



July 2<sup>nd</sup>

We this day made 19 miles W. over high, open, tho' fertile Prairie possessing excellent Pasture, & encamped for the night at a hole of Water, that possessed barely a sufficiency for the occasion. This night one of our horses died from the Sting of a rattle snake—

July 3.<sup>rd</sup>

Made today 14 miles W. over delightful Prairie. In the afternoon we passed an extraordinary large spring of water, and encamped at night without either water or wood. Killed 2 deer and abandoned in the Prairie one of our horses, that had given out when on the march.

July 4.<sup>th</sup>

Today we ran off 10 miles W. over land similar to that passed yesterday, and encamped about 2 o'clock on a beautiful little stream of clear water, with rich bottom land and plenty of timber—Course of the stream S.E.—We have concluded to remain [the] rest of the day, in order to celebrate as best we could, the Anniversary of our National Independence. Hunters started forth in every direction, and at supper, tho' we were entirely destitute of the luxuries of civilized life, we feasted most sumptuously on, buffalo, venison, and antelope with wild turkey,—

July 5<sup>th</sup>

Having set out early this morning we made 10 miles W. between Sections 1 & 2 over extremely broken and rugged Country. During the day we Saw large gangs of Buffaloes and some few Antelopes. We encamped for the night on a low piece of marshy ground that barely afforded a sufficiency of water for our purposes.—

July 6.<sup>th</sup>

W. between Sections 1 and 2—17 miles—part of the distance, very broken; the residue level rich Prairie, occasionally timber'd with Oak and Hackberry. In the evening the Hunters brought to Camp one buffalo. We this night encamped at a spring of free stone water in a small grove of timber.

July 7<sup>th</sup>

Made 19 miles W. over much such land as yesterday & encamped for the night at a small pool of miserable water. Here we established the Corner of Sections 1, 2, 3 & 4.

July 8.<sup>th</sup>

We this morning proceeded South to ascertain the Corner of Sections 1 & 2 and on the fifth day arrived at the Supposed Corner, which we established, and returning on the same line, made 15 miles N. between Sections 1 and 2 over Prairie some what broken, tho' rich & fertile. The Hunters Killed 2 Buffaloes. —

July 14.<sup>th</sup>

This day we remained in Camp for the [purpose] of killing and curing meat.—

July 15.

We remained in Camp until 9 or 10 o'clock this morning and afterwards made 9 miles N. over smooth Praire [sic] without seeing water during the day. Encamped without Wood or Water.

July 16

We made an early start in order to reach Red River;—at the distance of 7 miles we crossed a small stream running N.E., with some timber, such as Cotton Wood & Willows. In 12 miles more, we reached the bottom of Red River of Texas which is extensive and rich. Timber—Oak, Hackberry &c—Undergrowth—Plumb. Cherry and Currant Bushes with much Grape Vine. The River is about 50 yds in width and at this time about 3 feet in depth. Encamped on the South bank for the night.

July 17.

This morning early we forded the River and left the large timber at the distance of half a mile—We then entered a thicket of Plumb, Hazle and Oak bushes, which continued the distance of 2 miles—We then pursued our Course N. over rich and rolling Prairie 8 miles to the Corner of Sections 1. 2. 3. 4. Encamped at a hole of Water in the Prairie.

July 18.

Proceeded N. between Sections 3 & 4. 16 miles over level Prairie, passing during the day many ponds of bad water. During this days march one of our horses took fright and bursted 2 Kegs of powder. Encamped at night on a beautiful branch of Red River running S. E.

July 19.

Left the creek at an early hour and ran 17 miles over much such land as yesterday, and encamped in a small grove of timber without water.

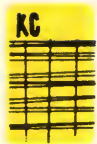
July 20.

We this morning at the distance of 4 miles, reached the South fork of Red River—This stream at this place is about 45 yds in width and about 3 feet deep, with a wide and rich bottom— A variety of large and excellent timber.— We this day made 17 miles to the corner of Sections 3. 4. 5. & 6 over very good land and encamped on a small stream about  $\frac{1}{2}$  a mile distant E. of this corner.—

July 21

E. between Sections 4 & 5— At the distance of  $\frac{1}{2}$  a mile crossed a small stream running S.E. Made 11 miles E. over land somewhat broken, but unusually rich & encamped at a very large spring in a grove of timber. This day killed 4 Buffaloes. Game plenty.

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NEW MEXICO  
HISTORICAL REVIEW

*Editors*

FRANK D. REEVE

PAUL A. F. WALTER

*Associates*

PERCY M. BALDWIN

GEORGE P. HAMMOND

FRANCE V. SHOLES

ELEANOR B. ADAMS

ARTHUR J. O. ANDERSON

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Palace of the Governors, Santa Fe

*January, 1954*

*Editors*

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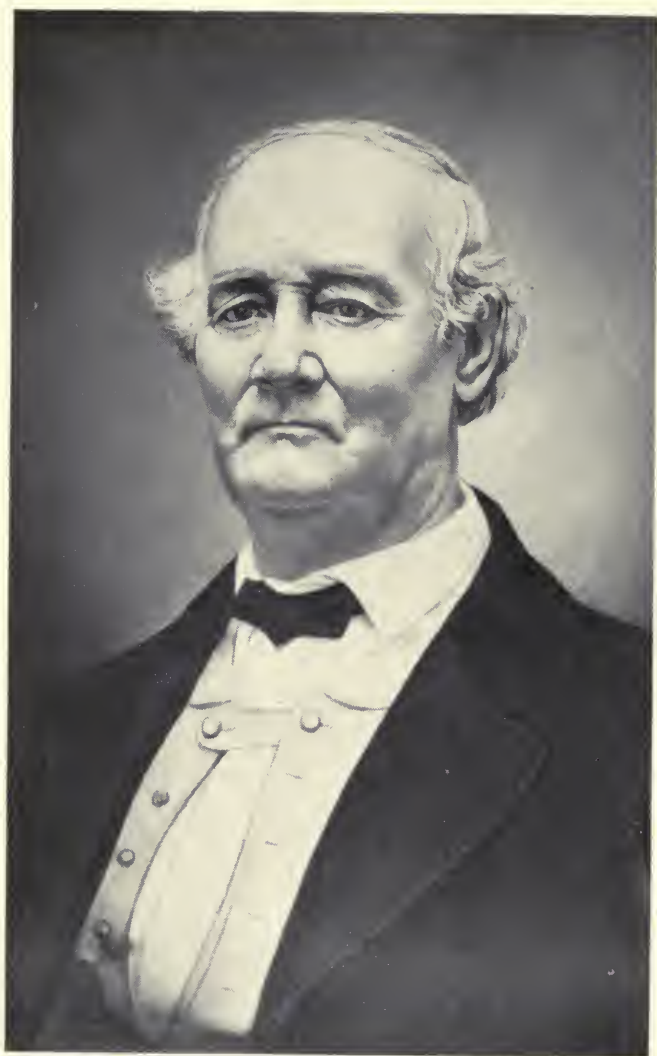
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Hugh Stephenson

# NEW MEXICO HISTORICAL REVIEW

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VOL. XXIX

JANUARY, 1954

No. 1

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HUGH STEPHENSON

*By* JAMES MAGOFFIN DWYER, JR.\*

JUST AS dawn was breaking one August day in 1824, three horsemen, who spearheaded a long wagon train, reined in under an enormous cottonwood tree. They gazed up at the purplish peaks of what is now Mt. Franklin. From the heights on the northeastern side of the middle peak, a smoke signal fire rose in alternate puffs into the early, blue sky, unmistakably saying: "White men passing in the valley below."

Two of the three riders could have easily passed for school teachers, or even ministers; while the younger one, a tall 200 pound man of 26 years, whose neck-length hair curled up from his leather and chamois-lined jerkin, appeared to be a hunter or prospector. His powerful roan horse bore the unmistakable lines of a thoroughbred. For the horse, like his master, first saw the light of day in the Bluegrass country of their native Kentucky. His owner and rider was Hugh Stephenson.

At the time and in that manner, did Hugh Stephenson arrive at the portals of the site now occupied by the City of El Paso, Texas, where he, some thirty-six years later, was the highly esteemed owner of the 900 acre estate of "Concordia" (what is now the greater part of East El Paso), and lent two friends \$4,000.

At the time that Hugh Stephenson, a first cousin of former Governor Stephenson of Kentucky, left Kentucky, he was 26 years of age. He left his comparatively sheltered life

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\*This article was submitted for publication by Col. M. H. Thomlinson, 4515 Cumberland Circle, El Paso, Texas.

among his aristocratic friends and relatives to become the pioneer, trapper, miner, and, in later life, a wealthy merchant of the real West.

What spell did the desert slopes of Mt. Franklin (named many years afterwards, when the town of El Paso was, for a time, called Franklin), cast on the young Kentuckian to induce him to choose this region for his future home? Let us look at the scene as he saw it. Here is what he saw:

The turbulent, muddy Rio Grande then ran approximately where San Antonio Street is now. El Paso del Norte, meaning in Spanish "The Pass of the North," was so named because it was through the gap through the mountains, known now as the Franklin Range, Texas, and Mexico, that travelers from the South went North, and vice-versa. At the present time one can clearly see where the gap was before modern industries appeared.

When the wagon train, with the three horsemen at its head, stopped at the small settlement which afterwards became El Paso, Texas, and which was then located at about where El Paso and San Francisco Streets now intersect, they decided to stay until the next day, when the caravan would continue on its journey to what is now "Old Mesilla," which even then was a rather important settlement. Afterwards, around the 1850's, it became a trading wayside town of some 4,000 inhabitants, the peak of its boom era.

The next day, the three companions separated and only Hugh Stephenson continued on to what is now called Old Mesilla. The other two decided to go to Chihuahua City, Mexico, where they afterwards became highly important and wealthy citizens. At Old Mesilla, Hugh Stephenson left the wagon train and established his headquarters. As the years went by, he acquired considerable land and property, building his home to the north of Old Mesilla, where Las Cruces now stands. He acquired "El Brazito" Grant, where afterwards Fort Fillmore was located; the ruins are still there. He personally prospected, equipped, and sent out other prospectors. Through one of these prospecting parties he located or acquired the famous "Stephenson Mine," in the Organ

Mountains, near Las Cruces, which has steadily produced through the years.

When Hugh Stephenson arrived at Mesilla, he knew that his hunting and trapping days were over; first, because the country was not suitable and no valuable fur-bearing animals abounded; and, second, because he was almost 27 years old, and thought it was time to settle down, as much as his boundless energy and adventurous spirit permitted. Therefore, he decided to give his time to mining and trading, in which occupations he was well qualified.

