprise attacks.

The German Doctor, who had been my companion since we left Independence, became ill and the men growled when he asked to be excused from guard duty. Feeling sorry for him, as he was not the pioneer type, I volunteered to stand his watch as well as my own. However, I was tired also and along towards morning I feel asleep. Much as I was trying to do my duty, I had not performed it, and

when morning came I was awakened by a loud yell of "Indians." I found that my hands and feet were tied. I tried to stand up and did get to my feet but stumbled over on a Prickley Pear Cactus and was stuck from most every angle. It was days before I had pulled out all the thorns. Of course, I was at fault and was ready to take my punishment and told the Captain so. He laughed and said he believed I had had sufficient punishment for sometime to come.

We traveled for days over the rolling mountains until we reached Red River<sup>7</sup> and on to Santa Clara Springs,<sup>8</sup> or what is now known as Wagon Mound. In the distance, the four Mounds appeared to be the wheels of a giant wagon and on nearing them they became mountains with rugged sides and flat tops, no trees, but covered with grass which gave them a silky appearance. At the Santa Clara Springs the water was good and we welcomed the camp near this point.

Perhaps you do not believe in snakes, but at this point I had a bed fellow. A visitor in our camp asked if he could use my bed while I was on guard duty during the first part of the night and I gave him permission, but when I came in near midnight there was no one in my bed. Thinking nothing about it, I went to bed, which I had made on a level spot before dark, near the wagons. Being very tired I went to sleep as soon as I laid down. Along towards morning I slowly came to my senses, awakened by feeling like something was moving under me. When I did come to life, I jumped up and threw the blankets back and to my amazement and horror there was not one but two fairly large rattle snakes coiled under the bed clothes. I, of course, killed the snakes, but from then on I was very careful to inspect my bed before going to sleep.

It was now that I began to realize this vast country was unpopulated, perhaps with no human beings making a home except the Indians. Of course there were trappers

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7. He should have said the "Canadian River." It was a very common mistake (and is still often encountered) to confuse the Canadian with the Red, which lay farther south and was not touched by the Santa Fé Trail.

8. This was a stopping place halfway between Ocaté Creek and the Mora River.

and traders on the road but no people settling down to make homes. I now saw the west as it had been pictured to me. My home had been in a thickly populated country and before I left Westphalia, Germany, I could not conceive of such a vast unsettled place. I was born on February 3, 1827, and was about 19 years old before leaving Europe. I, like many young men, came to explore new fields and, of course, seek fame and fortune. Before coming so far west I traveled around in the United States, going to New Orleans, then back to New York by way of St. Louis, west to Minneapolis, and then to Independence, where this story begins.

We came in sight of Las Vegas and camped for the last time before going into the town. It was here that we were brought face to face with reality, witnessing the murder of one of our members;—a horrible sight! One of the bull whackers had been tantalizing another bull whacker, a Chawnee [Shawnee] Indian. Smith had on this day been especially insulting to the Chawnee and along about noon, while we were eating our dinner, Smith cast further insults. The Chawnee lost control of himself and pulled his gun, shooting Smith in the heart. The impact of the bullet caused the bull whacker to shudder and then fall forward on his face. The Chawnee was so furious that he rushed at Smith with a long knife in his teeth, grabbed the hair on top of his head in an attempt to scalp him. Some of the other men stopped him. The Chawnee, with a sudden twitch of his body, tore loose from the men and started for the hills with his gun aimed at the lot of us. We were all glad that the Indian escaped as we felt that Smith got what was coming to him.

We buried Smith without any ceremony and prepared to move on. Las Vegas was an adobe-built town composed of about 100 small shacks or huts placed at random. A few were built along the main traveled road and around a square. The material was of mud, and out in the rear of the houses there was an oven, constructed in form much similar to the old bee hive and made of mud, used to bake bread. On the side of some of the houses we could see

corn in the air, hung from the extended rafters, and on others chili, coloring from green to red. To the east and south the fields were flourishing with growing corn, beans and grain. It appeared that they were well provided with food. We did not stop here, however, as the main campers' stop was located at Telecotte [Tecalote],<sup>9</sup> about 15 miles from there, to where we proceeded and camped for the night. To the south I could see a starvation peak, a very steep mountain, and at the top and extending downward probably 50 feet, a steep bluff. I was told that a party of trappers had stayed off an Indian attack for days, nearly starving to death. There was a small crevice through which they were able to crawl to the top; they protected themselves by dropping rocks down on their enemy. I was told that if it had not been for the stormy weather there, the trappers would have died of thirst.

At Telecotte we found a Mr. Moore,<sup>10</sup> who was running a store. Here we were allowed to sleep, as this gentleman provided us with guards and herders. All the men from the wagon train congregated in or about the store and all during the night news was passed from one to the other, and religious singing took place. It was a pleasant night.

From Telecotte to Santa Fé the trip was short and a few days later we reached that point.

Within sight of the town, the wagon train stopped and we all prepared for a grand entrance into the plaza. Nearly all of the men cleaned up, putting on their best clothes; some shaved their faces; some of which had not been touched with a razor from the time we left Independence; and some of the faces seemed never to have been shaved. At any rate, a general cleaning-up was in progress before our entrance was made.

In due time the wagons rumbled into the square. Each of the wagon traders pulled his wagons up to the doors of a commercial house and in no time they were engaged in meeting old and new friends.

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9. If this is not a misreading of the notes, it is a case of transliteration. The correct placename is Tecolote (Spanish for "owl").

10. This Mr. Moore has not been identified.

The houses were of adobe, situated in a square that appeared to me to be to the north. Among them I noticed a long, rambling building with an equally long porch extending the full length, which was the Palace of Governors. Doors were located at intervals and people congregated there. Just as we entered town, a stage drove up; it had come from Independence. The people, nearly all Mexicans, were sociable. I was rather disappointed in this place. I had expected to see some large buildings. However, it was here that I witnessed a sight I had never seen before—a burro loaded with stove wood.

## CHAPTER II

Santa Fé was a town where many Mexican and American people were in the trading business, bringing goods from Independence to this town to trade and sell, and on the eastward trip, to carry fur, hides, and other things that were of value to the people in Missouri and further east.

This business was flourishing. In looking over the names of the Commission houses, I found that there were a number of the natives of the *Rico* (rich) class in the business.

On every corner and many places between the corners were saloons and gambling houses. Women could be had for hire at most of the places and, from all appearances, they were being used extensively, especially when the wagon trains reached the town. Into this place I came as a young man, with very little experience. It was rather embarrassing to me when I was invited in by a painted female.

The town was full of young men; many were without work.

It was the intention of the Doctor and myself to continue to California, going by the way of Albuquerque, as soon as we could secure a means of travel, but a circumstance came up that forced me to stay in Santa Fé. Upon the advice of a friend in Independence, I had purchased a mercantile check for one hundred dollars, to be cashed in Santa Fé. Mr. Cartwright, owner of the brokerage house in In-

dependence, had died of cholera. During the time I had left Independence, and at the time of my arrival in Santa Fé, his business was in the hands of the Administrator. During the investigation of Mr Cartwright's affairs, he came across the record of this check and stopped payment, sending the notice by mail-stage which, of course, reached Santa Fé far in advance of my arrival.

To eat, it was then necessary for me to locate some employment; but the town of Santa Fé was filled with young men and employment was very hard to find. To go on to California would cost money and I did not have it. So I decided to make the best of it and try to exist here. While in New Orleans I had found work with a cigar maker, who taught me the trade. I had foresight enough to purchase a few hundred pounds of tobacco before leaving Independence, thinking that I could sell at a profit somewhere along the line; but, upon arriving, to my disappointment, I had no money to pay for the transportation. Finally, after considerable argument, the wagon train owner left the tobacco with a merchant in Santa Fé, with the provision that I could draw it out in small quantities as I needed it and pay for the freight.

The cigar making and the selling of the tobacco went along very well for a while, but before long my supply was exhausted. At this point I found that I was unable to pay the hotel bill, so I rented a room together with two young Germans named Viereck and Schlesinger and after that, kept house.

I was still to encounter another difficulty. I placed my horse with a Mexican herder; not having the presence of mind and thinking that he would not over charge me, I let him take the horse; but at the end of the month he presented me with a bill at the rate of a dollar a day. I could see that the only way out of this difficulty was to sell the horse, so I told my new acquaintance, Viereck, to make the sale. The horse brought thirteen dollars and the bill for pasture was eight dollars, so I was just five dollars ahead.

This German, Viereck, from Berlin, was a brother of

the celebrated actress of the same name. He was a happy-go-lucky fellow. Never had a dollar ahead but was rich in resources and always in the best of humor, and was delighted whenever he could play a joke or prank on anyone, principally his friends and acquaintances, disarming us on all occasions by his ingenious maneuvers. He was a professional painter of theatrical scenery.

After the supply of money he had accumulated in traveling across the country gave out, he decided to become a barber, and so he started a shop. An American carpenter was engaged to build a chair. This man was a tall, serious-minded, assumptive person. Next, to establish the shop, he rented a room from an old Mexican woman. He was treated by a German Medical Doctor and I presume, at the same time, borrowed a little money from him. Viereck did not have any money with which to pay any one of the three, but to my surprise he did a very satisfactory business; however, the gamblers, principally the Monte game, got all the money he made, and some of my cigar money, which he borrowed and distributed among the saloons during the evenings. His life was not very pleasant, for every morning he would have visitors—the American carpenter, the Mexican woman, and the German doctor, each trying to collect their money. Also, he had other callers trying to make collections.

My business did not promise a very brilliant future. Schlesinger had not found employment and was willing to try other adventures. About this time there was a territorial call for volunteers from Taos and this was an opportunity for additional adventure. During my business of selling cigars, I became acquainted with Colonel Beal,<sup>11</sup> who was at that time on a visit at Santa Fé. Asking him for advice as to how to gain some kind of adventure, and still pay my way as I went along, he advised me to join this territorial volunteer troop. After conferring with Viereck and Schlesinger, we all decided to go at once.

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11. Benjamin Lloyd Beal was, at this time, major with the First Dragoons, but had a brevet as lieutenant colonel (Mar. 16, 1848) for meritorious conduct in the Mexican War. For a few weeks, Beal was acting civil-military governor of New Mexico (while Col. J. M. Washington was out in the Navaho country).



Viereck sold his barber chair and in turn bought a large cartoon and went to work with his crayons. The picture represented himself in the background, with his hands spread out and stuck to the end of his nose, and in front, his three principal creditors, who could be easily recognized by anyone. We had completed all arrangements and were intending to walk to Taos in the morning, or if possible obtain some kind of a ride along the road. Morning came, and before Viereck left he wanted to know what effect his picture had on the three people interested. He had me stand near the house opposite so that I could be the observer. The wait was short, for the carpenter was first to show up. He nervously knocked at the door several times and when no answer came, he looked in the window where the picture had been posted. His anger was beyond description and his language, in English, was unprintable. Next came the German doctor, a man of middle age, who with a firm step and sober face approached the door with a look of determination to collect his money or know the reason why. His loud knocks resounded into the empty house and after he had repeated the rapping three times, he went to the window. He, likewise, stood in amazement for an instant and then began to curse in German. He went back to the door and tried the lock, but it was secure so he left. I was having my fun. Soon the old Mexican woman appeared with a black shawl over her head, dress just about dragging the ground and bare-footed. She knocked timidly and no reply, then repeated it several times. She then went to the window; her language was in a high pitched voice which I did not understand. She shook her hand at the picture and then broke down crying. Viereck had commissioned me to give her the key, which I did. She got down on her knees and spoke pleadingly and pointed to the picture, then at me. I was unable to understand so I walked away, probably with a curse on my soul.

My friends were waiting for me a short distance from town, under a pinion tree. I sat down with them and described the scenes; after my description Viereck was nearly overcome with laughter.

We soon started out again on foot, walking down the road and talking as we went, wishing someone would come along and give us a ride. Our wish soon came true; before an hour's time we were overtaken by Colonel Beall, with twelve dragoons. The Colonel stopped and chatted a minute, during which he inquired where we were going. He then invited us to mount behind his men, which we very happily accepted.

We were quite pleased with ourselves until the continual galloping of the horses began to tell on us. The horses did not quit galloping until we reached Santa Cruz de la Cañada, a distance of about sixteen miles. Riding behind was no easy task and before we had traveled a mile we all asked to be let off, but the dragoons would not stop. We even begged, but to no avail. When we reached the first stop we dismounted and decided to try and get along without riding behind the dragoons. At La Cañada, we met two very good Mexican merchants, who offered hospitality and we were more than glad to accept. After resting through the night we were again able to continue our travel. We went to Rio Arriba,<sup>12</sup> where we were fortunate enough to meet Mr. Pantaleon Archuleta, a friend of my old teacher, Mr. Mink.<sup>13</sup> A brother of Mr. Mink lived in Santa Fé and before leaving there he had given me a letter to Mr. Archuleta. We were invited by this gentleman to stay and the description of the food served us is well worth recording here. The supper consisted of Chili con Carne (meat with peppers) and Atoli (mush made out of blue cornmeal that had been parched). At first I was not impressed with the meal but after I had eaten I was well satisfied.

Our ride behind the dragoons made us quite sore and

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12. "Rio Arriba" (Up River) was a regional term, distinguishing settlements of the Rio Grande valley *above* Santa Fé from those which were *below* (Rio Abajo). Sometimes (as here) it seems to have been used for the settlement otherwise known as Plaza Alcalde, which was the home of Juan Andrés Archuleta (prominent in the Mexican period of our history) and his famous son Diego Archuleta. This Pantaleón was perhaps a brother.

13. From a later mention of this man, it would appear that Krönig's "old teacher" (perhaps from his boyhood in Germany) had come to New Mexico and settled at Alcalde. Perhaps he or his brother in Santa Fé was the "J. H. Mink, interpreter" whose name as a witness is found on a facsimile copy of an Indian treaty of July 1850. (Abel, ed., *The Official Correspondence of James S. Calhoun*, 242)

on the second day I was much worse than the first. My partners decided that we should each have a mule or horse. However, as I was the only one that had any money, but not enough to purchase three mules, it was decided that we would hire two mules and that one of us would walk part of the time. I was the first to walk and, according to our agreement, they were to ride to a hill in the near distance and wait for me. The point was marked by two trees. We had made arrangements to turn the mules over to a man in Taos, who would return them. Well, we started and I trailed behind, walking as rapidly as I could but was far behind them when they reached the hill. I was, again, to experience an unpleasant situation, for when I reached the hill they had gone on and I never did catch up with them. Of course I was sadly disappointed in them but traveled on; that night I reached Embudo,<sup>14</sup> located on the bank of the Rio Bravo, or Rio Grande. Here I met a Canadian-Frenchman named Chalifount,<sup>15</sup> who had a trading post. This man was very kind and gave me my supper and bed. After breakfast, when I tried to pay him, he refused it. I was glad for I was down to my last twenty-five dollars. The next day I walked on to Taos.

My two companions were guests of the only hotel in the town, which was run by Judge Beaubien.<sup>16</sup> They seemed to have the confidence needed, for I, with twenty-five dollars in my pocket, did not have the cheek to stay at the hotel, feeling that if I did I was not protecting myself for future events. So I bought myself a loaf of bread and then searched for a convenient straw stack. During my fretful sleep I wondered how those two were going to pay their bills.

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14. Embudo ("funnel"), about twelve miles up the river from Alcalde.

15. Chalifount, not identified, but probably the same as Jean Baptiste Charlefour (also found as Charleyfoe).

16. The famous Carlos Beaubien, one of the three judges appointed by General Kearny in September 1846. That he ran a hotel in Taos is not so well known, but it is said not to have been unusual for one who married in Taos to start a hotel there to look after his "in-laws."

## CHAPTER III

Morning came and having rested, although not very comfortably, I crawled out of the straw stack; the mountain air was chilly but I was young and warmly dressed. My breakfast consisted of the bread left over from the night before and some cold water; however, this did not dampen my spirits, for I was determined to enlist and make the most of it.

The enlistment was for two months. Being the only one who had any amount of education, I was made an Orderly Sergeant of the Company. There was no other man in the Company that could either read or write Spanish or English. The Spanish was new to me but in a few days I began to learn. I had to perform the duties of Commissary Sergeant as well, which duties were to receive and distribute the rations. This company was being re-enlisted, having just completed a six months period. After getting everything in running condition I drew the first month's rations for the Company. I was informed by the Captain and Lieutenants that they were to claim three rations each and the Sergeants were to claim two rations each. This placed me in a predicament; I went at once and consulted Doctor Wirts, Military Surgeon,<sup>17</sup> who had assisted me in making my muster-rolls. Through his advice I performed my duty to the men and refused to issue any rations to the Captain and his Lieutenants, confining the proper amount of rations to the Sergeants. They were much disgusted with this rule and became a little hostile in their attitude towards me.

A small detachment under a Lieutenant was sent to Rayado,<sup>18</sup> and the bulk of the Company was sent to Rio Colorado<sup>19</sup> to protect that settlement from the Utes and

17. Horace Raquet Wirtz, native of Pennsylvania, was appointed an assistant surgeon Dec. 5, 1846. Later he distinguished himself in the Civil War, and died in January 1874.

18. Rayado, 40 miles east of Taos, and Rio Colorado (Red River), 30 miles north of Taos, were two points of the military frontier which was being established in 1850 for protection of the settlements and policing of the Territory. See *New Mexico Historical Review*, ix, 262-263.

19. Not to be confused, of course, with the great Colorado of the west; nor with the Red River of Natchitoches, already mentioned as sometimes confused with the Canadian River. This "Rio Colorado" today goes by the English name "Red River."

Apaches. While conferring with Doctor Wirts as to how to issue the supplies to the soldiers, he suggested that they be issued on the basis of every ten days. This was not satisfactory because on the seventh day the men were out of food. If I had not retained the rations for a non-existing laundress and two men in the guard house I would have been in difficulties; however, with this extra supply I managed to have sufficient food for the two days.

After this experience I issued only five days' rations and withheld the candles, which I exchanged with the people in the settlement for vegetables. However, the soldiers were up all times of the night gambling and, as necessity is the Mother-of-Invention developed thru need, the men substituted pine-knots, which served the purpose just as well.

We were stationed at a little Mexican town on the banks of the river. The natives had small farms to supply their needs. Their flocks of sheep and goats grazed on the hill-sides under the care of a herder. The cattle and horses roamed nearby the settlement, grazing. It was in Rio Colorado that I met La Port,<sup>20</sup> a Canadian-Frenchman, who had settled here. He had discovered this place after traveling over the greater part of North America. His first visit to me was in the form of a complaint. The Company Horse Guard had gone to sleep and allowed the animals to break into a corn field, and then refused to pay the damages done. I advised Mr. La Port that I would look into the matter at once and that night, near midnight, I called on the guards and found them all asleep with their muskets stacked. I returned to La Port's house and requested his two sons to help me. We carried all the muskets to La Port's house; the next morning the men came in with the horses, and, as the Captains and Lieutenants were still in bed, I took charge. The men were dreadfully embarrassed without their guns. It was here that I ordered them to follow me. At La Port's house I informed them that their guns would be returned to them as soon as they settled for the damage done by the

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20. La Port, another Frenchman, not known outside of these notes. If there has been a misreading, he may be the same as Francis, Choteau, or Antonio "Laforet," all of Taos County in 1850.

Company's horses. They each gave an order to settle for their portion of the damage. This had the desired effect, and from that time on the horses were properly cared for.

Before leaving Taos I had drawn a month's rations for the Company, but I was short some sheep. I had tried to get the balance of the order but to no avail. Fresh meat was one of the essentials I wanted to issue to the men. One day I complained to our Captain and as he was going to Taos he invited me to go with him and invited me to stay at his house. The next day I went to the Commissary Officer and made my complaint. I told him that I had received mutton at full weight and he advised me that according to regulations mutton was inferior to beef and that I should make a reduction of 20 to 25 per cent in receiving fresh meat. He gave me a letter to the Contractor to furnish 20 per cent additional mutton as beef, when supplying the Company with provisions. My Captain was a friend of the Contractor who furnished the fresh meat. On my way to carry this letter given me by the Commissary Officer, I chanced to meet the Captain, who had already been informed of my having complained regarding the supply of animals furnished for fresh meat. He was provoked and advised me that if I pressed the Contractor I would find myself in the guard house. After this intimidation I went to see Doctor Wirts, who advised me to carry out my original plan and keep the men supplied with the food they were entitled to, and referred me to Colonel Beall, stating that if my Captain put me in the guard house the Colonel would have me released at once. So I continued on to the Contractor and had it out with him. He offered to give me a percentage of all I could save for him, but I felt the men were entitled to all they could get and was going to do my utmost to see that they did.

I returned to Rio Colorado and continued my duty until the end of the month when I again had to return to Taos for more rations for my Company. At this time news of the murder of a party of travelers reached us. The outstanding feature was that Mr. White had been murdered, together with several other men, and Mrs. White, her child and negro

nurse had been stolen by the Apache Indians in a raid they made on a portion of the wagon train.<sup>21</sup>

My Company was ordered to be ready for a campaign against the depraving [depredating] Utes and Apache Indians, who had been responsible for many a murder. Before I left Taos, a rider was sent post-haste with a dispatch to have the Company move.

Major Greer,<sup>22</sup> in command of a Company of regular dragoons, was placed in charge of the expedition. Our Company was in charge of Captain José María Valdez.<sup>23</sup> Before leaving Taos I requested Major Greer to furnish me with a gun, as my private rifle had been left at Rio Colorado. He told me that a saber was enough for me, at the time, and as soon as we started action he would furnish me with a gun used by one of the artillery men. In the command we had two six-pounders. The volunteers left Taos on the first of November.

We encamped six or seven miles from Taos. The Captain and Lieutenants stayed in town that night, so the command of the Company was put in my care, and I was instructed to camp at the first good suitable place, which I did.

That night, as our camp was in the mountains, our horse guards had to shoot several times to keep a pack of wolves away, as they were plentiful and dangerous to our stock. The third night we arrived at a small settlement named Reyado, where L. B. Maxwell,<sup>24</sup> who was owner of most all the village, resided. Here we remained until we

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21. This tragedy of the Santa Fé Trail occurred at Point of Rocks in October 1849. First word of it to reach Santa Fé was during the night of October 29. See Annie H. Abel (ed.), *The Official Correspondence of James S. Calhoun*, 63 and *passim*. Calhoun, as superintendent of Indian Affairs in New Mexico, was responsible to the Department of the Interior; Col. John Munroe (who had just succeeded Col. J. M. Washington as civil-military governor) was responsible to the War Department. One value of the Krönig notes is that they take us behind the scenes and we see the military wheels go around.

22. William Nicholson Grier, native of Pennsylvania, graduated from West Point in 1831 and was assigned to the U. S. Dragoons. By August 1846 he had been promoted to a captaincy; he was made a major in April 1861. But he had been brevetted major in March 1848 for gallantry in the battle of Santa Cruz de Rosales,—and this probably explains Krönig's use of the title here. That fact is hardly consonant with the part he plays in the ensuing campaign.

23. Probably a native of the Taos valley. We have his name as a grand juror there in 1847; and as an officer during the Civil War.

24. Lucien B. Maxwell, son-in-law of Judge Carlos Beaubien (note 16).

were joined later by the detachment Company. At this point we were met by our guides, Kit Carson, Juaquin Lerout,<sup>25</sup> Robert Fisher and Jesús Silva. From here we started pursuing the band of Indians who had murdered the White party.

It took us several days before we reached the point where, on a small creek, the murder took place. We followed the trail of the Indians by small bits of cloth and clothing found on the tree branches and underbrush. It was a hard trail to follow as they scattered in every direction. The trail would not be plain for miles, but towards evening would become plainer, as quite evidently the Indians seemed to join in making camp. However, the next morning, after following their trail but a short distance, the same moves were repeated, but we were able to keep on their trail. In a few days the trail became very plain and the Commanding Officer ordered that we provide ourselves with bread for 8 days, as no fires would be built during that time.

The regulars were provided with cooking utensils, but we poor volunteers had only a few pans in which our men fried their tortillas in brown grease; so after working faithfully all night, we only had a limited amount of bread on hand.

The third day found us volunteers without bread. We appealed to our Captain for permission to make bread in the day time by a fire made of dry twigs, which would make no smoke, but our request was sternly refused. Flour, stirred in water, was our only substitute.

On the 16th of the month, a full two hours before sundown, we found the abandoned Indian camp with some of the cottonwood sticks still smoldering in the ashes of their fire. Captain Valdez sent me at once to Major Greer with a request that he give us two fast horses on which to mount a couple of our best men, familiar with the country, to scout

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<sup>25</sup> This scout was of French origin, and his name correctly was Antoine Leroux, but he was often called "Antonio" and, for some reason (as here), "Joaquin." The definite statement that these four men as guides joined them here differs from the usual account.



ahead. But Major Greer, seeing, at the moment, no advantage to be gained, refused.

#### CHAPTER IV

It was about ten minutes before sundown; the Major changed his mind and sent two good horses to our camp. The Captain ordered two of our most experienced volunteers to mount at once and sent them ahead, but it was too late in the afternoon for them to accomplish anything. The darkness came suddenly. The Company camped in a grove of tall, cottonwood trees with many of the dead leaves still hanging to the branches, which made a very good screen; the Major, feeling that the Indians could not see us, gave his permission to have fires built. However, the light reflected high into the sky and we were very fortunate that the Indians did not see us.

When day came we were rested and eager to get started. Our first order was to mount, and followed the broad trail left by the Indians. All former precautions had been eliminated. The Company started on a trot and kept up this pace until we were in site of some Indian horses, grazing on the hills above their camp. This, of course, was a giveaway as to the location of their camp, which we found near the bank of Red River.<sup>26</sup>

The Regulars, being better mounted than my Company, were ahead of us. They charged the village but halted on the decline of a hill leading to the camp when a bullet, fired by an Indian, struck the chest of our Commander, leaving a red mark without rupturing the skin. Major Greer claimed that his life was saved by a pair of buckskin gauntlet gloves being stuck under his shirt while not being worn. The bullet force had been lessened by the impact on the gloves.

At this time and during the confusion in which the Regulars were stopped, the Orderly Sergeant of the Company rode up to the Major, throwing down his carbine and saber, saying that he had no use for the tools of war if he was not allowed to use them while in sight of one of his country women who had been murdered by the Indians.

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26. The Canadian River is meant.

The story is told that the Major pacified this soldier and did not reprimand him. The Major felt that he was to blame for allowing a slight scratch to stop his Company.

The volunteers followed as fast as their tired animals would permit. As we reached the top of the hill we were ordered to dismount, march down the hill and get between the Indians and the bulk of the horses. Being an Orderly Sergeant, I did not wish to be the last one, so I had to go into the skirmish on foot with nothing more than a Toledo blade. It was a very good one but not sufficient to fight a mounted Indian. Our Captain, seeing my predicament, gave me his gun. He had a brace of pistols as well. This inspired a new confidence, and it was my first time under fire.

The Indians retreated slowly but kept up the skirmishing in order that their families would have time to escape. All at once we were ordered to return to our horses, to get out of range of two cannons that had just arrived and were being set up to shoot. A few shots of grape and canister were fired without doing the Indians any harm except probably frightening them.

The Indians, knowing their families were a safe distance ahead, broke into a run. The Regulars and Volunteers pursued them, but were soon outdistanced and the Indians escaped.

We passed near the dead body of Mrs. White, leaning forward against some bushes. She was running toward us when shot and the arrow that took her life, struck at her back, seemed to have passed through her heart. It was a pitiful sight to see an American woman so ruthlessly killed by these heartless savages. They still had her baby and the negro nurse.

While in pursuit, I saw Bob Fisher, one of the scouts, shoot an Indian, seeing him fall, but when he returned after the battle, this Indian had disappeared. Doctor Reed<sup>27</sup> killed an Indian that had shot one of the servants in the hip with an arrow. Besides the two young Indian children, no other captives were taken. However, we were fortunate in capturing about 200 Indian horses and the large part of their

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27. Doctor Reed is not identified.

camp equipment. This was the end of our brilliant campaign.

We buried Mrs. White near the spot where she was killed, leveling the ground and then building a big fire over the freshly disturbed earth.

We camped in a small grove with a rivulet running through it. The date was November 22nd, 1849. The Company rested through the day and that night, about eight o'clock, we were ordered to break camp and start toward Taos. It was a very dark and cloudy night; to the human eye the trails were not distinguishable and, to cap the climax, it began to snow about two hours after we started on the trail. We continued our march until after midnight, and having lost our direction, the Captain ordered us to make camp out on the open prairie. Twelve men were detailed to guard the horses. The storm was heavy and the horses began to drift with it. The guards were more fortunate than we, for the animals drifted into a canyon in which the men found fire wood and protection from the wind, which had begun to blow. They also killed a fat colt and were well provided for during the storm.

The pilfering of the Indian camp fell to the Volunteers, which was very fortunate indeed, for without the extra robes found, three-fourths of the Company would have perished from cold and exposure. The Regular soldiers were well equipped for such weather.

The storm became more severe as time went on. I made myself as comfortable as possible, pulling off my boots, placing them on the ground under my head with my coat to make a pillow; I then spread two large buffalo robes on the ground, laping them over so that I would be completely covered, head and all. It was just a short while until I was disturbed. One of the Lieutenants had staked a horse too close to me and the storm became more severe he broke loose to drift with it, and as he did he ran over my legs, bruising me considerably. I covered back up after this to escape the storm and did not show my face again until after noon. I had become tired from laying in such a position and as I raised the cover to get a look at the

outside world, a whiff of wind caught the robes and stripped me, and in no time my warm nest was covered with snow. I got up and looked around. The wind was so strong that I could hardly stand, much less walk against it. I had to put my hand over my mouth in order to breath. Through the snow I saw a tent dimly outlined. Here I felt I could find covering from the elements. I asked permission to enter, but the owner said there were already 23 persons inside and no room for anyone else. I squatted down near the tent, out of the wind. My feet were cold and I was beginning to feel that I did not care if I was ever warm or cold again; I was beginning to freeze to death; I wanted to sleep—that was all. Doctor Reed, thanks to him, gave me room and sat on my feet in an effort to warm them. He also gave me a blanket to put over my back, as the fine snow driven by the wind was coming through the heavy canvas of the tent.

It was twelve hours after I had come out from under my covers before the storm let up, and when it did, a light fog settled down over everything. During all this time I had not eaten anything except a dozen piñon nuts, but I was no worse off than the rest of the Company. We could see just a few hundred feet around us on account of the fog; so we set to work building fires with bark saddles and other wood material near at hand. It was a sure thing that now we would have to have something to eat before long. The fog lifted and as our fires had just began to burn we could see a fine strip of timber about a half-mile away. I dug around for my boots and coat, and with the rest of the men, ran for the timber. In just a short time we had our fires blazing and a hot meal ready. The horse guards returned, but they were not hungry; they had cooked steaks cut from the colt they killed.

My friend, Viereck, had for some cause left his bed and when the wind blew his cover away, seeing a large snow drift, seemed to think he could find shelter there; he dug down into the snow and found a robe and blanket and proceeded to get under them, but to his great surprise he was lying on top of a human being, who cursed and ordered him off. Our Captain used some very abusive language but

Viereck was not to be moved, once he found comfort and protection from the storm. A good many years later, when I met the Captain, this incident afforded us quite a laugh.

We were not very fortunate, for out of the 260 horses and 40 pack mules that we started with from our last camp, we had only sufficient animals to mount the Company, and probably six or eight in reserve. We felt lucky, indeed, that we, ourselves, came out alive.

During the day we moved on and that night camped near the junction of the Mora and Sapelló Rivers. On the following day we reached La Junta, a small settlement,<sup>28</sup> at which point we were able to replenish our food supply. From this point we followed the Mora River up to La Cueva where we made camp in a large cave; by noon the next day we reached the town of Mora, one of the largest Mexican settlements in northern New Mexico. At this point we drew additional fresh meats and other foods and settled down for a couple of days rest, which we were badly in need of, as we had been battling the driving snow and drifts for three days. Our trip over the mountains required all the skill we had to march through the deep snow, but we finally reached Taos.

The next day, December 3, 1849, a cold, cloudy, bleak winter-day, we were mustered out. However, before we were dismissed for the last time, I advised the Captain that I would like to talk to the Company. I had still three days' rations for each and everyone. I made my little speech and was greeted by a remark from a soldier in the front line, as follows: "You have been fair with us so I will give you my share of the rations." Before I had a chance to say anything, the whole Company followed suit. My efforts were of no avail to trying to make them take their rations. They each came to me and thanked me again, which, in itself, was sufficient reward for my efforts to see that they were treated fairly. Through the companionship of these few months many a friendship developed and lasted through the long years of my life.

<sup>28.</sup> La Junta was evidently in the Mora valley, as was also La Cueva, below. They were heading westward to cross the mountains and drop down into the Taos valley.

The Regulars left during the snow storm and became lost; they suffered terribly; a negro, serving one of the officers, became lost and was never seen again. However, they finally reached Las Vegas, where they stayed until the storm was over.

While loafing around Taos, a Mr. Casey, clerk in one of the military offices, requested that I copy the report of the expedition, as he was anxious to go to a dance or ball (fandango). I copied it and to my surprise I read of the wonders that we had performed. The report went on to say that there were fifty-two Indians killed, and the balance of two tribes frozen to death in the snow storm.<sup>29</sup> While at work on the report, Colonel Beall stepped into the office and asked what I thought of it. I replied that according to the report, our success had been a very brilliant one; to this he remarked "that it was paper talk."

#### CHAPTER V

It was beginning to get colder and I felt that I needed a place to stay through the cold months of the year. As I had an invitation to visit La Port, at Rio Colorado, I saddled my horse, packing all the rations on a pack animal, and headed for this point. The distance seemed short compared to what it did when I first made the trip. I was greeted with all the courtesy that anyone could expect. Here I was entertained by his family. La Port's two sons and son-in-law were eager to go on a hunt. They were not particular as to the kind of game, just to return by Christmas with some meat, to celebrate. So the hunt was planned. The heavy snow had frozen over with the cold weather and the crust made walking easy, but the crunching noise frightened all the animals away. Christmas morning found us five miles from the settlement with but one onion and some bread crusts, that felt like they were frozen. We were indeed hungry, but having made our brags about bringing home some game, we did not want to return without something to show.

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29. Krönig's estimate of this military "report" and Colonel Beall's comment suggest that such official records may often be of dubious value.

Our fire was burning brightly and we kept it bright so that we would not freeze. I happened to look toward the east and to my surprise there stood a large grey timber wolf not a hundred yards away from us. There were three guns aimed and fired simultaneously at the animal without a word from any one of us. The wolf was dead and before the animal heat was out of him we were roasting him on the fire; the fat oozed out of the meat into the flame while roasting. I was rather timid about eating it, but noticing that my two companions seemed to be enjoying their portion, I layed into it, and after tasting it ate as ravenously as they did. It seemed to me that the taste was similar to a fat mutton.

This encouraged us and we strolled off again through the hard and frozen snow and toward evening we found a turkey roost. It was no time at all until we had a half dozen large turkeys; so we headed back toward town, arriving there just in time to celebrate the evening of Christmas Day. However, the turkeys were cooked the next day, and I can truthfully say I never enjoyed a dinner more than that one.

This incident gave me an idea; perhaps I could sell the game I killed in Taos. My first kill was a large, black-tail doe; after properly bleeding and cleaning her I securely tied her on my pack saddle, going into Taos, where I sold the animal for four dollars. This kind of employment was going to be very nice except for the fact I was forced to go thirty miles to my hunting grounds. While in the store making some small purchases and thinking of this venture I was embarked upon, I again met Colonel Beall, who, greeting me in a friendly manner, inquired as to what I was doing for a living. I informed him that I had just made \$4.00 from the sale of a deer that I had brought in and I was just getting ready to start out again. It would probably take me three days to kill another deer and return to Taos. The Colonel asked me how much I expected to make a month and I replied that I thought I could make about \$30.00. He looked at me and thought a minute, then said: "You're just the man I want." He looked at me again and said: "Yes, you are. I can offer you more money than you

are making, if you will agree to perform a mission for me." Before I could reply, he said: "Would you like to earn the \$5.00 a day I mentioned, even though the mission is a very dangerous one?" I replied, "For \$5.00 a day I will go anywhere." Then he came out with the story.

The Colonel had been ordered to make every possible effort to recover the baby stolen from the White family. He had heard many rumors that the child was still in the hands of the Indians and was being well cared for, and was taking this way of tracing down the stories. He realized, of course, that many times rumors were just false hopes, but to save the baby's life a chance could be taken.

My instructions from the Colonel were to go to the tribe of Indians he designated and tell them that the Great White Father wanted them to come into Taos and make peace, and at the same time find out all I could about the baby and negro nurse. I was also to impress upon them that they would be properly treated.

My former friend and room-mate, Schlesinger, had not been able to obtain any employment since he was mustered out of the Volunteers, so I was able to make an agreement with him to go with me. I was to pay him One Dollar a day for his services. I borrowed two good horses from my former teacher.<sup>30</sup> One of the animals, a fine Kentucky mare, well acclimated, was claimed by Schlesinger for his mount on the trip; the other, a chestnut sorrel, was a rather vicious animal from California. Schlesinger's horse was gentle, but mine was of such a disposition that I was thrown three times before I was able to stick to the saddle. The snow was deep and so the falls caused no ill effects. Before long we were off on our trip.

## CHAPTER VI

Our first day was over a trodden snow pathway and we managed to reach Rio Colorado that evening. The snow covered hills and valleys and delayed our travel somewhat, but we were able to make the trip in fair time.

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30. Evidently the Mr. Mink, earlier mentioned as located at Plaza Alcalde. See note 13.



At Rio Colorado, the first man that I saw was La Port, and after a cordial invitation we went to his house for the night. I explained to him regarding my new job. He was amazed that the Commanding Officer, Colonel Beall, would send two green-horns out on such a mission, and he tried to persuade me not to go, saying that if I went it would be the last he would see of me. However, no amount of argument would turn me from the commission that I had accepted and principally for the \$5.00 a day. La Port's argument was that the Utes or Apaches would finally get me and that would be the end.

Seeing that I was determined to go on, he gave me the advice much as a father would give his son. Proposing peace to the Utes, he felt, was just a matter of getting some men into a trap and being killed. Any news of this kind generally came to him first before going to the Colonel at Taos. Having lived in this country for many years he knew conditions and knew where the Utes could be found, also knew their customs as well as the rest of the plains and mountains Indians. He led me to the roof of his house and pointed out the Sierra Blanca, telling me to keep to the right of it and follow up the Saint Louis Valley,<sup>31</sup> where I could no doubt find the tribes of Indians I was looking for.

We provided ourselves with provisions for ten days, a little corn for the horses, and started out on our expedition. The snow was knee deep on the horses and the going was tough. After traveling all day, we reached a small curve in the river known as El Cervo de los Utahs, which was about fifteen miles from our starting point.

Then came the problem of the night's rest. We managed to find a place to camp. On the south side was a bare piece of wind-swept ground, which was covered with a fine growth of grass, suitable for grazing our horses for the night. The problem of water for ourselves and the horses was solved by heating rocks and putting them in a hole filled with snow; after which we put out the fire, as we did

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31. This was, of course, the well-known San Luis valley. All of it north of 37° north latitude and also Sierra Blanca lay in the strip which was taken from New Mexico when Colorado was created a Territory in 1861.

not want the Indians to know that we were on our way to see them, preferring to take them by surprise. The country was so located that a light could be seen for about 20 miles under the right conditions. The night was cold and I was miserable and could hardly sleep. However, at daybreak I again kindled the fire and we cooked our breakfast and continued on our way.

The next day we traveled until evening, finally stopping at a small stream flowing west toward the Rio Bravo or Rio Grande. The weather was so cold that we could find no place where the water was flowing and as we tried to break the ice found that it was frozen solid. So we again had to repeat melting the snow to make water for our horses to drink. We again slept or tried to sleep through the night without a fire. I was not bothered so much, as I seemed to be getting used to the severe weather; however, I was very cold. The night passed and we continued northward on our journey.

It was the third. About noon, traveling slowly through the snow, my companion sighted what we assumed to be a band of men riding toward us; there seemed to be at least 20 in number and they appeared to be coming fast. About this time we came upon an abandoned corral, probably used by the Indians or Mexicans to hold their sheep for a few days, while they camped in this locality. It was located near some high rocks at the base of the hills and built fairly high, presumably to protect their animals from wolves. The horses kept coming toward us and we made ready to protect ourselves. Dismounting we tied our horses behind some small cedar trees on the hill-side of this covering. We then stationed ourselves behind the wall with our guns, ready to sell our lives at a cost, if necessary. We were blinded to a certain extent by the snow, and our vision was not too good; however, we watched the animals come nearer and nearer, getting ready to fire the moment the supposed enemy came close enough. We felt sure that in this country no band of men would be running around except Indians. The closer they came, the surer I was that they were Indians; all at once they turned to the left, about a quarter of a mile,

and a profile view was broadside to us; we could see that they were only a band of wild horses. We both drew a big sigh of relief.

That night we made our camp near Fort Garland.<sup>32</sup> The weather had moderated some and we were more comfortable. At this point our camp afforded us with a little more comfort, but we continued to put out our fires at night. The succeeding nights of camping were uneventful. We traveled on through the snow, passing over the mountains at Mosio Pass.<sup>33</sup> After a dreary seven day's travel we found a fresh trail in the snow. It was the first sign of a human being since we left Rio Colorado. After traveling for about a mile, we could see the Indian village along a small stream. We could see their horses along the water's edge among the willows a good mile away from the village.

Among the Indian tribes of the plains and mountains there is a mutual agreement that once the enemy gets into camp, the Indians will feed and shelter them, but when they leave the camp their obligation is over, and they will kill them.

Some of the Indians on foot around their camp saw us and ran for their horses, but we whipped our tired animals to make them run faster and reached camp first, diving into the first lodge we came to, the Indians right behind us. However, we were now safe. We carried our guns and ammunition with us for protection; in case we were attacked we could fight our way out or sell ourselves at a dear price.

Our reception was rather cold and not even gifts of tobacco were accepted. Now that we were in the camp, the Indians seemed to follow their rule not to molest us. I went out to see if I could find their Chief (Chico Belasquez). I had heard it said that when he was a boy he had lived with the Mexicans and herded sheep for them and could speak very well. He had probably been a captive. The first

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32. This is one of the anachronisms which show that Krönig was writing from memory rather than from contemporary notes. Fort Garland was on Ute Creek in Costilla County, Colorado, but it was not established until 1858, replacing the earlier Fort Massachusetts (1852) on the same creek but six miles further north.

33. Possibly Mosca Pass is meant, which was to the north of Sierra Blanca.

Indian I asked refused to answer me and I had some difficulty in finding him, but after visiting all the lodges I finally succeeded. The message Colonel Beall had given me was delivered to him, but the Chief would give me no answer. I noticed that he ordered twenty or thirty of the younger men out on the trail in all directions. Long after dark they returned and it was then that the Chief spoke his first word to me. He told me he thought we were just spies and had lost our way; that he wanted to assure himself we were just conveying a message to him. Receiving word from his scouts that they found only two tracks for a long distance, he felt we told him the truth.

Food was ordered by him at once and the squaws brought forth boiled buffalo meat, with the hair still sticking to it, but if a hungry man was going to let something like this stop his eating in a place like this, he would starve to death. So I ate the meat, and with relish. The hair sticking on the meat went down just as the rest of it did. The separating of the hair would have taken time and my stomach would not stand the wait.

After we had consumed the food, the Chief called all his sub-chiefs and influential men into the lodge where we were and we all squatted around the fire, built in the center of the room. There was a large opening through the roof in which the smoke escaped. After we were all seated the Chief asked me for some tobacco. I produced a supply which was composed of fine-cut, mixed with dry bark of the red willow. During my last run for the lodge I had lost my pipe and to complete the smoke of peace it was necessary to have a pipe. I told the Council that I had lost my pipe. Well, the Indians were not to be out-done by anyone, so one of them manufactured a pipe out of reed or cane and we were ready to proceed with our meeting. The pipe was passed to me but I declined to smoke it as I knew the tobacco was of a poor kind, having purchased it as an article to trade with, and having lost my personal tobacco at the time I lost my pipe. The Chief was rather indignant, pointing out to me that my intentions were not good. I apologized to him, telling the Council that I did not under-

stand their custom, that I would be glad to smoke the Pipe of Peace with them, and after that, as many times as the pipe was passed, I took the necessary whiffs and acted as though I liked it. I had to admit the tobacco was vile and felt that I was being justly punished for trying to pass such stuff off on the unsuspecting Indians. After the pipe was passed around several times, the Chief asked me for my credentials. The Colonel had not given me any papers and for the moment I was lost; then the happy thought, to show my Quartermaster Department order, came to me; this stated that I was to receive five dollars a day for the time I was absent from Taos on the trip to the Ute Indian camp. I handed it to the Chief and he to the Indian next to him and so it went around the Council, finally returning to me; it seemed to be a satisfactory answer. The Chief conversed in Ute language, which I did not understand. The Council kept up the conversation for a long time and out of the clear sky the Chief said, "Tell your Chief that we will come to Taos as soon as the grass is long enough so that it will keep the horses strong; also, that we will kill no more Americans and Mexicans." From all I have been able to learn, that promise was kept. The Chief then told me that the White baby had died, also that the negro nurse was dead.

After the pact was made, my companion and myself had the freedom of the camp and the Chief asked me to stay in his lodge as his special guest. I did not quite see the reason for this, but later caught on, for the Chief asked me to play a game of "Cammita," a Mexican and Indian game. The method of playing was using four hollow canes about six inches long. A piece of copper is placed in one of the canes and the game consisted of guessing which cane the copper was in. It was something like the shell game, except they were not sufficiently advanced to trick the person guessing. It was rather easy for me to guess where the Chief placed the copper, and I was rather reluctant in allowing him to win. But I purposely made blunder after blunder especially to please him, and to say the least, it delighted my host.

## CHAPTER VII

We had a fair supply of ammunition and I was asked to give it to the Indians but I refused, explaining to the Chiefs that I had to account and render a statement for everything used on the trip when I returned to Taos. This must have made a good impression on these savages as I was frequently away from my equipment and nothing was disturbed. My best saddle and other supplies were left in the lodge untouched.

Each night I remained with the Chief and others playing "Cammita." I was becoming weary of the game, but it pleased them and I felt I was making friends. One night while playing, I asked the Chief regarding certain ornaments he was wearing on his leggins. He pointed to a cluster hanging to one leggin, saying, "These are Mexican fingernails," then pointing to another cluster, "These are American fingernails, and these," the last cluster, "are Negro fingernails." It was here that I said a silent prayer of thankfulness for myself and companion for reaching the lodge ahead of these fierce people. Our fingernails might have been added to those leggins.

Chief Belasquez was a very inquisitive devil; seeing that my language was not expressed like the Americans he had been used to, and neither was it like the Mexicans, he asked me where I came from. To explain, I drew a map of the world on the sand in his lodge, going into as much detail as I possibly could, and trying to answer his questions as comprehensively as possible. He had heard of the ocean and was interested in knowing how long it took me to cross the big water. After a long session of describing my trip across the country he suddenly asked me how gun powder was made. Not having a ready reply, I answered that it grew like wheat. He put his hand to his mouth giving me to understand that he was surprised. For a little while he remained silent and then said: "Did you notice three mountains in the distance when you were running to the village?" I responded in the affirmative that I had clearly noticed these three mountains. "Then it's a pity you did not get here a few hours sooner because God was in camp and

he took the mountain on the left side, placing it on top of the mountain in the center and then he took the mountain on the right side and placed it on top of the other two, and they reached up into heaven." I was never able to figure out just why he told me this story unless it was to let me know that I was lying to him about the making of gun powder.

A war party came in from somewhere, bringing three scalps of some hunters they had surprised. These Arapahoe Indians<sup>34</sup> had been asleep when this Ute party came upon them, killing and scalping them as they slept. Becoming interested as to how the murder happened, I again talked to the Chief, who very graciously gave me the details. The Utes were hunting over the mountains near the present Canyon City,<sup>35</sup> when they noticed a small fire burning under some trees. The three Arapahoes slept nearby with part of a carcass of a deer. They apparently had been hungry a long time and when the deer was killed they proceeded to gorge themselves until their bellies were tight as drums and, like an animal, they could not keep their eyes opened. It was too bad for them, as they never opened their eyes again. The Utes killed them on the spot, scalping them and leaving their puffed bodies for the wolves and cayotes to devour. However, they took the remains of the deer carcass. They were successful themselves in the hunt, and after killing all the game they could carry, returned to camp.

By evening the scalp dance was in progress. A large section of ground had been cleared of snow. Piles of wood were brought in and as soon as the skies darkened, the dance began. This was the Squaws' chance, as only women participated in the dance of death. The fires caused wierd shadows over the snow but the squaws danced on; they would spit on the scalps and their facial expressions were

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34. This spelling of Arapaho is not listed by Hodge, *Handbook of American Indians*, I, 72-74. From 1840 the Arapaho were at peace "with the Sioux, Kiowa, and Comanche but were always at war with the Shoshoni, Ute, and Pawnee until they were confined upon reservations."

35. Another indication of when Krönig was writing. Cañon City had its origin not before 1859 or early 1860.

of hate for their enemy. The scalps were then thrown on the ground and the squaws trampled them with their moccasined feet. Gruesome as it was, we spent a thrilling evening but were very depressed to think that the whole program was brought about by the hunters bringing in the scalps of the unsuspecting and unfortunate Red men. I was mighty thankful that I was not a source for their expression of vengeance.

Our horses had been turned loose so that they could recuperate from the strenuous riding and travel we had given them. Our invitation to stay with this tribe was genuine and we did stay, but the food was very poor; they had lost nearly all their belongings in the fights on the Canadian or Red River, followed by the severe snow storms earlier described. It was amusing for me to think that recently I had been with an armed force fighting these poor savages, and now I was practically breaking bread with them.

Our visit was concluded and we made ready to return to Taos. Chief Belasquez expressed sorrow that I was to leave, that he could not play Cammita with me any more, and that he had enjoyed our visit. Our horses were brought in, saddled for us and a good supply of meat was given us for our return trip; and to my surprise, we were given an escort of eight mounted Indians to protect us from the Apaches. The return trip was uneventful and when our party reached a point about 35 miles from Rio Colorado the escort left us, telling us to ride to the settlement without a stop, as it was very dangerous with the Apaches loose. About noon the next day we reached Rio Colorado. My companion and I rode into the village to La Port's house, where the astonished family gave us our usual welcome. La Port said that he never expected to see us alive again, as we had been most daring. We rested that afternoon and night, and the next day were on our way to Taos.

Soon after our arrival, I called on Colonel Beall to give him Chief Belasquez's answer. He invited me in and poured a glass of wine for me. He was very kind and inquired into the condition of the trail and after I had



recited the whole adventure he said, "I haven't slept a night since you left. I do not know what I was thinking about to have sent you on such a mission. The job was done better than I could have done it myself and I thank God that you are back and unharmed." When I claimed my pay for the trip he put me off from day to day; after a while he did give me a Quartermaster Order for the pay for the entire time, even the time I had been waiting in Taos to collect it. When I got the money, I felt like a millionaire; however I did not waste it as I had had enough of gambling and loaning money.

A short time later, the Colonel came to me telling me that he had another job that I could do for him. I was to be what he called an "undercover man." In the town of Rio Colorado there was a Mexican woman married to an Apache Indian. He had been shot in the knee and was of very little use on a horse and could no longer fight; but the Colonel thought that he was giving the tribes information regarding the movement of the troops. I obtained a little cabin in the vicinity of the Indian's home and proceeded to sit and watch to see if he had any night visitors from his people. I sat up a month while this Indian slept. Finally I made a trip to Taos and informed Colonel Beall that the Indian was not receiving visitors and that he did not seem to be in contact with the tribes at all. I was paid off and collected at the rate of twenty-five dollars a month, which was big wages in those times.

At the Quartermaster's office I met Mr. Quinn,<sup>36</sup> a beef contractor, and the gentleman with whom I had words regarding the furnishing of the proper amount of meat to the Volunteers; I was about to pass him by when he spoke. I was under the impression that he would not be friendly

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36. Without doubt, this was James H. Quinn of Taos (and Santa Fé) who is better known from his participation in Territorial affairs. From October 1846 to August 1849 he was attorney for the southern district; he was one of the thirteen signers of the memorial to congress (dated Santa Fé, Oct. 14, 1848) against the Texan boundary claims and against the introduction of slavery in New Mexico; in 1853 he was president of the Territorial council. Krönig adds to our knowledge as to his business activities, supplementing the fact that in 1850 he was operating a mill and distillery near Arroyo Hondo. Blanche Grant (*When Old Trails Were New*, 156, 303) tells us that Quinn was an Irishman and a cousin of Stephen A. Douglas.

as I had refused to accept his bribe. He asked me if I wished to establish myself in business at Rio Colorado. I told him I did, but hardly expected to receive a proposition from him, inasmuch as I had previously turned down his offer and could not understand why he should now consider me. This he explained; my former dealings with him were honest and he wanted to deal with a man he could trust. He then outlined his proposition. He was to furnish all the salable goods and I was to provide myself with a store and collect a certain percentage of the goods I sold. This sounded good to me so I went immediately to Rio Colorado, located a store building, prepared shelves and counters and then returned to Taos for the merchandise. I was soon installed as a storekeeper. I had some competition but was satisfied with a fair profit, and in a short time had most of the business.

This village was very quiet as there was yet no mail route established between Rio Colorado and Taos, or any newspapers. The distance between these two towns was only 30 miles but there were few people in this community who could read or write, so we had to go to Taos for our mail and reading material.

Owing to the great depth of snow in the mountains, the Indians had been quiet; no crime had been committed in the vicinity. They had operated on the east side of the mountains, stealing and killing where-ever the opportunity presented itself.

The stage coach carrying United States mail was attacked near Santa Clara Springs.<sup>37</sup> The driver and passengers were killed in a running fight. If they had not been killed, they would no doubt have been tortured to death, to amuse these savages. The mail sacks were scattered over the prairie and many letters and papers were blown over a large area. It was months before the papers were all picked up; and it is probable that some of this mail never was found. There was one letter for me from Germany. The envelope was torn but it reached me safely. It was from my family, written by different members, who

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37. Santa Clara Springs was on the Santa Fé Trail, near Wagon Mound, 134 miles from Santa Fé.

gave me the interesting news of my home. However, I was a little homesick for the time being, in this vast unsettled country.

Shortly after this episode, at Rio Colorado, a little Mexican mill, its large hoppers filled with grain, was robbed. The mill was generally left alone at night. Horses and cattle were now being stolen. The Indians had become so bold as to enter right into the village.

At La Port's home one morning I was finishing breakfast when Beaubien, nephew of the Judge,<sup>38</sup> asked for help to follow some Indians that had stolen twelve head of cattle he owned. La Port's sons and myself made ready as soon as possible and were joined by others of the village to pursue the Indians. We expected to overtake them shortly, as the cattle had been taken within sight of the town, and did not consider it necessary to take any provisions with us. This was a sad mistake, as what follows will show. We fully expected the Indians to take the broad trail of Red River Canyon; but to our dismay we found that they had taken a seldom-used trail to the mountains, over which our horses could not travel and were useless to us. It became necessary that we follow them on foot. The Indians had a start of about one and one-half miles, and we were well on the trail when we found a cow, killed and partly skinned; the Indians had only taken a part of the tenderloin. It is probable that the cow became obstinate and so was killed.

One of our men decided to stay behind, but later changed his mind and caught up with us before we had traveled far. Over his shoulder he had a piece of rawhide, used in making Moccasin soles. The Indians were kept in sight all day and occasionally gave us a verbal abuse from a safe distance. Night overtook us at the Costilla River. Here the Indians outdistanced us, and we ended our pursuit. When darkness came we kindled a fire as the weather was quite chilly. We made up our minds we would have to do without supper. We bedded down for the night. I was too tired to sleep, but found a comfortable place against a rock

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38. No such nephew is known from other sources.

where I could lay my tired body and rest. I dozed off for a short time and came to life when the smell of burning hair penetrated the air, which was soon followed by the odor of fresh meat roasting. This brought me to my feet and looking around I saw one of my companions eating some of the rawhide. I asked for some and they cut it up in small pieces for me and I swallowed it. This relieved my aching stomach. Mr. Beaubien, a man of advancing years, was completely broken by next morning and was unable to walk back. We sent one of the men, best able to travel, to town for a horse. We then made a litter and moved the tired man down the mountains to await return of the messenger on the wagon road. Here we left him comfortable, except for hunger. We traveled six miles to a sheep ranch, where the family had a number of goats. With their permission, we filled ourselves with milk, which gave us strength to return home.

*(To be concluded)*

## THE SPREAD OF SPANISH HORSES IN THE SOUTHWEST

By D. E. WORCESTER

WHERE did the Plains Indians get their horses? This question has been the basis of much speculation and research.<sup>1</sup> The accounts of the early explorers and settlers of the Southwest make the answer clear indeed. The Plains Indians did not acquire horses through strays being lost by Spanish expeditions, as has been suggested by some writers. Spanish ranches—of New Mexico, Sonora, Chihuahua, Nueva Vizcaya, and Coahuila—supplied both the horses and the horsemanship of the Indians of the Southwest. The use of horses spread rapidly to the north and east, though few tribes possessed large numbers until the 18th century. The purpose of this paper is to trace briefly the diffusion of Spanish horses in the Southwest during the 17th century.

Ranches were begun in New Mexico around 1600. Apache raiding on Spanish herds ensued. By 1608 the settlers were so discouraged that they requested permission to return to New Spain.<sup>2</sup> It became increasingly difficult for the missionaries to keep their Pueblo converts satisfied. As a reward for their faith, Fray Francisco de Velasco recommended, in 1609, succoring them with gifts of cattle, goats, ewes, and mares.<sup>3</sup>

In 1621, the *encomenderos* of New Mexico were authorized to use Indians as herders and teamsters.<sup>4</sup> Thus, at an early stage of the settling of New Mexico, converts were allowed to use horses, in contrast to the usual Spanish custom of prohibiting Indians from riding.

Spanish livestock became very abundant in New Mexico, according to the report of Fray Alonso de Benavides, in 1630. He mentioned especially the horses, which were said

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1. See Wissler, Haines, Aiton, and Denhardt.

2. Fray Lázaro de Ximénez, *Mandamiento para que el gobernador de la nueva mexico* . . . 6 marzo, 1608, Archivo General de Indias, 58-3-16.

3. Fray Francisco de Velasco, *Memorial de nueva mexico*, 9 abril, 1609 Archivo General de Indias, 59-1-5.

4. Marqués del Guadalcázar, Archivo General de Indias, 58-3-18.

to be excellent for military purposes. Benavides estimated that the *encomenderos* of Santa Fé had in their service 700 Indians; so that, including Spaniards, *mestizos*, and Indians, there were 1,000 persons in the villa. These people, he stated, were very punctual in obedience to the governor, and came forth with their own arms and horses whenever required.<sup>5</sup>

A number of documents verify the abundance of livestock in New Mexico, while others refer to Indians possessing cattle and horses. In 1638, Fray Juan de Prada wrote that without cattle-raising it would be difficult for the missions to survive. He also reported a tendency on the part of disgruntled converts to apostatize and join the heathen tribes.<sup>6</sup> It is impossible to determine exactly when the Apaches began using horses otherwise than for food, though very likely it was between 1620 and 1630; possibly earlier, but certainly not later.

In 1639, the governor of New Mexico wrote:

In some *doctrinas* I saw they had some sheep and cattle, but I always heard it said they were the property of the natives themselves, and I cannot with certainty say a thing to the contrary.<sup>7</sup>

At the same time, the *cabildo* of Santa Fé wrote the viceroy deploring the fact that the missions had so much livestock. It was suggested, inasmuch as the king contributed to the support of the missionaries, that their cattle be divided among the settlers.

The same should be done with the horses that all of them have—as many as twenty, thirty, forty apiece—for there are many soldiers so poor that through inability to buy horses and arms they are incapable of serving his Majesty. In this way a great deal of trouble would be saved the Indians, for they are occupied in guarding the cattle and horses . . . and the stables where they keep three or four saddle horses very daintily, for they are

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5. Alonso de Benavides, *Memorial*, 1630, (E. Ayer translation, Chicago, 1916), 23.

6. C. W. Hackett, ed., *Historical documents relating to New Mexico, Nueva Vizcaya, and approaches thereto.* (Wash., D. C. 1926-37), iii, 111.

7. *Ibid.*, 117.

quite valuable, and are taken to be sold in New Spain . . . The worst thing . . . is that the religious hold most of the armor for the horses, leather jackets, swords, arquebuses, and pistols . . .<sup>8</sup>

By 1650, there are reports of horses being used by Indians in conflicts with Spaniards. Apaches and Teguas joined in an attempt to overcome the colonists, and horses were stolen to be used in the revolt. The attempt failed, and the horses were recovered. The Spaniards learned that they had been delivered by the Christian Indians of Sandía and Alameda.<sup>9</sup>

The desire of many tribes to possess horses eventually resulted in the disappearance of livestock from around the Spanish settlements. Though these forays were attributed mainly to the Apaches, tribes from Texas and the Plains participated in them. In 1672, Fray Francisco de Ayeta declared that the province of New Mexico was totally sacked. With the supplies which he procured for New Mexico a few years later, Ayeta brought 1,000 horses.<sup>10</sup> He returned to the city of Mexico to petition for more men and arms, and for an additional 1,000 horses.<sup>11</sup>

During the Pueblo uprising of 1680, the Spaniards of New Mexico were deprived of most of the livestock remaining in their possession. Thus, in giving his reasons for abandoning Isleta, Alonso García wrote of the 120 persons who had been killed, and of the loss of their arms, and enough horses and cattle to sustain the Apaches for more than four months.<sup>12</sup> Some *maestres de campo* urged that a report be made to the king so he could

make provision for a return to the reconquest, which today is more dangerous owing to the cunning and audacity of the many treacherous and capable enemies, alike as horsemen and in the handling of firearms, lances, and other weapons . . .<sup>13</sup>

8. Hackett, *op. cit.*, iii, 71.

9. W. W. H. Davis, *The Spanish conquest of New Mexico*, (Doylestown, Pa., 1869), 232.

10. Hackett, *op. cit.*, iii, 291.

11. *Ibid.*, 296.

12. R. E. Twitchell, ed., *Spanish archives of New Mexico*, (Cedar Rapids, 1904), ii, 15.

13. *Ibid.*, 37.

Raiding continued after the Pueblo Revolt. Apache thievery was, in fact, taken for granted in New Mexico. In 1682, Fray Nicolas de Hurtado wrote from El Paso:

Everything here is in good condition, where it has been quiet. Only the Apaches have done what is their custom. For, during the present month of January, there have been stolen two hundred animals . . .<sup>14</sup>

In the same year, the Jumanos sent two delegations to El Paso to request aid against the Apaches, who, they said, continually stole their horses.

A description of the state of affairs of Nueva Vizcaya in the 1680s gives an idea of the forays of Cibolos, Apaches, and other nomadic tribes of that region:

At the same time they are voracious when they steal some cattle or horses (which is what they most eagerly desire, since they secure in this way two ends, first their maintenance, for their greatest treat is this kind of food, and second, as a result of the [Spanish] inhabitants being forced to go on foot, they are able without resistance to obtain possession of the province).<sup>15</sup>

During the same period, Fray Alonso de Posadas reported that he had seen Apaches trading captive Indian women of the Quivira nation for horses with the Indians of the Pecos pueblos. He also mentioned the usual raids on the herds of the Spaniards.<sup>16</sup>

The accounts of the French explorers offer evidence of the spread of horses eastward and northward from New Mexico. In 1682 La Salle saw horses among the Kiowa Apaches. Meanwhile Henri de Tonty was visiting the Missouri, of whom he said:

There are even villages which use horses to go to war and to carry the carcasses of the cattle which they kill.<sup>17</sup>

14. Hurtado to Xavier, in *Autos Pertenecientes*, 99, quoted in C. W. Hackett, "Otermín's attempt to reconquer New Mexico, 1681-1682," *Old Santa Fé*, iii, 128.

15. Hackett, *op. cit.*, ii, 221.

16. Posadas, *Report*, 1686; *Archivo Gen. y Pub. Hist.* 3 (Bancroft Library transcript).

17. P. Margry, *Memoires et documents pour servir a l'histoire des origenes francaises des pays d'outrre-mer* (Paris, 1879), i, 595.



In 1687, La Salle was among the Hasinai and their allies in eastern Texas. Joutel, chronicler of the expedition, wrote:

Those we were with then were called Teao [Texas] whom we had not before heard named. They talked of a great nation called Ayona and Canohatino who were at war with the Spaniards, from whom they stole horses, and told us that one hundred Spaniards were to have come to join the Cenis to carry on that war, but having heard of our march, they went back . . . He (La Salle) proposed to them to barter for horses; but they caused them to be conveyed out of the way, for fear we should take them away, excepting one bay, which Monsieur de La Salle agreed for and returned to us.<sup>18</sup>

Three years later Tonty journeyed to eastern Texas in search of La Salle. He reached a Caddo village on the Red River, and remarked in his memoir:

The Cadodaquis possess about thirty horses, which they call *cavalis*.<sup>19</sup>

Tonty continued until he reached the Hasinai village of Nauouadiche, where La Salle had been in 1687.

I told their chief I wanted four horses for my return, and having given him seven hatchets and a string of large glass beads, they gave me the next day four Spanish horses, two of which were marked on the haunch with an 'R' and a crown above it, and another with an 'N.' Horses are very common among them. There is not a cabin which has not four or five. As this nation is sometimes at war with the Spaniards, they take advantage of a war to carry off their horses.<sup>20</sup>

Later on, Tonty added:

I forgot to say that the savages who have horses use them both for war and hunting. They make pointed saddles, wooden stirrups, and body

18. H. R. Stiles, ed., *Joutel's journal of La Salle's last voyage 1684-87* (New York, 1906) pp. 126-127.

19. L. P. Kellogg, ed., *Early Narratives of the Northwest 1638-1699* (New York, 1917), 316.

20. L. P. Kellogg, *op. cit.*, 317.

covering of several skins, one over the other, as a protection from arrows. They arm the breasts of their horses with the same materials, a proof that they are not very far from the Spaniards.<sup>21</sup>

The effect of the use of horses in inter-tribal warfare can be seen first in the success of the Apaches against neighboring tribes. In 1689, Father Massanet wrote of them:

The Apaches form a chain running from east to west, and wage war with all; with the Salineros alone do they maintain peace. They have always had wars with the Spaniards of New Mexico, for although truces have been made, they have endured little. In the end they conquer all the tribes; yet it is said they are not brave because they fight with armoured horses. They have offensive and defensive weapons, and are very skilful and war-like Indians.<sup>22</sup>

Methods of Indian warfare and horse-stealing in Parral were described by José Francisco Marín, 1693.

Their first care is to strike down the horses. This, with the great skill that attends them in the use of such arms, they easily accomplish, and being dismounted, the travelers are left defenseless and become victims of their customary cruelties. If they perceive they cannot make the attack without danger to themselves, they keep quiet—all of them, as is their custom, being painted and varnished the same color as the earth and generally covered with *sacatón* [grass]—and permit the travelers to pass . . .

In their robberies of horses they use the same methods. They keep watch on ranches and pastures, and upon the slightest carelessness they drive off the animals, not more than three or four being employed in such robberies. No matter how quickly some citizens and soldiers assemble to follow them, they always have a start of twenty or thirty leagues, so that it is . . . a piece of good fortune if they overtake them, and if this does

21. *Ibid.*, 320.

22. *Diarios de los padres misioneros, 1691*, in *Memorias de Nueva España*, XXVII, f 100, quoted in W. E. Dunn, "Apache relations in Texas, 1718-1750," *Texas State Historical Association Quarterly*, XIV, 203.

happen, and they perceive it, they shoot with arrows some of the cattle, in order afterward to come and eat them. Their principal food consists of horses and mules . . .<sup>23</sup>

Sonora experienced ravages similar to those of the neighboring provinces. The Relation of Padre Kino told of the depredations there during the 17th century.

For many years this province of Sonora has suffered very much from its avowed enemies, the Hocomes, Janos, and Apaches, through continual thefts of cattle and horses, and murders of Christian Indians and Spaniards . . . injuries which in many years not even the two expensive presidios, that of Janos (northern Chihuahua) and that of the province of Sonora have been able to remedy completely, for still these enemies continue to infest . . . all this province of Sonora . . .

They have already reached and they now go as far as Acenoquipe in the Valley of Sonora itself; and as far as Taupe in the Valley of Opedepe (San Miguel) and as far as San Ygnacio and Santa María Magdalena in Pimeria.<sup>24</sup>

As more and more tribes sought horses, raiding parties traveled greater distances. Livestock, instead of being plentiful in the northern provinces, became scarce. An indication of the increase of horse-stealing during the latter half of the century can be seen in a letter of the *sargento mayor* Juan Bautista de Escorza, written in Cerro Gordo, 13 July, 1693.

The truth is, that in these parts affairs are in a worse state and the consequences are worse than they have ever been, and I give as a reason two evident causes. One is, that the ancient enemies, who under the name of Tobosos have invaded these kingdoms for many years, are now driven by necessity itself and their own bad disposition to increase the ravages, for, having consumed the thousands of cattle and horses that roamed through these lands, they now have no recourse except to seize

23. Hackett, *op. cit.*, ii, 283.

24. H. E. Bolton, ed., *Spanish Exploration in the Southwest, 1542-1706* (New York, 1916), 451.

those raised by the Spaniards on their estates, committing frequent outrages that they did not formerly commit so often. The other cause is that formerly they (the local Indians) were so numerous that they not only had no need to make use of other Indians from the country farther in the interior, but on the contrary they could prevent them from coming in. But now . . . not only do they not prevent the strange Indians from coming in, but rather they solicit them and invite them, subordinating themselves to them, as we have just seen . . .<sup>25</sup>

All of the available evidence indicates that the horses, the style of riding, the saddles, the armor and some of the weapons used by the mounted Indians of the Southwest, were of Spanish origin or design. There is nothing to suggest that there were mounted Indians in the Southwest before the 17th century, nor any reason to believe that the natives of that region learned to use horses except from the Spaniards.<sup>26</sup>

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25. Hackett, *op. cit.*, ii, 325.

26. The opinions contained herein are the private ones of the writer, and are not to be construed as official or reflecting the views of the Navy Department or the naval service at large. (signed) D. E. WORCESTER, Lieut. SC, USNR, Treasure Island, Calif.

## A LYNCHING AT TUCSON IN 1873

As written up by JOHN G. BOURKE

*Edited by* LANSING B. BLOOM

WHILE he was gathering ethnological data at Zuñi in the spring of 1881, Lieutenant John G. Bourke became acquainted with Sylvester Baxter, a young newspaper correspondent from Boston.<sup>1</sup> Evidently the latter, in subsequent years, urged Bourke to put some of his rich source materials into popular form; at least in 1886, while pursuing his ethnological research in Washington, Bourke did write up the "Tucson Tragedy" which we are here reproducing and sent it to Baxter who placed it with the *Boston Commercial Bulletin*. Clippings from their issues of May 21 and May 28, 1887, were pasted by Bourke into his notebook of that year.<sup>2</sup>

The style essayed by Bourke may seem to the reader suspiciously like that of the "Nick Carter" and "Deadwood Dick" dime novels of the 1880's, yet he would find that it is very much in the journalistic style of that period. Also it differed from dime novel literature in that Bourke was recounting an actual episode—and he had gone through Tucson at, or very near, the time of its occurrence.<sup>3</sup>

An historical account of this murder and the lynching which followed is given by Dean Frank C. Lockwood in his *Pioneer Days in Arizona*. Comparison shows some factual discrepancies, which may be explained in part by the fact that some of Bourke's early notebooks were lost or stolen. When he wrote in 1886 about this affair of 1873, he was probably relying on his memory. For example, he dates the affair in September instead of August of that year;<sup>4</sup> and all names used by him are fictitious except that of Willis.