He purchased a large tract of land, directly to the northeast of Mesilla, and very close to it, where Las Cruces, New Mexico, now stands. Here he built a spacious Spanish type house, common to that part of the country.

He purchased crude silver from agents and emissaries of the rich and well-known Cristobal and Jacinto Ascarate family, whose extensive cattle ranches and silver properties were located across the Mexican border to the southwest, at Corralitos, Janos and Casas Grandes, in the State of Chihuahua. The Ascarate family who owned the Old Spanish Ascarate Grant, from Spanish days, lived in the big manor house, Casa Grande de Amo, and made welcome any visitor or trader as a house guest. It was here that Hugh Stephenson met and courted Juanita Ascarate, one of the youngest daughters of the head of the family. They were married and she went to live with him at his house in Las Cruces, New Mexico. He continued to go to Janos and Cases Grandes, and purchased majority interests in two of the richest Corralitos mines. From them, he smelted and refined the silver in small portable bars with their value in dollars and his name stamped on them. These were widely used as a medium of exchange at a time when ordinary money was not readily available. This was the first make-shift but practical mint of the West, from which it was jokingly said his bars came.

Hugh Stephenson and Juanita had five children, Horace Stephenson, who married Elena Miranda; Margarate Stephenson, who married J. M. Flores from San Antonio, who

later became a well-known merchant of Ciudad Juarez, Mexico; Hugh Stephenson; Adelaide Stephenson, who married Colonel James Zabriskie, a well-known attorney of San Francisco, California, and later of Tucson; and Benacia Stephenson, who married Captain Albert French, a California Cavalry Captain, who was born in Boston.

Captain French, husband of Benacia Stephenson, purchased from the heirs of Hugh Stephenson:

F. Neve Survey No. 6 and E. R. Talley Surveys Nos. 7 and 8, which comprises 900 acres of land beginning as a northern boundary,

approximately where Montana Street runs, and the river as the southern boundary, and Stevens Avenue as the western boundary, and Marr Street as the eastern boundary. On the western side, just north and adjoining where the Mitchell Brewing Company now stands, he built and rented to the United States Government the second fort barracks near El Paso, which were the first adequately constructed, and on high, suitable ground for that purpose; and even now some of the old barrack buildings still stand. This was the site of the old settlement of "Concordia," the Hugh Stephenson, and later the Stephenson-French home property. Captain French was a trusted Union officer and civil engineer, upon whom the Government entrusted various important missions. He was referred to as being one of the most capable and valiant and courageous officers of the Union Army. He and Benacia Stephenson had three children: Florence French, Julia French and William French. I am the son of Florence French Dwyer and James Magoffin Dwyer, Sr., whose father was Major Joseph Dwyer, a pioneer of San Antonio, Texas, and whose wife was Annette Magoffin, daughter of Colonel James Wiley Magoffin of El Paso, Texas.

Returning to Hugh Stephenson and his life and interests—because of his interests in his silver mines at Corralitos and near Casas Grandes in the State of Chihuahua, Mexico, he changed his headquarters from Mesilla, New Mexico, to El Paso, Texas, and built his large manor house at Concordia in East El Paso, on the vast tracts which he owned as hereinbefore described.



Henry S. Gillett and  
John S. Gillett  
to  
Horace Stephenson  
Trustee for  
Hugh Stephenson.

18

## DEED OF TRUST.

Date Sept. 3, 1860.

No File Date.

Book B, p. 144.

Consideration \$4,000 paid  
by Horacè Stephenson.

Do bargain, sell, release, convey and confirm the following described property towit: One undivided interest consisting of  $\frac{1}{4}$  of the entire town tract of El Paso, Texas, the same being the undivided half of that tract of land conveyed by William T. Smith to the said Henry & John of this instrument and others, on the 30th day of January 1859, Said interest being 450 acres, more or less, also the store house, goods & all other real estate now owned by the said Henry & John in said county. To have and to hold the said undivided, and unsold interest of  $\frac{1}{4}$  in said town tract etc.

## General Warranty.

In trust to secure note of Henry S. Gillett & John S. Gillett for \$4,000, for money loaned by Hugh Stephenson to them which note is as follows, viz:

\$4,000. Sept. 3rd, 1860

Three months after date we promise to pay unto Hugh Stephenson, or order, the sum of Four thousand dollars. value received.

(Signed.) H. S. &amp; J. S. Gillett.

With power of sale on default of payment.

(Signed.)

H. S. Gillett. (Seal)

John S. Gillett. (Seal)

## Witnesses:

J. M. Flores.

W. Clang Perez.

State of Texas. }

County of El Paso. }

Before me, J. M. Lujan, Clerk the County Court of the aforesaid County & State personally appeared Henry S. Gillett to me well known who acknowledged that he signed the foregoing instrument of writing for the purposes and intentions therein expressed.

In testimony whereof I have hereunto set my hand and affixed my official seal at office, this 30th day of October A. D. 1860.

(No Seal of Record)

J. M. Lujan.

C. C. C. E. P. C.



In his large storerooms at Concordia, he stored all kinds of merchandise and dry goods, which he had freighted from St. Louis, Missouri. With this he also traded for silver in and around Corralitos, and besides the output from his mining properties, he re-smelted and as before stated refined into small bars on which was his stamp and its weight and value. He was so well liked and esteemed by the Mexican people and they confided so much in his integrity, that these bars were used as a medium of exchange. Also with this silver he had a great deal of silver plate made and he furnished many of the wealthier families in Northern Mexico and New Mexico with silver services. And in the City of Chihuahua, Mexico, he continually kept busy a very competent silversmith, who was well equipped to manufacture the silver services. This ware he also used exclusively in his own home. But if he devoted much time to his business enterprises, always his greatest zeal was in personally helping, counselling and befriending the poor, sick and needy. These came to him from far and near, surely knowing that his house was always open to them and that they would not be disappointed.

This great humanitarianism was wholeheartedly shared by Mrs. Stephenson. She was untiring in her activities in providing food and clothing, and nursing wounded Texas prisoners whom Governor Armijo of New Mexico had sent from San Miguel, New Mexico, to El Paso in 1841.<sup>1</sup> The young Parish Priest, Father Ramon Ortiz,<sup>2</sup> was greatly esteemed and at times officiated and said mass at the chapel-church at Concordia, which was built by the Stephenson family and kept in good order by Captain French, his son-in-law, and his wife, Benacia Stephenson French, later Leahy. It stood in its original form until a few years ago when John T. McElroy purchased the Union Stock Yards from the three grandchildren of Hugh Stephenson.

It is pertinent also to point out, at this time, that Mr.

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1. Geo. Wilkins Kendall, *Narrative of the Texan Santa Fé Expedition*, 2:40 (London, 1844).

2. [The reader might be interested in Fidelia Miller Puckett, "Ramon Ortiz: Priest and Patriot," *NEW MEXICO HISTORICAL REVIEW*, 25:265-295 (October, 1950). Ed.]

Mills,<sup>3</sup> in his roster of ante-bellum residents of El Paso, refers to "Col. Hugh Stephenson, mine owner and merchant," without classifying him either as a "Union Man" or "Confederate," although it is well known that Mr. Stephenson had large amounts of Confederate Bonds left on his hands after the war. He never regretted what he had done for the South. It is most commendable to note that such was the personal friendship existing between Mr. Stephenson and Mr. Mills that it lasted through the years. Mr. Mills repurchased for his friend, with money derived from the Corralitos Mines, extensive holdings which had been confiscated during the war.

Hugh Stephenson had weathered three great crises of the times, The Texas War, The Mexican War, and the Civil War, and he was still highly esteemed by men of both sides and races. Notwithstanding the staggering amounts lost in Confederate money and bonds, he was still able to rebuy his Texas-American real estate after the Civil War. The friendship between the Stephenson and Mills families was manifested by the fact that when Mr. Mills first brought his bride from Austin to El Paso, Mrs. Adelaide F. Zabriskie, youngest daughter of Hugh Stephenson, had his house on San Antonio Street ready for her and was her close friend and neighbor. Captain French and Colonel James Zabriskie, his sons-in-law, were personal friends and political backers of Mr. Mills, who refers to Colonel James A. Zabriskie as his colleague in the "Star" mail contracts business.<sup>4</sup> Mr. Mills shows the mutual friendship and esteem which he and Captain French had for each other, when Mr. Mills was a candidate for the legislature in 1869, and at which time Captain French was County Judge, as follows:

Judge French wrote me: After the battle, December 4th, 1869. Dear Mills: We won the election, but the first night, we having one hundred and forty-three to their forty-eight votes, they opened the box and scratched our one hundred and forty-three votes for themselves. Fountain's name represents yours on the scratched tickets. I have sworn two hundred and seventy-

---

3. W. W. Mills, *Forty Years at El Paso, 1858-1898*, p. 19 [1901]

4. *Ibid.*, pp. 131 ff.

seven men who voted for you. You got only one hundred and thirty-four as counted. Yours, French.<sup>5</sup>

Treasure-seeking vandals dug holes in the old Stephenson residence house and around the grave of his wife, protected by a large cement and stone carved slab, within the Concordia Chapel. But these vandals did not know that all this silver was used in purchasing Confederate money and bonds. The remains of Juana Ascarate Stephenson, Hugh's wife, were removed from Concordia Chapel burial place some years ago with other deceased members of the family, and were buried in the Stephenson-French family private cemetery, located at the southeast corner of the intersection of Alamogordo and Stephens Street in the City of El Paso, Texas.

Hugh Stephenson was born on the 18th day of July, 1798, and died on the 11th day of October, 1870, at Las Cruces, New Mexico, where he is buried.<sup>6</sup>

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5. *Ibid.*, p. 139.

6. According to statement of H. F. Stephenson.

## THE SEBOYETANOS AND THE NAVAHOS

*By C. C. MARINO\**

I SHOULD LIKE to be a Cervantes that I might dress for you this bare, unadorning tale with grace and discretion, and so give evidence of some bit of intelligence myself, or, so to speak, extract a grain of ability, of charm, or of wit from this poorly endowed writer.

But, reader, if as you peruse these lines you should come across mistakes, may heaven provide the adornment that they lack because I find myself incapable of doing anything about it because of my scanty education. So please forgive any error, as I have no pretension as a writer; and pass such sentence on this work as your conscience may require of you.