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1. *New Mexico Historical Review*, xi, 242.

2. Under date of September 5, 1887, with the comment: "I wrote it while in Rockville, Maryland last fall" (1886).

3. *New Mexico Historical Review*, x, 2.

4. Richardson and Rister, *The Greater Southwest*, 407-408, quote the report of the coroner's jury as of August 8, 1873. These authors, and probably Dean Lockwood also, found their data in part at least in *Bancroft's Works*, xxxvi (Popular Tribunals, vol. 1), 730-731.

The Lockwood account may be described as objective, photographic; the Bourke account as subjective, artistic. Each has its own distinctive value.

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## A TUCSON TRAGEDY

*A True Tale of Terror*

Knights of the Green Cloth  
and

The Pawnbroker's Last Pledge

*Written for the Boston Commercial Bulletin*

It was early morn in Tucson; the eastern peaks of the Santa Catarina were already peering through the darkness of night and standing out bold and majestic in the rosy glow creeping slowly from horizon to zenith.

Off in the west the glittering stars still looked kindly down upon the tiny current of the Santa Cruz and the rugged, grass-clad hills which crowded close upon it. The sun grew bolder; his brightest rays now glinted upon the timbered pinnacles of the Santa Rita, lit up the dome and towers of the sacred fane of San Xavier del Bac and gilded into gladness the melancholy dusty streets of the quaint old presidio on the banks of the Holy Cross.

Outside of town the last coyote was skulking to his hole, irresponsive to the yelps of distant kindred which announced a treasure trove of dead burro in the mesquite jungle; an energetic old mother quail was calling to her brood; a pink-eared jack-rabbit, almost large enough to be taken for the twin brother of the burro upon which the coyotes were banqueting, scurried homeward to his summer residence under the roots of the sage brush.

Within the borough nature was awakening to the daily round of toil or what passed for such among a people with whom decorous idleness has long been refined into philosophy. Game cocks, hens and pullets were scratching for the hapless early worm or crowing and clucking welcome to the coming day.

One of Doña Guadalupe Montoya's razor-backed pigs was sedately trudging down the street, hunting for his daily provender. In the "good old days" piles of garbage were always conveniently handy at every corner; but, since the coming of the accursed *Gringos*, it was a red-letter day in any pig's calendar when he could find so much as a mess of corn-husks within a distance of less than six blocks.

## WAKING UP

Before long the lords of creation began to stir. First those outside the houses and then those within, for by the indulgence of a simple and Arcadian community it was the privilege of the wayfarer, destitute of money, entering the town after nightfall to camp on the main "plaza" and make down his blankets with the earth for a pillow and the stars for a canopy.

Don Manuel Martínez and his companion belonged to this favored class and, in the absence of hotel or lodging house, had nightly made free with the earth and sky of Arizona. The air was cool and fresh, a degree or so too crisp for comfort, but as Don Manuel arose from the ground and adjusted his rainbow serape to his shivering shoulders, he consoled himself with the reflection: "Ahorita viene la fri-sada del pobre."\*

Mechanically he rolled himself a cigarette, mechanically he kicked the dog which had kept warm by fighting fleas all night, and mechanically he growled to his companion to get up.

There was work in store for Don Manuel Martinez and his friend; not dull, coarse, plodding, every-day work, but work of a more elevated type such as gentlemen could safely put their hands to. For, be it understood, both our *dramatis personae* were gentlemen in the loftiest sense of the term and would scorn any such degradation as manual labor.

Don Manuel indeed could write his name double. He was not simply a Martínez, but by right of his mother a Salazar, as well as a close relation of the Salazar who had led the revolution in Sonora in favor of liberty and the constitution.

"Which revolution?"

"Why the revolution when Gándara was governor."

"But I thought that Pesquiera led that?"

"Caramba! Amigo! That was the *third* revolution that Pesquiera conducted. This was after the second revolution of Gándara and the first of Ortiz. You should know, my friend, that in Sonora we have had 47 revolutions in the past nineteen years, and all of them for liberty and the constitution."

## INDOLENT AND INDIFFERENT

And Don Manuel Martínez y Salazar puffed contemptuously at his cigarette, wondering what manner of man

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\* A Mexican proverb: "Presently comes the poor man's blanket, the sun."

his Gringo interlocutor<sup>1</sup> could be who knew so little of history.

He rather despised the slowness of the American element about him—slow in manner, quiet in dress, and glorying in the absence of revolutions.

He knew that since the unsuccessful *pronunciamento* of Señor Davis, of which he had a hazy and distorted recollection,<sup>2</sup> nothing to change the form of their government had been attempted by the well-meaning and slow-moving "Americanos" of the North, and that farmers, blacksmiths, bankers, priests and merchants pursued the even tenor of their respective ways, indifferent to such soul-stirring appeals, as were then constantly appearing in Sonora, of "Gándara and the Constitution!" "Pesquiera and Liberty!" "Ortiz and the People!"

Our friends were what are known to the initiated as Knights of the Green Cloth,—gamblers, in blunt language. Not that there was anything strange about that. They were not the only gamblers in Arizona by a good deal. There were so many of the noble fraternity clustered about the different little mining communities in the Southwest, at the period whereof we write that the "Quartz Rock," the "Palace," the "Gem," the "Senate," and all the other scores upon scores of "sample-rooms" and "club-rooms" found comfort and profit in keeping open, night and day, week in and week out, the clicking of "chips," the dropping of cards upon the tables, and the stolid calls of the dealers being in striking but agreeable contrast to the squeaking of tuneless harps and violins which ground out the music of the respective orchestras.

#### A RUN OF LUCK

The blind goddess had dealt generously with Martínez and his friend Valenzuela on this visit to Tucson. During the whole week of the *fiesta* of San Agustinas, their "run of luck" had neither turned nor slackened, and whether at the purely Mexican games of Monte, "Chusas" and "Loteria," or the more strictly American ones of Faro, Keno and Diana, their stock of silver dollars had grown by degrees until they were now able to return to the delightful land of Sonora, in time for a repetition of the same career in the grander *función* of San Francisco, soon to be celebrated in the border pueblo of Magdalena. They had only to redeem the few articles upon which the obliging pawnbroker had advanced the money with which they had begun their contest with the

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1. Implying that Bourke himself had just quizzed him.—L.B.B.

2. An allusion to Jeff. Davis and the Civil war.—L. B. B.



"tiger" and then all would be in readiness for them to join the first train of heavily-laden wagons rolling out of town.

This was why they had arisen so early and why they now made their way down dusty streets, not altogether free from garbage, past flat-roofed adobe houses, of simple structure and single story, to the broader avenue in which stood the *montepio* of Muñoz.

The bells of the church were clanging their harsh summons to early mass; pious matrons, wrapped in black "tápalos," were wending their way to divine service, anxious to begin the day well.

The door of the bakery was open and the sleepy-eyed baker's boy gaped while awaiting customers. So too was the door of the shop of Pedro Ramírez, who was placing in best position for display his assorted wares of onions, broad in diameter, silvery in lustre, exquisite in flavor; *chile colorado*, redder than the ruddiest glow of the setting sun; *cigarettos* for smoking; *panoche*, in dense, compact, black, conical *frusta*, sweeter than the juice of the sugar-cane lying in bundles alongside; *amole* root, so good for washing clothing, hair or person; earthen pots and matting—most of this last the work of Pápago Indians; *carne seca*, or native jerked beef; bacon of American manufacture; *mescal*, clear as water, hotter than breath of Tophet; and all the varied list of articles which make up the stock in trade of these Mexican magazines.

#### QUIÉN SABE?

Over the line, in their own country, they attain respectable dimensions and assume titles as elaborate as their pretensions. There, they style themselves the "Emporium of the Two Hemispheres," the "New World," or the "Incomparable," etc.; while, on the American side, either through humility or lack of cash, they shrink from competition with their proud American rivals and venture only upon such shallows of commerce as are disdained by the Anglo-Saxon.

The creaking of ungreased wheels, disappearing in a side-alley, might have proceeded from the wagon of some "contrabandista," evading the customs officials; or it might have been from the vehicle of the honest old water carrier on his way to the spring near the Bishop's farm. *Quién sabe?*

Such were a few of the things, however, which our Mexicans might have noticed that fresh, glorious morning, had not their minds been absorbed in the discussion of a question to which Martínez, at least, addressed himself with vehemence and energy. "No, comrade, I am not mistaken. Last

night, near the chusas table, I saw those three men, and look you, my friend, they pleased me not. In the year when my mother's uncle pronounced for liberty and the Constitution, there were many outlaws in Sonora, as you may have heard,—men lost to shame,—who robbed and plundered, broke into houses, and when forced to do so, never shrunk from murder. But they never used knife or pistol. Always, their victim was killed with a heavy wooden club. You being in the States at the time, can know but little of the terror this excommunicated gang inspired, but, gracias á Dios! nearly all were captured and shot. But, Caramba! some of them managed, by artful stories, to raise a doubt of their guilt and saved their lives on condition of leaving Ures at once and forever.

"And those three men I saw with the wagon were of that gang, and I know it. We must be careful of ourselves and money going down, my friend."

By this time their cigarettes were smoked out and turning a corner sharply, they stood in front of the *montepio* (pawnbroker's).

An air of stillness shrouded the building, the doors were closed, the windows barred; no smoke wreathing upward from the narrow-throated chimney evinced the industrious cares of cheerful housewife.

"'Tis strange!" muttered Valenzuela, "Señor Muñoz is always the first man to arise in Tucson."

"Truly," replied Martínez, "and Doña Louisa has never failed to hear the early Mass. There's something wrong. Look! Here's the dog and blood is upon his feet."

#### A DOLEFUL DOG

The dog was one of those wretched mongrels whose appearance belies every suggestion of pedigree, and yet his very homeliness seemed to attract and to accent the affectionate nature which appealed for sympathy and tenderness.

It was not whining or howling, but giving voice in a tone which might be called a subdued form of either, and in which abject terror and impotent rage struggled for expression.

"The doors are firmly bolted," said Valenzuela, "and the windows are closed from the inside. What better can we do than follow the poor little dog and see what he has to show us? There has been some terrible crime committed—"

"Said and done," replied Martínez, pushing aside the shoots of iron cactus which formed the fence to the house; "here we are, and we shall soon see."

"First, I see blood here in the sand," called out Valenzuela, "and here is a plain foot-track and here another, and look! a third."

The dog was scratching and pushing with all his might against the back-door, which yielded enough to the pressure to admit half his body.

Martínez and Valenzuela were men of quick perceptions. They hesitated not a moment in concluding that this door had been forced during the night, if, indeed, it had not been left open by the family. And the murderers—if murderers they were—in leaving the premises had nothing to do but pull the door to after them, letting fall loosely against it the heavy cottonwood log, so generally used in that region in place of lock or key.

"We must be careful, José María," said Martínez; "there has surely been murder within. This silence, these bloody foot-tracks, this mourning dog, this line of buzzing flies streaming into the house, means a massacre; no doubt the family has been martyred."

All this colloquy took but a minute. The Mexican of the border shows his Indian lineage in nothing more plainly than in the quickness with which he seizes upon every little indication in the tracks left by man or beast.

"Well, here goes," said Valenzuela, and in a trice he had forced an entrance and stood within the kitchen.

On the hearth, no fire,—a proof that no cooking had been done since the evening previous. A mocking-bird hopped about nervously in his little cage of willow twigs, fastened to the wall. A bloody track led into the next room. Here an appalling spectacle froze the blood in the veins of the two Mexicans.

Were this little sketch a romance, space and time could well be given to a description of what they saw. In a simple narrative of an incident which is still remembered with horror by the old settlers, and in which names alone were slightly changed, it is hardly worth while to wound the feelings of such relatives as may still be in existence.

Briefly, then, Muñoz, his wife and babe lay dead, brutally murdered. The mother had, apparently, been killed first, and in awakening to her defence, the father had grappled desperately with his assailants and fought his last struggle upon the earthen floor, pooled with his blood.

In the last gasp of life, the poor mother had instinctively clasped in her arms the innocent babe which also had received a deadly blow,—all with some heavy, blunt instrument,—crushing in the skull.

The two now shouted to those within, but received no reply. The dog whined more piteously, the buzzing of the flies grew louder and more clamorous, almost drowning the ghastly tick, tick, ticking of a cheap wooden clock which sounded from within.

"Have a care, compadre, the murderers may still be within." *Quién sabe?*"

"Never fear," replied Valenzuela, stoutly; "let's cock our pistols and go in boldly. This is a terrible tragedy surely."

#### WAS IT A MURDER?

"Cool villains they must be. Look! Here by the olla they stood, drinking water, while, no doubt, their victims were not yet cold."

"Not drinking water so much as washing their feet," said Martínez, correcting him. "Do you not notice these barefoot prints, all going into the house? The villains crept up to the door in their bare feet, which must have tramped in blood;—here we have the bloody footprints and here moccasined tracks, as they made their way through the fence. There were two of them, maybe more."

#### WHO DID THE BLOODY DEED?

Martínez and Valenzuela were both brave men. No ordinary foe would have made either of them "take water." Here, in the presence of an awful, mysterious death, fear seized upon their limbs. Their tongues refused to speak. They dared not look at their own reflections in the mirrors which adorned the walls, and trembled whenever they touched against a rawhide bottomed chair or other furniture scattered about the room.

"They have broken open every drawer, trunk and box in the house" was all that Valenzuela could manage to say to his friend. "Yes, let us get away from here and give the alarm. Who knows? We may catch the murderers yet." Like magic, the direful news spread through the town. The distance to the Post Office was very short. The morning was well-advanced and numbers were in the streets. Ere another hour has passed, hundreds had gathered about the enclosure in which stood the house of the pawnbroker. A half dozen cool-headed Americans had assumed charge of matters and stationed sentinels who kept the crowd at a distance. "No man must go within the fence to tread in the foot tracks"—was the terse order given to the sentinel who quietly took post by the cactus paling. None of the leaders had the faintest hope of catching the mysterious murderers, but

their resolution was that no reasonable precaution looking to that end, should be omitted,—“and at least we can say, boys,” said Tom Evans, who was prominent in this small circle of leaders, “at least we can say that we’ve done all that can be done.”

Kind hands, prompted by gentle hearts, had in the meanwhile been busy. The bodies of the victims had been placed in more presentable postures and the various rooms put in order, and then the population surged in, men, women, toddling children, babes at the breast,—some impelled by curiosity, others by affection, but all manifesting the tenderest respect.

The Americans said little, did little, apparently, but their faces spoke volumes. The Mexicans, more demonstrative, bewailed the loss of friends whom they had known for years.

The sobs of women were unrestrained. Grief was confined to no particular class. It pervaded the whole community and extended its infliction to strangers as well as residents.

#### A DISCOVERY

Martínez alone seemed displeased, annoyed or worried by this general outburst. He had been in conference with Evans and the rest of the small party of Americans for an hour or more; and again he sought the leader.

“Señor, I have something to say for your ear alone. A few words only. *I have found the murderers!*”

“Nonsense! the news is too good to be true. Our mounted pickets are out on every trail and not one of them has reported a track.” “Soft and easy, Don Tomás, the robbers are in this very house.”

Evans who was usually cool as ice, was so astounded at this unexpected information that he shook from head to foot. “Make no mistake,” he managed to gasp out, “tell me for the Good Lord’s sake, who and where they are.”

“Don’t be excited, Don Tomás, we have our birds, but we must be careful lest they fly. Do you see that swarthy Mexican yonder—him of the new serape? Yes!—and that other in the plush jacket and him beyond, wearing the sombrero, with the silver snake about it? Those three who are so loudly lamenting this foul murder? Those are they and that one in serape rolling himself a cigarette, did the deed. I did not see him do it, but Señor Evans, *his feet are washed, have been washed this morning*. I dropped my sombrero to the ground, as if by accident, and in stooping to recover it, I raised his loose cotton trousers without being detected and

I saw that his feet had just been washed to the ankles. Señor, I know those men. They are members of the most desperate gang that ever held fair Sonora in terror," and here. Martínez rapidly poured in to Evans' ear all that he had mentioned to Valenzuela on his way down from the plaza.

*(To be concluded)*

## CORRECTION

By FRANCE V. SCHOLES

IN THE January number of the *Review* for 1929 I published a report listing the Franciscan convents in New Mexico and the *visitas* and number of Indians administered by each convent. This report, found in Archivo General de Indias, Audiencia de México, legajo 306 (60-3-6), forms part of a series of papers relating to a petition of Fray Antonio de Aristoi, *procurador* of the Franciscan Province of the Holy Gospel of Mexico, that forty friars be sent to New Spain for service in the said province and its two *custodias* of New Mexico and Tampico.

The preamble to the New Mexico report reads as follows:

Certificacion de las noticias que hay de la Custodia del nuebo Mex.<sup>co</sup> perteneciente a la Prou.<sup>a</sup> del S.<sup>to</sup> Euang.<sup>o</sup> de Mex.<sup>co</sup>; el estado que tienen las conversiones, Yglesias, Conv.<sup>tos</sup> y culto diuino, que abajo iran señalados por relacion y noticia q dio de aquella Custodia el P.<sup>e</sup> Predicador fr. Geronimo de Zarate Salmeron, Ministro exemplar en aquella Custodia. Remitida al muy R.<sup>do</sup> P.<sup>e</sup> fr. Fran.<sup>co</sup> de Apodaca, P.<sup>e</sup> de la Prou.<sup>a</sup> de Cantabria y Comiss.<sup>o</sup> gen.<sup>l</sup> de las de nueva España, desde el año de 1538 hasta el año de 1626 años.

On the basis of the foregoing statement, I expressed the opinion, in my brief introduction, that the report "seems to have been part of or supplementary to the *Relation* of Fray Gerónimo de Zárate Salmerón." I also stated that inasmuch as the printed text of Salmerón's *Relation* does not contain such a list of convents, "the *Relation* as we have had it is not complete."

Despite the express reference to Salmerón in the preamble as quoted above, I was obviously in error in regarding the report as a hitherto missing part of Salmerón's well-known treatise. This is clear from the internal evidence of the report itself. In the first place, the report mentions the killing of one of the friars of the "province of Zuñi," un-

doubtedly a reference to the murder of Fray Francisco de Letrado in 1632. Second, it records the fact that the Indians of Taos had revolted, killed their minister, and destroyed a handsome church. This would appear to be a reference to events of 1639, when Fray Pedro de Miranda was killed at Taos.<sup>1</sup> Inasmuch as Salmerón wrote his report, or at least presented the completed draft to the Commissary General of New Spain, in 1629, it is evident that the convent list recording events of 1632 and 1639 could not have formed part of his work.

When was the report actually written? The document as we have it is in the form of a copy dated at Madrid, May 24, 1664, and signed by Fray Bartolomé Márquez, "Secretary General of the Indies," and based on "the original which is in the Archive of the Secretariat of the Indies." That is, the original was apparently on file in the central archive of the Franciscan Order for the Indies. This means that it must have antedated 1664. Evidence of this is also found in the fact that the report records the pueblo of the Jumanos (the pueblo of "Gran Quivira," now usually called Las Humanas) and Tabirá as *visitas* of Abó. Since we know that as early as 1659-1660 a separate convent for Las Humanas had been established, with Tabirá as a *visita*,<sup>2</sup> the report was obviously written prior to 1659. On the other hand, it could not have been earlier than 1639, since it mentions the killing of the friar at Taos.

The Taos entry of the report also states that six hundred souls of this "province" had been "reduced," implying that action had already been taken to restore authority in that area. In a decree of Governor Juan Flores de Sierra y Valdez, dated July 16, 1641, we learn that soon after his arrival in New Mexico in the spring of 1641 he had "subdued" the Indians of Taos.<sup>3</sup> Consequently the statement about the reduction of six hundred souls may be a reference

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1. Cf. Scholes, *Church and State in New Mexico, 1610-1650* (Albuquerque, 1937), 137.

2. Scholes and Mera, *Some Aspects of the Jumano Problem* (Washington, 1940), 281; Scholes, *Troublous Times in New Mexico, 1659-1670* (Albuquerque, 1942), 54-55.

3. Decree of Flores, Santa Fé, July 16, 1641. Archivo General de Indias, Patronato 244, exp. 7.



to Flores' campaign. It should be noted, however, that the report does not indicate that the Taos convent had been reestablished.

The entry for the "province of Zuñi" records that the Indians there had been severely punished for killing their friar. This may refer to the military expedition sent to Zuñi in 1632 after the death of Letrado.<sup>4</sup> The entry also adds that "in this province there are 1200 Indians who have asked for ministers once more," but as in the case of Taos there is no mention that missionary work at Zuñi had actually been resumed. Although the exact date when the Zuñi missoins were reestablished is not known, it was probably between 1642 and 1644.<sup>5</sup>

All this seems to indicate that the convent list was written in 1641. Other evidence that it was compiled in that year is found in a letter of the Franciscan Commissary General of New Spain to the Commissary General of the Indies, dated at Mexico, March 12, 1642. The letter states that the mission supply caravan had now returned to Mexico. This is clearly a reference to the caravan that arrived in New Mexico in the spring of 1641 and set out again for New Spain in the following autumn. The Commissary General goes on to say: "that the custodia has the convents which Your Reverence will see in the *memoria* which is enclosed with this [letter]."<sup>6</sup> This suggests that he had just received a report from New Mexico brought in the recently arrived caravan.

Finally, we have testimony given in New Mexico in 1644 to the effect that there were then twenty-eight doctrinas, with their churches and convents, in the province, besides other churches and visitas.<sup>7</sup> The report under dis-

7. Testimony of Alferez Alonso Varela, Santo Domingo, August 11, 1644. *Ibid.* cussion lists twenty-four convents, not including Senecú,

4. Cf. Hodge, *History of Hawikúh* (Los Angeles, 1937), 92.

5. A document in the *Servicios Personales* of Juan Domínguez de Mendoza (Biblioteca Nacional, Madrid, MS. 192588) refers to an expedition to Zuñi sent out after the arrival of Governor Alonso Pacheco de Herredia in 1642. Although this document, as it stands, is apparently a forgery, I am also of the opinion that the reference to Zuñi records an event that actually occurred in the time of Pacheco (1642-1644), although the circumstances as related in the document may not be entirely trustworthy.

6. Práda to Maldonado, Mexico, March 12, 1642. A. G. I., Patronato 244, exp. 7.

Taos, and the Zuñi area. Senecú undoubtedly had a convent at this time, so that the number of convents actually must have been twenty-five. If the Taos convent and two more at Zuñi (Hawikúh and Hálona) were reestablished between 1641 and 1644, as seems likely, then we should have twenty-eight in 1644, as the testimony of that year indicates.

Everything considered, I believe that the report I published in 1929 was compiled in 1641 and describes the state of affairs in that year. In any case its date probably is not later than 1644. Why the preamble mentions Salmerón's treatise is a question for which I have no answer.

A re-translation of the report will be included in my forthcoming volume on Don Juan Domínguez de Mendoza in the Coronado Historical Series. I wish to take advantage of the present occasion, however, to make corrections in the population figures in the translation as published in the *Review*. At that time I misread the figures for the population served by the convent of Santa Clara, giving 993 instead of 553, which is the correct figure. Consequently the total should be 19,741, instead of 20,181. The manuscript gives the total as 19,951, but this is due to mistakes of addition in the original.

It may be noted that in 1643 Governor Alonso Pacheco de Heredia reported that in forty-three pueblos he had counted 19,870 Indians.<sup>8</sup> The mission report mentions forty-three towns not counting those at the "province of Zuñi," credited with 1200 Indians.

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8. Pacheco to the viceroy, August 6, 1643. *Ibid.*

## BOOK REVIEWS

*New Viewpoints in Georgia History.* By Albert B. Saye, assistant professor of political science at the University of Georgia. (The University of Georgia Press, Athens, Ga. 1943. 256 pp. \$2.50.)

A scholarly study of the colonial history of Georgia from the date of the colony's founding in 1732 to 1789, this well documented and annotated volume, incidentally, dispels the legend that Georgia was founded for the relief of debtors languishing in British prisons. "The evidence is persuasive," writes the author, "that only a handful of debtors ever came to Georgia—a dozen would be a fair estimate." Philanthropic, military and economic factors were primary considerations of the British government in supporting the colonizing project of James Edward Oglethorpe. Nevertheless, 2122 persons were sent to Georgia on charity from 1732 to 1750, of whom 1096 were British and 1026 foreign Protestants. In the first report upon the method used in selecting the Georgia colonists, the *Political State of Great Britain* said: "As soon as it began to be rumored about, that the said Trustees were to send out some People to take Possession of the said Colony, there were vast Numbers of poor miserable Wretches made Application to them; and when the Gentlemen declared, that upon casting up their Cash, they found it was not sufficient to send over immediately but a few, and that therefore they had chosen those that were the greatest Objects of Compassion, the rest found themselves disappointed." Further: "The early settlers of Georgia were in the main persecuted Protestants from Germany and English of the 'middle poor.' " . . . "There were Jews and Gentiles, English, Germans, Scotch, Irish, French, Italians, Portuguese and perhaps other nationalities represented; there were men and women of every trade and profession: viticulturists, doctors, silk workers, sawyers, pindars, Indian traders, bakers, ministers, carpenters, surveyors, shopkeepers, bricklayers, midwives, pilots, shoemakers, wheelwrights and numerous other occupational groups; there were masters with indentured servants and poor

settlers entirely dependent upon the charity of the Trust; there were Anglicans, Baptists, Presbyterians, Lutherans, Moravians and other religious groups; there were graduates of Oxford, persons with only a few years of academic training, and hundreds of illiterates, the latter not excluding some officials in high positions."

Of great interest is the story of the development of the colonial government from a model royal colony into a state government, democratic in form with a constitution which provided for a separation of executive, judicial and legislative powers. "The similarity of the Constitutions of Georgia, Pennsylvania and Vermont in respect to a unicameral legislature has sometimes led to an erroneous classification of other features as common to the three. The executive council in Georgia was elected by the legislature from its own membership, not by a direct vote of the people as in Pennsylvania and Vermont." Thus the author follows step by step the controversies, debates, which preceded and followed the Revolution of the Thirteen Colonies. It is significant that Georgia was one of the first states to ratify the United States constitution. It was thereafter that crude constitutions of earlier dates began to be replaced by state constitutions modeled largely after that of Massachusetts. The 1789 Georgia constitution, "the briefest of Georgia's seven constitutions, contained no separate bill of rights; but freedom of the press, the most necessary of all civil liberties for the preservation of a democracy, together with trial by jury, habeas corpus, and the free exercise of religion were guaranteed by the Fourth Article."

Professor Saye's contribution to colonial and constitutional history is of more than local interest as it helps to explain general trends whose influence is felt even at the present day. It is curious to note that the domain of the colony of Georgia was deemed to extend as far west as the Mississippi with even the suggestion that the Pacific was the western boundary and that therefore New Mexico was included. A bibliography of manuscript, printed and secondary sources of local as well as general works is of value to students who are interested in colonial annals.—

P. A. F. W.

*Land Tenure Problems in the Santa Fé Railroad Grant Area.* By Sanford A. Mosk. Publications of the Bureau of Business and Economic Research, University of California. (University of California Press, Berkeley and Los Angeles, 1944; 66 pp. \$1.00.)

Sanford A. Mosk, assistant professor of economics in the University of California, has written a useful summary of the land problem involved in the conflict of interests between the railroad, stockmen, Indians, and the state and federal governments, in the area covered by the land grant to the Atlantic & Pacific Railroad Company in 1866, extending from Albuquerque, New Mexico, to the California border. The land holdings of these several interests are intermingled in a confused checkerboard pattern due to the granting of alternate sections along the railroad right of way to that company, sectional grants to the states for institutions, individual homesteading, and the allotment of land to the Navaho in severalty.

An especially difficult part of the land problem in the area studied is the long-time conflict between the Navaho and the white man for the grazing land east of the reservation boundary. For a solution of the problem as a whole which, in its broadest aspects, is one of land conservation, the Taylor Act of 1934 provides a working basis, but the process of working it out will be long and difficult. The stockman is interested in his profit, the Navaho is struggling for a livelihood, the Government seeks a better policy of land usage, and too many government agencies have a voice in the matter.

The study is based on an adequate bibliography, supplemented by the author's interviews with people acquainted with the problem, and has a good index.

FRANK D. REEVE

*El Federalista*. By Gustavo R. Velasco. (Mexico: Fondo de Cultura Económica, 1943. xxvi+446 pp., appendices, index.)

Through the courtesy of Mr. J. A. C. Grant of the University of California at Los Angeles, we have a review copy of the new Spanish edition of the famous articles by Alexander Hamilton, John Jay, and James Madison, admirably translated from the English and annotated by the Lic. Gustavo R. Velasco.

In his *prólogo*, Professor Velasco gives an excellent historical evaluation of the book and its authors, quoting the words of De Tocqueville, for example, who called it a book "with which the statesmen of all countries ought to familiarize themselves." Yet when he asks (p. xvi) what influence *The Federalist* had in Latin American countries, he shows that even in English it was hardly known there before the end of the nineteenth century. There were two contemporary French editions (1792 and 1795), but there was none in Portuguese until 1840, nor in Spanish until the editions of 1868 and 1887. Of these, not a copy has been located in Mexico today, nor does our own Library of Congress have either of them. While we know, therefore, that our constitution was used as a model by our Latin American neighbors in the writing of one and another of their constitutions, there is little chance that the authors of those documents had any acquaintance with the commentary and exposition of principles which they might have found in *The Federalist*. In Mexico, for example, this would be true of their constitutions of 1812, 1824, 1836, 1843, and 1857.

Professor Velasco has enhanced the value of his work by including in the appendices a Spanish translation of our Articles of Confederation and of our Constitution,—including the twenty-one amendments, none of which had been rectified prior to the appearance of these articles in *The Federalist*.—L.B.B.

## NEWS AND COMMENTS

### ANNUAL MEETING

THE HISTORICAL SOCIETY of New Mexico held its annual meeting on January 26, 1944, in St. Francis Auditorium, with the president, Paul A. F. Walter presiding. A technicolor motion picture of Williamsburg, Virginia, showing a documentary reenacting of life in the Colonial period of the eighteenth century, was shown jointly by the historical and archaeological societies. About 100 people attended.

At the business meeting preceding the showing of the film, the reports of the secretary and treasurer were read and accepted. The treasurer reported that the Society had purchased a \$500 War Bond and recommended the purchase of another \$500 bond; and a motion was made and carried to do so. Accessions were announced, and new members accepted. Mr. Walter spoke of the research project of five years of research in the economic development of the Rocky Mountain region, obtained by Herbert Brayer from the Rockefeller foundation. He also told of Hulda Hobbs having joined the WAVES, of Dr. Hewett's plans concerning a Hall of Records, of the state finance committee continuing the war records work conducted by Albert Ely. Joseph Toulouse reported on the new commission which he will head, with a \$2600 budget, for archaeological work in the Saline region, sponsored by Washington and Jefferson College.

The nominating committee, Mr. Rupert Asplund, chairman, and Mrs. R. E. Twitchell and Miss Jennie Avery, presented their nominations of the following officers: Mr. Paul A. F. Walter, president; Mr. Pearce C. Rodey of Albuquerque, vice-president; Mr. Lansing B. Bloom of Albuquerque, corresponding secretary; Mr. Wayne L. Mauzy, treasurer; and Miss Hester Jones, recording secretary. The above were unanimously elected—there being no further nomination.

H. J.

The following are the accessions reported:

*Mrs. J. Davidson*, Albuquerque, New Mexico, gave several pieces of china belonging to the late Colonel W. M. Berger of Belen and Santa Fé.

*Mr. Frank White*, Palo Alto, California, gave an old flint-lock rifle found in the hills near Santa Fé.

*From the Spanish Chest*, Bruce Cooper Collection, was purchased a group of thirty-five Santos and Bultos.

A *blacksmith's wheel* pattern used up to seventy-five years ago in a blacksmith shop in Española was purchased from Lupe Martinez.

*Dr. Hewett* presented the Society with the following items: an old copper dipper, an old griddle, fireplace tongs, and a collection of Confederate coins and currency.

*Four retablos* were purchased from Elmer Shupe.

*Mrs. R. E. Twitchell* gave the Society the Ralph Emerson Twitchell portrait done by Gerald Cassidy.

An *old leather snuff bottle* was purchased from Eusebio Montoya of Galisteo.

An *old tortilla griddle* from Chililí was purchased from F. Gallegos.

*The old Pojoaque Church keys* were purchased from Angeline Montoya, whose grandfather was the custodian of the edifice at one time.

*Eleanor Bedell* of this city, loaned for an indefinite period, an old wooden Spanish Colonial type plough from the Las Vegas district.

A *gift* of thirty bultos and thirty-six retablos to supplement the Historical Society collection, received from the Federal Arts project for New Mexico.

*M. E. Murphy* of Trinidad, Colo., gave the Society the watch and original armistice message relayed to this state from the last world war.

*Mrs. Jack Lowe* of this city, loaned indefinitely to the Society, five pieces of china of historical value to the Southwest.

*Mr. John Gaw Meem* of Santa Fé gave an old Spanish Colonial vinegar barrel which formerly was used at Córdoba.



*Mrs. C. M. Jaramillo* of this city loaned indefinitely the priestly vestments and church paraphernalia from her family chapel at Arroyo Hondo in the Taos Valley.

*Roy Kozlowski* of this city loaned an old wooden plough.

*The Society* purchased an excellent old wooden buggy and wagon jack and a carpenter's plane for its Spanish and Mexican tool collection (probably the best in existence) from the Spanish and Indian Trading Post.

*Mrs. Gerald Cassidy* gave a San Ildefonso wedding jar containing Confederate currency, which was found in 1920-21 by a goat herder in the arroyo back of the Santa Fé Inn.

On June 30, 1943 the Museum purchased the following from the James McMillan collection to supplement Spanish Colonial and Mexican exhibits of the Historical Society: A fine old trastero (cupboard), a carved wooden settee, a painted chest, a carved wooden chest, and four metal holy wafer moulds from the old church at Cieneguilla.

Of special note at this time it is announced that all colchas, sabanillas and blankets belonging to the society have been permanently mothproofed and Siberized so that further deterioration has been greatly impeded.

MARJORIE TICHY

#### TIPS FOR THE PLAINS TRAVELER

"The best seat inside a stage is the one next to the driver. Even if you have a tendency to seasickness when riding backwards—you'll get over it and will get less bumps and jostling. Don't let any 'sly Elph' trade you his mid-seat.

"In cold weather don't ride with tight fitting boots, shoes or gloves. When the driver asks you to get off and walk do so without grumbling. He won't request it unless absolutely necessary. If the team runs away—sit still and take your chances. If you jump, nine out of ten times you will get hurt.

"In very cold weather abstain entirely from liquor when on the road; because you will freeze twice as quickly when under its influence.

"Don't growl at the food received at the station; stage companies generally provide the best they can get. Don't

keep the stage waiting. Don't smoke a strong pipe inside the coach—spit on the leeward side. If you have anything to drink in a bottle pass it around. Procure your stimulants before starting as 'ranch (stage depot) whiskey is not always "nectar."'

"Don't swear nor lop over neighbors when sleeping. Take small change to pay expenses. Never shoot on the road as the noise may frighten the horses. Don't discuss politics or religion. Don't point out where murders have been committed, especially if there are any women passengers. Don't lag at the wash basin. Don't grease your hair, because travel is dusty. Don't imagine for a moment that you are going on a picnic. Expect annoyance, discomfort and some hardship."—*Wells Fargo Messenger*.

LIST OF POSTMASTERS OF SANTA FÉ,  
SANTA FÉ COUNTY, NEW MEXICO

<i>Postmaster</i>	<i>Date Appointed</i>
William S. McKnight	October 1, 1849 (Established)
William E. Love	February 12, 1851
William Andrew Miller	April 7, 1852
David Whiting	March 4, 1854
William A. Miller	August 14, 1854
Lewis D. Sheets	March 10, 1855
David V. Whiting	June 4, 1855
Samuel K. Hodges	August 1, 1861
Augustine M. Hunt	October 15, 1861
Martin L. Byers	October 17, 1865
George T. Martin	March 12, 1868
Richard M. Stephens	April 8, 1869
George W. Howland	June 8, 1869
Alexander P. Sullivan	May 23, 1871
Eben Everett	May 28, 1872
Marshall A. Breeden	February 13, 1873
Charles B. Hayward	April 18, 1884
Adolph Seligman	April 6, 1886
Jacob Weltmer	March 24, 1890
Thomas P. Gable	May 15, 1894
Simon Nusbaum	May 19, 1898
Paul A. F. Walter	June 27, 1902
Frank W. Shearon	January 26, 1909
S. B. Grimshaw (Acting)	September 11, 1909
Edward C. Burke	March 2, 1910

John Pflueger	June 7, 1912
J. Howard Vaughn (Acting)	May 29, 1914
James L. Seligman	October 1, 1914
Marie J. O'Bryan (Acting)	August 1, 1923
Frederick R. Stevenson (Acting)	October 5, 1928
Hilario A. Delgado (Acting)	December 31, 1928
Hilario A. Delgado	February 9, 1929
Antonio F. Martinez (Acting)	November 13, 1934
Antonio F. Martinez	May 31, 1935

## CENSUS SUPERVISORS OF NEW MEXICO

<i>1900</i>	Pedro Sanchez, Taos
<i>1910</i>	S. D. 1—Paul A. F. Walter, Santa Fé
<i>1920</i>	S. D. 1—Juan J. Duran, Clayton
	S. D. 2—Byron O. Beall, Santa Fé
<i>1920</i>	S. D. 1—Jesús M. Baca, Santa Fé
	S. D. 2—Henry E. Blattman, Las Vegas
	S. D. 3—Felipe M. Garcia, Albuquerque
	S. D. 4—George D. Robinson, Deming
	S. D. 5—Henry A. Ingalls, Roswell
<i>1940</i>	S. D. 1—Louis C. de Baca, Santa Fé
	S. D. 2—Carl F. Whittaker, Albuquerque
	S. D. 3—John Bingham, Roswell
	S. D. 4—Robert G. Franey, Deming

Prior to 1900, from 1850 to 1890, inclusive, the census of New Mexico was taken by the U. S. Marshall for New Mexico.

## NECROLOGY

*Fred S. Donnell.*—Death came to Fred S. Donnell, an occasional contributor to the *New Mexico Historical Review*, at the home of his half-sister, Mrs. Walter S. Trowbridge, at Fayetteville, Ark.

Although of limited school education, Donnell had a remarkable memory for facts and figures. He was an omnivorous reader and delved with avidity into the records of the Civil War, making himself an authority on the phases of that conflict in the Southwest and of the diplomacy of the Confederacy with the republic of Mexico. He left unpublished at the time of his death a book on "Civil War Times in the Southwest" but his illness which resulted in his death took him to Fayetteville in 1940, and hampered negotiations for the publication of the volume.

Donnell, after years in business in Santa Fé, took up his residence in El Paso. He had become an expert on oil development in New Mexico and was an abstractor whose plats of oil lands in the State were detailed and authoritative.

P. A. F. W.

*Myron B. Keator.*—For more than 35 years a practicing attorney at Tucumcari, Myron B. Keator died in that city on April 3, 1944. He was born September 25, 1876, in Roxbury, N. Y. He was a graduate of the New York University School of Law, and when still in his twenties accepted the position of professor of law in the college at Cordell, Okla. He came to New Mexico in June, 1908, and on January 8, 1909, was admitted to the New Mexico Bar and associated himself with Attorney Charles C. Davidson in the practice of law. In 1913, Keator married Miss Lena Corn, who survives him, as do a brother at Port Arthur, Texas, and three sisters who live in New York.

The deceased was an elder of the First Presbyterian Church at Tucumcari. Past-president of Kiwanis and member of the Masonic bodies, he was civic-minded and quietly but consistently worked for the upbuilding of his community. Keator, an enthusiastic gardener and flower lover,

maintained a greenhouse in his garden and was generous in bestowing upon friends the flowers which had blossomed under his care. He loved to fish and hunt and it was some two years ago while on a hunting trip that he was caught in a blizzard and contracted the illness which led to his death.

Rev. Millard Murphey, pastor of the Presbyterian church, officiated at the funeral, interment being in the Tucumcari Memorial Park. Pall bearers were fellow members of the Presbyterian session: R. B. Read, O. B. Erskine, William Troup, Webb Warner, Jack Stone, James A. Creighton, J. A. Gafford and Walden Stith.

P. A. F. W.

*Mrs. Napoleon B. Laughlin.*—In the passing of Mrs. Napoleon (Kate) Laughlin, at Santa Fé on May 12, 1944, New Mexico lost one of its pioneer women, well known to many. She was born in 1857, at Rockwood, Tennessee, daughter of William Caleb and Rebecca Ellis Kimbrough, whose ancestors were early settlers in Virginia. While Mrs. Laughlin was still a young child, the family in a covered wagon trekked to Texas, but returned to Tennessee after two years. There she attended school, and later matriculated and graduated from Martha Washington College, Virginia. By that time, the family had again moved to Texas. Their farm is now Oak Cliff, a suburb of Dallas. There she met the late Napoleon B. Laughlin whom she married in 1883. Laughlin came to New Mexico as a healthseeker sixty years ago, interested himself in mining in southern Santa Fé county and opened a law office in Santa Fé, being later appointed a judge of the territorial supreme court. Mrs. Laughlin was one of the founders of the Santa Fé Women's Club and Library Association and interested herself actively in the State Museum, the School of American Research and the Archaeological Society of New Mexico. She was also a member of the guild of the Church of the Holy Faith, Episcopal. Two daughters survive her: Ruth, wife of Dr. H. S. A. Alexander of Santa Fé, and Helen, wife of Emory M. Marshall of Walnut Creek, Calif. There are seven

grandchildren, Mrs. William H. Hale, New York; Mrs. Ransom Van Brunt Lynch, Boston; Mrs. Fred E. Wilkins, Walnut Creek, California; Lieut. Laughlin Barker, 2d Lieut. Randolph L. Marshall, Emory L. Marshall and John L. Marshall. There are also two great-grandchildren: James R. Wilkins, N. Y.; and Katherine Laughlin Hale, Walnut Creek, California.

Funeral services were held in the Church of the Holy Faith by the rector, the Rev. C. K. Kinsolving III, and interment was in Fairview Cemetery. The active pall bearers were: Carl A. Bishop, George M. Bloom, Alfred C. Wiley, William J. Barker, Richard Day, J. O. Seth, Fred G. Healy, Dr. Frank E. Mera. Honorary pallbearers: Governor John J. Dempsey, Chief Justice Daniel K. Sadler, Judge Howard L. Bickley, Judge Charles R. Brice, Judge A. H. Hudspeth, U. S. Solicitor General Charles Fahy, Judge Colin Neblett, Dr. Edgar L. Hewett, John E. Miles, Paul A. F. Walter, Rupert F. Asplund, Francis C. Wilson, Daniel T. Kelly, John Pflueger, Dr. William C. Barton, Dr. Victor E. Berchtold, Judge R. H. Hanna, Judge Henry A. Kiker, Frank Chase, Robert Nordhaus, Haniel Long and Leslie A. Gillett.—P.A.F.W.

*Bernhardt Robert Britton*, who died at Albuquerque on May 13, 1944, was born in San José, California, on April 25, 1877. After completing grammar school he attended Teachers' Normal School at San José, University of the Pacific at College Park, and the College of Physicians and Surgeons at San Francisco, taking general and scientific courses in preparation for a medical degree. However, on May 31, 1898, during the Spanish-American War, he enlisted in the United States Hospital Corps at Presidio, Calif., from which he was honorably discharged in January, 1899. In August, 1901, he took up his residence at Arlington, Washington, where for a number of years he taught school, farmed and managed a hotel. In 1906, he attended Acme Business College in Seattle. His love of travel and adventure took him to Yukon Territory, where as a "sour-dough" he roughed it for three years. In 1920, came his appointment

by the United States Department of Agriculture as game protector for the State of New Mexico but duties assigned to him took him into Texas, Oklahoma and Louisiana on wild game investigations. He took up his residence in Socorro in 1923 but on August 22, 1933, he became an employe of the U. S. Forest Service and moved to Albuquerque. On January 9, 1935, he was admitted to practice in the New Mexico and United States courts, but he remained with the Forest Service until his death.

Mr. Britton was a Mason, a Knights of Pythias and a member of Max Luna Chapter of Spanish-American War Veterans. He was married in Mount Vernon, Washington, December 5, 1903, to Ethel J. Stevens, who survives him.—P.A.F.W.

*John Walz Catron*, eldest of the four sons of the late U. S. Senator Thomas B. Catron and Julia Walz Catron, died at St. Vincent's Sanitarium in Santa Fé May 14, after a brief illness.

John Catron was born in Santa Fé, February 4, 1878. He attended school abroad and later Phillips Andover Academy, St. John's Military Academy and the U. S. Naval Academy at Annapolis, Md., resigning from the last named after two years attendance. From Columbia University he received the degree of mining engineer.

At the outbreak of the Spanish-American war he returned from Berlin, Germany, where his mother and children were sojourning, and was commissioned first lieutenant of the First New Mexico Territorial regiment, having organized his own company. Upon conclusion of the war he was presented by his men with a saber.

Catron then became associated with the Phelps Dodge mining interests in Chihuahua, Mexico, but prior to 1910 moved to Los Angeles, where he established the Catron-Fiske Airplane Company making biplanes with ply-wood cabins, a pioneer concern in that branch of industry. He established the first commercial air line on the Pacific Coast between Los Angeles and Santa Bárbara. In 1923 he established the Orchard Camp with seventy cabins in Santa Fé.

Catron married Virginia Foltz on November 23, 1919, in Los Angeles, who survives him, as do his three brothers, Judge Charles C. Catron, Col. Thomas B. Catron and Attorney Fletcher Catron, all of Santa Fé.

Funeral services were held May 16, and the remains were taken to the Albuquerque Crematory. Pallbearers were Chief Justice Daniel K. Sadler of the State Supreme Court, Federal Judge Colin Neblett, Judge Edward R. Wright, Judge John C. Watson, Col. S. W. Anding, Bernard S. Spitz, R. V. Boyle and LeRoy Manuel.—P.A.F.W.





The Historical Society of New Mexico  
(INCORPORATED)

*Organized December 26, 1859*

PAST PRESIDENTS

- 1859 — COL. JOHN B. GRAYSON, U. S. A.  
1861 — MAJ. JAMES L. DONALDSON, U. S. A.  
1863 — HON. KIRBY BENEDICT  
*adjourned sine die, Sept. 23, 1863*

*re-established Dec. 27, 1880*

- 1881 — HON. WILLIAM G. RITCH  
1883 — HON. L. BRADFORD PRINCE  
1923 — HON. FRANK W. CLANCY  
1925 — COL. RALPH E. TWITCHELL  
1926 — PAUL A. F. WALTER

OFFICERS FOR 1944-1945

PAUL A. F. WALTER, *President*

PEARCE C. RODEY, *Vice-President*

LANSING B. BLOOM, *Corresponding Secretary*

WAYNE L. MAUZY, *Treasurer*

MISS HESTER JONES, *Recording Secretary*

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MARION DARGAN  
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CHARLES W. HACKETT  
GEORGE P. HAMMOND

EDGAR L. HEWETT  
FREDERICK W. HODGE  
J. LLOYD MECHAM  
THEODOSIUS MEYER, O. F. M.  
FRANK D. REEVE  
FRANCE V. SCHOLES  
ALFRED B. THOMAS  
PAUL A. F. WALTER

# CONSTITUTION

## OF THE

### HISTORICAL SOCIETY OF NEW MEXICO

(As amended Nov. 25, 1941)

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 fifty dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historic 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, a vice-president, a corresponding secretary, a 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.* Dues shall be \$3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the *Historical Review*.

Article 7. *Publications.* All publications 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 amendments 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.

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Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Lansing B. Bloom, University of New Mexico, Albuquerque, New Mexico.

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PALACE OF THE GOVERNORS, SANTA FÉ

*October, 1944*









# NEW MEXICO HISTORICAL REVIEW

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## INDIAN JUSTICE

By IRVING MCNEIL

IN ITS issue of January 25, 1908, the *Cloudcroft Silver Living*, a weekly then published in that delightful resort in the Sacramento Mountains of southeastern New Mexico, carried a news item about some recent killings. Casualties included a cow that bore the brand of the Flying H outfit, evidence of bovine aristocracy; a horse, Star of the West by name; and two men. One might almost think they were listed in the order of their importance. The story was short, because killings were not very infrequent in a country that only lately had come under the influence of the law and a good many of its inhabitants were men who were accustomed to settle arguments in their own way and who had either shot or been shot, or shot at, as many times as the number of their fingers. That need not be as many as the reader might imagine if, as a specimen for study, there should be selected old Three-Fingered Charlie of the Mescalero Apache tribe on a nearby Indian Reservation, victim of an affair where his opponent may have aimed well but not wisely. Of this, friends of the fighters could judge according to their prides and prejudices. At any rate old Charlie had his life left but had to worry through it with only three fingers—scarcely enough to thumb his nose effectively.

It is on the Reservation mentioned that our story begins, a story which soon after the turn of the century was disposed of by the local weekly with a dozen or so lines, but which, when told now in well authenticated detail, may

interest many. It is a story involving some unusual features and bringing out capabilities of the red race little known and appreciated by the whites. It is a story of the Indian, his physical endurance, his hard riding, hard walking, and doing without food, his ability to keep warm in severe weather without shelter, with little clothing and without fire, and his remarkably high development of the special senses, particularly those of sight and hearing. It is a story of his ability to get results without the aid of many of the well known laboratory methods or instruments of precision but simply by using his native faculties and finally examples of his almost uncanny ability to follow a trail where to the uninitiated there is no trail, and possibly an inkling of what may go on inside his skull.

Odd as it may seem, Indians, who for so many generations have lived by the chase, prefer beef to venison. It was long a custom for them to kill deer and bring them in to the trader's store and trade them for beef pound for pound. But Indians even on their reservations are required to observe the game laws and are not allowed to kill deer out of season. It was this restriction, together with the former custom of leasing grazing lands on Indian reservations to white cattle-owners, that led to the chain of events here recorded.

In this case it was the Flying H outfit, owned by S. S. Ward, now retired and living in Artesia, New Mexico, that ran its cattle over the Reservation in a huge pasture fifteen miles across and surrounded by a barbed-wire fence. This range was under the supervision of Mr. Ward's foreman, Roy McLane, who himself now has one of the best ranches in Eddy County, on the Pecos River, where he lives comfortably, being one of the finest types of the rugged individual with iron-grey hair and classic features as if chiseled by a sculptor of the Greek gods.

On one of his usual daily rounds over the range, Roy McLane noticed tracks where some cattle had passed through the pasture gate near the Mescalero Agency. He knew the

cattle were at large in the "unoccupied" portion of the Reservation but lacking time then to hunt them up and drive them back he returned to his home at Elk Spring fourteen miles away and next day sent his brother, Don, a youth of eighteen, to track the cattle down and bring them in.

Although Don's formal schooling had been limited, it should be said that this young man had been well instructed in the school of experience and had taken full advantage of his opportunities. Having been born on a ranch it might be said that his cradle was the saddle and it is not unlikely that as a baby he jingled his father's spurs instead of a rattle and might have shared his nursing bottle with the dogies. At any rate he never had to walk to school when there was a horse in the corral and the bridle rein was one of the first tools of his trade that he learned to handle. His school house was the corral and his play ground the open range. A vocational school it was where his teacher "learned him to wrangle horses and try to know them all." His home work was done about the camp fire at night where he listened to the older men talk and absorbed all that they said. As he passed from grade to high school, in lieu of basketball there were races with wild steers where, instead of trying to put an object through a ring, the goal was to throw a ring of rope over the horns of the object. In lieu of football with the line to be held there was the bawl of the thundering herd on stampede, a force a thousand times stronger than any football line but one that had to be stopped and held. Don was one of the team that always "got them milling and kind of quieted down" when "it taken all of us to hold them in."

This was the background behind the boy who blithely rode forth that Sunday morning of January 12, 1908, to carry out the instructions of his foreman to bring the cattle back. Arriving at the Mescalero Agency he was seen in the trader's store and post office by Percy Bigmouth, an Indian boy who helped about there, and later as he rode

down Tularosa Canyon he was seen by Paul Blazer at the old Bazer watermill where grist had been ground out for two generations. That was the last time he was seen alive by a white person as he followed the cattle trail into the rough and wooded mountains.

Young Don soon realized that the cattle which were being followed had not merely wandered away for he observed the tracks of a horse that had been keeping right along with them and this went to verify what Roy McLane had suspected the day before that the cattle had not gotten out of the pasture by accident. They had been driven! Don's exultation might be imagined as he spurred his horse forward and bent over the animal's neck the better to see the tracks, for this kind of work was right up his trail.

That night Don McLane did not return home and Roy knew that something was wrong. There had been time enough for him to have rounded up the cattle, even though they were several miles away, and to have gotten home—and mid-January weather precluded any idea of his sleeping out on the range.

The next day Roy McLane himself took up the trail and followed it but had to give it up when night overtook him. Again the next day he searched. He recognized the track of the horse his brother had ridden because he himself had shod the horse and put on extra long shoes. It is common for men of the range to be able to recognize their horses by their tracks—whether shod, only half shod or barefoot, or with some peculiarity of the hoof.

On Wednesday Roy took with him two Indians, expert trailers, and determined to follow through on the trail. They soon discovered that besides the cow tracks there were the tracks of two horses, one shod as described and another barefooted. Their next discovery after a few miles was the horse that had been ridden by Don which stood saddled with the bridle rein entangled in a bush where the horse had wandered and had been browsing. Leading this horse and continuing the trail they came to the top of the

mountain ridge opposite the Bent mine and about six miles west of the Mescalero Agency. Following along the ridge they soon found a partly butchered beef! Then, the body of the young man shot through the head and frozen stiff!

When the stiffened body of the young man had been lifted on to the extra horse and tied securely, Roy gave directions to the Indians to bring the body down to the highway and on to the Agency while he took the shortest route back to report the matter to Superintendent James A. Carroll and through him to Sheriff H. M. Denny in Alamogordo.

Thursday they returned to the scene where the young man had been killed and attempted to trace the slayer. They found that after killing the boy he had ridden his horse off in a northwesterly direction toward an uninhabited section, and after proceeding for some miles had tied his horse and crept back along the side of his own trail and laid in wait on the theory that the cowpuncher who had been killed had not been working alone but that his partner would soon be along and would attempt to follow the slayer and he also must be put out of the way. This was done twice and so the trail continued far afield and for many miles from where the slayer actually had his camp. And so that day and the next went by.

In the meantime, Superintendent Carroll, at Mescalero, had not been idle. Mr. Carroll, besides administering the affairs of the government in a most efficient manner, enjoyed the confidence of the Indians to an extraordinary degree. It had been his custom to hold regular councils with the chiefs—grave old Magoosh, thoughtful Peso, and the dashing young Sans Peur—to discuss matters concerning the Indians and to listen to their grievances, if any. Likewise, he was accustomed to call on the chiefs for assistance when they could be of help.

So in this emergency when Roy McLane brought in the report of what had happened Mr. Carroll immediately went

into action. Skipping the pipe and the bowl (though not averse to them on appropriate occasion), he called for his chieftains three. With them he had a general round-up of the Indians and effort was made to establish the whereabouts of each one on the preceding Sunday. All were accounted for except one—deaf, one-eyed Kit-i-chin. It was a case of absenteeism.

Ordinarily after such a matter as killing among the Indians themselves, all the superintendent had to do was to notify the chiefs that those connected with the affair should be brought in and the next day they would appear either voluntarily or otherwise. But in this case nothing happened. It was reported by the other Indians that Kit-i-chin was not in his camp, that since the night following the bringing of the body down from the mountain, within sight of his camp, neither Kit-i-chin nor his squaw, had been seen: they had left the Reservation.

Later it was learned through the story told by Kit-i-chin to his squaw—for he was the slayer—that he had killed the beef and was butchering it when he was discovered. If he had heard any one approaching which he did not because of his deafness, he probably would have run off, but when young McLane came upon him he had approached from the Indian's blind side. Not being armed, the young man had drawn a small ax which had been strapped on his saddle and with more zeal than prudence had ridden right up on the Indian, doubtless expecting him to surrender. Instead, startled as he was, the Indian grabbed his rifle and shot him dead.

Something had to be done and it was wise old Magoosh, friend of the white man, who suggested the solution. It was that a posse of Indians be organized to take the trail.

Another Sunday had come before the posse was organized and ready to go and Kit-i-chin had three days start. Old Magoosh shed tears when he realized that his advanced years would prevent his taking the trail to carry out the plan he offered, but he sent his son, Willie, a steady young

man educated in the government school and like his father a friend of the white man.

Young Chief Sans Peur assumed command of the posse and he took with him his brother, Crookneck, whose name, though not so heroic, was none the less descriptive. In fact, it might be observed in passing, Crookneck, as the result of a deformity in early life, was the only Indian in the tribe who always carried his head cocked just right to sight a gun. Others were Sam Chino, Elmer Wilson, Willie Comanche and such colorful figures as Muchacho Negro and Dana Evans who some years before had together done a stretch for killing old man Tobacco, another Indian, and Antonio Joseph who had likewise for a period maintained residence at Santa Fé, the capital, and Cajé about whose exploits another story could be told—but suffice it to say here that one night when he had escaped jail with his feet shackled together and a bullet hole through one leg he had managed to catch a horse, throw himself across its back and ride fourteen miles over the mountains to a hideout. Of such was the posse made up—twenty men, good and true. Roy McLane and a deputy sheriff were with them and later they were joined by a member of the state police. The impression had been given that should the Indians fail to do their duty the white population might be so aroused that there would be further bloodshed.

It was believed that Kit-i-chin was headed for Mexico and it was known that he had taken with him his squaw, Jah-tah-da-tosh (meaning, "she trips herself"), whom he needed to see the better for him and especially to hear for him, and his horse, the afore-mentioned Star of the West. The trail was taken up in the Nogal Canyon south of the Agency and was followed steadily. On Tuesday they found where the fleeing Indian had slain his horse, taken part of the flesh for food and used the green hide to make moccasins the imprints of which would not be so easy to follow as those of his shoes which had been thrown away.

Roy McLane said that his chief job was to act as com-

missary agent and that he undertook to provide the men with food, buying it as he could from the nearest town. "Otherwise," he said, "I mostly just went along." He said that the weather was very cold and that he managed to find a house to stay in every night but one, and on that night when he stayed out he had a "fiah" though it was against the protest of the Indians who were afraid of allowing their presence to be known.

The country in which this pursuit was being made is a very rough one. The Sacramento Mountains, extending in a northerly and southerly direction, rise gradually from the Pecos Valley until the backbone of the range is reached at more than 8,000 feet and then drop off abruptly on the western slope which is characterized by high, buttress-like ridges separated by deep canyons with steep cliffs. It was crosswise these ridges and canyons that the trail led.

The Indians traveled about as much on foot as on horseback, the better, McLane thought, to see the faint traces of moccasined feet but it was difficult for a white man to understand much that they did. One thing was that every once in a while they would all break and run back like stampeding cattle and jabber among themselves. This, he thought, might have been because there was danger of ambush. They especially tried to keep him back which he thought was done for his safety.

After several days when many miles had been covered the Indians suddenly stopped trailing and simply stalled around. The whites could get no satisfaction from them, but after a while when some of the Indians went off in a westerly direction—the trail had consistently kept to the south—they were followed, only for the white men to find that they had been led down to the flat desert country like a road running out on the sand. The officers then realized then they were no good there and went back to town.

Roy McLane was much discouraged. He had been going along keeping the posse supplied with food the best he could, trusting the Indians to get a job done that seemed



impossible for the sheriff's force, and now they had staged a sit-down strike for no apparent reason. So feeling, he left them and went to Alamogordo to spend the night and bring more food the next day.

Continuing the story now as told by Willie Magoosh who said that their best trailers were Antonio Joseph, the human fox-hound—able to trail by moonlight—and Muchacho Negro of whom more later: "After the white men had all left us Chief Sans Peur call us together and say we near the end of the trail. None of us had seen Kit-i-chin but we know we see him pretty soon—just a little way.

"Sans Peur say, 'Caje,' and Caje say, 'Uhh-uhh' (guttural equivalent of a snappy salute and a hearty "Aye, Aye, Sir"). Then he say he want Caje to take half the men and follow along a ridge and when it get dark wait long time, and he would take other men and go other way. Pretty soon we hear old Muchacho Negro call out to come on, boys. Like bark of dog he say, 'Nishtishih, ishkeyendi!' He was on hot trail.

"But I went with Caje. Caje say to spread out, four go this way and four that way: if we stay in bunch he might shoot us all. The sun was getting low but we look out everywhere. Pretty soon we see something shiny, flash in sun about mile away. We look good and see it was rifle barrel and one man. Sans Peur's men had gone that way. After dark we stop and wait, see nothing, hear nothing. Pretty soon hear stick break and all get their guns ready. Then we hear Sans Peur speaking to us. He say, 'We kill that man.'

"Next day Roy McLane come and take us all into Alamogordo and give us big feed—lots of beef. Very cold and that night we sleep on floor of court house. Mr. Ward come and give each one of us twenty dollar gold piece—twenty men, four hundred dollars!"

The pursuit had ended in Grapevine Canyon, a lonely spot perhaps forty miles to the south and east of Alamogordo. The Indians had had little food, could have no fire

because of the danger of making their presence known, and were without protection from the weather except such as their own ingenuity could devise. This was best described by Roy McLane who said, "At night them Indians would bed down in the pine needles like a bunch of hogs." This simile can be appreciated by any one who has ever watched a litter of little pigs bunch down together to sleep and has observed how those on the periphery, not content to be warm on one side only, keep rooting under and working in toward the center at the expense of the fellows who are warm on both sides and sleeping contentedly. Of course it is not meant that the Indians do quite that: it is only meant to show that they are adept at conserving animal heat and by burrowing down in the leaves and staying close together they can sleep through a cold night when more æsthetic persons might not.

When Roy McLane returned to the posse he was surprised to see an Indian woman and upon inquiry was told that she was Kit-i-chin's squaw. "Where is Kit-i-chin?" he wanted to know. "Over there," pointing. And so "over there" on the other side of the hill was his body riddled with bullets. And now Roy McLane understood the why of the sit-down strike and why the officers had been lured away to the sand flat and why the Indians had patiently waited for him to leave for Alamogordo. There had been no white man present to witness this final act in the drama. It was the Indian way. And who is there that will say that the Indian is not entitled to privacy in carrying out his rituals in his own way?

WILLIAM KRONIG, NEW MEXICO PIONEER  
from his memories of 1849-1860

(Concluded)

By CHARLES IRVING JONES

CHAPTER VIII

THE TOWN of Rio Colorado was built on high ground. A large valley extended to the east, where were meadows and farm lands. Opposite the town, where the valley widens out to the west, the river came out of a deep canyon; at this point is where the La Port farm was located. La Port had resided there for many years with his family, including his two sons and son-in-law.<sup>39</sup> They managed their ranch as well as performed the major part of the farm labor. However, they occasionally hired a few men to help do the harvesting and do other heavy farm work. These four men were, at all times, armed with their Hawkins rifles; even when they irrigated the fields they carried their weapons and also, a good supply of ammunition. In this community it was necessary for everyone to be able to muster a rifle or handle bows and arrows.

On this day, all the men gathered at the edge of the hill where the town herd was grazing. The Indians were already on the hilltops; the horses and mules belonging to the community were moving toward the canyon, where the La Ports opened fire, wounding two Indians at their first volley. The Leaders dismounted, picked up their two wounded men and carried them off, leaving the horses and mules they were driving. One of the Indians, more daring than the rest, was completely cut off by the town people and surrounded. I took a careful aim at him and was in the act of pulling the trigger, when someone pushed my gun up and the ball went into the air. "For God's sake, don't kill *him*; he is the son of the rich Juan Vigil."<sup>40</sup> I could not see that that fact made any difference, as he was,

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39. No data on the La Port family have been found elsewhere.

40. This "Juan Vigil" has not been identified.

in a sense, an Apache Indian. He wore the same dress and acted like them and fired on his own countrymen. I believe he would have killed some of his own people if his aim had been straight. I voiced my opinion but the leaders of the town would not listen to my argument.

This man was known as "The Gente, Son of the Rich," who knew how to read and write; but preferred the company of the Apaches to people of his own race. He had committed depredations, murder, robbery and torture on his own people, but because he was the son of the rich Juan Vigil, was not punished.

We experienced robbery of stock every day and quite frequently, murder, by the Apaches. They would sneak in quietly, drive the stock away and if a herder protested they would kill him. Many times the herders would be taken with the stock, never to be seen again. One day a hunter rode in and advised us that there was a small band of Apaches within a few miles of the town. We organized a party and started after them at once. When we reached the spot indicated by the hunter, we found the camp-fire still burning, but the Indians had gone. Knowing they were not far, we gave chase and pushed them so hard that they left six pack loads of prepared mescal, a drink made from the bud of a cactus, which grows 300 miles to the south along the Mexican border. We failed to get close enough to fight them, but towards evening we captured a very foot-sore horse, which was given to the man who was the poorest among us, but we insisted that he have a mass said, for what purpose I have forgotten; but I believe it was to show our gratitude to the Lord for having succeeded in overtaking the Indians—but which we did not accomplish.

La Port was a Canadian by birth and when young had been employed by a fur trading company on the Missouri River. After working at this for awhile he gathered experience and some money; then he became a free trader and trapper. His advancing years had not dimmed his clear eyes to any extent and his aim was still true. He could still shoot and for a person of his age was active to a remarkable degree.

I enjoyed many an evening listening to his adventures. He seemed particularly strong on reciting experiences about bears. I had very little opportunity to see many of this kind of animal and was rather anxious to shoot one of them myself. I persuaded him to go bear hunting with me; he promised he would go as soon as the wild cherries were ripe. The long-looked for time arrived and I armed myself with a gun, blankets, hatchet and butcher knife and we started up canyon to the closest patch of wild cherries. We found a cherry patch, which the bears often used and sat down to wait for them. It was getting toward evening just about sundown, which came early in the afternoon in this deep canyon. We saw a large grizzly bear amble up to a cherry bush, sit on his haunches and begin to eat. La Port squatted down, made a cross of two ramrods to get a steady aim and fired. The ball struck the bear with a thud and an unearthly howl rose in the air. The bear came straight at us. The old man, knowing their nature from many encounters, ran up a short hill to where a pine tree stood and he did not stop until he was safely up on its branches. The bear crossed the river and stood on his haunches; from the shadow cast by the fast disappearing sun, his body seemed 30 feet long. I stood my ground for a time, but after he started toward me, I lost my courage. I ran as fast as I could to join my companion. In my race I threw my blankets, hatchet, and lost the butcher knife. It was fortunate that a tree was so close at hand, for I would have been overtaken by this mad beast. I was soon among the protecting branches of the tree. La Port could not see the movement of the bear on account of the underbrush. We remained in the trees for sometime until we felt satisfied that the bear had gone his way. We came down and started a big fire which we kept burning all night. In the morning we made a search for the bear but the only evidence we found was my blankets torn to pieces; his teeth marks were on the handle of the butcher knife and hatchet. We were frightened and did not care to make a thorough search, fearing that we might run onto him or another bear in the underbrush, so we went home. My experience taught me not to hunt grizzly

bears and I came to the conclusion that the guns, then in use, would not kill a bear with one shot because of the distance the gun was fired.

Here I went into farming. A friend loaned me a piece of land and having obtained a mule in a trade, I set to work preparing a harness from some leather an Indian had tanned for me. In place of using a yoke and collar, I made the harness with a breast strap similar to the kind used in buggy harnesses. After I had completed this task satisfactorily, I engaged a native laborer to plant corn. The plowing was next in line; so with the aid of this man, I gathered a forked tree, fastened a piece of white oak timber to make a point, tied it to the fork with raw-hide and covered the shear point with the same material. The growing season was good and water was in abundance; so before long, during the summer, the corn grew to a fair height. I would carefully walk over the field and admire the products of my labor. One day I noticed that a number of the roasting ears were gone. I noticed that this robbery was continuing so I set a trap for the thief. I was waiting, concealed in a patch of brush near the field, when just at sundown I saw a boy of about 14 years of age enter the field, fill his sack with roasting ears, then start away. It was here that I halted him, covering him with my gun. I questioned him as to why he was stealing my corn. He cried and said, "Do not shoot, I am poor." I questioned him further and found that he was a peon belonging to one of the richest men in the town named Rodrigo Vigil. He had been engaged as horse herder, but he had lost a horse and was afraid to go home as his employer had threatened to kill him if he did not find it. He had been robbing my fields for ten days, but what else could he do; he had to eat. He was still crying when I took him home to supper and gave him a bed. After he had gone to sleep I went to see this Senior Vigil to find out what troubled the boy and if it was possible to help him. If he owed money, I intended paying his bill and then hire him to help me in my store.

Senior Vigil explained the boy's situation to me. The account ran about this way: Isidro Trujillo, father of the

boy, was indebted to Rodriguez Vigil to the following extent :

1 fanega of wheat (about 125 pounds) for 4 fanegas in the fall, (and as this was not paid for, they were loaned out for 16 fanegas next fall) and as this was not paid, they were loaned out for 64 fanegas at \$1.50 -----	\$96.00
Less Credit six months service at \$1.00 per month -----	6.00
Balance -----	<u>\$90.00</u>

I refused to release the boy to Mr. Vigil, and he brought suit against me in the local court. I had been doing some reading and had been able to obtain one of Kearny's Statutes, in which I found that the legal interest was placed at 6 per cent. After calling the Alcalde's attention to this important record, he decided in my favor and the boy became a free agent. I was thanked over and over again for my protection of the poor. After getting over his angry spell, Mr. Vigil became a good friend of mine, but I always suspected that he was afraid I would interfere with some other poor creatures he held in bondage.

I was fully aware that the peon law was almost equal to slavery in its worst form. The peon would earn about \$2.50 a month, sometimes less; these small wages were stopped as soon as the harvest was over in the fall and occasionally the employer would give him a few days work during the winter on the record book. The days would be marked and the wages were paid at the rate indicated above. These peons were generally married; they never could hope to cancel their debt and generally remained in servitude all their lives. The employers would sometimes give these people some land to plant and charge them for the seed, such as one almord [*almud*] of peas for twelve dollars, and sometimes one-half almord of horse beans for about the same price, but this consideration was not the general rule.

One day a well-dressed Mexican rented my store from sundown to midnight for a certain sum. I assumed that he was a juggler and was showing for that evening; after sundown he opened up his Monte bank game. The men of

the town all gathered around and before long the game was in progress. The men gambled and lost and before midnight the gambler had cleaned out all the available money, some sheep, cattle and horses, as well as goats and houses. When at last midnight came, I insisted on closing up as per agreement. I had a little argument but I succeeded in cleaning them out and closing up for the night. The next day the accounts had to be squared, stock of all kinds became cheap, and even houses changed hands below their accustomed value.

When I bought my store, I asked the owner what the house was worth and he was quite surprised at my question, telling me to count the joists and that each of them was worth a dollar and no account was taken of the ground it rested on. The better houses, which were built of split cedar over the joists for ceiling boards, made by splitting logs of 6 foot length and then planeing them, were valued at two dollars a joist. The house roofs were all covered with earth and were very suitable to this New Mexico climate. I do not remember seeing a shingle-roofed house while I was there.