So, dear reader, here is what I hold in my memory of all that I managed to learn about the time when our ancestors came to settle this place and give us the sacred right to live where we now live. I think it proper that the story of what the settlers of this land accomplished and suffered should form a part of what I now set down, aided by my limited ability, by records of the years 1851 to 1853, and by conversation with some of the old-timers.

My narrative begins with the year 1851, the date of the last great campaign of our settlers into the very heart of Chusca, that is, the area inhabited by the savage, hostile Indians called Navahos.

The fact is that in the year mentioned above, a band of some fifty or more rough, untutored men with stout hearts, brave to the point of rashness, set out without any illusions from Seboyeta Canyon, a place previously settled by our ancestors. This band purposed to explore a place on the other side of the mountain to the east [sic] which they had already discovered on other campaigns and which is called today San Lucas Canyon, located to the north of what is today

---

\* Mr. C. C. Marino is a native son of New Mexico. His story of the people of Seboyeta, New Mexico, and the Navaho is a rare account from the pen of a local historian based on the memory of the community. Written in the Spanish language, I am indebted for the translation with notes to Professor R. M. Duncan, Chairman of the Department of Modern and Classical Languages, University of New Mexico. Ed.

the village of San Mateo (which they settled in 1861 or 1862). San Lucas was a place which they had intended to settle, but this valiant band mistakenly ended up in the aforementioned plains of Chusca.

Friend reader, before we start on the Chusca foray, which these Seboyetanos made by error, I wish to describe for you some minor sallies of which there were many—some of average importance, others merely encounters, or dawn attacks of the hostile Indians who did them all the harm they could, mostly by running off goats, sheep and cattle which constituted the daily sustenance of the settlers. Although they would not steal many animals, the number of these dawn attacks reached the point where our ancestors defended their stock at the risk of their lives, and that is why they were so brave and bold. In order to be as much a man as those ancestors of ours, friend reader, one must eat plenty of *pinol*<sup>1</sup> and goat cheese. And to think that today these foods are not considered fit to eat because they were the fare of those ignorant old-timers who gave us our lives and bequeathed to us the land in which we live! So be it, amen! Forgive the interruption and let us get on.

As I was saying, those were strong men and brave—all of them. But among them there were two whose deeds and merits have no equal. These men, or rather, these *Cides Campeadores*<sup>2</sup> were the leaders of all. The Navaho Indians recognized them even at night and were very afraid of them on account of their great strength, as well as their exceeding cleverness in fighting. One of them was so skilled with a rifle that it was proverbial that within range of his rifle no Indian remained standing, or indeed, remained alive. If he shot at a Navaho—it didn't matter how far the distance was—he was never seen to miss a shot. This man that I speak of was called Chato Aragón, and he used to say, "such and such a Navaho will die whether God wills or not!" That is how good he was with a rifle, not that he wished to be more than God, for he was a very good and

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1. A mush made from toasted corn meal.

2. Rodrigo Díaz de Vivar, the epic hero of Castile, lived in the latter half of the 11th century and was called "Cid Campeador" (Victorious Chieftain) by the Moors against whom he fought.

devout Christian. But he would say things like that without meaning any harm, and God, Our Lord, protected him. A pal of his stated that once a group of some ten men with Chato Aragón were going along a canyon in the mountains, that is some very high rocky mesas near the Seja del Almagre—as I believe our ancestors called it. This group was not very large and they thought that they were well hidden from the Navahos, but they were mistaken, for at one of the bends in the canyon, on a high cliff at the very edge of the canyon, were two Navaho spies, who made exaggerated bows and gestures in different postures, shouting in their tongue, “you thieving *nacajalleges*,<sup>3</sup> take that, take that!” One of them was so close to the edge that Chato couldn’t stand it and he said to his companions, “If my rifle will reach as far as that blockhead, I’m going to put a bullet in the part he is pointing at us.” It so happened that the Indian was displaying his rump and Chato raised his gun with such good aim that he hit the Indian and knocked him off the cliff and he fell dead to the floor of the canyon near them. And so good was Chato Aragón at placing bullets where he chose, that his companions stated that they could not find a bullet hole because Chato had shot him in an inexcusable place! I cannot attest to this, dear reader, but that Chato was good with a rifle, there can be no doubt, and later I’ll tell you more about him, because this is only the beginning.

A similar account is given of the famous Redondo Gallegos, a companion of Chato. He was feared by the Navahos on account of his extraordinary strength, and was brave to the last fibre of his respectable person. So much so that he was the most glorious martyr in the ambush and massacre by the Navahos at the famed Paraje de San Miguel. Redondo, by himself, a San Juan de Ulúa,<sup>4</sup> as the saying goes, was the one who as sentinel notified his companions that the Navahos were upon them in those last hours of the horrendous and macabre slaughter. But his very proper warn-

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3. The Navaho name for Mexicans was *Nakais*. It is spelled *nacajalleges* through-out this ms.

4. The writer is doubtless aware of the reputation for bitter fighting at the siege of San Juan de Ulúa—a fortress in the harbor of Vera Cruz, Mexico—but confuses the name of the fortress with that of a man



ing was rejected by his tired and sleeping companions, as I shall relate further on. Now I shall relate some of his deeds.

It is told of this Redondo Gallegos, that on one foray from the town of Sibelleta, or Seboyeta, as it is called today, to the other side of the mountains, there were barely twenty men; they were joined by a group from the river valley, and the leader of this group was a certain José Largo, very boastful as well as long, and considered himself a valorous Cortés. The Seboyetanos had no leader, and each was his own master, and got along as best he could. The fact was that they were going along in good spirits, ready for any eventuality that might befall them, such as running into the Navaho Indians, which I believe is what they were after, or finding a place to settle, or taking some man or woman captive, which was one of the greatest rewards of a campaign, depending upon whether they were lucky with the captive whom they had risked their lives in taking. If the captives were of average age, or young and could be domesticated and taught, then their capture bore rich fruit; but if they were already of a mature age, alas dear reader, they would run away, saddle up, as I think an Indian said, and they lost the race and got nothing for their pains but a tale of what had happened to them on that cursed and ill-fated campaign.

All went along thinking about what fate held in store for them, and when least expected and from an unexpected direction, there came a hundred Navahos well armed with clubs and arrows. The fright was so great that they all scattered, especially the river men, who heard no more of their brave leader—as usually happens where there is neither bravery, experience, nor skill.

But the same was not true of the Seboyetanos, for this was not the first time they had been attacked in that manner by the Navahos. They were not easily scared and, moving with the agility of a panther, they tried to throw off the huskiest and fiercest of the Navahos. In short, the Seboyetanos resisted by counterattacking, led by the famous Chato Aragón and Redondo Gallegos, the ones most greatly feared by the Navahos, and not because all were brave, since the

men from the river got lost in the woods. In the encounter, the Navahos did not resist the Seboyetanos very much because they saw immediately with whom they had to deal and were aware of how dangerous the famous Chato and Redondo were, and they did as the river men had done, that is, they took to their heels; but those in the lead did not fail to make some contact and you will see, dear reader, that there were blows of fist and club and hand-to-hand combat, for there was no time for bows or for rifles.

There were no casualties among the Seboyetanos; about three were clubbed but not seriously. Among the Navahos one was taken prisoner, and two killed, one of them at the hands of Chato and the other, to tell the truth, I don't know who killed him. The prisoner was taken by the fearsome Redondo Gallegos and not without a terrific struggle, for the prisoner was the very chief of the Navahos and a very proud and strong man. But his strength was no match for the bravery and skill of Redondo, who tied him up with the speed of an acrobat and so well that the savage could not undo the knot. The other Navahos did not stop even when they found themselves without their chief, for they saw the danger that threatened and slipped away in the woods and went towards their lair to report the loss of their leader.

The Seboyetanos did not give chase, but surrounded the prisoner and the dead Indians and began to joke about the fright that the Navahos had thrown them into. Thus engaged, they awaited the return of the river men who had scattered in all directions and began to come out after they heard the Navahos withdraw. Among them the only casualties were the result of being scratched by the trees and bushes, in their headlong flight. At the proper time, up came José Largo, the brave and braggart captain of the river men and very boldly said to Redondo Gallegos, "What's the matter with that savage Indian that you don't send him promptly to the other world? Have you no valor?"

"You come a little late, and your person teaches little valor, for there is the captive you were going to take; so you see, there's many a slip twixt the cup and the lip," concluded Redondo. "But if you want to prove your bravery, there is

that savage Navaho and if you want him to die, let him die by your hand, but on condition he be turned loose with bow, arrows, and a medium sized tomahawk. Thus you two proud chieftains can battle to the death, each one with his own weapons, and Mr. Largo will prove that he didn't come to see if he could, but that because he could, he came. And so I end my sermon."

"But that's too much," protested Largo, "just to test me you endanger not only my life, but that of one or two others, for I can see that he is strong and husky, and proud and brave, and tied up like that, all one has to do is to finish him off."

"Then I suppose I was in no danger when I faced up to him and reduced him to the condition in which you now find him," replied Redondo, "and in order to prove to you that the Seboyetanos don't need to have a prisoner tied up to overcome him, I demand that this savage Indian be freed and given his bow and arrows so I can show Mr. Largo how one fights without risking the lives of anybody else, armed only with a club and tightly-woven poncho."

The arrangements were all made by means of a captive Navaho whom the Seboyetanos had raised and taught—I think his name was Kico—who explained to the Navaho prisoner that they were going to free him and he would have to fight with Redondo Gallegos, his enemy. In short, that they were risking their lives and giving him the chance of fighting with his bow and arrows. The Indian understood very well and grabbing his bow and quiver of arrows, as soon as they released him, and at a distance of five yards, filled with wrath and violence—for he was an expert with the bow—he drew not one arrow from his quiver, but two, and placed them with nimble accuracy both together in the bow, making a double shot at the breast of Redondo who had hurled himself at the defiant Navaho, and with his poncho wrapped around his left arm, warded off the discharge of the arrows of the angry Indian which went straight toward Redondo's chest but were caught in the rolled poncho. At this point, Redondo fell upon his fierce enemy and with one skillful motion let fly with his club and hit the Indian

in the head so that he rolled on the ground like a chicken with its head off and had no chance to use his tomahawk.

After having a meal of what they called *pinol*, they followed the trail of the Navahos and saw that they gave no signs of returning, but were going to their lair. So they decided to leave the chase for a better day because they did not have enough food to go on.

And now, finding nothing else to praise, I shall go on upsetting my badly organized narrative which, though inadequate, I believe deserves attention.

At any rate, dear reader, I shall do all I can to set down here all that comes to my mind, or that I have collected and learned from my forbears in all their engagements with the savage Navahos.

And now I seem to recall that when our Seboyetanos were just about back to their village, before coming down out of the mountains, they came upon another group from Seboyeta. Both groups were surprised and those just coming from the village reported that another band of Navahos had been up to their old tricks and had driven off to their lair the entire herd of goats that the families of Seboyeta kept for their domestic use.

It was in the morning of that same day when this group of Navahos had laid in wait for the attack among the rocks at the rim of the mountains. They were waiting for the unsuspecting goatherd with the definite intention of carrying off the goats and possibly killing the goatherd. I want the curious reader to know that the man who looked after this bunch of goats was the common goatherd of the village and consequently took care of all the goats that every individual kept for milking. (Stealing their goats deprived them of their daily sustenance, so that those poor people would be very badly off indeed.)

The goatherd seemed to suspect no danger of the savage Navaho, but began to climb the mountain with his flock because up on its slope the pasturage was better, but he never expected that the Indians awaited him hidden along the rim watching him as he reached the top, as indeed happened. When all the goats arrived at the top, there followed

the goatherd who was some 55 or 60 years old, and two sons of his, one 14 and the other 12. I have not been able to find out the name of the older, but chanced upon that of the fact that the younger one was called Juan Ortiz—from which we may infer that the father's surname was Ortiz. In any case, the name of the boy was learned from the fact that he was captured by the Navahos and escaped from them when he was 21 years of age. As I shall tell further on of his captivity, perhaps I may be permitted to relate what happened to the father of Juan Ortiz and to his older brother who by a miracle escaped and notified the village of Seboyeta, although it was too late to be of any help, as I shall shortly explain in detail. (Patience, reader, patience, for it is hard for me to know how to paint this unhappy episode for you.)

We will begin with the 14 year old boy, who just before climbing to the rim had to make water (or that which cannot be put off) and so remained below on the slope while his father and brother went on to wait for him up above. But as soon as they reached the top, they saw themselves surrounded by hostile Indians who were hidden among the boulders on the rim ready to grab their prey. When old man Ortiz saw this, he yelled to his older son not to come up, but to hide and flee to the village and spread the news that the Navahos were carrying off all the goats. The boy heard the desperate cry of his father and tried to hide the best he could with a view to running down the slope and giving the urgent alarm of what was happening to his father and younger brother. The Navahos tried to silence the old goatherd by beating him with a club and the increased cries of pain were heard by the boy down below who realized what was happening to his father. The Indians with their blows silenced him so well that he never again cried out in this world. And so, in the silence of the forest the boy slipped along down the canyon toward Seboyeta and reported the macabre assault of the savage Indians without knowing what had actually happened to his father and brother, although he did have a strong suspicion.

When they finished with the old man, the Indian who

held the young one seemed to treat him with affection and spoke to him by means of signs, telling him not to be afraid, that they were not going to kill him, but that he was taking him as a son. This is the story of the same Juan Ortiz who was a captive of the Navahos for 9 years until he had a chance, having grown to manhood, to escape, as I shall relate later on.

The Navahos bore the body of Ortiz some three hundred yards to where there was a hole made by badgers and, enlarging it a little, for it was small, they threw the body in head first as if it were that of a dog, leaving the legs sticking out. The Indians, making much sport of all this, set off after the goats which they were going to carry off.

So it happened that the group—some 20 men in all—met the group on campaign with Redondo and Chato—some twenty more, as I have said—and informed them of what had taken place. So the two groups decided to follow the Navahos and fight for their stock, if they overtook them, and find out what they had done with the goatherd and his younger son. With the few provisions they had, they turned back to get on the trail at the place where they had killed the father and taken the son prisoner.

They soon found the site of the gruesome affair and, by the trail of blood, the badger hole where the corpse had been thrown. They decided that two men should carry the body back and bury it in the village, and take care of the entire village while awaiting news from the campaigners who were going to recover the goats from the Indians—and also the captive if they found him alive.

Leaving there, the group, under the command of Redondo Gallegos and Chato Aragón, followed as far as they could the tracks of Navahos who were driving the goats; all the men there were men of valor and, with all that had happened to them, they thought only of avenging the attack by the savage Indians. Arriving at the rim of the mountains beside San Miguel Canyon, they saw the cloud of dust raised by the Indians and the bunch of goats far down the canyon—for it was high noon. With this they speeded up and when they reached the floor of the canyon, they divided into two

wings, one going down one side of the canyon and the other down the other, in order to catch them in between. But as they were about to rush upon them, the Navahos heard them and those with the swiftest horses escaped—which is to say most of them. If they killed two or three, that was all, for Chato got two within range of his carbine and Redondo got one who was on a tired horse; and, having overtaken him, Redondo grabbed him by the hair and gave him such a tug that he jerked his head off, hair and all, and threw him to the ground with such force that the Indian went straight to the land where not long before he had dispatched the unfortunate goatherd.

Rounding up the bunch of goats, they found that some had been killed and others harmed, but the loss was not great, and they were pleased at having recovered them. And so, without any hope of overtaking the Navahos, they went to Seboyeta bearing the bad news of the capture of Juan Ortiz.

In the village, all were grieved over the loss of the goat-herd and the missing goats and all the families were upset over the losses caused by the dire attack of the savage Navahos. So they very devoutly promised a candle to each saint for the safe return of the ones who had gone to rescue the captive and bring back the goats. At this point the campaigners returned and sorrow and tears all ceased; for as the Quixote says, sorrows are more easily borne on a full stomach, that is to say, the sustenance they needed so much had arrived, namely, their goats which gave milk, and also a few cheeses when the milk was not all drunk.

With the passage of the period of sorrow for all that the savage Indians had done, the brave Seboyetanos began to lay plans for a campaign of exploration for fertile lands with a good water supply where they might settle little by little as they pushed on into places where they might capture a few Navahos. Some people have insisted that our ancestors profited most from the traffic in captives. Others have said that captives were taken as a means of showing off—a sort of spirit of competition. However that may be, they showed that they were not afraid of the dangers of the

life to which they were exposed on every sally of those hazardous campaigns.

According to what I have been able to find out, the date of that last campaign was the year 1851, and as we have said above, when the brave Seboyetanos had made their plans and organized their preparation, they set a date for going forth with their best horses, food—the chief consideration—carbines with plenty of ammunition, daggers, or whatever they had, for some used tomahawks (axes made with rocks or flints) and their *chimalas* (small shields) of leather to protect them from the arrows. Thus all being in order and ready for the great day, they all set out. And now the departure.

This group of settlers started off to explore a place on the other side of the mountain in a canyon, which they had already discovered on former campaigns, to the northwest of Seboyeta Canyon. This place is called today San Lucas Canyon and stands north of what is today San Mateo, and was considered the next place to be occupied by our settlers because the place of the village of San Mateo had not then been discovered.

They had the unabashed audacity to head straight for the dwellings of the Navahos where the hostile Indians could be counted by hundreds and where our companions were besieged mercilessly to satisfy the ambitious whim of taking as spoils of war a captive man or woman. To such an extreme of mistaken heroism did these pioneers go that from sheer ambition they lost track of the place they meant to settle in.

Apparently in the first skirmishes and encounters with savage Navahos as they marched into the midst of Chusca, where they lived, they found that the Indians were very much afraid of them and most of them tried not to come into contact with those accursed *Nacajalleges*, who, although few in numbers, were strong in valor and steadfastness. Furthermore, their firearms were superior to the bows and arrows, so much so that they made two hits with one shot, as happened in the siege laid against them by the Navahos in the middle of Chusca where they lived in their hogans.



There our forefathers were clever enough to kill two or even three Navahos with one shot of their carbines. The fact is that they kept getting deeper into Navaho country as they followed every Navaho patrol which seemed to flee in a cowardly fashion, bent on the taking of captives as they were. But they were much mistaken, since they did not suspect that the flight of the Navahos was a ruse to lead them into the midst of their lair and there lay such a siege to them that none would come out alive, as we have noted before.

One of the most recent settlers told the tale as he heard it from the lips of some of the old men who took part in the campaign. According to him, the place where they were besieged was at a lake in the center of the plateau or mountain called Chusca, and there took place one of the fiercest battles in all the register of campaigns made by our ancestors against the Navahos. There was no chance to separate and they had to face the wrath of the infuriated savages sheltered in their own hogans, as their huts are called. In that inferno our heroes battled for two nights and three days, using all their resources of skill in taking cover, praying to the Creator of heaven and earth to work some miracle that they might escape from there. None doubted the danger in which he found himself, but it is certain that for every death of our heroes, there died thirty or more Navahos. There is no reason to be surprised at this because it was a result of the advantage our heroes had in weapons and in valor, as well as in the care that each one took that each bullet from the carbine should hit its mark and bring down two, or if possible, three Navahos. So the Navahos feared to rush upon them because none would take the lead, and they knew of the strength, skill and bravery with which the Seboyeta heroes were endowed. Furthermore, the latter carried something to ward off the arrows of the Indians, namely, an affair made of thick leather and called a *chimal*. But the Indians could not dodge the bullets of the carbines except by taking refuge behind trees or rocks. This was the reason for the slaughter which our ancestors accomplished.

Oh, Glorious Providence and Divine Wisdom who didst

grant some grace to our ancestors because of the merits of their little knowledge and great faith! And they were nearer unto Thee and Thy Will than the present generation with its bewitched and ill-used education and civilization!

It is said that on the last day of the siege, there came out an Indian girl on a white horse and it is said she was the daughter of the great chief of all the Navahos, and that she appeared among the groups of Navaho warriors at sunset, a time when the Navahos tried to launch a strong attack against the *Nacajalleges*—that is to say, our settlers. It was stated that the young girl was mounted on the most beautiful horse ever beheld by human eye. Keeping her brilliant horse at a steady gallop, she shouted a sort of announcement to the angry Navahos that they should cease battling those devils of *Nacajalleges*.

Chato Aragón, seeing that the Indian girl was within range said in a loud voice so that he was heard by all his companions, "That Indian girl on the white horse will die whether Providence wills it or not." The shot would have been difficult for anyone but Chato, but he raised his carbine and the girl was seen to fall among the hundreds of Navahos in spite of the speed of her horse, and so ended her harangue. Then the miracle happened, for a wave of Indians rushed over to the fallen young girl, thus producing a lull and clearing a space through which our ancestors were able to leave that place where none had any hope of leaving. They left as best they could, not without abandoning the bodies of some of their companions.