Just to show you that ill-gotten gains were not always profitable, the gamblers drank a lot that night and next morning became quite liberal with their money. One of the gamblers, while in this drunken condition, called at my store. I was waiting on some other customers and did not notice what he was doing; after I finished with my customer he had gone. I looked over the store and found that he had taken a silk reboza (a narrow shawl, worn by all well dressed Mexican women, over their heads). The value of this shawl was about \$25.00 and being the only one I had in stock, I quickly noticed it was gone.

I was angry, of course, and went immediately in search of him. Finding him was a small matter, as he was just in the act of putting the shawl on the shoulders of a pretty Mexican woman, of dubious reputation. With the assistance of some of my friends, I arrested him, and hauled him before the alcalde. It was rather a difficult matter for the Alcalde, as he had no written laws in his office and he did not know



just how to sentence the Mexican. He was in a muddle and did not know how to perform his duties as Justice of the Peace. He called me into his private office for consultation, and asked my advice as to what punishment he should give this gambler. I advised him to have the man publicly whipped, and then ordered out of the precinct. He accepted my advice and when sentence was pronounced, the gambler jumped to his feet, shouting that we could not whip him because he was able to pay a big fine; but the Alcalde's mind was made up and he ordered the Constable to take the man into the middle of the street and whip him, after which to escort him out of town.

The whipping was done with the whole town as witness. The gambler screamed after the first blow was struck and continued his bellowing until the whipping was completed. He was stripped to the waist and lashed severely. However, the blows did not cut the skin. I do not think the whipping was to be compared with those performed in other parts of the world, but it was a powerful lesson to him and others in the community.

#### CHAPTER IX

Viereck, my friend of earlier days in Santa Fé, rode into town coming from Taos. I was agreeably surprised to see him. However, after a few days, his visit appeared to be extending into a lengthy stay. I saw that he was without money and endeavored to put him at his ease. I suggested that we live together, he to do the cooking and I to furnish the food. This seemed to be satisfactory with him. I quit my boarding place and we opened our bachelor quarters. Things went on nicely for awhile, but Viereck's roving spirit began to show and he became restless and could not reconcile himself for any length of time. To be a subordinate, a cook, was degrading to him. He was forever formulating schemes in which he was to become rich. His dreams and schemes seemed to go together. However, he sometimes produced and executed some very remarkable arrangements.

After he had been cooking for sometime, he gained the

consent of La Port, the leading citizen, and called a mass meeting of all the town's people. He addressed them very fluently in Spanish, reproaching them for having a church built without any adornments or paintings; he explained that it was a sacred duty to make their church look like the house of God, ending his short speech with the remark that he would paint a picture on canvas of the twelve apostles, for the sum of one hundred and sixty dollars.

It was not difficult for the money to be raised, as La Port, Beaubien and myself each headed the list with five dollars donations and before the night was over, the list was complete. However, a large majority of the people made their signatures by a cross after the secretary had entered their names on the list. Money was scarce so it became necessary for most of the people to make their payments of country, farm and other produce. It was agreed that the prevailing rates would be the means of determining the value of each article; buffalo robes, buck skins, furs, cattle, horses, mules, sheep and goats comprised some of the articles offered in payment. All were accepted and I did my share in trying to make the painting a success.

Viereck went to work with a vim; rented a room for a studio, purchased twenty yards of bleached domestic, sewed it together and began to paint the twelve apostles. The matter of colors was rather a puzzle, but a man of his resources was far from being defeated by such a small matter. He searched the material at hand and decided that Indigo would serve for blue, Chocolate for brown, Soot for black, Vermillion for red, and Saffran for yellow. From here on he had to resort to the extracts from roots, wood, and wild sage. This seemed to give him all the colors necessary. In due time the painting was completed, the subscriptions paid, with the exception of the three leading subscribers, and a committee appointed. The picture was accepted and hung in the church, where all could see it.

Viereck was not confident of his work, for one day he informed me that a priest was coming to Rio Colorado to say Mass on a certain day. He stewed around for days and when the time approached for the priest's arrival, he

decided to leave; but he had no call for going on this account, as the painting was quite above the artistic tastes of the Holy Father, whose knowledge of paintings was very little above the average of the natives. Years later, when I returned to Rio Colorado, the picture was still on the altar of the church.

A short time later I was called to Taos on business and to my surprise Viereck had taken a pretty Mexican girl to live with him. This being the custom of the country, he believed in living accordingly. I could see that Viereck had good taste, as he had chosen a very pleasant and delightful girl. Mr. Mink, whom I have previously mentioned, was indeed glad to see me. He had another source of happiness, as he seemed to be very pleased with the purchase made that day of twelve hens and one rooster. Viereck, who was with me at the time of the meeting, remarked that he considered the money spent for the chickens thrown away, because in this country of hungry people, it would not be possible to keep them from being stolen. Mink remarked he had thought all about that and described where he had securely locked the birds up for the night. Soon after Mink went on his way to the billiard hall, where he usually spent his evenings, Viereck grabbed a sack and went out, leaving me with his woman, but he was not gone long. When he did return he had the whole of Mink's chickens sacked up. They were soon stripped of their feathers and properly dressed, and before long were in different receptacles, boiling, roasting and stewing. This went on until about eleven o'clock, when supper was ready. Viereck heard Mink coming down the road whistling and went out and invited him in to supper. The meal was excellent and, as Viereck had prepared a bowl of punch, we remained with him until the early hours.

Viereck, with his new responsibilities, had become a man of work rather than of leisure. He was painting a picture for the church entitled "Christ of the Cross," which I thought was a creditable piece of work. On the strength of this painting he received other orders and again began to live and enjoy the good things that the country had to offer.

Mink never did find out where his chickens went to, but it was not long until he left Taos, going to Santa Fé, where he was elected Justice of the Peace, and C. P. Clever was elected Constable. Mink's public service days did not include any further advancement in the political world, but Clever was elected Delegate to Congress. While they were in office, a suit was brought into his court by some Mexicans over water rights for irrigation purposes, in which a rancher had dedicated to Saint Anthony and loaned to the Church as defendant. The suit was decided against the rancher, who was also charged the cost of the Court. Mink found it impossible to collect, as nobody directly claimed to be the owner of the land, and as a last resort, he issued a writ of attachment to the land, which writ was properly executed by bringing the image of Saint Anthony into his office. The Sacrilegious Act raised an awful row, but was finally compromised by the priest and lawyer paying the cost.

My business had progressed very well and my collections were satisfactory. I had been given preference over other creditors for some reason. The wheat was thrashed on hard dirt floors, by using goats, horses and sheep to separate the grain from chaff, after which the owners would throw the mixture into the air, allowing the wind to carry away the chaff and straw, leaving the grain. Then I was called, so I could receive my grain before the other creditors had been informed about the additional grain. The transaction was generally at night and I would pack my heavy Elk skin bags on my mules, together with two or three buffalo robes, and after receiving my wheat, I would stay the remainder of the night, providing myself with a satisfactory bed with the robes I had with me.

After the wheat crops had been harvested and I had sold most of the goods in my store, fall began to come on and the weather was turning a little cold. One morning, just at dawn, my neighbor, Charles Autuber,<sup>41</sup> knocked on

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41. In the diary of A. M. Gass, first published in 1859, Charlie Autobee was then ranching on the west side of Huerfano river. He was called an old French trapper; his wife was Mexican. His little settlement comprised about fifty persons, mostly Mexicans. L. R. Hafen (ed.), *Southwest Historical Series*, xi, 228-229; ix, 102-103.

the door telling me to get up at once, that a long string of Apache Indians were riding into town. Numerous times before I had been informed, but usually it was just a false alarm; this time I stayed in bed paying little attention, until two Mexicans knocked loudly at the door shouting, "the Apaches are coming." I hurriedly dressed and went to the main street, where I found La Port, Autuber, and Beaubien already in position holes in the Adobe wall, ready to defend the community with their rifles. Looking to the west, I saw a long string of mounted Indians coming toward us; the leaders being about eighty to ninety yards away, riding single file. I joined the group with my gun in hand. We consulted and decided that Autuber, having been an Old Indian fighter, was placed in charge. As they approached, we noticed that the first ten riders were not Apache Indians but part of a Ute tribe that was at peace with the Americans and Mexicans. However, as the column drew near, we could see the Utes carried a Mexican wood chopper in front of them for a shield. Autuber whispered their names as they passed a small obstruction in the road so that their horses were near broadside. The Utes noticed us first and yelled for us not to shoot as they had come in peace; that they, with the Apaches, were on their way to Taos to sign a treaty of peace.

The Indians filed by us not fifty feet away, going to the house of the Alcalde. We followed and after they had explained their mission, the Alcalde appointed me secretary. After the usual ceremony of smoking a pipe, the meeting began and I made a record, which was as follows:

"Today, on such a Saint's Day, week of, month of, and in the year of our Lord, one hundred twenty Apaches and ten Utes asking for peace, entered the precinct of Rio Colorado."

About this time, an Apache pulled my coat and when I turned around he asked, in good Spanish, "Do you want to trade? I have plenty of money." I turned my position as secretary over to another man, and went with the Indian to my store. The first article that met his eye was a sack

of wheat meal, containing about twenty pounds. He offered me a dollar which I readily accepted. The payment was made in gold. I did not offer him any change and he did not ask for any. The next article he purchased was some red calico, which I had nailed around the wall; then came a red woolen shirt, and then my saddle and bridle. By this time the rest of the Apaches had wind of what was going on and they, too, came to trade. However, I was rather nervous as they all carried bows and arrows in their hands. I decided to hire a reliable Mexican to help me issue the goods. I stood back and bargained with him with my gun in hand. When the trading ceased I did not have an article left to trade with, but in their place I had seven hundred dollars in gold, mostly Dubloons, two mules and a small mountain of buffalo and buck skins. The trading consumed about one and one-half hours; this included the time the Indians appeared until the time they were out of sight. We all gave a sign of relief as the last Indian rode over the hill.

My stock entirely gone, I mounted one of the mules, rode bareback with only a rope around the animal's neck and my gun over my shoulder, to Arroyo Hondo, where Mr. Quinn had a stock of goods. I spent the night with him and after buying supplies, bridle and saddle, I prepared to ride back to Rio Colorado. After packing the mule with the goods I bought, I prepared to mount but was thrown before I had hardly reached the seat of the saddle. His night's rest had allowed all the meanness to come out. However, I was fortunate, a bronco buster was there and he gentled the animal for me in a short time, and I continued my journey back home. After a check up we found that the Indians had left about twelve-hundred dollars in the settlement. Three days after the Indians had visited us about five hundred volunteer soldiers and a company of regulars visited us, looking for the Apaches. After finding out in which direction they had gone the soldiers followed, overtaking them in a short distance and surprising them, killing a squaw, captured their camp and some of their stock. When they returned to Rio Colorado I recognized

many articles that I had traded. The Company Officer of the expedition reproached us for having traded with the Apaches while at war; but under the circumstances what else could we do? We felt that we were fortunate that they did not attack us; feeling that they were anxious to make peace, and that the Justice of the Peace was a qualified officer to make an agreement.

After several days the Indians had shown no signs of returning; I decided to go to Taos on business. I rode the trail full of ambushes, thinking nothing about the dangers of an attack. I crossed a steep hill, but after going a short distance I involuntarily stopped feeling very much depressed as though something was about to happen. Having no reason for the feeling, I returned to the river trail and took the long way around fully five or six miles further. The strange presentment did not leave me. I did not think of any danger at the time but the depressed feeling continued and when I reached Taos I was informed that a runner had just come in with news that the Apaches had killed two Mexicans about the same time I began to have the depressed feeling.

While in Taos this time, I met Father Martinez, a priest of the Catholic faith.<sup>42</sup> The Father invited me to his home and I can say I was kindly treated. This priest owned a little printing press and was publishing a little paper, *El Crepúsculo*, which I believe was very appropriately named. It was the first newspaper to be printed in New Mexico; however, it was short-lived, due to lack of support.<sup>43</sup> It was unfortunate that a worthy endeavor of this kind could not have survived. In his printing room I found several books being printed. The priest was the superintendent of the school and author of the school books. Sev-

42. He is referring, of course, to the famous Father Antonio José Martínez.

43. New Mexico's first little newspaper, *El Crepúsculo de la Libertad*, was published in Santa Fé in the fall of 1834 for only five issues,—not in Taos as here stated. It was not Father Martínez but Don Antonio Barreiro who was then seeking reelection as deputy from New Mexico to the national congress in Mexico City; and the press was owned and operated by Don Ramón Abreu. We found, some years ago, conclusive proof of this in an autograph letter of Abreu to the Territorial Deputation,—a letter which we called to the attention of Mr. Douglas McMurtrie and translated for him—but which he later claimed himself to have found. Not before the summer of 1835 was the press being owned and operated by Father Martínez at Taos.—L.B.B.

eral of my old friends from New Mexico received considerable education from these books. Father Martinez was without a doubt the best educated and most capable priest that I have been fortunate to know. He made a mistake like others during this period of involving himself in the revolution, which was brewing at that time. It took considerable explaining for him to clear himself for his attitude. I was amazed that he did not realize the utter impossibility of a revolution succeeding, with the United States having complete control.

After the arrival of Bishop Lamy, Father Martinez's privileges were gradually taken away from him.<sup>44</sup> He had enjoyed and kept a private chapel, and for a long time afterwards a number of independents followed him. However, in time, these matters were adjusted. New Mexico, in those days, was a perfect paradise for the Catholic Clergy. Their morals must not have stood any higher than those of their brethren during Luther's time. Every priest had a housekeeper, and to give them due credit, I must say that their taste in this respect was remarkable. They drank the best native wine and many of them had acquired a taste for stronger drink; nearly all gambled and they were present at all the game cock fights, in which their bets were placed. They always had the best of horses. Their fees were exorbitant, and many a father made a peon of his boy in order to pay a funeral bill for some loved one. The anointment was one-tenth of all the farm products raised and one-hundredth part of all the lambs and calves. In most instances, the Church collected a tax on every household of one barrel of corn, weighing about seventy pounds; one-half a fanega of wheat, or about sixty pounds, and the expense of the annual feast or celebration in honor of the local Saints, of which every community had several. A few years after annexation to the United States, the taxation system nearly disappeared. A few lots of sheep which I bought from Father Martinez plainly showed that conditions had improved for the poor people.

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44. Bishop Lamy arrived in 1851. Besides Martínez, he had trouble with several others of the parish clergy whom he found here.



## CHAPTER X

The Order of Penitents ruled supreme in all the towns and better villages throughout this part of New Mexico. Each society had a morada, a house, and near it could be seen immense, roughly-built crosses, which the members would drag about during the time of Lent to punish themselves. After Easter it was not difficult for me to tell members from non-members. It was the custom for the natives to come into the store and lean their backs to the counter, facing the fire built in the huge fire place. I would take a measuring stick, run it along their backs and whenever a man flinched I knew he was a Penitent. This custom of self-torture brought many of these men, belonging to this clan, together. I never was able to get into their meetings and my questions regarding them netted nothing.

The summer had passed and fall was approaching. The natives were getting ready to lay in a supply of molasses for the year. The stocks [stalks] which did not bare corn were bruised with mauls in long wooden troughs, then slightly moistened and the juice extracted in a very simple lever press. The pressure was brought about by mounting men, women and children on the lever or beam. The extracted juice was boiled in large earthenware pots, set in an adobe hearth, and dropped from one pot to another until the juice was evaporated to the proper consistency and then placed into receptacles for future use. In my estimation, it was an unimportant article and the work spent on it was a loss, as most of the mixture had a strong acid taste. Some of the natives would boil this stuff until it had the consistency of pitch, which did not improve it, but they seemed to like the finished product.

As the winter approached, plenty of grey wolves would be seen in the vicinity of the town. After the first snow made its appearance and the rigor of the winter came in earnest, it became dangerous to leave stock loose grazing on the hills near the towns. During the most severe winters, it has been known that wolves kill stock right in the middle of the settlement. Most of the corrals were constructed of cedar posts, with no regularity as to even size; here and

there would be a high post and next to it a low one. The wolves would kill the goats and sheep in these corrals; one would pull the animal to the fence and the other one from the outside would pull it over, and they would devour the carcass right there.

I had purchased a number of hogs, which I fattened. As there was no demand for them in Rio Colorado, I decided to take them to Santa Fé, where I felt sure I could find a ready market for them. I packed them on the backs of mules and took them to market where I received as high as \$40.00 for some of the hogs. On my return trip the snow began to fall; when I was part way back on the trail, which was covered with snow, I decided to camp for the time being in the woods that I was traveling through, as I was afraid of losing my way. While looking for a suitable place, I found an old acquaintance camped under some large trees with a supply of wood already at hand and I joined him. I picketed my mules nearby and went to work to gather a supply of gramma grass, cutting it with my butcher knife. I wanted to be prepared, as I remembered the experiences in snow storms while with the volunteers. We both had intended going to Embudo, at which point we could borrow some camping utensils so we could prepare our meals. However, we fell short of our goal and our lot fell to devise something to prepare food in. The camp was well protected by windbrakes, thick groves of trees, and the abundance of fire wood made us feel that we could weather the storm. To prepare our food was a problem. We had nothing but some parched corn meal, a little salt, and some mutton tallow. We were ready for the emergency, however; my acquaintance, Padilla by name, took one of his sheep hides, carefully cleaned it, then placed some clean snow on the sheep pelt, cuffing it down to hold water. We already had some rocks heating on the fire. As we added the rocks the snow melted and it was but a short time until the water was nearly boiling; we then added the salt to taste, followed by the parched corn meal, stirring it until the meal, or mush, became a thick enough consistency that it could be cut. It was a very

palatable mess of Chaguihin, or stiff mush.<sup>45</sup> We cut and ate it with satisfaction. The snow kept falling; after dark the wolves made themselves known by their howls, and toward midnight was mixed with the braying of our mules. We had turned them loose so that they could have a fighting chance. It was next morning that we found out that some of them did not even have that fighting chance, for seven of our mules had been killed and eaten. The snow storm abated and we went on our way to Embudo and Rio Colorado.

The Mexicans, up to this time, were not acquainted with poison; I had purchased several bottles while in Santa Fé, which was the first poison used in that part of New Mexico. The dozen bottles netted me many wolf and coyote skins and I found a ready market for them. Their quality was good on account of several cold winters. However, the wolves became very bold and in an isolated sheep camp they actually dragged a very old man out of bed by his heels and would have devoured him if his cries had not attracted the attention of one of the other men in camp.

On one occasion I went out on the hills near the edge of town for a walk, taking my gun with me. While walking along, I encountered a band of forty or fifty large, grey timber wolves. I felt brave with my gun in hand and walked toward them, thinking they would be frightened; but they stood their ground, not retreating an inch but just looked at me. Noting this, I began to retreat carefully, keeping near to the larger pine trees for fear that they would attack me. I knew if I climbed a tree the wolves would keep me there until I froze to death. I went home and spent a restless night, dreaming of wolves and trees. A few days later I ventured out again just to the edge of town; the snow was deep and I waded through the unbroken crust to the near-by hillside, where stood a high adobe house, with a ladder by the side of it. The house, a remnant of earlier days, was abandoned. Across an arroyo I saw a large

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45. The name, doubtless of Indian origin, has probably been misread from the original notes. Kercheville, *Preliminary Glossary of New Mexico Spanish*, 47, has "chaquehue."

panther wandering along looking for food. I drew bead and fired. My shot struck him in the foreleg. He was knocked to the ground but quickly sprang to his feet and, looking around, sighted me and with a fierce, painful cry, he came after me. I quickly looked the other way and seeing the ladder I ran for it and climbed to the flat roof of the house. I started to pull it up just as the panther reached it. He grabbed for the ladder and I thought he was going to cling to it but I shook him loose and pulled it up. I could see that the bullet had broken his leg and he seemed to be in great pain. I reloaded my gun intending to finish him but before I was ready to shoot he moved away, still growling. I wandered around on the roof and after a while descended, going back to town as fast as I could. A few hours later I met La Port and described my experiences to him. He told me a story of an experience his son had while hunting. The boy had wounded a panther and did not have time to reload before the panther was upon him; fortunately for him there was a pine tree near at hand and he ran for it with the panther following closely and they began to round the tree. The boy moved as fast as his legs could carry him and once or twice the seat of his pants were scratched or ripped. The panther had been severely wounded and after a few rounds of the tree he died from loss of blood. It was lucky for him that the panther passed out when he did, as the boy was just about on his last legs. However, he skinned the panther and made his way for home. Panthers have peculiar traits; they seldom attack people except when they have been wounded; they will kill a sheep, goat or some animal and eat their fill, then conceal the carcass with leaves, branches of trees, or twigs and remain in the vicinity until all the meat is gone.

The Utes would come into town frequently to buy grain, ammunition and offer in exchange buck skins, mountain sheep or elk skins and frequently buffalo robes. Their furs and skins were of a better quality than the skins obtained in the prairie country as the mountains were colder and the winter extended over a longer period. The furs were dark, glossy and rich in appearance.

On one occasion I bought a fine horse from Ouray, son of the Ute Indian Chief.<sup>46</sup> After fattening him with grain, hay, and other things, another Indian claimed him as his property, saying that the first Indian had no business to sell him and wanted me to return the animal. I refused and the Ute brought suit in the Alcalde's court, where the evidence was so overwhelming in favor of the Ute that I gave up in disgust and allowed him to take the horse. Years later, I gave a Major an order on this particular Ute for a horse in payment of the money I had owed him; the Utes had moved further into Colorado and I never found out if the order was honored. The Utes and the prairie Indians kept up a continual war with one another. The Utes generally being in the majority had the advantage; all had good rifles and were excellent shots. This was accounted for by the fact that the prairie Indians hunted buffalo with smooth bore guns, shooting them at close range from a horse, by riding along side and firing; while the Utes were mountain Indians, and their game or food consisted of smaller animals and shooting under different conditions.

A successful raid made by the Ute Indians, induced a party of Indian traders to go to a village about 25 miles distant to trade. I joined the party. I loaded my mules with the following: a few shirts, butcher knives, Mexican bridles, bits and vermilion. My companions, all old traders, had a decided advantage by being able to speak enough of the Ute language to make themselves understood. In order to be equal in the trading, I proposed that nobody interfere in any trade; I also proposed that a fine of \$20.00

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46. This statement is perplexing, but apparently when Krönig was writing he did not realize that he was reminiscing about Ouray himself instead of his father. Krönig's statement, as it stands, is simply impossible.

There seems to be no question that Ouray was born in the year 1833. His father was Guerra Murah, a Jicarilla Apache (captured as a boy and adopted by the Utes), and his mother was a Tabaguache Ute. Born at Abiquiú and growing to young manhood there and in the Taos country, Ouray earned his living as a sheep herder and in other ways, and he absorbed the white man's way of life. But in his late teens, he turned definitely to the Indian way; he became a Ute warrior and by the 1860's he was the greatest of Ute chiefs.

Ouray had only one son who, as a child of six years, was carried off by Arapahoe enemies in the year 1863.

be imposed on any trader who violated this agreement. We all were in accordance with this arrangement. When we reached the Indian camp we each selected separate locations near the village and waited for customers. I did fairly well in my trading; I was able to purchase three good horses that had been stolen from the Arapahoes, as well as sufficient robes and buck skins, that brought me more than enough to cover the cost of my whole outfit. I took the horses across the mountain. Later they were recognized by their former owners, the Arapahoes, but were not claimed; they agreed that inasmuch as I had purchased them I was the rightful owner and that they were spoils of war. The Utes told me to turn my horses loose; I preferred to have them tied, but the next morning when I looked for them they were gone. I later found them with their ropes gone among the Indian horses. When I complained about the theft, they laughed and said that the joke was on me, that everything was safe in their village, and it served me right to lose my ropes for not having trusted them.

I noticed a couple of small lodges on the outskirts of the village and asked the meaning of it. They advised me that the lodges belonged to women of bad reputation, who were not allowed in the village.

After this trip I felt that I could be successful in trading with other Indians and proceeded to wind up my business at Rio Colorado. I had sold nearly all my stock, and delivered the grain I had agreed to; I then returned the small store of goods left to Mr. Quinn and began my preparations to make a trading trip into the Arapahoe and Cheyenne country.

The party consisted of Beaubien and Leblanc, both Canadians who had worked for fur companies on the Yellowstone, several Mexican traders and myself; about 25 men in all, with 60 pack animals, loaded with our stock in trade: parched cornmeal, hard bread, beans and sweet corn mixed, dried pumpkins, piloncillows,<sup>47</sup> a dark sugar in

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47. James Josiah Webb, a trader to Santa Fé who crossed the plains in 1844, mentions a Le Blanc as one of his companions. (R. P. Bieber (ed.), *Southwestern*

little loafs, Mexican bridle, bits, a few silver mounted head stalls, and a few Navajo blankets.

The first day we went only a few miles in order to test the saddles and adjust the packs properly. Our first meal was made of hard bread, boiled with a little fat and red peppers, which made a very substantial meal. We continued to eat this dish for another day, when one of the hunters brought in a couple of fat, black-tail deers; after this we changed to Atole, thin mush made of roasted meal, and meat. Coffee was a luxury hardly known among the Mexicans in those days. A few days travel brought us to Sangre de Christo range, where our hardship commenced in earnest.

The snow was very deep; no trails could be seen, as we were the first to pass over the mountains that winter. The only way we could make any progress was to travel on the mountain side, facing the south where the snow was partly melted off. The going was difficult and at every little gully we would have to stop and prepare a crossing or travel up toward the head of the wash. There were no bridges, but in numerous places we made them by cutting pine boughs and filling the little ravines, after which we carried the packs across, then lead the animals over by making a footing for them with our robes and blankets; even then some of the animals would shy away and disappear in the snow, which caused us a great deal of work digging them out of the snow drifts.

Many days we did not make a half a mile; finally, we made it through to the summit, taking us eight days to travel a distance not exceeding ten miles; here we were stopped by a huge drift. It took us another day to beat the snow down so that our animals could cross. Improvised sleds were brought into use to cross our packs, as the distance was too far to carry them ourselves.

From the top of this summit the view of mountains

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*Historical Series*, i, 47). In 1849, Le Blanc was living at Rio Hondo on "a place formerly owned by Turley the American." (R. H. Kern's diary, in Blanche Grant, *When Old Trails Were New*, 141)

Krönig's phonetic spelling of the Spanish word *piloncillo* needs only to omit his "w."

and valleys was beautiful beyond description. The expanse of scenery fascinated me so that I stood looking for a long time, although chilled through and through. As soon as we were on the opposite side of the mountains we ran out of the snow. There was hardly any remained except on the northern slopes where the sun did not reach; the climate changed from freezing to a delightful spring. We made camp and stayed over for days as there was an abundance of grass for our animals.

Near this camp one of the Mexican traders pointed out the ruins of an old Spanish Fort, which must have been the same place General Pike was made prisoner by the Spaniards in 1808.<sup>48</sup> We left this camp, going to Green Horn or Cuerno Verde, named after a Comanche Chief, who was killed in a fight with the Spaniards at that place.<sup>49</sup> Here the Spaniards had established a small settlement, but the news of the discovery of gold in California reached them and they all moved on, with the exception of Mr. Baca and Mr. Montoya, who both had Indian wives. Our next camp was San Carlos, where we found a couple of log cabins and signs of cultivation, but they were also abandoned when the news of the gold strike in California caused them to move on. Here we heard the crowing of cocks early in the morning; we did our best to find them but they were as wild as the wildest bird and our hunts were unsuccessful. It was rather strange that these birds could survive, having been left two years before, as that was the last known of the people living here.<sup>50</sup>

The next day we camped close to Pueblo, a fort made of adobe and built by Mr. G. Simpson, I believe.<sup>51</sup> The

48. Pike's "fort" was on the Conejos, a small tributary of the Rio Grande, but Krönig's party here is across the Sangre de Cristo and therefore is in the drainage of the Arkansas River. Also, Lieutenant Pike was taken in 1807, not 1808.

49. "The settlement on the Greenhorn, a little below the present town of Rye," dates "at least as early as 1846." (L. R. Hafen, *Colorado*, 93), A. B. Thomas, *Forgotten Frontiers . . . 1777-1787*, tells of the Anza expedition against the Comanches in which the famous chief was killed.

50. The trading trip here being described occurred in 1851, if San Carlos was abandoned in 1849. But probably this was the Spanish settlement of Comanche Indians (1787) on the Arkansas River near the mouth of the San Carlos (St. Charles), near the present city of Pueblo. The Indians soon deserted the site and it was not re-occupied until in the 1840's. (Hafen, *op. cit.*, 66).

51. Mr. G. Simpson has not been identified.



building was standing years later in a very good state of preservation.

We followed the Arkansas River and made our camp in a very nice sheltered location on its banks; late at night we were aroused out of our sleep by the camp guards with the word FIRE on their lips. The wind was blowing hard, the grass was two or three feet high and fairly dry. A perfect sea of fire was rolling toward us. In the face of such a calamity, confusion robbed us for a few moments of our sense of locomotion. An old Indian trader, who had been chosen as Captain for the trip, ordered us to dip our blankets in the river, while he set the grass around the camp on fire with a fire-brand. We were protected by the river on one side and with the aid of the wet blankets we managed to put the fire out inside the circle where our camp was located. My hunting dog became frightened by the fire and ran away from camp and became surrounded by two fires. His pitiful howls were too much for me, so I enveloped myself in a large, well-soaked blanket and made my way to him; guided by his howls I found him and carried him back to camp under the protection of my wet blanket.

We found that our losses were small, with the exception of our blankets, which had been whipped to shreds. We learned afterwards that the fire was started by one of our guards, who built a fire to warm himself and it got beyond his control. I have fought fires many times since and without a doubt this is the most exhausting work I know. It will not permit the fighters a moment's hesitation or rest.

The fire finally ran itself out; we were hardly in condition to move on, but we did. Our first move was to make a smoke signal which was answered by the Indians, giving us a location where we could find them. Some of the members of our party were familiar with the country so we were able to make a direct line to their village. On our way a heavy snow storm blew right into our faces but this did not slow us up as we were near our goal. We were met by a small party of Indians. They returned to the village

with us. After we had ridden along for a while, I was asked by one of their members, in good English, where we intended to camp that night. Looking up and seeing nothing but dusky faces, I did not answer, thinking that in the roar of the storm my imagination had played me a trick; when I was asked the same question again and did not answer, the Indian said, "I only asked a civil question and I think I have a right to an answer." I told him, then explained that I had not expected to hear English spoken by one of them. He told me that after an Indian fight he had been found by an Indian Agent named Fitzpatrick<sup>52</sup> when he was a baby; later he had been sent to Saint Louis, where he spent a number of years in school, which explained his ability to speak English. He preferred the free life of his own people to that of civilization and so returned to them. I engaged him to help me trade, although as I learned afterwards, his reputation was far from being good; however, I had no reason to be dissatisfied with his services.

It was our intention to trade with the Arapahoes entirely but when we reached the village, which was very close to that of the Cheyennes, they, the Cheyennes, insisted that we divide the packs equally between the Arapahoes and themselves. I had christened my new helper "Friday." By proper maneuvering and to comply with my wishes, Friday arranged that my packs should go to the Arapahoes camp. Friday suggested that the first thing was to establish the price of each article with the Chiefs. The measure was a pint cup of beans. So from then on we gave pint cups of beans for robes, buck skins and other articles that they wanted to trade.

The village was rich in robes and other articles of trade but they were nearly out of food of any kind. The condition caused their leader to favor us. On the second evening after our arrival we had sold nearly all the provisions we had, leaving only enough to get back to the first settlement which was Green Horn or Cuerno Verde, where

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52. Thomas Fitzpatrick, called "Broken Hand," fur trapper and mountainman from about 1823, partner with Bridger, Sublette and others in the Rocky Mountain Fur Company, and after the Mexican War U. S. Indian agent for various Plains tribes.

we had left a supply with Mr. Baca to take us back to the first settlement.

While I was trading with the Indians, one of their young men stole a Mexican bridle bit. Friday at once told me. I quit my trading and went after the young man. He saw me coming and ran; after a long chase I caught him, knocked him to the ground and took my bridle bit away from him. While we were tussling, a group of Indians surrounded us and watched. They did not interfere with the scrap in either word or action.

It was impossible for us to cook in this nearly starved village. Our first impulse was to feed them all but we were in a strange country and if we gave too much we would starve ourselves. At nights we were afraid to start a fire to cook a meal for the minute we did we were surrounded by a mob of the hungry Indians and we could not stand it, so gave up the idea of cooking any food. I had purchased a supply of dried, wild cherries pounded in mint with bits of buffalo meat. This I divided among my men and that was all we ate while in this village.

Leblanc, one of my companion traders in the Indian Village, was packing up to leave when he missed a saddle which had been brought in by one of the Indians. It had been stolen but before long one of the other Indians returned it, having taken it away from the thief. He wanted to reward this man and asked me to give him some meal for being honest. I told him I had just enough to take me to Green Horn, and he remarked, "Oh, I have plenty," lifting up an elk skin sack which would hold at least 60 pounds. On the strength of this, I gave the Indian the meal and allowed him to shake the sack.

When we reached camp that evening, I ordered a large kettle filled with water; put in some salt and tallow and sent for the meal. We found the sack alright, but on the inside there was nothing but tallow. We made soup out of the stuff in the kettle; I tried some of the mixture and it made me so sick that I could not eat anything for several days. We were not able to kill any game as the wind was blowing a hurricane. We had to live on wild onions and

turnips with tallow. The onions and turnips were growing in abundance.

## CHAPTER XI

After a time we finally reached Cuerno Verde, had a good meal and rested through the night. We ate again and after that many of the trappers and traders prepared to leave. Mr. Baca and Mr. Montoya, who were the only residents there, invited a few of us to stay through the summer and plant a crop, which was to include beans, corn and wheat, and if we had a favorable season we would have plenty. The crops would be of great trading value to the Indians. The land had been previously levelled up and irrigation ditches built, which could be put in repair with very little labor. The houses and barns were in good repair. So Leblanc and I decided to stay, and put in this crop jointly. Leblanc, being the most practical and having had experience in this class of farming, stayed while I went to Taos with the packs to dispose of the robes and buck skins we obtained from our Indian trading expedition. However, I left the best of the robes at Leblanc's house, at Arroyo Hondo, as we expected to do some trading with the Navajo Indians. The robes were highly sought by them; however, they manufactured a blanket that the prairie Indians wanted and we intended to make the exchange or sell to the Pawnees or some other Prairie Indian that wanted them.

I layed in a supply of provisions sufficient to last us until fall, as well as purchasing a supply of shovels and spades. I hired six men to take the packs and the animals to a point in a road where I had six Peons waiting for me. These Peons had been receiving only \$1.50 to \$2.00 a month and had run away from their employers. I had made them an offer of \$8.00 a month and food, which salary would enable them to pay out the bill they owed their masters and become free men in about six months.

On my return trip to Cuerno Verde, we overtook a boy about twelve years of age; he was quite small and was carrying a bag of meal and beans, which weighed about forty pounds, on his back. Feeling sorry for him, I put the bag

on the back of one of my mules, and allowed him to ride behind a pack on another mule. The boy had carried the pack for forty miles and walked the entire distance. He had been adopted by a sheep rancher, but when we reached the ranch the little fellow wanted to go with me and begged so earnestly that I allowed him to do so.

My partner had made good progress in making the necessary preparations for a farm; the dam was repaired, the ditches cleaned out and some of the land was watered ready for plowing. The plows were made with a large piece of oak, similar to the kinds used in the old Egyptian days; they answered the purpose very well. Leblanc was needed at home so it was necessary to put the crop in without his help. I kept four plows running all the time and about the 20th of May the corn, beans, wheat and some vegetables were in.