They had to camp in a certain ravine where there was a meadow with good grass and nearby a spring just before arriving at the Seja del Almagre on Corazon Hill, where they killed a skinny mare which was on the point of dying of hunger and fatigue. But their hunger was more important and so without noting the dark color of the flesh they devoured it and allayed the cruel pangs of hunger, which was about to kill them, as they were accustomed to say afterwards, and I think that there is where the proverb originated which runs,

To the Sierra Mojada, let us go eat,  
The skinny old mare who is dead on her feet.

Others say that it came from the broadside which was composed about Marcelina the captive, a ten-year-old girl whom the Apaches, and not the Navahos, captured south of the Rio Grande in a place called Cruzadas where roads crossed going in different directions and is called today, Las Cruces. They say that this girl was taken to Sierra Mojada to eat mare meat. However that may be, it all comes from the torments and tribulations that our ancestors suffered at the hands of the savage Indians of those days.

But we were speaking of the wretched condition of our Seboyetanos after escaping the siege of Chusca when they arrived at the place mentioned above. They held a brief conference in order to see how they might seek immediate relief for those who were in a sad state. After each one gave his opinion, their captain ordered formed a voluntary courier squad of twelve men who would leave promptly to cross the mountain by the famous Paraje de San Miguel, a name which has endured since those times, to carry news to Seboyeta of the condition of the rest of the men. The problem was risky and dangerous, but there were men in those days, and twelve stepped up who were the flower of valor of all those among whom were that *Cid Campeador*, Chato Aragón, and Redondo Gallegos.

The aforementioned courier group, thinking they were unobserved by the Navahos, gained time by going through a place they called Las Tinajas and reaching on the afternoon of that same day the ill-fated Paraje de San Miguel, which was situated in a canyon in the mountain which they were going to cross if possible on the following day. They went along in good spirits for they thought that the savage Navahos would not bother them or dare to follow, especially since Chato and Redondo were among them, and all of them were men of great valor and excellent fighters. But alas, dear reader, how mistaken were our brave warrior-settlers. The Indians, savage and angry, had been spying on them all the time and had seen them—the ones most feared by

the Navahos—depart. Consequently, they attempted to put an end to that fear by playing them one final trick. The story of this episode was revealed to our heroes by a Navaho captive who was one of the twelve and was always very useful. In the silence of the night he would slip away a certain distance from the camp—he was as agile as a cat and had as soft a tread as a coyote who can smell things a great distance away. His hearing was so keen that he could hear a mouse walking at a considerable distance. He was also an expert at distinguishing the hooting of an owl, for among the Navahos there were some who were good at imitating the owls, and it was they who were spying on our ancestors. The captive, when he withdrew on his nocturnal patrol, heard the hooting and knew that it was the Navahos and told the brave Seboyetanos who on that occasion did not believe him because it seemed to them that the Navahos would not be following them. But the captive was ill at ease because he knew they were being followed very closely and in considerable numbers, without being seen nor heard; so his warnings were received as evidence of cowardice.

In this state of affairs did they reach the Paraje de San Miguel on the late afternoon of that unhappy day. My esteemed scholar, I believe it requires no very subtle pen to describe the sad episode of the end of our intrepid ancestors, but now may they rest in peace and their memory be praised. For that reason I beg permission to relate this story even though it be but dry and unadorned.

It is said that after having chosen the place they thought most secluded for spending the night—in the midst of a forest—they unsaddled their horses and some began to build a fire while others challenged their fellows to target shooting, in spite of the scarcity of bullets. Thus can be seen how their mistaken confidence in their valor placed them in the hands of their savage enemies. Afterwards, they gathered around the fire and ate what little they had to eat—it did not take them long. They always set a guard over the horses who could, at the same time, watch for savage Indians. One stood guard until midnight and another the rest of the night.

After their little or no supper, and forgetting their imminent danger, they stirred up the fire so it would burn brighter and played several games among which were the game *pitarría* and another called *liebre* (jack rabbit), and I think also even Monte, for some of them had their cards along. Late in the night the event began in earnest after the first guard had been relieved. The new sentinel was none other than Redondo Gallegos. He began to notice that the horses, although near the fire were uneasy and now and then snorted as if frightened by a sound. But the one who heard the most was the poor captive who then heard the cry of two owls and understood that it was the Indians, indicating in that way that they were ready, lying in wait. It was the hour when the devil gives advice and the evil take it. The hour of the horrendous and macabre massacre was at hand.

The fearful and forewarned captive approaches the unfortunate card players, almost stepping on them he is so afraid and says, "Did you hear those owls?"

"Yes, we heard 'em," grumbled some of the card-playing martyrs, bursting out laughing, "What about 'em?"

Rebuffed in this matter, the captive who was trying to make them see reason became still, awaiting the fatal hour. At that very moment the famous, brave Redondo Gallegos gave the alarm, telling them not to be so careless because the horses indicated that something was wrong. But the card game was very hotly contested and the players paid no attention to the sentinel. God, Our Lord, had hardened their hearts and caused them not to understand, after having worn them out with fatigue, hunger, and lack of sleep. The Creator had written their fate without warning them that their bold campaigns would come to an end as night gave way to morning.

Here, dear reader, is the macabre slaughter. They did not have to wait long. As soon as the savage Indians lying in wait saw that our companions were asleep, they rushed upon them and, of course, the first one they made sure of was the sentinel whom they riddled with arrows and knocked to the ground with clubs. In the same way, those who were

sleeping peacefully were dispatched with arrows and clubs, so that they awoke in the Eternity which Divine Providence had reserved for them as a reward for the last of their campaigns of conquest. Thus died all of those famous men, the flower of our brave ancestors, and among them those famous *Cides Campeadores*, Chato Aragón and Redondo Gallegos.

We have already spoken of that captive who was present at the bloody ambush of our Seboyetanos. Since he was aware of what the Navahos were going to do, he didn't go to sleep but lay waiting in fear for the Indians' attack. As soon as he heard their attack he slipped into the darkness of the forest and mingled with the Indians, since he knew their language, and so escaped. When the poor captive reached Seboyeta, he could not give them any news right away, for he didn't know whether he had reached the village or not. He fell into a deep faint until the following day. So the women and the sentinel with grief and foreboding put the captive in a house and rubbed him with something very good for frostbite, for his hands and feet were frost-bitten, and they heated shawls and wrapped him up very carefully to see if he would come to life again and give them the news they were anxious to have of those who were already corpses.

The families of our settlers were desolated and it was three or four days before the other men started coming in. With all this there were new lamentations as the men from the campaign of the Sierra Chusca arrived, having made their way over the mountains with great trials and hardships by way of Cubero. They were filled with foreboding about the twelve messengers who had been sent to carry the news by the Paraje de San Miguel. However, they promptly set about planning another expedition in spite of the sad situation in which they found themselves and arranged to take the hero-captive along.

I believe the curious reader will not have forgotten that the sentinel standing watch over our deceased companions at San Miguel was the brave and honest Redondo Gallegos. Well, it is precisely of this person that we are going to concern ourselves in sad detail for a moment. In melancholy

accents an old settler drew upon his memory of past events, as follows:

Our hero—whether you can believe it or not—did not die at once. His martyrdom was prolonged to the ninth day—things which Divine Providence does that some human beings may achieve greater grandeur in this world, as well as in the next.

His valor held out and he dragged himself as best he could into a cave near there and watched over the bodies of his companions hoping in vain for help, but certain that his death approached—though not so fast as he desired, but little by little to give him a greater martyrdom in order that he might win the glory of Heaven. Thus died the brave and forgotten sentinel and martyr on the ninth day as is indicated by the lines he drew—eight lines and a beginning of another to indicate that on the dawn on the ninth day he yielded his soul to his Maker in the tomb or cave which he himself had chosen for his agony and martyrdom, like the cave in the “Lamentations of the Prophet Jeremiah” which the Holy Book tells us about.

If you will forgive me, friend reader, I shall make still another observation about this same question of the martyrdom of our sentinel from what an old Navaho told me not many years ago. While talking to his grandsons about his long memory, he told them, “When I was a young man, about 19 or 20 years old, we were attacked in the very place where we now live in our hogans (that is what they call their houses) by a bunch of *Nacajalleges*.

“The strange and remarkable thing is that they got away from us. I don’t know how at their departure they killed the daughter of Chief White Horse (that is what they called their captain). Although they escaped, they were worn out from hunger, fatigue, and lack of sleep, but they were always united and well organized to protect themselves from us.

“I was one of those who took part in that bloody ambuscade in which, after killing them, we took their horses and their firearms, which were the first we had ever seen, but they were of no use to us.

“What horrified us, me and my companions, was not those deeds, but what happened two days later. About ten of us returned to the place where we left the dead in order to see if some of the *Nakais* came to look for them, but as we arrived, we saw something that I have never forgotten.

“It was one of the dead ones who was guarding the other dead. As we got closer, we could see that he moved, leaning down and looking in all directions and seemed to be trying to get up—which was impossible for him to do because an arrow stuck out of his back. He sobbed and complained bitterly, murmuring words which we did not understand. His torture was so great that we got into a discussion about him. Some of us said he was alive and it was necessary to kill him off to end his pain. Others said it was his spirit calling to the spirits of the other dead men, and the chief ordered that none should touch him, for if he was alive, he would have to die in a short time, since nobody would come to his aid, and if he was dead, dead he would remain until the Day of Judgment. So we decided to withdraw without visiting the one who was either alive or dead, but not without having fixed in our minds the horrible state of that soul in torment.”

And so, dear reader, the signs of the lines scratched on the rock by our Seboyeta ancestor to count the days of his existence have remained there to this day in that unhappy Paraje de San Miguel in the cave where our settler died.

After our ancestors had taken the bodies of those great heroes from the famous Paraje de San Miguel to the village of Seboyeta and had paid them the honors appropriate to the occasion, they buried them in the place where they remain to this day. The others of our ancestors continued their task of settling small areas around Seboyeta, with great trials and sacrifices, for at each step they were attacked by the savage Navahos. But they never again made a campaign like the one to the Sierra de Chusca. Their smaller excursions were only for the purpose of exploring or of conquering places they wanted to settle. To be sure, on these small excursions they had encounters with the Navahos, but most of the encounters had to do with sudden



attacks for stealing. One of the places they settled in 1862 was the village of San Mateo which was settled by mistake as is indicated in a story that I wrote entitled *Account of a Village*. When they began to settle that place, called Alzogo, or *Ciénega*, by the Navahos, our ancestors and their families were in continual danger. There were times when the Navahos stole from the yards of their very huts a burro, or horse or one or two cows, often waging a fierce battle for them. One can see that our settlers had to be alert or on guard day and night. Nor was this all. Some of them, say five or six, according to what was decided, would have to leave at night to bring in food for their families even if it was very difficult because some of them had to bring it by the sword. To such an extreme of sacrifice and torture did they come.

They carried out the campaigns related above up to the year 1862 in which they determined to solve the problem of settling the place they had seen before the campaign to the Sierra Chusca—the place which today goes by the name of San Lucas Canyon. They began to explore the place they were to settle in '61, and came to settle it in '62. But it did not turn out to be San Lucas Canyon, but the beautiful valley called today San Mateo. From the first place they settled, called the Canyon of Seboyeta, they crossed the mountains to this place.

The so-called Canyon of San Lucas which our settlers tried to populate was located to the southwest of what is today Seboyeta. It is just to the north of the famous Paraje de San Miguel, the place where our brave Seboyetanos died, being separated by a small mountain connecting with the corners of San Miguel, where is located the curious hill, called "the Awl" [La Alesna], because its sharp peak rises some three or four hundred feet above the level of the mountain. All of this is to the north of the Canyon of San Lucas; its southern side is adorned by the beautiful village of San Mateo. At the extreme western point of the village is the richest and largest ranch which belongs to Fernandez and Company.

# NEW MEXICO IN THE MEXICAN PERIOD, AS REVEALED IN THE TORRES DOCUMENTS

By LYNN I. PERRIGO<sup>1</sup>

AT Santa Fe on January 6, 1822, the Spanish citizens celebrated the independence of Mexico by participating in an impressive parade and joyous fiesta, which was climaxed by a grand ball that night in the old Palace of the Governors.<sup>2</sup> Thenceforth New Mexico was under Mexican administration until August 15, 1846, when General Stephen Watts Kearny, in command of the conquering Army of the West, proclaimed to the assembled townsmen at Las Vegas, on the route to Santa Fe, that "We come amongst you as friends, not as enemies; as protectors, not as conquerors."<sup>3</sup>

The history of those twenty-four years was sketched by Hubert Howe Bancroft in his *Arizona and New Mexico* published in 1889.<sup>4</sup> This was followed in 1912 by Ralph Emerson Twitchell's monumental history of New Mexico, which gave considerable attention to the events of the Mexican era.<sup>5</sup> Soon afterward, in 1913 to 1915, the *Old Santa Fe* magazine carried a series of articles devoted exclusively to this period. They were written by the Rev. Lansing Bartlett Bloom, who, by painstaking study of all materials then available, described in detail the institutions, the changes in personnel, and the achievements and disappointments under the Mexican regime.<sup>6</sup> Subsequently other authors, notably Erna Fergusson<sup>7</sup> and Cleve Hallenbeck,<sup>8</sup> have added skillful reinterpretations of that era.

From these writings emerges a generally accepted view of the economic activities, social customs and institutions,

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2. Lansing Bartlett Bloom, "New Mexico under Mexican Administration, 1821-1846," *Old Santa Fe*, Vol. I, No. 2 (October, 1913), pp. 142-5.

3. Ralph Emerson Twitchell, *The Leading Facts of New Mexican History* (Cedar Rapids: Torch Press, 1912), Vol. II, pp. 205-7.

4. Chap. XIV (San Francisco: The History Company).

5. Chap. I through VI in Vol. II, *op. cit.* note 3 above.

6. Vol. I and II (July, 1913, through April, 1915).

7. *New Mexico* (New York: Knopf, 1951), Chap. XIV through XVII.

8. *Land of the Conquistadores* (Caldwell, Idaho: Caxton Printers, 1950), Chap. V.

political organization, and external relations of this territory in those years. The sources commonly employed to provide the materials for this are the several histories of Mexico, the archival collections at Santa Fe, at the University of New Mexico, at Mexico City, and at Washington, D.C., B. H. Read's *Historia Ilustrada* published in 1911, the letters and other information appearing in *Niles' Register*, the report of Antonio Barreiro prepared in 1832, and the diaries of several observers who came through the Southwest between 1820 and 1855.<sup>9</sup> Now to these sources may be added the fragmentary personal papers which were preserved by one Don Juan Geronimo Torres who died at Sabinal, New Mexico, in 1849. These papers were kept by his family, and in 1950 his great grandson, Edward Torres of Socorro, presented photostatic copies of them to the Rodgers Library at New Mexico Highlands University. My translation of many of them—those which seemed to be of greater significance—has been published serially in the NEW MEXICO HISTORICAL REVIEW.<sup>10</sup>

Who was this Don Geronimo Torres? From his own papers we learn that he was a moderately well-to-do citizen whose father had lived at Santa Fe, the capital, which was one hundred miles north of Sabinal, and whose mother had resided at Tomé, located about fifteen miles north of Sabinal on the road to Albuquerque and Santa Fe.<sup>11</sup> Don Juan, who had been lieutenant of the local militia and a deputy *alcalde*, or justice of the peace, owned his residence and

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9. The journals which have been helpful are those of Lt. J. H. Abert, Philip St. George Cooke, W. W. H. Davis, Lt. W. H. Emory, P. G. Ferguson, George R. Gibson, Dr. Josiah Gregg, A. R. Johnston, G. W. Kendall, Susan Magoffin, James O. Pattie, Capt. John Pope, Jacob S. Robinson, George F. Ruxton, Gen'l J. H. Simpson, James Josiah Webb, and Dr. Adolphus Wislezenus. See especially the bibliographies of Bancroft, Bloom, Fergusson, Hallenbeck, and Twitchell, *op. cit.*, notes 2, 3, 6, 7, and 8, above.

10. Vol. XXVI, numbers 2, 3, 4, and Vol. XXVII, No. 1 (April, 1951, through January, 1952). Dr. Luis E. Avilés lent assistance with some difficult parts. In subsequent footnotes the translated edition will be cited NEW MEXICO HISTORICAL REVIEW, followed by the date of issue and the page number, while the untranslated copies will be referred to simply as the Torres Documents.

11. "Last Will and Testament," NEW MEXICO HISTORICAL REVIEW (October, 1951), page 337 *et passim*. Writers' Program, *New Mexico, a Guide to the Colorful State* (New York: Hastings House, 1940), page 250; Hallenbeck, *op. cit.*, map opposite page 356.

farming land at Sabinal besides another strip of land at Belen to the north and "grant rights" in the towns of Socorro and La Joya (Sevilleta) south of Sabinal. His family was comprised of his wife, three daughters, and two sons.<sup>12</sup> The town where they resided was located on New Mexico's most traveled highway, El Camino Real, which extended northward from Chihuahua through El Paso and Albuquerque to Santa Fe.<sup>13</sup> In 1850, a year after the death of Don Juan, the village of Sabinal could boast a population of about 600 (one hundred years later it had less than a hundred inhabitants).<sup>14</sup>

It is the purpose here to glean from the Torres Documents whatever they may contribute, by direct evidence and by inference, to a better understanding of the conditions of life in New Mexico in the Mexican period, when our benefactor, Juan Geronimo Torres, was an active participant in the affairs of his community.

## I

To attain the economic status which will assure a good living for one's family is necessarily one of the objectives of life, and in this Don Juan seems to have succeeded reasonably well. Besides his two undescribed grant rights in neighboring towns, he had at Sabinal a strip of "arable grain land" which contained close to forty acres, and at Belen, ten miles north, he had another strip of farming land of about the same size, making close to eighty acres together.<sup>15</sup> On these, and probably on the open range too,<sup>16</sup> at the time of his death he was grazing ninety-one head of cattle, eighteen goats, eleven yoke of oxen, and eleven horses. To assist with the care of the cattle and fields he could call upon eight male

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12. "Last Will," *loc. cit.* n. 11, pp. 338 and 340.

13. Hallenbeck, *op. cit.* n. 18, Chap. XIV.

14. U.S. Census Office, *Statistical View of the United States* (Washington: Government, 1854), page 380. The time table of the Atchison, Topeka and Santa Fe Railroad estimates the present population at 50.

15. 572 by 314 *varas*, and 500 by 314 *varas*. "Last Will," *loc. cit.* n. 11, p. 339. The size of the average farm was about five acres, but some wealthy Dons owned several thousand acres each. Hallenbeck, *op. cit.* n. 8, p. 296.

16. Grazing practices are described by Josiah Gregg in his *Commerce of the Prairies*, in R. G. Thwaites, ed., *Early Western Travels* (Cleveland: Clark, 1905), Vol. XIX, pp. 322-3.

"servants," whose good Spanish names no doubt belied their part Indian ancestry.<sup>17</sup> These laborers lived in seven small houses which appraisers valued at only twenty-one pesos altogether, and their status of debt servitude is revealed by an inventory which shows that in 1849 each owed Don Juan an average of about thirty pesos.<sup>18</sup>

In addition to the grazing of the above-mentioned cattle, there were the fields to cultivate, and this involved supervision of irrigation. The cross ditches were fed by the "mother-ditch," which was maintained by all landowners as a community responsibility.<sup>19</sup> Consequently they employed a supervisor of the mother ditch, who was charged specifically to "comply exactly with the obligations of his responsibility" or be subject to a fine of three pesos.<sup>20</sup> Incidentally, this was a rather heavy fine, in view of the fact that a goat then was valued at one peso and a horse at about eight pesos.<sup>21</sup> The management of the vital water supply created problems for the supervisor and laborers, as revealed by the strict regulations about the rationing of water in times of drought, the cutting off of a neighbor's water, the misappropriation, for one's use, of water turned into the ditch for someone else, and the careless failure to shut off in time the flow of water into the cross ditches, thereby causing floods in the fields and roads.<sup>22</sup>

Besides the care of the mother ditch, two other economic resources were common responsibilities. One was the spring or well from which the householders obtained their water for cooking; therefore the citizens were warned to guard these springs against misuse by anyone who bathed in them or used them "for other filthy practices which are harmful to

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17. "Last Will," *loc. cit.* n. 11, p. 341. The composition of the population is described in Bloom, *loc. cit.* n. 2 (July, 1913), pp. 30-31.

18. On the practice of debt servitude also see *ibid.*, p. 34. In the "Last Will," *loc. cit.* n. 11, page 339, the amount which the servants owed was given as 279 pesos, but in the subsequent inventory, p. 340, the total was fixed at 217 pesos.