Montoya was a hunter and supplied me with venison at the rate of one dollar for an antelope or deer. About this time I sold him a mare for \$30.00, to be paid for at the established rate with the condition that I would pay a higher rate for larger game in proportion to the amount of meat on the animal. One day he brought in what he claimed to be the carcass of an elk, for which I allowed him the rate of four antelope in part payment for the mare. A short time later Baca came around and told me in the presence of Montoya that I had not received an elk but in reality it was a horse. Of course, the game hunter was very indignant about this remark and offered to produce the elk's hide within three hours, and to make it strong enough, he offered to bet Baca a horse that he could do it. Baca sneeringly said, "Why didn't you bring the hide with the carcass," and Montoya said that Baca knew just why he didn't bring the hide; they were of no value at this time of the year, being full of worms. Baca declined to take the bet and in the firm belief of having procured genuine elk I let the matter drop as far as I was concerned.

I had frequently heard old mountain hunters talk about the taste of the marrow in the bones of large game and the first thing I did was to order one of my men to cut the marrow bone of the front quarter of the elk and roast it on the fire.

I could hardly wait until it was done, but when I tried it I was sorry that I had been so curious, as it tasted abominable. The animal, being poor, had a very watery and not well-flavored substance in its bones. My men all claimed that it was a horse, a very lean one at that, but as Baca had refused to take the bet, I insisted that it was elk meat we were eating; in order to set a good example I joined my men in eating the meat whenever meal time came around, until the last of this carcass was consumed. Even to this day I shudder when thinking of the days it took to finish the carcass of this supposed-to-be elk, or horse. One thing we will never know, whether it was elk meat or the meat of a horse, as they resemble each other very much and both meats are quite stringy.

The season, which was so very favorable at the start, changed; the southwest wind blew continually and dried up the grass, rivers and even the two springs in front of the house. We went up the headwaters of the stream and did considerable work in an effort to change the channel and develop water for irrigation. We tried to throw all the small tributaries into this stream so that we would still be able to irrigate some of the land. The new supply we had developed helped us for a few days, but the water became more scarce every day and it became necessary that we haul water so that we would have sufficient drinking water. Our corn began to droop its head and the other garden vegetables withered in the dry weather.

Near the river we discovered numerous rattlesnakes. We killed them, but the more we killed seemed to bring them out in double their number. We would go out hunting them evenings and I joined my men in an effort to destroy the pests. I had a favorite bull dog and he joined me one day in the job of exterminating the snakes. He would rush in, grab them by the neck behind the head and break their necks just after they would strike at him. However, one day he was not so fortunate, for there were too many snakes at one place. He killed the snake he was watching, but two others nearby bit him several times. I took him home at once and rubbed powder in his bleeding wounds and watched him

carefully for a while. He swelled up, but the following day he was resting easy and in ten days he was out again at his old task of killing snakes. He was bitten several times after that but the effect was slight and after each time he was bitten he would run to the creek and find a wet place to lay in it for a while. He would burrow himself into the mud and lay there for two or three hours, with no sign of distress. After that I decided he knew how to take care of himself and let him go where he wished.

Things began to look very discouraging; I had the men on hand and not knowing what to do with them on the ranch, decided to send them up in the mountains to dry the meat that the hunters brought in. Seeing that it was useless for me to stay around, I decided to go hunting. During a conversation with Mr. Baca, we planned a hunting trip up the Arkansas River. We left the farm, as per program outlined early the following morning, with nothing but our guns and a few pack animals. When I protested that it was folly to go without cooking utensils and salt, he remarked that he wanted to show me how to rough it. I felt rather vexed, as I was sure I could take care of myself.

We struck out right across the prairie, crossing the San Carlos, which at that time was nearly dry, with only a little slimy water in the pools, and as it was yet early in the morning we did not try to find any water suitable to drink. The day had been hot and toward night I was very thirsty, and as you may know, nearly famished for a drink. Baca killed an antelope and I drank some of the hot blood which made me terribly sick and I had to lay down for a little while. However, I was able to travel before long and we reached the Arkansas River without further incident, but being hot and dry, I drank too much water and again felt sick, but by traveling all day with nothing to eat, I recovered and by this time Baca had a supper ready which comprised of nothing but roasted antelope. The meat was good and that night I slept intermittently, but I was supposed to rough it. We finally returned to Cuerno Verde after having spent three weeks on nothing but meat. My mouth was sore and fever blisters were breaking out on my face from having

so much meat without other green foods to mix with it. We reached the farm just in time to see the first shower, which drenched the fields, and we were at ease as to the results of the crop. The showers continued almost daily, making irrigation unnecessary. Our hunters had been very successful, and we found a few buffalos in the vicinity; after that there was plenty of work for all.

The summer passed and the crops were harvested. The corn and other crops we had were trading materials and before long we were on our way north toward Fort Laramie,<sup>53</sup> to trade with the Indians. We, that is myself and my eight men, traveled along with our saddle horses and our pack animals. At last we reached the Indians; we began to trade and in a little while our grain and food stuff changed into gold, buck skins, and buffalo hides.

I noticed that they had numerous animals, sheep and cows with sore feet and I began to trade for them, remembering the nice hilly country where two streams joined together, down in New Mexico. I decided to establish a ranch. My plan was to accumulate a herd of these animals and drive them to the good locations I knew of and settle down. So I began to buy them with what trading values I still possessed, first buying what I could from the Indians and later from the settlers, who were driving into the country. I was able to buy a number of full grown cows for one dollar each and sometimes have the calf thrown in.

## CHAPTER XII

In the early part of August, 1853, I left Fort Laramie with ninety-four head of cattle and two hundred foot-sore, Moreno sheep. The animals were tired and their feet were worn to the quick by the hard driving they had been given. We made little progress traveling toward the south to a prospective home I had in mind. On the fourth day we ran into a tribe of Sioux Indians; their lodges must have numbered at least four hundred.

There had been trouble between the Indians and the

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53. Where Laramie, Wyo., now stands. Apparently this trip north started in the late summer of 1851, yet a few lines below Krönig speaks of leaving Fort Laramie in August, 1853.



soldiers at the Ferry near Fort Laramie; one Indian had been killed and this caused me to anticipate trouble with them. I at once went to the Chief and had a pow-wow. After the usual greeting of the times, the Chief assured me that they all had friendly intentions and that if a rupture occurred it would be with the soldiers and not the traders. I invited him to my camp to eat the evening meal, which he accepted; our fare was not so good but he seemed to enjoy it and after we had eaten he volunteered to stay all night in my camp, to keep away any of the depraved young Indians. The next morning he bade us genuine goodby. However, I was rather skeptical and after looking over our pack animals to see that all was ready to move, I made special count of the stock and found that the Chief was as good as his word, for all the stock was there.

We again started on our long and tedious journey; kept traveling as fast as we could, which was only about two miles an hour until about nine o'clock, when we stopped for breakfast. We had left the Indian camp, each feeling that the greater the distance between us and the tribe, the less chance there would be of them changing their minds. However, the hot rays of the sun bore down upon us, so we allowed the sheep and cattle to rest. I posted three men to guard while the balance of us hunted a place to sleep. The sun was so hot that I made a canopy with some sticks and a blanket; after that I rested very well. About three o'clock we were again on the road. It was my thought that if we were out of the way, the temptation for the Indians would be gone. It took us an hour, and considerable trouble, to get all the tired animals to their feet and moving. After that I outlined our daily program; we would start moving camp at three in the morning, travel until nine, rest until three in the afternoon and then move on until nine at night. This program went on for days until we reached Lodgepole Creek, when my patience was at an end, and so decided to break the monotony by doing a little exploring. I left my trusted foreman in charge with instructions to continue south with the herd. One of the men, Charles Muston, and myself made our way toward the south fork of the Platte River.

That night we traveled until we reached Clear Creek and as there was no water, we made a dry camp. The next day we reached Carlie Do Pondrre,<sup>54</sup> which stream, owing to the late rains on the mountains, was up to its banks, and the water running swiftly. We decided to camp there until evening, in hopes that the water would recede, but to our disappointment it did not recede and a large collection of driftwood caused the river to overflow. We were at a loss to know just what to do. The wisest move would have been to have camped there until the water lowered so we could wade across, but we had only three days provisions with us. My companion could not swim, so we tried to make a raft out of the driftwood, but the logs were few and most of them unsuitable; we were stumped so to speak. I was a good swimmer and did not fear the water, but Charles was afraid. After a while I decided to try and find a suitable footing for our mounts, but landed in a sea of quig mire on the opposite bank and had to fight for my life; finally I escaped by grabbing a passing log which gave sufficient bearing so that I could loosen my feet. I floated down stream and found a good footing, and a far better ford than the original trail.

After some persuading, my companion agreed to cross by holding onto the mane of his mule. He entered the water and after grabbing the mule's mane he found that it was short, having been roached recently; then he let his hand slide over the animal's back until he could grasp his tail, and we were on our way across. I had tied our stock of clothes, foot and ammunition to the saddle horn securely so that it would not get wet. When we reached deep water I grabbed my horse's tail and we soon were floundering in the swift current coming down the mountains. However, we reached the opposite bank without mishap. This high bank and a rich supply of wood caused us to camp there. My companion hobbled the horses and brought up a supply of wood from the near-by drifts and soon I had supper cooking. We barely completed a scant meal when thousands and thousands of mosquitos swarmed in on us. They were so thick

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54. Perhaps the notes here were not legible but without question this place-name should read "Cache la Poudre," which is to the north of present Denver.

that we could not stand them and I knew staying there was impossible, so I suggested that we go to higher ground. It was then that I found that my companion had left his gun on the other side of the river. This was stunning news to me, because we could not proceed without arms. It was up to me to get the gun and I thought I made a martyr of myself for offering to again cross the river and get his gun. After getting the location where it was supposed to be, I swam back, looked and looked but could not find it. I fell into the river several times while prowling around trying to locate the gun. After fighting the mosquitos which fairly swarmed over my body, I finally located the rifle and again crossed the river.

If a strong wind had been blowing we would have had some relief from these pests as an occasional breeze would drive them from us but as soon as the force was gone they were back again. We struck for higher ground, keeping the mosquitos away as best we could until our horses were under way. We ran them through the dark but as soon as we slowed down the swarms were around us again. The running was dangerous as the country side was spotted with prickly pear cactus. However, we breathed a sigh of relief when the day began to break, as now we could see where we were going. Soon the sun shown above the hill, and it was a glorious sight. We had traveled some distance in the dark; it was morning when we reached the Platte River with its muddy, dirty water that smelled like decaying animals, that had been dead for a long time. It was a puzzling sight to my companion for the river was to be crossed again and he could not swim. Last night's experience unnerved him so that he shuddered at the thought of having to hang onto the mule's tail to get to the other side. He refused, point blank, to make the crossing. I examined the river by wading along the bank and found it much better than I had expected. The channel was deeper; banks were not abrupt, they sloped down gradually so that its edges could be waded; however, the current in the middle was running swiftly. In order to inspire my companion, who was watching from the shore, in place of swimming when I reached the deep part I treaded

water, holding my hands up in the air. I went back to the bank, he had another excuse, his mule's tail was too short for him to hang on to, and not strong enough to carry him across on his back. I offered my horse and told him he could surely hang on to a horse's tail while crossing. After a quarter of an hour of argument he consented to try and cross; we arranged our packs on the horses, stripped and hung onto the animals' tails when they reached deep water, and soon made the crossing.

After rearranging our equipment, which was composed of our guns, blankets, a few supplies, and then our clothing, we dressed and started out; to our surprise we found a fresh trail of a large Indian party. We concluded that they must be the Utes who a few days before killed some travelers. We left the main traveled trail and made our camp in a secluded spot until night; when we saddled up and began traveling until we ran into a large herd of elk. This frightened my horse; it was so unexpected that I lost control of him. The mule my companion was riding followed suit and we went helter skelter over a large stretch of rough country before I could gain control of my mount. The mule seemed satisfied to stop when my horse was halted. Morning found us on the banks of the Platte River, and on the trail of the Indians. We concluded that it would be prudent to leave the trail so as to avoid any contact with a roving band of bad Indians. We traveled up a dry wash to a clump of cottonwood trees, at which point we expected to find water. In order not to betray our presence, we kept to the bottom of the gully, which meandered through a prairie in the most provoking manner to the place where we intended to stop; we traveled at a snail's pace. The long night ride and the sandy bottom of the wash tired us, but we were anxiously looking for water. When we reached the cottonwood grove we found only a mud hole, but it appeared that the water was close to the surface, so we began to dig holes with our butcher knives; we only found sand and gravel with a covering of silty mud. We did not dare go back to the river for fear of the mad Indians and toward night we became disheartened; the day had been hot and we were thirsty which

made the situation very discouraging. However, we kept traveling on along the wash until midnight; then threw caution to the winds and made a bee-line for the river, disregarding all vigilance as we were extremely thirsty. We reached the Platte River just at sun up.

After refreshing ourselves and allowing our horses to drink, we started out to scout around for Indian signs. The brush along the river was plentiful and we could roam around without being seen from the plains, which bordered the river. After considerable search we found that the Indians had quit the trail and followed up the river bank.

Our thirst being satisfied, the question of something to eat confronted us. We allowed the horses and mule to get sufficient rest and to eat a little when we started out to find some game. We were fortunate in finding a herd of antelope. My companion, who was a good shot, decided he should do the killing. We dismounted and crawled up to the side of an elevation between ourselves and them. He went over to the side and I remounted my horse and held the mule by the bridle reins. I was being watched by an antelope while the sun beat down on us. After waiting for at least a quarter of an hour, I saw him crawling closer and closer until he was about 60 yards away but still didn't fire. I could stand it no longer so I purposely scared the animal that was so intent on seeing what I was doing and not watching the danger that was approaching it. My companion, of course, missed the mark and we were still without food. He gave the excuse that he was so nervous from crawling such a long way that he missed. However, he never knew that just as he was in the act of aiming the gun, I scared the animal away.

We went back into the timber near the river and it was here that my companion regained his reputation as a good shot, for he killed a white tail deer at 200 yards, which brought us food for the time being.

The next morning we started early and soon we were on the Cherokees' trail; however, we found no fresh signs of any wagons or animals, which we were thankful for, as we could now stick to the open road. However, at the Point

of Rocks<sup>55</sup> between the Platte and Arkansas rivers we came onto a number of wagons and a large herd of cattle. I inquired of the owner if he had any lame cattle to sell. He replied that he had a fine Durham bull for the sum of thirteen dollars. My companion and I went to see this bull and I bought him, on the spot, on the strength of the horns being very short, although my companion had told me that the owner was an Arkansas Scout and that the bull was just a common animal. However, I was anxious to get a good bull to replace the one I had had at Fort Laramie, which was killed in a fight with another bull. After the fight was over the two fighting bulls lay dead on the sand near the river. However, before concluding my trade with the owner of the bull, I made the condition that he was to sell us sufficient food or provisions to last five days. I also specified some matches, which conditions he agreed to.

By this time the wagon had traveled quite a distance and the owner and myself rode off to overtake it. I left my companion to take care of the bull. When we overtook the wagon we found that a sick man, who was just about breathing his last, was in bed on top of the provisions. The driver told me that the man was mighty sick and I did not have the heart to make him move in his dying agonies; I made up my mind that we could get along without provisions. If worst came to worst, we could kill and eat the bull. I came away forgetting the matches, which was an oversight of mine that had its consequences. Ever since we had left Lodge Pole Creek, our mode of making fires was to take a piece of quartz, moisten some pieces of cloth with powder, put them on the ground and strike the quartz with the blade of a pen knife, causing a spark to fall on the powder-soaked rag. It was a very tedious way to light a fire. It seemed that to use a butcher knife it would not break the quartz.

I returned to Charles, my companion, who was sitting on a rock. Both his mule and the bull were gone; they had gotten into a thick grove of young trees, and could not be seen. I went forth and found them grazing peacefully side

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55. This "Point of Rocks" should not be confused with that where the White massacre occurred. See note 21 *supra*.

by side. I returned them to the road, and we were on our way once again but now we had a third animal to watch out for. We outlined our program so that we could travel in the cool of the evening. We had already passed Squaw Creek. In the distance, two black clouds came up over the horizon and in no time it began to rain, thunder and lightening. Not a word was spoken. We went silently on, facing the rain. It looked as if the blue flame from the lightening was playing on the barrel of my rifle; however, we felt we were in the hands of providence since we had escaped being killed.

Every deep spot was filled with water, every dry arroyo was a torrent of water until at last we came to one that was running so full that we felt it was too dangerous to cross. I proposed that we let the bull shift for himself and that we do something. We did and in no time we had our animals on the run for the timber which could be seen a short distance to the left about four or five miles from the road.

My companion said that it was the first sensible suggestion I had made since I had bought that Arkansas bull. When we reached the timber the first thing to do was to get a fire started, but how could we do it was the next question. I had thrown my flint away when I expected the matches, and now, being forgetful, I was to suffer the consequences, the punk, or rotten cloth, I had was gone as well. For a while it looked like we were not going to have a fire, when we advanced the idea of firing a charge into some rags and fan it into a blaze with our hats. We fired the charge and the blaze started, but it went out, so we tried again but had no success. I tried to find a piece of quartz on the ground and in so doing I stepped into some quicksand and had a terrible time getting out; if I had not got down on my hands and feet I think I would have been completely mired down; however, I was out on high ground ready to resume the experiment of trying to start a fire. I was now wet from head to foot, as well as having fallen into a poison ivy vine. I sat down on my roll of blankets in despair. I was so cold and chilly, the cold had sunken to my bones. I have never been so cold. I needed a fire to warm myself, and my companion was just as cold. My next move was to fill a rag with pow-

der and place it at the base of a tree with some dry bark around it. I fired my gun into it but only a small spark appeared. The rest of the package was too wet to burn. I thought a little powder would help it along, so I poured a little in some cedar bark, while Charles, in the meantime, was holding a blanket over my head to keep the powder dry, and as my fingers were so numb I could not feel, I had my fingers close to the powder horn. I thought that here it might burn, when all at once the powder exploded sending us both in opposite directions. We sat where we had fallen, saying nothing for quite a while, and soon we moved over so we could lean against a tree trunk, when Charles said, in very sober words, "William, it is very curious thing to dispose of a man's eyesight without anything to eat away in this wilderness and at least five miles from the road." We sat where we were and after long waiting, morning came. The rain had stopped and the glorious sun came out in all its glory and warmed our chilled bones.

We gathered up our blankets and wet buck-skin clothing in a very crumpled manner. Our stiff limbs caused us to groan when we moved. About this time Charles said, "William, I believe I can see. I kept a wet rag over my eyes all night and now I can see a little." I could also see a little but my eyes smarted terribly and, not knowing how he was, I did not tell him I could see, as he was under the impression that my eyes were gone.

When we were able we went in search of our mounts and the bull. We found our hobbled animals, soon and nearby the bull grazing with them contentedly. He probably was lonesome and when we prepared to mount, he came over to be near us. We started down the road, the bull in advance and after traveling several miles we came upon an immigrant train and here we were able to purchase sufficient supplies. We were both badly powder-burnt about the face and my hair was badly singed. Some of the men belonging to the train removed several of the powder marks on our faces, laughing as they did it. However, it was no laughing matter as far as we were concerned, but we did not object to them having their fun at our expense.



The next day we reached Fountain.<sup>56</sup> The bull moved down to the river and into the mire but we managed to get him out and on dry land. We then rode to the mouth of the Fountain, and we were received with hospitality by Mr. Baca. Here we remained in order to get treatment for our powder burns, and I to be treated for the poison ivy. We stayed long enough for our hair to grow out to a respectable length. I sent a man back for the bull, who found him grazing near the spot we had left him. To cap the climax, I had expected to have a fine, high-grade bull, but he turned out to be nothing but a scrub, as Charles had originally said he would be. When I was finally convinced that he was a scrub, I lost no time in trading him off; but my friends never did get tired of teasing me about my blooded bull.

### CHAPTER XIII

It was probably at this point that Mr. Krönig became ill, as there were no more notes left by him. It may have been that he lost his eye-sight first, then the use of his arms and hands, or perhaps it was just that he became tired and did not want to write any more. Possibly he just wanted to sit and smoke during his last days and day-dream of the pleasant incidents of life. It is here that we can place the sentence, or remark, "I wonder . . . ."

During the summer that is last described in his stories, he lived in the vicinity of where Pueblo now stands. Here he went into business, but in a few short months the trouble between the Indians and the Whites became more prominent and on Christmas day, 1854, his store and other buildings were destroyed. He tried again by moving to other locations in this part of the country, only to be met by misfortune, until finally he moved down into New Mexico, in 1856.<sup>57</sup>

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56. Hafen, *op. cit.*, 111, tells us: "On the east side of the mouth of Fountain Creek (site of present Pueblo) the town of Fountain City was begun in November, 1858." Here Krönig speaks of "Fountain" as a place already settled in the summer of 1853.

57. A biographical sketch, evidently based on data supplied by Krönig himself, indicates that he continued trading profitably with the Cheyenne, Arapahoe, Comanche and Sioux Indians to the end of 1854, but "on Christmas Day, 1854, occurred the massacre at Pueblo where 18 white people were killed and one woman and two children were taken prisoners." (see also Hafen, *op. cit.*, 99) "Business was then

Here he purchased a piece of property of about seven hundred acres, owned by a Mr. Barkley, on which was located a Fort, known in those days as Barkley's Fort.<sup>58</sup> He settled down for the time being and married. In about two or three years his wife died; he later remarried to have some one to take care of his children.<sup>59</sup>

During the year of 1868 conditions were prosperous and Mr. Krönig again became a man of wealth. It was about this time that gold was discovered in Moreno Valley in northern New Mexico, he being indirectly responsible for its discovery.<sup>60</sup> With the aid of some of his friends, he attempted to construct a forty-four mile ditch and flume, at a cost of \$30,000.00 and through this undertaking lost all his money, being again forced to start all over.

In 1872 he erected a smelter in Magdalena Mountains and in this venture he was successful.

During the year of 1864 he built a show place right across the Sapello River from the town of Watrous. The house was large and in front of it he built a forty acre lake and stocked it with fish.

entirely broken up and Mr. Kroenig went to La Costilla where he started a store and distillery." This venture did not last long, for we next see him in 1856 ranching in the Mora country.

58. James J. Webb, *Journal of a Santa Fe Trader, 1844-47*, mentions "Barclay & Doyle, Indian traders" in the summer of 1845. Ralph P. Bieber who edited this journal added (p. 133) a note: "Alexander Barclay and Joseph B. Doyle. In 1849 Barclay and Doyle built an adobe trading post on the south bank of the Mora river near the present village of Watrous, New Mexico. This post, which was still standing in 1857, was known as Barclay's Fort. The firm of Barclay & Doyle was dissolved in 1856." (Bieber cites a House Report; the *Santa Fé Weekly Gazette*, Feb. 9, 1856; and Davis, *El Gringo*, 31.) And here Krönig buys the property.

59. Hafen (*op. cit.*, 132) gives us the added information: "William Kroenig, who had farmed on the Huérfano in 1859 and had marketed his produce in Denver, reported in June, 1860, that over 600 acres were being farmed on the branches of the Arkansas in that year as against 125 acres in 1859 . . ."

60. For some detailed information in this connection, see *History of New Mexico* (Pacific States Publ. Co., 1907), II, 954-56. Of interest also is the fact that Krönig was the author of "Report as to Mora County" (Las Vegas, 1881), a pamphlet of five pages issued by the Territorial Bureau of Immigration. This body had five "members at large": Gov. Lew Wallace, Lehman Spiegelberg, L. Bradford Prince and T. F. Conway (all of Santa Fé), and William Krönig (of Watrous), besides commissioners for each of the twelve counties then existing. The pamphlet-cover shows the legend: "This report was almost entirely prepared by Wm. Krönig, commissioner of Watrous, Mora County." His statement regarding evidences of prehistoric occupation of that region was quoted and endorsed by A. F. A. Bandelier in his *Final Report on Investigations in the Southwest* (Cambridge, 1892), II, 132-133.

To Mr. Krönig was given the credit for constructing the first flour mill in Colorado; he was also interested in the first woolen mill built in the territory of New Mexico.

Mr. Krönig was a man of superior ability, possessing intellectual powers of high degree, and from books and experience gathered valuable knowledge to which he added kindness and sympathy; his benevolent nature gave to his influence a power that was far reaching. Through all of his dealings he maintained a reputation of honor and was highly esteemed by his fellow-men. Death closed his career at Watrous in December 1896.

## A TUCSON TRAGEDY

### *A True Tale of Terror*

#### The Court of Judge Lynch The Execution

*Written for the Boston Commercial Bulletin*

## II

### IDENTIFYING THE MURDERERS

With Evans to think was to act. It took him no time at all to indicate by whispers, signs and winks that he wanted half a dozen Americans to follow him. Exactly what he said or how he said it, he himself could never explain, but he managed to let his small band of select companions know that three Mexican desperados, whom he had the best of reasons for considering the murderers, were in the crowd, unable to leave town until the pickets should be withdrawn and playing the dodge of mingling boldly with the mourners to divert all suspicion from themselves.

The next they knew was the sharp sound of click! click! "Hands up! and no jawbone. There! that will do. Now, tie this one."

It was done. The Mexicans made no resistance. What could it mean? murmured the crowd. Those men have done nothing. Why have they been arrested?

"Ah! truly, sir, you speak well. We are poor people from Oposura coming up to the *fiesta* of the glorious Saint Agostin, and now about to travel to Magdalena for the *funcion* of the ever blessed Saint Francis."

"Take that fellow," said Evans, unmindful of this pious explanation, "and follow me through the house."

Once in the yard, Evans' purpose was plain to be seen.

"Take off his moccasins and put his feet in those foot-prints."

The prisoner resisted as best he could, but unavailingly. His foot fitted perfectly in the track. The two were identical. A shiver ran through the crowd which unbidden had pressed in behind.

"They have caught one of the murderers, sure," was the general comment.

"Gentlemen, perhaps I can be of some service to you," said a bright looking young man, pushing forward to the group which had assumed management of affairs. It was a

surgeon of the army, lately assigned for duty at the military post near Tucson.

A professional call had brought him into town, just as the story was passing from mouth to mouth that suspicion had been directed to a Mexican whose newly-washed feet just fitted the bloody tracks in the yard of the murdered Muñoz.

"Will you let me examine those feet?"

"Why, certainly, doctor, with pleasure."

The young surgeon knelt down and, before the prisoner could divine his motive had seized one of his feet with one hand and with the other ran a penknife under the nail of the great toe, drawing out dark, red, coagulated blood.

"I'll put this under the microscope to be certain and let you know what this is," he said, making a bow and disappearing.

#### THE SURGEON'S DEVICE

Is it worth while to delay at this point? Rather is it not better to hurry the story to a conclusion by saying that the doctor's shrewd surmise was demonstrated into a scientific fact and that blood, human blood, was proved to exist in the clotted mass which careless ablutions had failed to remove?

The doom of one of the three was sealed. But how about the other two? The most rigid search had failed to bring to light any of the stolen property, there was nothing but circumstantial evidence against them, and they protested their innocence with an energy and plausibility that were not altogether without effect upon the minds of those in charge of them. The prisoners were, however, separated and cross-examined at different points. Their answers, as might be expected, showed many discrepancies; not serious enough, perhaps, to justify, in the strictest interpretation of the law, the scene which next followed, but sufficiently grave, in the remote outlying settlements of the Far West, to justify his Honor,—Judge Lynch,—in any measure, even death itself.

"Boys!" said the spokesman, "we're on the right trail. One of these men has certainly been concerned in this most brutal murder, and altho' I can't prove it, I believe that all three have been. They can't tell the same story twice in succession; they're lying right along and I propose that we hang them all three until they do tell the truth."

Evans was addressing the population of Tucson. It seemed as if every soul in the town had found a way to the old montepio, in front of which were massed hundreds of men, impatient, excited, thirsting for revenge.

"You bet," was the emphatic endorsement, uttered by hundreds of voices "that's what we'll do."

## JUDGE LYNCH IN COURT

The prisoners glanced uneasily from face to face. They saw around them representatives of nearly every race in the world. Mexicans in scores; Mexican Indians; Apaches, of whom a few then known as Tame Apaches, had lived in Tucson for years; a negro or two, and as many Chinamen, for the Mongolian had scarcely as yet invaded the territory; while among the "Americans," were Germans, Irish, French, Yankees from Cape Cod; long-limbed Missourians, phlegmatic Pennsylvania Dutch and a goodly sprinkling of "Forty Niners" from California; men of godly lives and men over whose past careers charity had kindly spread her mantle.

Scarcely an American present without a title. There were colonels and majors in plenty; "doctors" too and "judges," with here and there a "professor" to keep them company. The Mexicans were content with the simpler but more elegant "Don," which their American neighbors never omitted in addressing them.

There was something peculiar about this punctilious politeness of Arizona, beneath whose sage-brush and saguaras the Muses and Graces were not commonly reputed to dwell.

You might be disposed to dispute "Jedge" Dawkins' claim to forensic distinction, and were he back in Boston you would, no doubt, in cold blood, call him Dawkins only, if you called him anything at all; but in the exhilarating climate of the Southwest when you had it intimated to you that Dawkins was "quick on the trigger" and "a nasty man in a row," you at once gave him the benefit of the doubt and of the handle to his name.

Some of the Mexicans of the better class were exceptionally refined and good mannered. Politeness, in a word, clothes the Mexican as with a garment. He may not always mean what he says, yet he says what he doesn't mean in such a graceful, Chesterfieldian way that you like him in spite of yourself.

## MEXICAN POLITENESS

No American has ever realized the niceties of good breeding until he has seen a Mexican of the lower class approach a "caballero" and ask for a light for his cigarette. There is such perfect courtesy, such a sense of mutual dependence and mutual confidence displayed, that, at the least, you fancy that one must be a poor relation of the other. Not in the slightest degree, except as they both trace back to old Father Adam. They have never seen each other before and may never see each other again.

To come back to the throng which massed about the condemned, it now includes numbers of the best Mexicans in the town, who were more anxious to rid the earth of these wretches than even the Americans were, because they knew more of the past history of the gang, to which it was believed they had belonged in Sonora.

Thus stood the prisoners for one brief moment scanning the features of those who were soon to be their executioners; in that brief moment, the quivering wretches had time enough to comprehend that in the sea of diverse faces there was one trait in common, one bond of union,—the absence of all mercy.

“Don Leopoldo!” said Evans, turning to a plainly garbed, rather swarthy faced, but very keen looking Mexican, “we want you to say to these men that they have not much longer to live. We know that they’ve murdered poor Muñoz and his family and ought to be hanged on sight; for all that, we want to do the fair thing and will give them a chance to tell the truth and all they want to say. May be one of them had less to do with it than the rest.”

#### PLEADING FOR MERCY

At this intimation, slight as it was, of clemency for “State’s evidence,” one of the culprits, who may as well be called García—and while we are naming him, let us, as a matter of poetic license, designate his accessories as Vásquez and Ribera—began most piteously to plead for mercy.

“By all the saints in heaven,” he swore, “I had nothing to do with the murder. I was not the one who did it.”

“It makes no difference which of you did it,” interposed the impatient captors, “we’re going to hang you all just for luck, and if you can’t remember all about it by the time we let you down, we’ll stretch your necks for good.”

One after another the murderers dangled in the air and were kept there until nearly strangled. Then they were let down and from their half-articulate, terror-stricken utterances the full horror of their crime was gleaned.

Vásquez and Ribera had committed the murder, García keeping watch, lying down flat on the ground, on the opposite side of the street, ready to sound a low whistle the moment any one approached. But no providential footstep, no belated gambler homeward reeling from the scene of his successes or reverses at the *fiesta*, scared away the inhuman butchers from their deed of blood. Muñoz, Doña Luisa and the little child were murdered almost in the manner suggested to the quick perceptions of those who first entered their house, and there remained to be cleared up only one

mystery of the place of concealment of the jewelry and other trinkets of value which had been the incentive to the crime.

#### CONCEALING THE PLUNDER

"I will tell you," said Vásquez, coolly; "you know all now. It's no use trying to conceal further. We buried our plunder directly in front of the Governor's house. We thought that that would be the last place any one would think of examining. A short distance down the lane which leads from the Governor's house to the bishop's house, on the right hand side, is a mesquite tree; under it we buried the jewelry. Take me there, I will show you the spot."

There was a chorus of assent to this proposition. With hands still bound, but escorted by so strong a guard that all hope of escape was out of the question, Vásquez led the way— "There! Dig in that spot." A half dozen spade-fulls of soft earth brought to light a small bundle of gold ear-rings, bracelets and watch chains, some of them well marked with blood from the murderers' hands.

These men were to hang, and in a very few minutes. Every hour of grace would be only so much additional torture; why not run them down into the Bottom and hang them to the first cottonwoods? But here spoke out "Don Samuel," an Amercian married to a Mexican lady, and almost as much a Mexican as an American, so far as knowledge of language and customs went, a clearheaded man, a property holder and a prominent person in every sense. "I want to say right here that we have caught these men in the very act, I may say, of foul murder; we have tried them not by a jury of twelve, but by a jury of the whole town. By that jury and by their own confession, we have found them guilty. Why hang them in the Bottom? Why not hang them in the Plaza itself?"

A murmur of approval.

"While we're about it," added a tall, quiet looking miner from the Comstock, "why not make a clean job of it? Why not hang Williss who was seen by half a dozen good, reputable witnesses to shoot that Mexican, Flores, in cold blood a year ago? The county can't well afford to keep him in jail forever and he's had a fair trial and been found guilty. This trying a murderer half a dozen times over costs a heap of money."

"Yes, they might just as well hang the whole batch at once," so the great throng concluded with lightning celerity. Who set in place the strong beams which formed the gallows? Quién sabe. Who bought the rope and made ready the nooses? Quién sabe. Quién sabe was busy that day and



did much that over-zealous officials might afterwards have liked to find out.

The cathedral bells, which hung on a horizontal beam in front of the old church, clanged and clanged and clanged, because small boys were deputed for this task and the small boy is never so conscientious in obedience to orders as when his work involves noise.

It was a solemn,—a dreadful scene,—that on the plaza in front of the church, the gallows, the executioners, the sullen determined assemblage; the three Mexican murderers were promptly in place, two of them bold and collected, the third faint with fright, sustained in the arms of two stout men.

“Make way!—and the crowd divides, to allow the entrance of the party who had seized upon jail and jailor and taken possession of the fourth murderer whom they were dragging to his death—a white-faced, cowardly cur. He had in his day been a “desperate character” and in that role had shot and maimed many a poor wretch drunker than himself or not so well armed. Half a dozen murders were charged up on his head and one proved. Yet when his turn came to die, no innocent child could plead so piteously for mercy. “Gentlemen, only a few days, spare me! I’ll be a different man for the rest of my life. Don’t kill a poor man in cold blood—”

#### FOUR STRANGE SCARECROWS

“Was that what you told Flores?” queried one of those nearest him. “Didn’t you say you shot to see a d - - - d Mexican wriggle? Well, you’ve got to take a dose of your own medicine and that’s all there is about it.”

“Don’t let me die like a dog—let me talk to some clergyman.”

“By Jove, boys, he’s right. Let some one of those ‘muchachos’ run over for Padre Antonio or Padre Francisco, but tell him to hurry, as we have no time for fooling.”

The speaker was a rough-mannered, brawny, handsome fellow, from somewhere down in York State, the last man in the world to be credited with any personal solicitude about matters theological where himself alone was concerned. He was too manly not to concede to others, however, the same freedom of opinion he demanded for himself. The swift-running boys delivered their message and returned, heralding the priest, at whose approach all drew back a respectful distance, to allow him whispered converse with the doomed.

Vásquez died impenitent—that is, he explained that his whole career had been so bad there was no use trying to say

prayers in his last hour. García was believed to be already dead of fright. Ribera humbly confessed his sins, while Williss, a Protestant, as was said, held the priest's hand in a vice-like grip and listened during the brief time allowed him to the good man's words.

'Twas early morning again. The first faint flush of dawn once more aroused the crows up on the tops of the pitahayas and this time the burden of their gossip was the four strange scarecrows which hung from the gallows in front of the church in the Plaza of old Tucson.

## FRIAR PERSONNEL AND MISSION CHRONOLOGY 1598-1629

By FRANCE V. SCHOLES and LANSING B. BLOOM

IN THE PAST, students of the early mission history of New Mexico have depended very largely on five major sources. These are (1) the *Relaciones* of Fray Jerónimo de Zárate Salmerón, (2) the 1630 *Memorial* of Fray Alonso de Benavides, (3) the two *Relaciones* of Fray Estevan de Perea, (4) the *Teatro Mexicano* of Fray Agustín de Vetancurt, and (5) the *Bezerro General* of Fray Francisco Antonio de la Rosa Figueroa.

The first, written about 1629 by a friar who had served in New Mexico from 1621 to 1626, deals to a great extent with geography and exploration and actually contains little about missionary developments.<sup>1</sup> Benavides' *Memorial* of 1630, of which the Ayer-Hodge-Lummis edition is well known, describes conditions at the end of the third decade of the seventeenth century.<sup>2</sup> In 1634 Benavides presented a revised version to Pope Urban VIII which contains some additional data. A translation of this second edition, with numerous appendices and elaborate notes, is now in press.<sup>3</sup> Perea's two reports, published in 1632-1633, deal with events of the year 1629.<sup>4</sup>

Vetancurt was a chronicler of the Franciscan province of the Holy Evangel in New Spain, of which the New Mexico missions formed a part. His work, originally published in 1697-1698,<sup>5</sup> records a certain amount of material not avail-

1. *Relaciones de todos las cosas que en el Nuevo-Mexico se han visto y sabido . . . desde el año de 1538 hasta el de 1626, por el padre Geronimo de Zarate Salmeron.* Published in *Documentos para la historia de México, Tercera serie* (México, 1856).

2. *The Memorial of Fray Alonso de Benavides, 1630*; tr. by Mrs. Edward E. Ayer; annotated by Frederick Webb Hodge and Charles Fletcher Lummis (Chicago, 1916).

3. The manuscript of Benavides' *Memorial* of 1634 is in the archive of the Propaganda Fide in Rome. This version, translated and edited by F. W. Hodge, G. P. Hammond and A. Rey, and now in press, will comprise Vol. VI of the *Coronado Historical Series*, edited by G. P. Hammond.

4. English translation by L. B. Bloom in *New Mex. Hist. Rev.*, VIII (1933), pp. 210-235.

5. Agustín de Vetancurt, *Teatro Mexicano* (4 pts., México, 1697-98). Second edition in 4 vols., México, 1870-71, in *Biblioteca histórica de la Iberia*, vols. 7-10.

able elsewhere, but it contains many inaccuracies and consequently is not entirely trustworthy. Rosa Figueroa was archivist of the province of the Holy Evangel in the eighteenth century, and his *Bezerro General* attempts to list the friars who had been enrolled in the province, beginning with the first Franciscans who came to New Spain in the 1520's. It provides valuable data concerning the nationality or place of birth of the friars, when and where they made their profession, and interesting details about the lives of outstanding missionaries.<sup>6</sup>

But the material recorded in these sources does not give adequate information for the early history of the New Mexico missions and their founders. Consequently it is necessary to glean many facts from the mass of manuscript sources that have been made available during the past quarter-century by the investigations of various scholars. Some of these supplementary data have been presented in George P. Hammond's *Don Juan de Oñate and the Founding of New Mexico* (Santa Fé, 1927). The authors of the present paper have recorded other facts in their respective publications. But the story is still incomplete.

It is our purpose here to set forth the available information concerning friar personnel and mission chronology from 1598 to 1629. This was the most important period of early New Mexico mission history. By the end of the decade of the 1620's missions had been established in all parts of the Pueblo area.

### 1. FRIAR PERSONNEL IN THE OÑATE PERIOD

Ten Franciscan friars, eight priests and two lay brothers, accompanied the Oñate expedition to New Mexico in 1598. The eight priests were Fray Alonso Martínez, Fray Juan Claros, Fray Andrés Corchado, Fray Alonso de Lugo, Fray Juan de Rosas, Fray Cristóbal de Salazar, Fray Francisco de San Miguel, and Fray Francisco de Zamora. The lay

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6. *Bezerro General Menológico y Chronológico de todos los Religiosos que . . . ha Avido en esta S.<sup>ta</sup> Prov.<sup>a</sup> del S.<sup>to</sup> Evang.<sup>o</sup> desde su fundación hasta el pres.<sup>te</sup> año de 1764 . . . Dispuesto y elaborado . . . por Fr. Fran.<sup>co</sup> Antonio de la Rosa Figueroa . . . MS in the Edward E. Ayer Collection, The Newberry Library, Chicago.*

brothers were Fray Juan de San Buenaventura and Fray Pedro de Vergara. Three *donados* (Mexican Indians who were not professed friars) named Juan de Dios, Francisco, and Martín, were also in the party. Father Martínez served as commissary, or prelate, of the entire group.<sup>7</sup>

In the spring of 1599, when Oñate sent dispatches to the viceroy, Martínez left for New Spain in order to make a report to his superior prelates and to seek additional friars for the province. He was accompanied by Fray Pedro de Vergara,<sup>8</sup> who served as his companion and aid, and by Fray Cristóbal de Salazar. The latter, who was aged, was probably returning for reasons of health, for he died during the journey.<sup>9</sup> Thus seven friars, six priests and one lay brother, remained in the province, and Fray Francisco de San Miguel appears to have been appointed to serve as commissary during the absence of Martínez.<sup>10</sup>

As a result of the favorable reports presented in Mexico City, a new group of Franciscans were enlisted for service in Mexico. There is evidence that Martínez planned to return with them,<sup>11</sup> but sometime before their departure he withdrew and Fray Juan de Escalona was named commissary in his place. The treasury accounts, which record expenditures for food and supplies for this group, show that nine friars were provided for.<sup>12</sup> Deducting Martínez, the other eight were: Fray Juan de Escalona, Fray Lope de Izquierdo, Fray Luis Mairones, Fray Alonso de la Oliva, Fray Gastón de Peralta, and Fray Francisco de Velasco, all of them priests; Fray Damián Escudero, lay brother and physician; and Fray Pedro de Vergara, the lay brother who had

7. Hammond, *Don Juan de Oñate*, p. 92, note 346.

8. Hammond (*ibid.*, pp. 124-25 and note 468) indicates some doubt whether Vergara made the journey. But statements in the treasury accounts in Archivo General de Indias (cited hereinafter as A. G. I.), Contaduría, leg. 697-98, prove beyond doubt that Vergara accompanied Martínez.

9. Hammond, *op. cit.*, p. 124.

10. In the summer of 1600 a probanza of the services of Vicente de Zaldívar was drawn up at San Gabriel. Father San Miguel was one of the witnesses and he is described as "comisario." A.G.I., Patronato, leg. 22.

11. A.G.I., Contaduría, legs. 697-98, 700.

12. A.G.I., Contaduría, leg. 700.

accompanied Martínez to Mexico in 1599 and now returned to New Mexico.<sup>13</sup>

Fray Alonso de la Oliva left in advance of the others and arrived in New Mexico in September, 1600. The others arrived a day or two before Christmas of that year.<sup>14</sup> This new group of eight friars and the seven remaining in the province in the spring of 1599, as noted above, give a total of fifteen to be accounted for in the events of 1601 which culminated in the withdrawal of most of the friars and a large number of the colonists in the autumn of that year.

In March, 1601, a group of soldiers left New Mexico with dispatches for the viceroy, and after their arrival in Mexico City in the following summer they gave testimony concerning conditions in the province at the time of their departure. They testified that when they set out in March there were only nine friars, six priests and three lay brothers, left in New Mexico.<sup>15</sup> This is exactly the number that can be accounted for in the documents relating to the desertion in the autumn of 1601 and to Oñate's expedition to the eastern plains in that year. They were: Fray Juan de Escalona, the commissary, and five other priests, Fray Lope de Izquierdo, Fray Gastón de Peralta, Fray Francisco de San Miguel, Fray Francisco de Velasco, and Fray Francisco de Zamora; and three lay brothers, Fray Damián Escudero, Fray Juan de San Buenaventura, and Fray Pedro de Vergara.<sup>16</sup>

What had happened to the six others? The testimony of the soldiers given in Mexico City in the summer of 1601 indicates that Fray Alonso de Lugo, Fray Luis Mairones, and Fray Alonso de la Oliva had returned to New Spain, apparently in the spring of 1601 with the soldiers.<sup>17</sup> With regard to Fray Juan Claros, Fray Andrés Corchado, and Fray Juan de Rosas, the fact that no mention of them is made in any of the 1601 documents causes us to surmise that

13. Compiled from Hammond's list (*op. cit.*, p. 130) and the manuscript sources for the period 1600-1601. See note 28 below.

14. Hammond, *op. cit.*, p. 130.

15. Copia de una información . . . , 1601. A.G.I., México, leg. 26.

16. Auto del gobernador de Nuevo Mexico y diligencias para que se levante el campo, 1601, A.G.I., México, leg. 26; Informacion y papeles que envio la gente que alla quedo . . . 1601, in *ibid.*

17. Copia de una información . . . , 1601. A.G.I., México, leg. 26.

they had died before March, 1601. If not, they also must have returned to New Spain at that time or earlier.

At the time of the desertion in the autumn of 1601 Fray Juan de Escalona, the commissary, remained at his post in San Gabriel. Fray Francisco de Velasco and Fray Pedro de Vergara were with Oñate on the plains expedition and returned with him to San Gabriel a short time later. The six others—Escudero, Izquierdo, Peralta, San Buenaventura, San Miguel, and Zamora—left the province with the deserting colonists. Thus only three—Escalona, Velasco, and Vergara—remained in New Mexico at the end of 1601.<sup>18</sup>

According to letters of the viceroys and the treasury accounts, four friars were sent out in 1603 and two more in 1605.<sup>19</sup> Fray Francisco de Escobar was leader of the 1603 group and in 1604 he assumed office as commissary.<sup>20</sup> Another of the 1603 group was evidently Fray Juan de San Buenaventura, lay brother, who went out with Oñate in 1598 and returned to New Spain in 1601, for he accompanied Escobar and Oñate on the expedition to the South Sea in 1604-1605.<sup>21</sup> Of the four others who went to New Mexico in 1603-1605, we can positively identify three who are mentioned in the documents of the Oñate period. They are Fray Lázaro Ximénez and Fray Isidro Ordóñez, priests,<sup>22</sup> and Fray Alonso de San Juan, lay brother.<sup>23</sup> The fourth was

18. The fact that no others remained is confirmed by a letter of Viceroy Monterey to the king, México, December 12, 1602, in which the statement is made that only "two or three" friars remain in New Mexico. A.G.I., México, leg. 26.

19. Monterey to the king, México, May 28, 1603, A.G.I., México, leg. 25; Montesclaros to the king, México, October 28, 1605, A.G.I., México, leg. 27; also accounts in A.G.I., Contaduría, legs. 704, 707, 842A. Torquemada (*Monarchia Indiana*, ed. 1723, vol. 1, p. 678) implies that all six went out in 1603. The Contaduría records indicate, however, that two of them went two years later.

20. Escalona resigned after the desertion of 1601. Escobar was named commissary to succeed him, but with the provision that Fray Francisco de Velasco should serve for a year before Escobar took office. Torquemada, *Monarchia Indiana* (ed. 1723), vol. 1, p. 678. This arrangement was evidently carried out, for we learn from another source that Velasco held the title of "comisario apostolico" in the early part of 1604. (See Scholes' article on Juan Martínez de Montoya in this issue of the Review.) But prior to departure of Oñate and Escobar to the South Sea in October, 1604, the latter had assumed office as commissary.

21. Hammond, *op. cit.*, p. 165.

22. A.G.I., México, leg. 27.

23. San Juan is mentioned in a New Mexico document of 1606-1607 in Archivo General de la Nación, México (hereinafter cited as A.G.N.), Inquisición, tomo 467, ff. 342-353.

probably Fray Cristóbal de Quiñones, for although we find no reference to him in the contemporary records, Vetancurt states that he died in New Mexico in 1609.<sup>24</sup> There is also evidence that a certain Fray Joseph Tavera was in New Mexico toward the end of the Oñate regime.<sup>25</sup>

We have also the names of four friars—Fray Pedro de Carrascal, Fray Bernardo de Marta, Fray Roque de Figueredo, and Fray Pedro de Salmerón—mentioned by certain writers as possibly being in New Mexico in the latter part of the Oñate period. No one of them, however, is named in the contemporary sources.

Bancroft suggests that Carrascal and Salmerón may have been members of the group that went out with Escobar in 1603.<sup>26</sup> Vetancurt tells us that Carrascal served for a time in New Mexico, but gives no dates, and that he returned to New Spain, where he died in 1622.<sup>27</sup> We doubt, however, that he was in New Mexico during the time of Oñate, and it seems likely that he came at a later date.<sup>28</sup>

With regard to Fray Pedro de Salmerón, Vetancurt states that he accompanied Oñate and Fray Francisco de Velasco on an exploring expedition in 1604 and that he made a report of this entrada to his prelates.<sup>29</sup> From the nature of Vetancurt's account it appears that what the author has in mind is Oñate's journey to the South Sea in 1604-1605, although he evidently confuses it to some extent with the plains expedition of 1601, in which Fray Francisco de Velasco did take part. There is no evidence in the contemporary records that a Fray Pedro de Salmerón participated in the 1604 entrada, and we suspect that the Salmerón report, to which Vetancurt refers, is actually the narrative of the

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24. Vetancurt, *Teatro Mexicano*, ed. 1870-71, vol. 4, p. 137.

25. Lo ultimamente proveído . . . , México, September 28, 1609. A.G.I., México, leg. 27.

26. H. H. Bancroft, *History of Arizona and New Mexico* (San Francisco, 1889), p. 154, note 14.

27. Vetancurt, *op. cit.*, vol. 4 p. 293.

28. It is unlikely that Carrascal was in the group of friars who arrived with Escalona in 1600, since Rosa Figueroa (*Bezerro General*, p. 124) shows that he was not incorporated in the Province of the Holy Gospel until that year.

29. Vetancurt, *op. cit.*, vol. 3, pp. 374-75.



South Sea journey which Fray Jerónimo de Zárate Salmerón incorporated in his *Relaciones* of 1629.

In a note to the Ayer edition of Benavides' *Memorial*, Hodge states that Fray Bernardo de Marta came to New Mexico in 1605 and cites Vetancurt.<sup>30</sup> According to the Vetancurt account, Marta and his brother Juan sailed from Spain in 1605, and the following year, when they were about to set out for the Philippines, Fray Bernardo was ordered to go to New Mexico.<sup>31</sup> Rosa Figueroa relates that Marta came to Mexico with his brother in 1605 and was enrolled in the province of the Holy Evangel; he also states that Fray Bernardo wished to go to the Philippines with his brother, but was prevented from doing so by his prelate, who sent him to the convent of Puebla, "doubtless as *vicario de coro* or organist, because he was an excellent musician." Later he asked to go to New Mexico, where he died in 1632.<sup>32</sup> (Vetancurt gives the date of his death as 1635.) It is evident from the foregoing that Marta did not go to New Mexico in 1605, and if he served for a time at Puebla, as Rosa Figueroa indicates, then it seems likely that he was not in the province during the time of Oñate. The first reference to him in the early manuscript sources is for the year 1613,<sup>33</sup> and he was probably a member of the group of friars who came with Fray Alonso de Peinado in 1609-1610.

According to the bibliographer, Beristain y Souza, Fray Roque de Figueredo "accompanied the captain general, D. Juan de Oñate, in the year 1604 on the expedition to those provinces." On this point Hodge writes: "Bandelier (*Doc. Hist. Zuñi Tribe*, 93) states that Figueredo did not accompany Oñate, and Bancroft does not include him in his list of Oñate's associates in 1598, but this is no indication that Fray Roque did not join Oñate later."<sup>34</sup> We find no evidence, however, in the contemporary documents, that Figueredo was ever in New Mexico prior to 1629, when he came with

30. *Memorial* (Ayer ed.), p. 198.

31. Vetancurt, *op. cit.*, vol. 4, p. 328.

32. *Bezerro General*, p. 126.

33. *Relacion Verdadera q. el p<sup>o</sup> predicador fr. Fran.<sup>co</sup> Perez Guerta . . . hizo al R<sup>mo</sup>, Commiss. Gen.<sup>l</sup> . . .*, [1617]. A.G.N., Inquisición, tomo 316, ff. 149-74.

34. Benavides, *Memorial* (Ayer ed.), p. 197.

the band of thirty friars who were brought by Fray Estevan de Perea in that year.

Thus it would appear that from 1601 to the end of the Oñate regime there were only ten friars in New Mexico at one time or another. These were Fray Juan de Escalona, Fray Francisco de Velasco, Fray Pedro de Vergara, Fray Francisco de Escobar, Fray Juan de San Buenaventura, Fray Lázaro Ximénez, Fray Isidro Ordóñez, Fray Alonso de San Juan, Fray Cristóbal de Quiñones, and Fray Joseph Tavera.

According to Vetancurt, Escalona died in New Mexico in 1607 and Quiñones in 1609.<sup>35</sup> Ximénez took dispatches to the viceroy in the autumn of 1607 and then returned to New Mexico in the following year. In the autumn of 1608 he again went to New Spain, together with Fray Isidro Ordóñez, taking new reports which prompted Viceroy Velasco to appoint Pedro de Peralta as governor of the province and to send out a new group of friars with Fray Alonso de Peinado as commissary.<sup>36</sup> Peralta and Peinado arrived in New Mexico early in 1610. Fray Francisco de Velasco evidently left New Mexico in 1607 with Ximénez, for a letter of the *audiencia* dated June 23, 1608, reveals that he was then in Mexico City and about to leave for Spain.<sup>37</sup> Although he later returned to Mexico and became provincial of the Order in 1629, he never went back to New Mexico. Fray Alonso de San Juan was in the province in 1607,<sup>38</sup> but he must have gone to New Spain that year or the next, for we have evidence that he was a member of the Peinado group that went out to New Mexico in 1603.<sup>39</sup> Tavera is recorded as bringing dispatches from Oñate in the summer of 1609.<sup>40</sup> It appears, therefore, that not more than three friars were left in New Mexico at the end of the Oñate period, viz., Fray Francisco

35. Vetancurt, *op. cit.*, vol. 4, pp. 137, 207-09.

36. A.G.I., México, leg. 27; Hammond, *op. cit.*, pp. 178-79.

37. Audiencia to the king, México, June 23, 1608. A.G.I., México, leg. 72.

38. Cf. note 23, *supra*.

39. In a dispatch to the Holy Office, dated September 18, 1622, Fray Estevan de Perea states that Fray Alonso de San Juan "came with me" to New Mexico. A.G.N., Inquisición, tomo 486. Since we know that Perea was a member of the Peinado group, it is evident that San Juan also journeyed to New Mexico at the same time.

40. Lo ultimamente proveido . . . , September 23, 1609. A.G.I., México, leg. 27.

de Escobar, the commissary, and two lay brothers, Fray Juan de San Buenaventura and Fray Pedro de Vergara. Indeed, there may have been only two, for Torquemada seems to imply that Escobar died while holding office as commissary.<sup>41</sup> He was still alive in 1608,<sup>42</sup> but his death may have occurred sometime during the following year.

## 2. MISSIONARY PROGRESS IN THE OÑATE PERIOD

In the summer of 1598 Oñate established provincial headquarters at the pueblo of San Juan. Construction of a church was started on August 23 and the dedication services were held on September 8. The first mission assignments were made by Father Martínez on September 9, as follows: Taos and Picurís, Fray Francisco de Zamora; Tewa pueblos, Fray Cristóbal de Salazar, aided by the lay brothers, San Buenaventura and Vergara; Tano area and the Keres pueblos on the Río Grande, Fray Juan de Rosas; Pecos and the Tiwa and Tompiro pueblos of the Salinas area, Fray Francisco de San Miguel; Tiwa pueblos of the middle Río Grande and the Piro area, Fray Juan Claros; Jémez district, Fray Alonso de Lugo; Sia, Acoma, and the Zuñi and Hopi areas, Fray Andrés Corchado.<sup>43</sup> Unfortunately the contemporary sources record relatively little information concerning missionary activity during the next three years. Certain facts, however, can be gleaned from the printed documents for 1598-1599 and from the manuscript sources for the year 1601.<sup>44</sup>

The base from which missionary work was carried on was at first the pueblo of San Juan, and later the pueblo of San Gabriel to which Oñate transferred his headquarters sometime in 1599 or 1600. The first baptisms were performed at San Juan soon after the arrival of the friars in 1598, and throughout the Oñate period the Tewa pueblos,

41. Torquemada, *op. cit.*, vol. 3, p. 598

42. We are told that Escobar approved the action of the *cabildo* of San Gabriel in electing Cristóbal de Oñate as governor in 1608. Velasco to the king, February 13, 1609, A.G.I., México, leg. 27.

43. Hammond, *op. cit.*, pp. 103-104, and sources cited.

44. "Ytinerario," in *Coleccion de documentos ineditos . . .*, vol. 16, pp. 228-276; H. E. Bolton, *Spanish exploration in the Southwest, 1542-1706* (New York, 1916), pp. 212-267; and MS sources cited in notes 15 and 16, *supra*. Cf. also Hammond, *op. cit.*, pp. 148-49.

being nearest the provincial capital, undoubtedly received the greatest attention. At the time of the desertion in 1601 there were convents (friar-residences) and churches in San Gabriel and San Ildefonso. The priests in charge were Fray Lope de Izquierdo and Fray Francisco de San Miguel respectively.

Father Zamora visited the Taos-Picurís area in the autumn of 1598, but probably remained there a relatively short time. There is evidence, however, that one of the *donados* was at Picurís during the period prior to the desertion in 1601.

Father San Miguel, accompanied by the *donado* Juan de Dios, went to Pecos in 1598. After a short stay San Miguel apparently returned to provincial headquarters, leaving behind the *donado* who remained for a while longer. We have no evidence that San Miguel ever visited the pueblos of the Tiwas and Tompiros in the Salinas district which also comprised part of his mission assignment. After the departure of Martínez in 1599, he served as commissary, with headquarters at San Juan and later at San Gabriel. As noted above, he was guardian of the convent in San Ildefonso in 1601, probably having been assigned to that pueblo after the arrival of the new commissary, Fray Juan de Escalona, in December, 1600.

The documents of 1601 record that Father Lugo and one of the *donados* labored for a time among the Jémez Indians, and we also have reference to a church where the Indians came for instruction. Lugo returned to Mexico in March, 1601. The *donado* may have remained with the Jémez for a longer period, but the year 1601 probably marks the end of effective work in that area for many years.<sup>45</sup>

Fathers Rosas, Claros, and Corchado may have visited parts of their respective mission fields in the autumn of 1598, but we have no record of their activities thereafter. This lack of information is an argument in favor of the surmise, stated above, that they died in New Mexico prior to March, 1601.

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45. See Scholes, "Notes on the Jemez missions in the seventeenth century," *El Palacio*, XLIV (1938), 62-63.

We learn that two of the friars who came in 1600, Fray Alonso de la Oliva and the lay brother, Fray Damián Escudero, labored at Santo Domingo, apparently with the aid of one of the *donados*. After the departure of Oliva in the spring of 1601, Escudero may have stayed on at Santo Domingo until the following autumn, when he left the province with the other friars who withdrew at that time.

Information is also very inadequate for the period from 1601 to 1610. Such evidence as is available indicates that missionary activity was concentrated in the Tewa and Río Grande Keres districts. A convent was maintained at San Gabriel, from which the nearby pueblos of San Juan and Santa Clara were undoubtedly administered. From time to time the friars probably visited the other Tewa settlements, but we have no evidence that friars maintained continuous residence in any of them. After he relinquished office as commissary, Escalona devoted himself to the conversion of the Río Grande Keres. It is recorded that he was serving in Santo Domingo in 1604,<sup>46</sup> and he apparently remained there until his death in 1607. Vetancurt attributes the founding of a convent, church, and infirmary at San Felipe to Fray Cristóbal de Quiñones.<sup>47</sup> But there can be little doubt that the San Felipe foundations were established at a later date by Fray Cristóbal de Quirós, for whose services Vetancurt mistakenly gives the credit to Quiñones. It is possible, however, that Quiñones worked among the Keres prior to his death in 1609.

If the estimate of seven thousand conversions reported to the viceroy in 1608<sup>48</sup> is correct, or even partially so, it may be inferred that missionary activity had been extended to other districts besides those of the Tewa and Río Grande Keres. The most likely areas in which the work would have been carried on are the Tano district, the pueblos of Sia and Santa Ana, and possibly the Tiwa pueblos in the region of modern Bernalillo. We have no positive evidence, however, to

46. A.G.N., *Provincias Internas*, tomo 34, exp. 1.

47. Vetancurt, *op. cit.*, vol. 4, p. 137.

48. Hammond, *op. cit.*, p. 176. Torquemada, *op. cit.*, vol. 3, p. 473, has "more than 8,000."

substantiate this inference. With only two or three friars left in New Mexico at the end of 1609, it may be assumed that missionary activity was at a minimum when Oñate's government came to a close.

### 3. FRIAR PERSONNEL, 1610-1616

As we have noted in section 1, there were apparently only two or three friars left in New Mexico at the end of 1609. As the result of reports brought to Mexico City toward the end of 1608 by Fray Lázaro Ximénez and Fray Isidro Ordóñez, the viceroy decided to provide additional support for the missions. Supplies and transportation were provided for nine friars<sup>49</sup> who left Mexico City in the spring of 1609 and arrived in New Mexico early in the following year.<sup>50</sup> The leader of this group was Fray Alonso de Peinado, who served as commissary, or local prelate, from 1610 to 1612. In 1611 Fray Isidro Ordóñez, who had returned with Peinado, went back to New Spain to obtain supplies and additional recruits for the missions. A group of eight new friars was enlisted and accompanied Ordóñez to New Mexico, arriving in August, 1612.<sup>51</sup> On his return Ordóñez assumed office as commissary and served as head of the missions until the end of 1616. Counting the friars who remained in New Mexico at the end of the Oñate period, the nine who came from Mexico in 1609, and the eight brought by Ordóñez in 1612, we have a maximum total of twenty to account for between 1610 and the end of 1616, when the next group arrived.

On the basis of various sources,<sup>52</sup> we are able to compile the list of twenty friars, as follows:

#### 1. Fray Francisco de Escobar, former commissary. If

49. The accounts for the supplies and transportation are in A.G.I., Contaduría, legs. 711, 712, 850.

50. Fray Joseph Tavera, who brought dispatches from Oñate in 1609, was sent by Velasco as messenger to deliver supplementary instructions to Governor Peralta, then en route to New Mexico. A.G.I., Contaduría, leg. 712. There is no evidence, however, that Tavera actually went on to New Mexico at this time.

51. Accounts for supplies furnished to this group are in A.G.I., Contaduría, legs. 714, 715, 850.

52. The most important source is the *Relación Verdadera of Fray Francisco Pérez Guerta*. Cf. note 33, *supra*.

he was still alive when Peinado arrived in 1610, he must have died within the next year or two, for he is not mentioned in the record of events of 1612 *et seq.*

2. Fray Juan de San Buenaventura, lay brother.

3. Fray Pedro de Vergara, lay brother. He went to New Spain sometime after 1610 and returned to New Mexico in 1613 or 1614.<sup>53</sup>

#### The Peinado group of 1609

4. Fray Alonso de Peinado. Commissary, 1610-1612.

5. Fray Lázaro Ximénez. He is not mentioned in the record of events subsequent to 1612, so we assume that he had gone back to New Spain or had died prior to that time.

6. Fray Isidro Ordóñez. Commissary, 1612-1616.

7. Fray Andrés Baptista.

8. Fray Agustín de Burgos.

9. Fray Bernardo de Marta.

10. Fray Estevan de Perea.

11. Fray Cristóbal de Quirós.

12. Fray Alonso de San Juan, lay brother. As noted in section 1, he had previously been in New Mexico. He went back to New Spain again, probably in 1614, but returned to New Mexico with the new group of friars who arrived at the end of 1616.

#### Friars who came with Ordóñez in 1612

13. Fray Cristóbal de Asumpción, lay brother. He probably returned to New Spain in 1613, and is not mentioned again in New Mexico.<sup>54</sup>

14. Fray Pedro de Haro de la Cueva.

15. Fray Jerónimo de Pedraza, lay brother.

16. Fray Francisco Pérez Guerta.

17. Fray Andrés Perguer.

18. Fray Juan de Salas.

19. Fray Andrés Suárez (or Juárez).

20. Fray Luis de Tirado.

53. In A.G.I., Contaduría, leg. 717, we find record of a payment of 50 pesos, executed September 27, 1613, to assist Vergara to return to New Mexico.

54. Ordóñez sent a friar with dispatches to Mexico in 1613. By a process of elimination, we find that Asumpción was probably the person selected to serve as messenger. He is not mentioned again in the contemporary sources.

## 4. MISSIONARY PROGRESS, 1610-1616

As a result of the increased number of friars in New Mexico during the years 1610-1616, there was a marked expansion of the missionary program, although progress was retarded to some extent by a prolonged controversy between Fray Isidro Ordóñez, who took office as local prelate in August, 1612, and the provincial governors. The chief source of information for this period is an account (*Relación Verdadera*) written by Fray Francisco Pérez Guerta, one of the friars who came with Ordóñez in 1612.<sup>55</sup> A few details also are found in Benavides' *Memorial* of 1634 and in Vetancurt.

After the founding of Santa Fé in 1610, the convent that had been maintained at San Gabriel during most of the Oñate period was transferred to the new provincial capital. We have no information about the actual founder of the Santa Fé convent and church, nor do we know the names of the friars who served in the villa from 1610 to 1612. When Ordóñez arrived in 1612, he assigned Fray Luis de Tirado, one of the friars who came in that year, as guardian of the Santa Fé convent, and this friar served as parish priest in the villa until the end of 1616.<sup>56</sup>

Although missionary activity was carried on at San Ildefonso from time to time during the Oñate period, the founder of the permanent mission was Fray Andrés Baptista, who came to New Mexico with Peinado in 1610. He served as guardian of the convent of San Ildefonso until 1632.<sup>57</sup> There was also a convent at Nambé as early as May,

55. Cf. note 33, *supra*.

56. Other friars who served at Santa Fé prior to the Pueblo Revolt were Fray Bernardo de Aguirre (1617 and 1622-23), Fray Ascencio de Zárate (1622), Fray Pedro de Horteiga (1626-29), Fray Tomás de San Diego (1629-32), Fray Jerónimo de Segovia (1634-35, Fray Antonio de Ibargaray (1635), Fray Domingo del Espíritu Santo (1636-37) and 1641), Fray Juan de Vidania (1637-41), Fray Antonio de Aranda (1639), Fray Antonio Pérez (1641), Fray Juan Juárez (1643), Fray Nicolás Hidalgo (1643), Fray Miguel Sacristán (1659 *et ante*), Fray Diego Rodríguez (1659 or 1660), Fray Nicolás de Freitas (1661), Fray Miguel de Guevara (1662), Fray Nicolás de Enriquez (1663-64), Fray Francisco Gómez de la Cadena (1665-69, 1679-80), and Fray Juan del Hierro (1672). (In this list and those which follow, we have not included lay brothers.)

57. Other friars who served at San Ildefonso prior to the Pueblo Revolt were Fray Diego Franco (1640), Fray Miguel de Guevara (1661), Fray Felipe Rodríguez (1667), Fray Andrés Durán (1672), Fray Luis de Morales (1680).



1613. The founder of this mission was Fray Pedro Haro de la Cueva, a member of the group brought by Ordóñez in 1612. The same friar is recorded as being at Nambé in 1628, and he probably remained there for another five or six years. Fray Andrés Suárez, who came to New Mexico in 1610, was guardian of Nambé in 1635 and continued to serve the mission until at least 1647.<sup>58</sup> There is evidence that there was a church in San Juan prior to 1616, possibly the structure erected by Oñate and his associates in 1598. This pueblo and the other Tewa settlements were evidently administered from San Ildefonso and Nambé.

The first permanent mission among the Tanos was established at Galisteo sometime during the years 1610-1612 by one of the friars who came with Peinado, but his name is not known. In August, 1612, after the arrival of Ordóñez, Peinado was named guardian of Galisteo, but soon thereafter he was removed and sent to San Ildefonso to assist Baptista. Fray Bernardo de Marta was guardian of Galisteo in 1615, and Fray Francisco Pérez Guerta was in charge of the mission for a time in the early part of 1616. A second Tano mission was founded at San Lázaro as early as 1613, for we learn that Fray Andrés Perguer was guardian of the convent in June of that year. Fray Agustín de Burgos was guardian there in 1614. We shall see, however, that San Lázaro convent was not a permanent foundation.

The Santo Domingo mission, established in the Oñate period, became the ecclesiastical capital when the headquarters of provincial government were transferred from San Gabriel to Santa Fé. Peinado resided in Santo Domingo when he was not out on trips of inspection in other areas, and it was there that Ordóñez held a chapter meeting of friars on his arrival in 1612. The name of the friar who served there as guardian prior to 1612 is not recorded. Fray Bernardo de Marta was in charge of the mission in 1613-

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58. Other friars who served at Nambé prior to the Pueblo Revolt were Fray Antonio de Ibargaray (1662), Fray Felipe Rodríguez (1664), Fray Juan de Zamorano, (1672), Fray Tomás de Torres (1680).

1614.<sup>59</sup> Cochití is mentioned as a *visita* in 1614 and San Felipe in 1615.

The convent of Sia, first mentioned in July 1613, was probably founded by Fray Cristóbal de Quirós, who came with Peinado in 1610. He apparently served at Sia until 1617 when he was transferred to Santo Domingo.<sup>60</sup> Santa Ana is recorded as a *visita* of Sia as early as 1614.

Fray Estevan de Perea, a member of the Peinado group, initiated the missionary program among the Río Grande Tiwa, founding a mission at Sandia soon after his arrival in 1610. He continued his labors there until he went to New Spain in the autumn of 1626. On his return to New Mexico in 1629 he served a brief term (his second) as custodian, and resided again at Sandia from 1630 to 1633, when he took charge of the convent at Cuarac. Vetancurt tells us, however, that he died and was buried at Sandía.<sup>61</sup>

A second Río Grande Tiwa mission was established at Isleta by Fray Juan de Salas, who came to New Mexico in 1612. Salas is mentioned as guardian of Isleta at the time of Governor Peralta's arrest by Ordóñez in August, 1613, but the mission had probably been founded during the latter part of 1612 or early in 1613. Salas remained at Isleta as guardian until he became custodian in 1630, and apparently he continued to reside there during his term of office as prelate (1630-1632).<sup>62</sup>

59. Other friars who served at Santo Domingo prior to the Pueblo Revolt were Fray Juan de Escalona (1604-07), Fray Cristóbal de Quirós (1617), Fray Andrés Suárez (1621), Fray Martín de Arvide (1625), Fray Francisco de Avila (1640-41), Fray Joseph de Paredes (1656), Fray Juan de Plasencia (1661-62), Fray Francisco de Acevedo (1663-64), Fray Tomás de Torres (1667), Fray Gabriel de Torija (1667-68), Fray Nicolás de Freitas (1669), Fray Juan Bernal, Fray Juan del Val (1672), Fray Juan Talaban, Fray Francisco Antonio de Lorenzana, and Fray José de Montes de Oca (1680).

60. Other friars who served at Sia prior to the Pueblo Revolt were Fray Agustín de Burgos (1622), Fray Francisco Alvarez (1640-41), Fray Tomás de Alvarado (1662), Fray Nicolás de Enríquez (1665), Fray Pedro de Villegas (1666), Fray Lucas Maldonado (1670-71), Fray Felipe Pacheco (1672), Fray Nicolás Hurtado (1680).