19. "Revised Statutes of 1826," *NEW MEXICO HISTORICAL REVIEW* (January, 1951), p. 70.

20. "Provincial Statutes of 1824 to 1826," *NEW MEXICO HISTORICAL REVIEW* (January, 1951), p. 67.

21. "Last Will," *loc. cit.* n. 11, p. 341.

22. "Provincial Statutes" and "Revised Statutes," *loc. cit.* notes 19 and 20, pp. 66 and 70.

the health." Any such transgressor would be fined four reals.<sup>23</sup> Another common responsibility was the care of the roads. Supervision of this was assigned to the man who was ditch foreman, and the men of the community were called upon in turn to do their share of the repair work. If one failed to respond, he was to be fined four reals, "two for his disobedience and two for the work which he should have lent."<sup>24</sup>

In the care of the fields and livestock there were other problems which elicited legal protection, with fines duly exacted. The owner of cattle was thus protected against the theft of his livestock by his overseer or one of his herders, and the owner of a cultivated field was likewise protected against the theft of some of his crops.<sup>25</sup> Moreover, if a neighbor's animals damaged the crops, the owner was liable. That this latter offense was a common complaint is attested by the wording of the provincial statute, which said that this was developing into a bad practice because

there are many who intentionally turn their animals loose at night with a *riata* on the neck and a stake in the knot, so as to disown [responsibility] by saying that it had got loose from the tether . . . .

For this the owner was required to pay a fine of two reals for each animal and to recompense the owner of the field for the damage to the crops.<sup>26</sup>

Concerning the products of these farms, other than cattle and sheep, there is mention of grain, pigs, goats, chickens, and turkeys.<sup>27</sup> In addition, near his house Don Juan had a vineyard and an orchard of peach, apple, and quince trees. He also had farming equipment which included three carts, five plows, three kettles, and eleven pieces of nondescript "apparatus."<sup>28</sup>

The poverty of most of the residents was recognized by the provincial lawmakers, who tried to give assurance that

23. *Ibid.*, pp. 67 and 71. A real was one-eighth of a peso.

24. *Ibid.*

25. *Ibid.*, pp. 66 and 71.

26. *Ibid.*, p. 70.

27. "Instructions . . . to the Collector of Tithes," *NEW MEXICO HISTORICAL REVIEW* (July, 1951), pp. 246-7.

28. "Last Will," *loc. cit.* n. 11, p. 339.

they were being as lenient as possible in the levying of taxes. In 1826 a special commission which had been designated to revise the provincial laws and schedule of fines reported that they had done so with allowance for "the lamentable state of affairs to which these people are found reduced," and that in consequence they had "observed great moderation with respect to the poverty of the people."<sup>29</sup> On the other hand, Don Juan Geronimo Torres apparently was fairly well-to-do, because at the time of his death five of his acquaintances owed him the sum of nearly fourteen hundred pesos, and these notes along with the debts of his servants, and his house, livestock, and equipment, but excluding his land, were appraised altogether at a little over three thousand pesos.<sup>30</sup> Since horses and cattle then worth about eight pesos a head probably now would average close to \$100 each, the three thousand pesos of that day would be the equivalent of about \$35,000 in present currency.<sup>31</sup>

## II

Under Mexican administration the northern provinces, including New Mexico, had territorial status from 1824 to 1837, and the territorial administrative officer was known as the "political chief." After 1837, under the centralized system, New Mexico was a "department" headed by a governor. There was also a small and rather ineffective legislative council, known in territorial days as the "Deputation," but renamed the "Junta" under the departmental system. There were also legislative councils in a few of the larger cities, but only an *alcalde*, or justice of the peace, in the smaller towns.<sup>32</sup>

At Sabinal in 1819, shortly before Mexican independence, Don Juan Geronimo Torres had been appointed deputy to the *alcalde mayor* of Belen.<sup>33</sup> In 1827 he was relieved by the appointment of one Ramon Torres, but again in the 1830's

29. "Revised Statutes," *loc. cit.* n. 19, p. 69 and 71.

30. "Inventory of Possessions," *NEW MEXICO HISTORICAL REVIEW* (October, 1951), pp. 340-1.

31. *Ibid.*

32. Twitchell, *op. cit.* n. 3, Vol. II, pages 7-15.

33. "Appointment . . .," *NEW MEXICO HISTORICAL REVIEW* (April, 1951), pp. 160-1.

there are some documents signed by Don Juan as "Alcalde."<sup>34</sup> The official appointment of 1819 was conferred upon him by one Miguel Aragon, who was alcalde at Belen, and who directed that Don Juan

deal with the cases and matters which may arise, civil and criminal, prosecuting them until passing judgment, and next that he may give me an account in order for me to determine what may be wise by a similar order for all of the existing and resident citizens of the district; . . .

The alcalde also ordered that the town crier announce the appointment "with good public notice through all parts of the neighborhood," so that all "may obey and keep his oral and written orders," and finally he requested the retiring deputy alcalde to "coöperate with his influence and good example. . . in order that the titled Deputy . . . may have no great prejudice arise against him."<sup>35</sup>

The advisability of that final precaution becomes apparent in light of later developments. After Don Juan was relieved of his official position in 1827, the new alcalde seems to have mistrusted his predecessor and in the presence of other citizens he allegedly called Don Juan a *revolucionario*, which in modern terminology could well be translated as a "subversive person," or, more bluntly, a "red." This so incensed Don Juan that he sent the political chief a heated protest in which he complained that it was "excessively infuriating" to him that the new alcalde, "whose quarrelsome tendency has always characterized his activities," should "avail himself of his office in order to express to a citizen insults which scandalize the hearing of citizens of honor and judgment." Therefore Don Juan begged that the political chief order the alcalde to prove "before a public sitting of an impartial and competent tribunal, how, when and where he has seen me commit such a serious crime."<sup>36</sup> Unfortunately there is no further record to relieve our curiosity as to whether Don Juan had an opportunity to clear himself of

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34. "Protest against Slanderous Charges," *NEW MEXICO HISTORICAL REVIEW* (October, 1951), pp. 335-6; "The Case of the Stolen Cows," and "The Case of the Wedding Gifts," *NEW MEXICO HISTORICAL REVIEW* (January, 1952), pp. 73-6.

35. "Appointment," *loc. cit.* n. 33, p. 161.

36. "Protest," *loc. cit.* n. 34, pp. 335-6.



the charges, or whether his accuser claimed some sort of official immunity.

The various legal papers which Don Juan preserved reveal that he and the other local *alcaldes* received copies of the provincial laws, attested to the legal sale of land, heard the disputes which came before them, called in witnesses, rendered decisions, kept clear and formal records of the proceedings, and sent copies of these records to the political chief. In the case of disputes over property, the outcome was usually a compromise settlement, while in cases involving violation of the law, the penalty was a fine of so many reals or pesos, or sometimes an order to labor at public work.<sup>37</sup> In all of this the respect due an *alcalde* was maintained by laws which fixed penalties for any who came before the "authorities" and indulged "in insulting remarks."<sup>38</sup>

The laws which the *alcaldes* were charged to enforce were drafted by the Deputation at Santa Fe, approved by the political chief, and then copied by the secretary and sent out to the *alcaldes*. In at least one instance, in 1826, a special commission of two citizens was appointed to draft a revision of the statutes, which they in turn reported to the Deputation. Then after each section is a notation, probably by the political chief, as to whether that section was approved.<sup>39</sup> An interesting feature of the statutes, devised to assure enforcement, was that if a local official was negligent in his duty, any citizen who called attention to the violation of a law would receive one-eighth of the fine which was levied, and the official would be assessed a fine of five pesos for his delinquency.<sup>40</sup>

A part of local political responsibility was assistance with the defense of the territory. Although there was a company of regular troops at the capital, the citizens could also be called upon if needed for "pursuit of enemies," and the statutes provided that if an individual who was called should

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37. Statutes and cases, *NEW MEXICO HISTORICAL REVIEW* (April, 1951), pp. 162-3, (July, 1951), pp. 244-7, (January, 1952), pp. 66-76.

38. "Revised Statutes," *loc. cit.* n. 19, p. 70.

39. "Provincial Statutes," and "Revised Statutes," *loc. cit.* notes 19 and 20, pp. 66-72.

40. *Ibid.*, pp. 67 and 71.

fail to go without good reason he would be fined three pesos.<sup>41</sup> Moreover, at Belen in the 1820's there was an organized company of militia in which Don Juan held a commission as lieutenant.<sup>42</sup> Once in formal review this company mustered forty-two soldiers, two "carbineers," and six officers. Most of the men presented their arms for inspection—one gun and fifteen cartridges—but seven of them had only a lance, a bow, and twenty-five arrows.<sup>43</sup>

Finally, upon the death of Don Juan in 1849, some of the legal proceedings which such an event produced are evident in these documents. First, while on his death bed he called in four witnesses and in their presence he drafted his "Last Will and Testament." In it he attested that he was sound of mind and supremely devout and that he had certain legal heirs and specified property interests; then he made provision for his funeral and burial, followed by the naming of executors to administer his estate; and finally he revoked any previous will and signed this as his "last and deliberate wish." After his death the executors made an inventory of his property, and, in order that it might be transferred legally to his heirs, the executors then submitted their report to the Prefect of Valencia County. That fulfilled their legal responsibility.<sup>44</sup>

### III

In the spiritual and social realm, the Catholic Church was the dominant institution. The Christian faith had been established in New Mexico by the tireless work of the Franciscan missionaries, with government support. However, under Mexican administration the missions were secularized and subsequently only scattered and poorly supported parish priests, under the Bishop of Durango, served the spiritual needs of these frontier settlers. The institution in which these priests served was then a state church; i.e., the govern-

41. *Ibid.* Also see Bloom, *loc. cit.* n. 2, Vol. I, No. 3, p. 285.

42. "Commission," NEW MEXICO HISTORICAL REVIEW (April, 1951), p. 163.

43. "Review of Militia," in *ibid.*, pp. 159-60.