61. Other friars who served at Sandía prior to the Pueblo Revolt were Fray Francisco Ponte (1635), Fray Nicolás Hidalgo (1640-41), Fray Cristóbal de Velasco (1648), Fray Fernando de Velasco (1659), Fray Salvador de Guerra (1660), Fray Felipe Rodríguez (1660-61), Fray Francisco de Muñoz (1662, 1663, 1665, 1667, 1669, 1672), Fray Nicolás Echavarría (1668), Fray Juan de Jesús (1672), Fray Tomás de Tobalina (1680).

62. Other friars who served at Isleta prior to the Pueblo Revolt were Fray Diego López (before 1629), Fray Jerónimo de la LLana (1634), Fray Francisco de la

As noted above, Fray Alonso de Peinado was assigned to Galisteo in August, 1612, but within a short time was sent to San Ildefonso. Because of poor health, he spent some time in Santa Fé in 1613, and during the controversy between Ordóñez and Governor Peralta he manifested lack of sympathy for the commissary's actions. The relations between Ordóñez and his predecessor became so strained that Peinado decided to "banish himself" and undertake the conversion of the pueblo of Chililí, a Tiwa pueblo on the eastern side of the Manzano mountains. His work there started not later than 1614, and possibly as early as 1613. In 1616 Fray Agustín de Burgos went to Chililí to assist him in the baptism of his neophytes. Peinado served at Chililí until his death in 1622 or 1623.<sup>63</sup>

Thus we find that during the period from 1610 to 1616 there were ten mission centers with convents or friar-houses: Santa Fé, San Ildefonso, Nambé, Galisteo, San Lázaro, Santo Domingo, Sia, Sandia, Isleta, and Chililí. In 1617 the cabildo of Santa Fé reported that there were eleven churches in the province.<sup>64</sup> This number evidently included the churches in the missions with convents and the church at San Juan. Apparently no churches had been built in San Felipe and Cochití, *visitas* of Santo Domingo, nor in Santa Ana, *visita* of Sia.

In 1616 a new group of seven friars was sent out to the New Mexico missions. This group apparently arrived at about the end of December, 1616. At the same time Fray Estevan de Perea received a dispatch naming him local

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Concepción (1636-38), Fray Juan Juárez (1640-41), Fray Miguel de Sacristán (1658, 1660), Fray Francisco de Salazar (1659-60), Fray Salvador de Guerra (1660), Fray Diego de Parraga and Fray Joseph de Paredes (1662), Fray Tomás de Alvarado (1665), Fray Nicolás del Villar (1668-69), Fray Hernando de Monroy (ca. 1669), Fray Francisco Gómez de la Cadena (1672), Fray Juan de Zavaleta (1680).

63. We have a letter of Peinado, dated at Chililí on October 4, 1622, A.G.N., Civil, tomo 77. In the following year reports were evidently sent to Mexico City indicating that fourteen friars were then serving in New Mexico. A list of fourteen as of that year can be compiled without including Peinado, so we infer that he died in the latter part of 1622 or in the following year before the dispatches were sent to New Mexico. Other friars who served at Chililí prior to the Pueblo Revolt were Fray Francisco de Salazar (1634-36, 1659), Fray Fernando de Velasco (ca. 1660,), and Fray Francisco Gómez de la Cadena (1671-72).

64. Bancroft, *op. cit.*, p. 159.

prelate with the title of custodian. The decision of the superiors of the Franciscan Order in Mexico City to give the New Mexico missions the status of a custodia, or semi-autonomous unit, within the province of the Holy Evangel was undoubtedly inspired to a very great extent by the progress that had been achieved since 1610.

*(To be continued)*

JUAN MARTÍNEZ DE MONTOYA,  
SETTLER AND CONQUISTADOR OF NEW MEXICO

By FRANCE V. SCHOLES

IN A LETTER to the viceroy, dated August 24, 1607, Juan de Oñate resigned his commission as governor and captain general of New Mexico and stated that unless immediate action was taken to provide aid and reinforcements he would be obliged to permit the colonists to abandon the province. This dispatch and other reports were brought to Mexico City by Fray Lázaro Ximénez, who arrived in the viceregal capital toward the end of 1607. After consultation with members of the *audiencia*, Viceroy Velasco accepted Oñate's resignation and on February 27, 1608, named Captain Juan Martínez de Montoya, then serving in the province, to act as governor *ad interim* until a final decision was reached concerning the future of the colony. When Velasco's order was received in San Gabriel later in the year, the *cabildo* refused to accept Martínez as governor, alleging "that he was not a soldier and other reasons which they said were not convenient to mention in public." The *cabildo* asked Oñate to continue as governor, but he refused. Then, with the approval of Fray Francisco de Escobar, the commissary of the Franciscans, Oñate's son, Don Cristóbal, was appointed governor in a *cabildo abierto*. Don Cristóbal held office until the arrival of Don Pedro de Peralta about a year and a half later.<sup>1</sup>

Who was this Juan Martínez de Montoya whom the *cabildo* of San Gabriel refused to accept as governor of New Mexico? What was the nature of his services in New Mexico prior to 1608. Is it true that he was not a soldier, as the *cabildo* alleged? Answers to these questions are found in documents which I had the opportunity to examine several

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1. The documents on this episode are found in Archivo General de Indias (cited hereinafter as A.G.I.), México, leg. 27. See also G. P. Hammond, *Don Juan de Oñate and the Founding of New Mexico* (Santa Fé, 1927), pp. 172-178.

years ago.<sup>2</sup> These papers contain, among other things, a document executed at San Gabriel on October 6, 1606, in which Juan de Oñate certified Martínez' services in New Mexico up to that time, and a supplementary statement of services presented by Martínez before Cristóbal de Oñate on August 9, 1608.

The documents record that Juan Martínez de Montoya was born on January 11, 1561, at a place called Nabalagameña, two leagues from El Escorial in Spain. They do not provide information, however, as to the year in which he came to Mexico.

On August 28, 1599, Martínez enlisted in Mexico City as an alferez in one of the companies of the reinforcements then being organized for New Mexico. During the succeeding four months he used his personal funds to support other soldiers of the expedition, and on December 23, 1599, he was raised to the rank of captain. On January 2, 1600, he set out from Mexico City, taking recruits to the valley of San Bartolomé on the northern frontier, and in the following summer, during the inspection of the force, he was appointed a member of the war council. He arrived in New Mexico with the relief expedition in December, 1600.

With the arrival of the reinforcements Oñate was in a position to carry out his plan for an expedition to the eastern plains. On April 20, 1601, Martínez was named one of the captains of the army, and he gave a good account of himself in the battle with the Escanjaques at the Quivira settlements. He later participated in a punitive expedition which Oñate made against the Indians of Taos, and during this affair also he won a good reputation. No date is given for the entrada to the Taos area but it evidently occurred in 1602 or 1603.

In the latter part of 1603 or during the first half of 1604 Martínez accompanied a force, which also included

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2. The documents mentioned above were owned by Maggs Bros. of London when I saw them. They had the following general title: *D. Juan Saez Maurigade, vecino de esta Corte, sobre que se incluya en la descendencia directa del Capitan D. Juan Martinez de Montoya, descubridor, conquistador y poblador que fue en las Americas y Governador del Nuevo Mexico.*

Fray Francisco de Velasco, "comisario apostólico," Fray Juan de Escalona, and Fray Francisco de Escobar,<sup>3</sup> to the pueblo of Acoma. Here peaceful relations were established, temporarily at least, with the Indians, who had apparently remained hostile since 1599 when severe punishment had been imposed upon them for the death of Juan de Zaldívar and others in the autumn of 1598. From Acoma Father Velasco, with an escort of twelve soldiers commanded by Captain Jerónimo Márquez and including Martínez, went on to the Zuñi and Moqui districts, and thence to the land of the Cruzados, where veins of ore were found<sup>4</sup> and reports of the South Sea were received.

This reconnaissance was followed by Oñate's entrada to the Gulf of California in 1604-1605. At this time, however, Martínez remained in San Gabriel serving as a member of the war council in the villa.<sup>5</sup> Although Martínez did not accompany Oñate to the South Sea, he gave five horses for the expedition.

In 1605 he served as *alcalde ordinario* of San Gabriel, winning approval for the manner in which he administered justice during the period when Oñate was absent in New Spain.<sup>6</sup> In the autumn of the following year (1606) the

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3. Escalona had been commissary, or local prelate, of the Franciscans in New Mexico from 1600 to the coming of a new group of friars with Escobar in 1603. According to Torquemada (*Monarchia Indiana*, ed. 1723, vol. 1, p. 678) Escobar was appointed commissary to succeed Escalona, but with the provision that Velasco, who accompanied Escalona to New Mexico in 1600, should serve for a year before Escobar took office. It is interesting to note, therefore, that this arrangement was carried out. Later in the year 1604 Escobar evidently entered upon his duties as commissary, for he held the title at the time of Oñate's expedition to the South Sea, which set out from provincial headquarters in October.

4. Before Oñate set out on the expedition to the South Sea he sent reports to the viceroy and samples of ore "taken from mines that have been discovered." In a letter to the king, dated March 31, 1605, Viceroy Montesclaros stated that the ore had been assayed and that the best contained one-eighth copper, "without a trace of silver." These ores probably came from the veins discovered during the preliminary expedition of Velasco and his companions to the west which preceded the main entrada to the Gulf of California.

5. A document of 1604 executed during Oñate's absence indicates that Martínez de Montoya also held the title of secretary of war and government at this time. Archivo General de la Nación, México, Provincias Internas, tomo 34, exp. 1.

6. After his return from the Gulf of California, Oñate set out for New Spain to make a report to the viceroy. Arriving in San Bartolomé in August, 1605, he sent a letter to the viceroy seeking permission to continue the journey to Mexico City. The viceroy somewhat reluctantly granted permission, but for some reason Oñate returned to New Mexico without waiting for the viceroy's reply. A.G.I., México, leg. 26.

*maestre de campo*, Vicente de Zaldívar, who had returned to New Mexico after an absence of some four years,<sup>7</sup> made an expedition to the sea, evidently to follow up Oñate's discovery of 1604-1605. No details are available for this journey.<sup>8</sup> Martínez gave four horses for the expedition, but remained in San Gabriel as part of a force to protect the church and royal standard in that settlement.

We also learn that prior to October 6, 1606, when Oñate certified the services of Martínez, the latter had taken part in campaigns against the Apaches, that he had been granted an encomienda for three lives in one of the Jémez pueblos named Santiago, and that he had served as *consultor* and *asesor* of Fray Juan de Escalona. Finally, Oñate certified that Martínez was entitled to the rank of *hidalgo*, granted by a royal cédula of 1602 to persons who had served for five years in the conquest and pacification of New Mexico.

On August 9, 1608, Martínez appeared in Santo Domingo before Cristóbal de Oñate, then holding office as governor and captain general, and presented for certification a supplementary account of services performed subsequent to 1606. This was done evidently after receipt of the viceroy's nomination of Martínez as governor and the refusal of the *cabildo* to accept him in that post.

This document reveals that in 1608 Martínez again held office as *alcalde ordinario* in San Gabriel. During 1606-1607 he had served twice as captain of a force sent out against marauding Apaches, and on another occasion in this same period he took part in an expedition led by Cristóbal de Oñate against Apaches who had been bold enough to attack San Gabriel. Sometime during the year 1607-1608, while the colony was waiting for the viceroy's reply to Oñate's resignation, Martínez had also helped to discover some mines at a place called San Buenaventura. We also learn that he had participated in the burning of some idols,

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7. Zaldívar returned to New Spain with two friars and a group of soldiers sent out in 1605.

8. In his letter of resignation of August 24, 1607, Oñate referred to the "great news, confirmed last year, of the wealth and greatness of the interior country," and of which he said he was sending a report to the viceroy. This may relate to Zaldívar's expedition of 1606. A.G.I., México, leg. 26.



indicating that the friars were already beginning their active campaigns against Pueblo religion.

But the most interesting data recorded for the year 1607-1608 are brief references to a place called Santa Fé and statements indicating that some sort of post or settlement was being established there. In December, 1608, when messengers brought new reports to the viceroy, the latter was informed of plans to establish a new villa and provincial capital; and in his instructions to Pedro de Peralta, the new royal governor appointed in 1609, Velasco stipulated that Peralta's first duty should be "la fundación y población de la villa que se pretende."<sup>9</sup> In 1610 Peralta officially founded the villa of Santa Fé, in accordance with this instruction.<sup>10</sup> It would appear, however, that the beginnings of settlement there occurred as early as 1608 and that at such time the site was already known as Santa Fé.

On August 10, 1608, Cristóbal de Oñate certified Martínez' supplementary statement of services. At the same time he also granted him permission to leave New Mexico as part of the escort of Fray Lázaro Ximénez and Fray Isidro Ordóñez who were taking the reports to the viceroy.

The foregoing review of Martínez's activities in New Mexico indicates that the statement that he was not a soldier, made by the *cabildo* in 1608 and given as one of the reasons for refusing to accept him as governor, was not true. On the contrary, he had actively participated in the military affairs of the province and he had evidently enjoyed the confidence of the elder Oñate.

As for the other reasons alleged by the *cabildo* in defense of their action and which they deemed inexpedient to make public, we have no inkling whatever. It would appear, however, that the *cabildo* desired to keep the governorship in the Oñate family as long as possible. Whether or not this desire was inspired in any way by Juan de Oñate himself, it is impossible to say. His letter of resignation of August 24, 1607, seems to indicate that he was com-

9. The instructions of Peralta have been published in the NEW MEX. HIST. REV., IV (1929), pp. 178-187.

10. Cf. L. B. Bloom, "When was Santa Fé founded?" in *ibid.*, IV, 188-194.

pletely discouraged by the failure of the viceroy and Crown to grant his requests in the matter of extensive aid for New Mexico and that he wished to be free of further responsibility for a venture in which he had spent his fortune.

He may have hoped, however, that by resigning he could force the Crown to assume financial support of the province and that at the same time it would reward his services by appointing him or his son as royal governor. In such case, he may have exerted influence on the *cabildo* to reject Martínez as governor in 1608. But having sent in his resignation, it would hardly be proper or expedient at such time to resume office, as the *cabildo* requested. The election of his son would, however, keep the governorship in the family until the viceroy and Crown reached a formal decision about the future of New Mexico.

But all this is pure speculation and may well have no justification. Whatever Oñate's real motives may have been, the viceroy accepted his resignation at face value, and in 1609 he appointed Pedro de Peralta as royal governor. At the same time he sent orders for Oñate and his son to leave New Mexico within three months after Peralta's arrival. On his return to New Spain, Oñate was subjected to *residencia* proceedings and in 1614 sentence was pronounced imposing various penalties for offenses committed during his term of office.

The decision of Martínez to leave New Mexico in 1608 was undoubtedly prompted by the action of the *cabildo* in denying him the governorship and by a desire to present a statement of his services to the viceroy, perhaps in the hope of receiving some reward elsewhere. He never returned to New Mexico. The record of his services summarized in this brief paper clarifies the career of one of the founders of New Mexico and adds a few new facts, notably the details about the beginnings of Santa Fé, to our knowledge of the Oñate period.

## BOOK REVIEWS

*Diary and Letters of Josiah Gregg*. Book II, Excursions in Mexico and California, 1847-1850. Edited by Maurice Garland Fulton with an Introduction by Paul Horgan. (University of Oklahoma Press, 1944. Copyright, pp. 396, with Appendix and Index. Illustrated. \$4.00.)

Volume I of the *Diary and Letters of Josiah Gregg*, published three years ago, gave details of Gregg's career from his retirement from the Santa Fé trade in 1840 to the eve of the Battle of Buena Vista in 1847. It was a sequel to Gregg's famous "Commerce of the Prairies" and formed the transition from the life intimately connected with Santa Fé, and the Santa Fé Trail to the broader scientific and exploratory career in Mexico and the Pacific Coast, ending in Gregg's tragic death from starvation and exhaustion after the discovery of Humboldt Bay.

Though somewhat disconnected, and interspersed with tedious data of meteorological and geographic observations of little interest at this day, the diary in the main continues exciting in its story of the war with Mexico, its observations on conditions in the neighboring republic, along the Pacific Coast during the days of the Gold Rush and its account of the primitive region north of San Francisco. In these years there were also revisits to the States as far as the National Capitol where he called on the president of whom he wrote: "I was so astonished at the evident weakness of Mr. Polk, that I then felt like I would not accept anything at his hands—and departed accordingly. It is remarkable that a man so short of intellect should have been placed in the executive chair! But, our surprise is diminished when we reflect that he was, virtually, not elected by the people, but by a caucus at Baltimore, who rather desire a 'creature' than talents, to serve designing politicians as a tool. Really, it savours illy for the stability of our institutions that a set of demagogues should point out to the people, for their president, a man never dreamed of before, and that these should so implicitly obey the will of the caucus, as to elect without discussion, the man they were bid to vote for!"

It is this querulousness, and criticism of high and low, which runs throughout the Diary increasing its interest and possibly arousing resentment such as even to this day is the reaction of those in the Spanish Southwest reading for the first time *Commerce of the Prairies*.

Paul Horgan, in a delightful biographical characterization of Gregg, which precedes the Diary in this second volume, takes a milder, and perhaps, juster view of Gregg's continual fault finding, and writes, for instance:

"Gregg had some just and sensible remarks to make on the subject of military reprisals against enemy nations. General Taylor had issued some particularly sharp orders, and Gregg could see, at the time, how cruel and unjust they were. He took justice and reason with him wherever he went, or tried to, despite the unreliability of his health and his resultant capacity for indignation, which was at times boundless. But if he became indignant on his own account more often than was quite dignified, he also spared no wrath upon those who persecuted others. In his accounts of the army in Mexico, and of people on the move generally, we get his ethical flavor at its best." As a matter of fact, savagery ascribed by Gregg to Texan and Missouri troops in Mexico is a blot upon their victorious invasion of the neighboring republic, excusable only because similar incidents were ascribed to the enemy.

"Observing the Battle of Buena Vista" is a detailed account of one of the notable victories of General Taylor's campaign in northern Mexico. One gets the impression that Gregg would have fought a better battle and won a greater victory had he been in command. He writes in his Diary: "The Mexican cavalry (Lancers) after approaching within about seventy yards halted; at which our cavalry all fired their carbines, but without killing a man—which emboldened the enemy to make the charge; otherwise they would probably have approached no nearer. This demonstrated what I had already thought—that volunteer cavalry should not be left to fight on horseback."

"With Doniphan's Missourians" continues criticisms of American troops and their commanders. He is certain that credit given and bestowed upon Doniphan belonged to others. He had a personal quarrel and encounter with General Wool which at the present day would probably have resulted in court martial.

A year in Saltillo, December 1847, to December 1848, practicing medicine, was the happiest in Gregg's career. In April, 1848, his practice amounted to "between four and five hundred dollars." In May he averaged more than \$20 per day. However, he asserts, that if he charged as did a neighboring doctor, his "practice would be worth over \$5,000 a month."

On a visit to Mexico City, he describes a fiesta and religious procession. "The spectacle (in the church) was at once appalling, amusing and ridiculous in the extreme," he writes. "The whole company (of the Matachinas) were in a kneeling posture, and engaged in saying their prayers, to all appearance most vehemently—accompanied with sobs, cries and even tears trickling down the cheeks of many—well we might add 'weeping and wailing and gnashing of teeth'—crying with all the earnestness of a child. To add to the strange variety of the scene, there were many babes whose cries were mingled with those of the men and women, and reminded one of the mewling of cats." He continues: "Poor, miserable creatures! Nobody demonstrates more fidelity or rather fanaticism, in their religion than they! But what is it at last but idolatry?" Thus Gregg, despite his scientific and professional attainments, completely misunderstood the character and motives of others.

"Tour to California" and final portions of the diary are less vivid but continue querulous. Approaching San Francisco he writes "I had the misfortune to be seasick nearly the whole voyage. What most annoyed me perhaps of any other one thing was the incessant smoking of some of the passengers." Personally, Gregg "never drank, didn't like it, was temperate in both food and drink." Gregg was a lonely man, a dreamer, a wanderer, seeking new lands and engag-

ing in new enterprises. "A reproduction of a daguerreotype taken in New York about 1844, shows a handsome young man, of sensitive, melancholy but stubborn mien." Horgan points out that the fatal flaw in his character was the lack of a sense of humor; "nowhere was there a healing gust of laughter."

Maurice Garland Fulton of the New Mexico Military Institute at Roswell, who found the original journal in the possession of Claude Hardewicke (a descendant of Josiah Gregg's brother, John Gregg), has performed an admirable task in editing the diary. It is an important contribution not only to the history of the West but also of the times a century ago.—P.A.F.W.

*The Boom of the Eighties in Southern California.* By Glenn S. Dumke. (Huntington Library, San Marino, Calif.; 1944. xi 313 pp., illus., end-map, bibliog., index. \$3.75.)

The author reports only two writers who have previously dealt with this subject: one, an excellent but unpublished manuscript at Occidental College; the other, a book-length description but "an uproarious lampooning of the antics of the boomers." Dr. Dumke calls his own work "an attempt to tell the full story, as depicted in public documents, in newspapers and other contemporary accounts, and in the mass of literature on the history of California." (p. ix) Although embarrassed by the plethora of source materials, he encountered some gaps in important phases of the study; nevertheless he has succeeded in producing a volume which will be of absorbing interest to numerous pioneers who had some part in bringing about the marvellous transformation of southern California as well as to countless others who, as visitors, have since roamed through those parts.

For a hundred years (from 1769), the economy of southern California remained chiefly pastoral. After the American Occupation and the gold rush of 1849, many sought to change over from livestock to agricultural pursuits: vineyards and citrus groves, wheat, barley and similar

crops, walnuts and almonds, apples, peaches, figs and other fruits. The olive industry also got a secure foothold in the south. Yet, "the immediate cause of the great boom is generally conceded to be the rate war between the Southern Pacific and the Santa Fé railroads, which occurred in March of 1887." (p. 17)

In this connection the author has perhaps relied on some early "prospectus" rather than facts, for the Santa Fé railroad did not reach Albuquerque in 1873 (p. 22),—the truth is that the rails did not enter New Mexico at Ratón Pass until late in 1878. Construction was completed to Albuquerque in April 1880, and to Deming on the Southern Pacific on March 10, 1881. Even then, for many years, the "connection" at Deming for through travelers was a euphemism; as late as 1910 the writer recalls being jolted in a bus for a long mile across town from one station to the other. By June 1881, the Santa Fé line did reach El Paso, but it was by a branch line down the Rio Grande from Rincón Junction.

But the Santa Fé line reached southern California more directly by absorbing the early "Atlantic & Pacific" (from Albuquerque westward) and two subsidiary lines in California. Los Angeles was entered as early as September 1885 "on tracks leased from the Southern Pacific but not until it obtained its own roadbed did the Santa Fé start the rate war which in turn began the boom." (p. 23) Some details of that fight seem incredible. The record shows that the Southern Pacific went as low as one dollar for tickets from Kansas City to Los Angeles—tricked by the Santa Fé line, which claimed to have sold none below \$8.00.

Such competition on passengers and freight, together with such high-pressure advertising as was used (Chapter IV) brought on inevitably the spectacular boom-conditions of the 1880's. The author develops his theme in chapters on "The Boom in Los Angeles" and "Speculation on the Shore"; then other suburban centers of the boom: "The San Gabriel Valley and Pasadena," "Glendale, Burbank, and the San Fernando Valley," "Pomona and the Irrigation

Settlements," and "The Santa Ana Valley." Somewhat farther afield, we have chapters on "The San Bernardino County Flurry," "The Boom in the San Diego Area," and "The Rural Boom in the North: Santa Barbara and Ventura Counties." The last chapters take up various ephemeral and permanent results of the boom: "Ghost Towns," "Men and Methods," "Irrigation Improvements," "Encouragement for Education," and "The End of the Boom."

One is tempted to quote and comment at many points. Two choice bits from promotional advertising must suffice: "The locality of Eden was lost to the world, until Carlson and Higgins discovered Ocean Beach." (p. 151) And once when San Diego had an actual population of about 50,000, a realty firm announced: "In fact, we may say that San Diego has a population of 150,000 people, only they are not all here yet." (p. 138) The numerous glimpses of well-known Californians is by no means the least fascinating quality of this book.

The press work is excellent, with one exception. In numerous cases the printing of the semi-colon and colon is so faint in comparison with that of the letters that one "reads over" such punctuation—and is exasperated by having to double back in order to recover the train of thought. This is an annoyance but it does not change the excellent work which Dr. Dumke has done.—L.B.B.



## NECROLOGY

### MIGUEL ANTONIO OTERO II

For almost nine years, 1897 to 1906, as governor of the Territory of New Mexico, Miguel Antonio Otero II was the pivot of economic development and the storm center of political intrigue which, a few years later, culminated in statehood for the Territory. On Monday morning, August 7, 1944, he died peacefully at his home on East Palace Avenue in Santa Fé.

The late Ralph E. Twitchell, historian, summed up the achievements of that period of growth as follows: "At the time of his retirement from the governorship, New Mexico was never in a more prosperous condition. In all lines of industry there was great activity. The territorial finances were in a most excellent condition." Contemporaries, still living, ascribe the prosperity of that period in New Mexico's history to the wisdom of Otero in surrounding himself with strong men who worked hand in hand with him in controlling legislation, influencing capital to build railroads, founding new towns and encouraging the basic industries of the Southwest by thrift in public finance and low taxes. These men included Solomon Luna and Holm O. Bursum representing the livestock industry; H. L. Waldo and W. A. Hawkins representing great railroad systems; Charles and Frank Springer, representatives of the coal mining industries; and J. W. Reynolds and Max Frost, astute politicians, who with their satellites controlled elections and wrote the laws passed by subservient legislatures. The details of that phase in the life of Otero would fill volumes and are told in some part in autobiographical apologia by Otero himself in his *My Life on the Frontier 1864-1882*, *My Memoirs 1882-1897*, and *My Nine Years as Governor of the Territory of New Mexico 1897-1906*. For this present sketch, bare biographical dates and data must suffice.

Miguel Antonio Otero II was born in St. Louis, Missouri, on October 17, 1849, the son of Miguel Antonio Otero

I, and Mary Josephine Blackwood. When two years old, his parents took him back to their home in New Mexico, crossing the plains in a stage coach. His early education was desultory but in his youth he attended St. Louis University and Notre Dame. He followed in the footsteps of his father in business and political life, first as bookkeeper for Otero, Sellar and Company, of which his father was the founder and senior member and which later became the present firm of Gross, Kelly and Company. Then from 1880-1885, he was cashier of the San Miguel National Bank of which his father was president. Launching into politics Otero was city treasurer of Las Vegas, 1883-1884; probate clerk of San Miguel County, 1889-1890; clerk of the Fourth Judicial District under Chief Justice James O'Brien, 1890 to 1893. After the expiration of his term as governor of the territory, 1897-1906, he was treasurer of New Mexico, 1910 and 1911; president of the board of penitentiary commissioners and parole board, 1913-1917; U. S. marshal of the Panama Canal Zone, 1917-1921; president of the board of regents of the New Mexico Normal University, 1923-1925 and 1933-1934; chairman, state advisory board, Federal Emergency Administration of Public Works, 1933; delegate to the Republican national conventions in 1888, 1892, 1900, 1904, 1908, being chairman of the New Mexico delegation in 1900 and 1904. He was on the committee which notified Benjamin Harrison of his nomination to the presidency and thus first met William McKinley who was chairman of the committee, a meeting which later bore fruitful consequences. He was delegate to the Progressive national convention in 1912 and served on the Progressive national committee in 1910. Otero later completed the swing into the Democratic party, being chairman of the Panama Canal Zone delegations to the Democratic national conventions of 1920 and 1924, also being a member of the Democratic national committee. That his political influence had declined, after he cut loose from Republican leadership in New Mexico, was apparent when he was defeated for the

state senate from Santa Fé County by a comparative newcomer, Benjamin F. Pankey, a Republican, who later became lieutenant-governor of New Mexico.

Otero's appointment to the governorship of New Mexico was due to several fortuitous circumstances. Pedro Perea, a former president of the First National Bank of Santa Fé, had been urged for the position by S. B. Elkins, also a former president of the bank, delegate to congress from New Mexico and later U. S. senator from West Virginia and secretary of war in the Harrison cabinet. It seemed certain that President McKinley would send the name of Perea to the U. S. senate for confirmation. However, Elkins failed to keep an appointment in the matter with the secretary of the interior and the president and the appointment went by the board. Otero was in Washington, D. C., at the time, seeking to be named U. S. marshall for New Mexico. Old friendships were recalled, some of them going back to McKinley's home in Canton, Ohio. The president, impressed with Otero's personal charm, nominated him to the governorship which was confirmed by the U. S. senate, as was his reappointment, the latter after considerable opposition from New Mexico.

As pointed out, it was an eventful period in the history of the Territory. Both presidents, McKinley and Roosevelt, visited New Mexico. Agitation for statehood was a lively topic, resulting in a proposition to admit New Mexico and Arizona as one state at the time that Oklahoma and Indian Territory were given the boon as one state. While popular vote in New Mexico approved, it was defeated at the polls by Arizona. There was considerable under cover opposition to statehood on the plea that it would greatly increase public expenditures without bringing commensurable improvement in economic and political conditions. However, a few years later, statehood was granted and New Mexico became a state of the Union by 1912. Curiously enough, a feud by Otero with the Republican state chairman, Frank A. Hubbell, was the mainspring which brought about eventual success of the statehood movement. The battle was won by Otero, resulting in the

retirement not only of Hubbell as state chairman but also in the defeat for renomination of the then delegate to congress, Bernard S. Rodey, and the nomination of William H. Andrews, recently from Pennsylvania, political satellite of U. S. Senators Quay and Penrose from that state, and of U. S. Senator Platt of New York, with whose aid the enabling act was put over in congress and signed by President Taft.

A number of new state institutions and several new counties were created during Governor Otero's administration. Territorial finances were placed in order, public debts reduced and excellent legislation placed on the statute books. The governor took the lead in organizing the famous Rough Rider regiment in the Spanish-American war.

Interested in several mining ventures, Otero was also engaged in the sheep business with J. Wallace Raynolds, but the financial success which had marked his father's enterprises, failed to be his own lot. Besides the three autobiographical volumes mentioned, he was also the author of *Buccaneers of England, France and Holland* (1925) and *The Real Billy the Kid with New Light on the Lincoln County War* (1935). Most remarkable were Otero's annual reports which he made as governor of the territory to the secretary of the territory, each volume running into hundreds of printed pages. They were an encyclopedic compendium of the development, resources, finances and government of New Mexico, carefully compiled and arranged. He was a member and at one time a vice-president of the New Mexico Historical Society, a 32nd degree Mason, a Knight Templar, a member of the Shrine, a Knight of Pythias, a member of the Benevolent Order of Elks, the Santa Fé Club, the Union Club of Panama and the Panama Golf Club.

Governor Otero was twice married. His first wife was Caroline V., daughter of ex-Chief Justice L. Emmett of Minnesota, the marriage having taken place on December 19, 1888. To them were born three children: Miguel A. 3rd, deceased; Elizabeth, deceased; and Miguel A. Otero, Jr., who has won distinction in U. S. military service and in

public life and who survives him. Governor Otero's second wife, who also survives him, was Mrs. Maud Paine Frost, whom he married on October 1, 1913, the widow of Colonel Max Frost. The latter had been publisher of the *Santa Fé Daily New Mexican* and chief journalistic supporter of Otero during turbulent partisan politics.

The funeral took place from St. Francis Cathedral in Santa Fé, on Thursday forenoon, August 10. A low mass was read by Father Jerome Hesse, O.F.M., of Gallup. Archbishop Edwin V. Byrne gave the blessing. Governor Dempsey, accompanied by Brigadier General Ray Andrew, his adjutant general, attended the funeral services. The state house flag was at half mast during the forenoon. Burial was in Fairview Cemetery.—P.A.F.W.

## E R R A T A

Page 103, note 13, *for* Letter to *read* Letter of

Page 109, line 23, *for* numbered 33 *read* the room numbered 33

Page 142, line 31, *for* minuets *read* minuet  
line 32, *for* bailes *read* baile

Page 243, line 24, *read* foregoing statement

Page 250, last lines, *for* rectified *read* ratified

Page 255, left margin, *for* second 1920 *read* 1930

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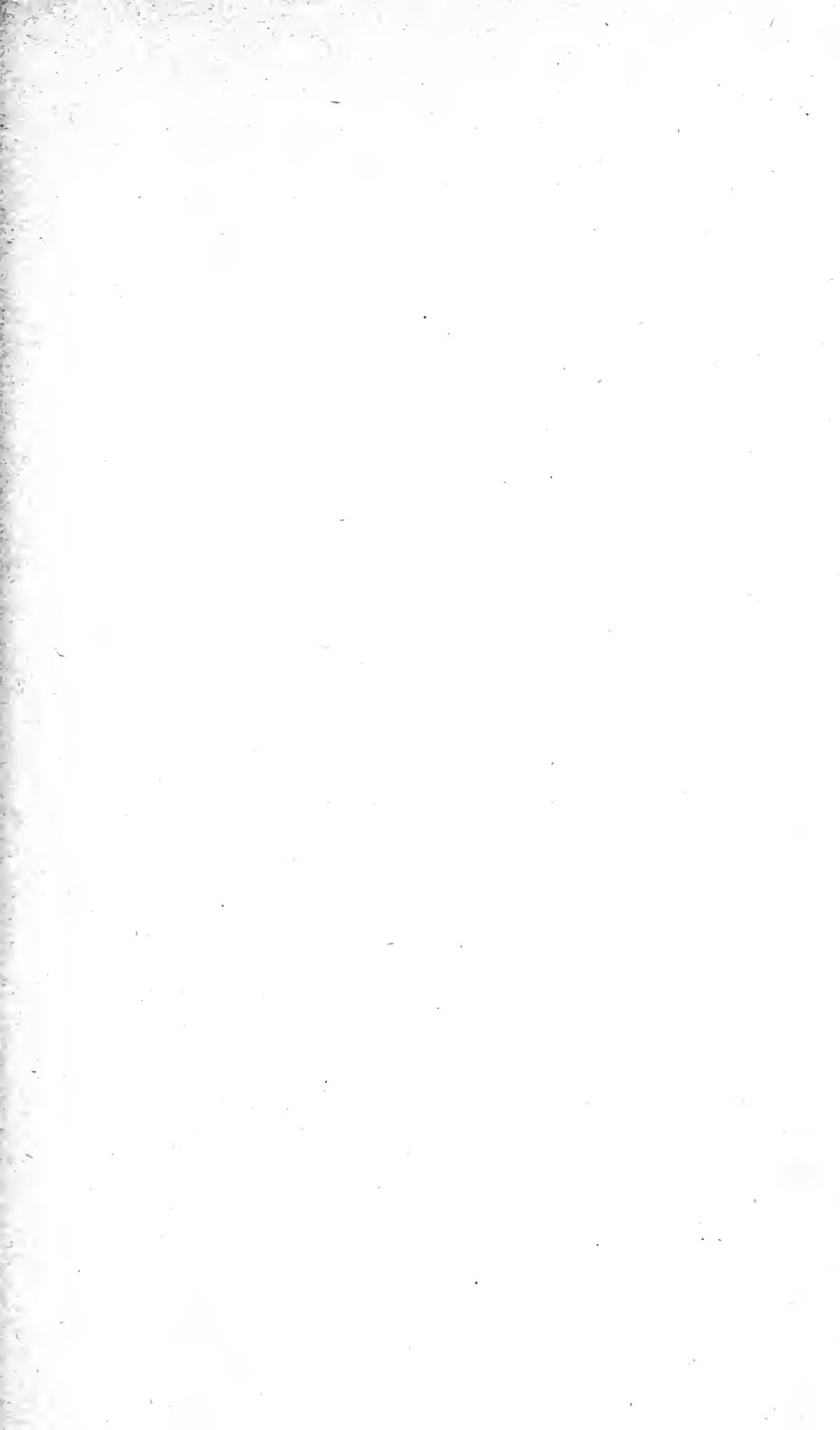
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