44. "Last Will" and "Inventory," *loc. cit.* notes 11 and 30, *passim*. Under the departmental system New Mexico was divided into three districts headed by prefects, who were administrative assistants to the governor. Bloom, *loc. cit.* n. 2, Vol. II, No. 3, pp. 227-8.

ment helped maintain it as the one and only church. To this end the government officials enforced the collection of the tithes, which were deposited in the public treasury, and from these funds the parish priests were paid small stipends and a few parochial schools were maintained.<sup>45</sup>

The extent to which civil authority was employed for the security of the Catholic faith is indicated in the certificate of appointment of Don Juan Geronimo Torres as deputy *alcalde*. He was authorized

to exercise great zeal that those of his district may be instructed in the rudiments of Our Holy Catholic Faith, guarding carefully likewise the greatest glory of God and punishing severely the public and scandalous sinners, . . .<sup>46</sup>

The civil authority also regulated minutely the collection of the tithes. According to the instructions issuing from the capital, a local collector was required to keep a list of the number of animals in the flocks and herds in his district, to watch all flocks closely and make collections at wool-cutting time, to send his list of a given flock or herd to another collector if the owner moved to a different jurisdiction, and to observe the fields planted in grain and vegetables in order not to miss anything, not even the produce "which they consume without awaiting harvest time." From all production and income he was to exact a tithe by these rules:

All men who are not exempt by special privilege from paying tithes should pay them in the ensuing manner, from each ten measures, one, and from whatever does not admit measurement from each ten whole parts, one, and if it does not amount to a whole part, from ten parts of it they should pay one, and in order that the payment may be of great purity, those who pay the tithe may not, first, deduct the cost of the seed, rent, or any other expense, nor pay any debt, . . .<sup>47</sup>

The collector was required to render a sworn account of his collections to the treasury officials and if any citizen refused to make proper payment, the collector was directed to take

45. For this and additional background information, see Bloom, *loc. cit.* n. 2, Vol. I, No. 1, p. 133; Vol. I, No. 2, p. 153; Vol. I, No. 4, pp. 356-8; Vol. II, No. 3, p. 229; *et passim*; also, Twitchell, *op. cit.* n. 3, Vol. I, pp. 337-42; Vol. II, pp. 151-3, 164-71.

46. "Appointment," *loc. cit.* n. 33, p. 161.

47. This quotation and the related regulations are found in "Instructions . . . to the Collector of Tithes," *loc. cit.* n. 27, pp. 244-7.

the case before the local *alcalde*. Obviously the income tax law in those days allowed no deductions and required some involved computations!

There are, of course, some further references to religious faith in the Last Will of Don Juan. Apparently he had once been admitted to the Tertiary Order of St. Francis, which had been established for laymen and formerly had maintained a chapel at Santa Fe. In his Will Don Juan requested that his corpse be "enshrouded with the habit of our Seraphic Father Saint Francis" and he specified that the parish priest should minister at his interment because no Franciscan was available.<sup>48</sup> In his Will he also devoted a long introductory paragraph to his profession of Christian belief:

as I faithfully bow and confess, the Mystery of the Trinity, Father, Son, and Holy Spirit, three persons, which although actually distinct have the same attributes and are only one true God and one essence and being, and all other of the mysteries and Sacraments which our Holy Mother the Apostolic Roman Catholic Church believes and confesses, whose true faith I have lived, do live, and swear to live and die, as a faithful Christian Catholic.<sup>49</sup>

Finally, he made a provision of sixty pesos in order that masses might be appropriately performed on the day of his interment.<sup>50</sup>

As for other social influences, one which was almost as prevalent as the Church was the Spanish language. One observer, Josiah Gregg, remarked in the 1840's at the correctness with which all, even the uneducated, spoke their mother tongue, and he noticed that the pronunciation was Andalusian rather than Castilian.<sup>51</sup> A later student of the language in New Mexico, Aurelio M. Espinosa, concluded that it was conservative and richly archaic.<sup>52</sup> In addition, these documents reveal many interesting tendencies to com-

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48. "Last Will," *loc. cit.* n. 11, p. 337. On the Tertiary Order in New Mexico, see Twitchell, *op. cit.* n. 3, Vol. II, p. 165; Bloom, *loc. cit.* n. 2, Vol. I, No. 3, p. 247, and E. L. Hewett and R. G. Fisher, *Mission Monuments of New Mexico* (Albuquerque: University of New Mexico, 1943), Chap. II.

49. "Last Will," *loc. cit.* n. 11, p. 336-7.

50. *Ibid.*

51. *Op. cit.* n. 16, page 331.

52. "The Spanish Language in New Mexico and Southern California," *Historical Society of New Mexico Publication No. 16* (Santa Fe, May, 1911), p. 9.

bine words, to employ abbreviations, to use a double "r" for an initial "r," to write interchangeably a "b" or "v," an initial "i" or "y," and "s" or "c" before an "e" and an "n" or "m" before a consonant. Nevertheless the several scribes sought to observe carefully the rules of formality and to write with a clear firm script.<sup>53</sup>

Pertaining to home life and social activities, there is meagre information in the documents. When the parts are brought together they provide this sketchy summary:

Don Juan, his wife and five children lived in a nine-room house which was built around a *patio* or interior court. Back of it was the yard, woodlot, vineyard, and orchard, surrounded by an adobe wall.<sup>54</sup> Among the interior furnishings were six valuable silver dishes, or bowls, with covers,<sup>55</sup> and the items and materials once available for clothing included woollen and cotton cloth, lace edging, ribbons, veils, mufflers, handkerchiefs, muslin gowns, and combs, along with essential scissors and needles.<sup>56</sup> One interesting sidelight on a household problem is the law which provided a fine "for failure of cleanliness in that for which such person is responsible."<sup>57</sup>

For amusement at Sabinal or in other towns the documents mention playing cards, gambling, puppet shows, and public entertainments.<sup>58</sup> The paternal diligence of the adult population is betrayed in one revealing statute which read as follows:

It is evident that the author of nature has not imposed the silence of the night with any other object than sleep and rest for living things, and even if some transgressions invert this custom in order thereby to engage in diversions and authorized social companionship, since here we lack such things, it may be clearly inferred that anyone who goes forth through the plazas and fields after nine at night henceforth must be held in detention until the following day and assessed one peso fine.<sup>59</sup>

53. Torres Documents, *passim*.

54. His house was valued at 300 pesos. "Last Will," *loc. cit.* n. 11, p. 339.

55. *Ibid.*

56. "Sale of Merchandise," NEW MEXICO HISTORICAL REVIEW (April, 1951), pp. 161-2.

57. The fine was two reals. "Provincial Statutes," *loc. cit.* n. 20, p. 67.

58. *Ibid.*, and "Sale of Merchandise," *loc. cit.* n. 56, p. 161.

59. "Revised Statutes," *loc. cit.* n. 19, p. 71.

## IV

Those who are familiar with the other sources on the Mexican period in New Mexico will recognize that the evidence in the Torres Documents on the whole confirms the commonly accepted description of the economic, political, and social pattern in those days. It presents a picture of an agricultural society based upon a kind of serfdom, governed largely by authoritarian principles, and permeated by a state-supported Catholic faith—a society which had not changed much in its main features since the Spanish conquest.

In some respects, however, the material in these documents goes beyond the previously accepted data by correcting and adding some details. For example, whereas the Rev. Lansing Bloom accepted Antonio Barreiro's statement, after his visit in 1832, that there was no organized militia in New Mexico,<sup>60</sup> these documents reveal that there was a company of militia at Sabinal in the 1820's; and contrary to Ralph Emerson Twitchell's statement, derived from Josiah Gregg and Antonio Barreiro, that the *alcaldes* were not familiar with the law and kept no written record of the proceedings,<sup>61</sup> here is evidence that at least in this one community the opposite was true.

Even more valuable is the enrichment of detail lent by this material. It vivifies the previous picture by the addition of a close-up glimpse of personal participation. Here was one of the *Dons*, with the list of his possessions and his admittedly piecemeal but yet direct, first-person record of his problems and his aspirations. With a little imagination this kind of a picture can be made to breathe more life than one which describes the organization of the institutions as seen in official records and the color of the landscape as seen by *estranjeros*. One can only hope that in time more of this sort of material will come to light in order further to enrich our understanding of life in the eventful Mexican period.

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60. *Loc. cit.* n. 12, Vol. I, No. 3, p. 285

61. *Op. cit.* n. 3, Vol. II, p. 13.

BISHOP TAMARÓN'S VISITATION OF  
NEW MEXICO, 1760

*Edited by* ELEANOR B. ADAMS

*(Concluded)*

*Comments on Military Affairs*<sup>116</sup>

. . . During this war the Seris were held down and could do no harm, but the Apaches, on the north where they live, took advantage of the occasion to commit robberies and murders, and as soon as our force withdrew, the Seris repeated and are repeating their destructive acts with new fury and ferocity, with the impetus of a dammed river when it gets loose.

This last campaign shows what experience has shown before (this is the reason why I have stopped to give some report of it), that these campaigns are not sufficient to reduce the enemy tribes who surround Sonora unless the proposal I have made to the King our lord and to his Viceroy of this New Spain since I returned from my general visitation is heeded. In this I stated that the method which remained to be tried in order to restrain so many pagans and apostates was to introduce a regular troop of infantry. Three thousand men, distributed as follows, would be sufficient to attack them on the neediest frontiers of this diocese. Half of them should be stationed in Chihuahua, and detachments sent from there to San Buenaventura and to clean up those sierras and their environs. And from there they should keep going in toward the Gila River, fifty leagues from the Presidio of Janos, and keep on penetrating as far as Zuñi, the last pueblo of New Mexico. From this point they would decide which of the following undertakings would be most useful: whether to go on to the Moquis, who are in the interior sixty leagues to the north, or turn west to the Navahos, in order to approach the Río Grande de Navaho, which is said to be the head-

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116. Tamarón (1937), pp. 268-273. This passage occurs in a general commentary on the state of affairs in Sonora and the terrible ravages by the hostile Indian tribes. The campaign against the Seris to which he refers was that of Don Gabriel Vildósola, whose expedition left San Miguel de Horcasitas on November 7, 1761, by order of the interim governor, Lieutenant Colonel José Tienda de Cuerdo.

water of the Colorado River, which enters California, and there wait for the other body of the troop, who would have begun their expedition in Sonora. Half of these 1500 infantry should pursue the Seris and would finish them off quickly if they pursued them inflexibly, taking advantage of the suitable seasons. And the rest of the force should wheel to the north in search of the Apaches and others allied with them. And the five presidios, with their cavalry, should support the operations of these detachments. In this way these 1500 foot soldiers would penetrate the two Pimerías, and, after pacifying them, go up to the headwaters of the Colorado River where the three thousand men would be reunited. And once they were there, time and circumstances would show them the direction to take. And many settlers would come from this troop, which is the second necessary means of preservation [of the frontier provinces], after the completion of two or three campaigns in as many years, lasting from March to the end of October; that is, in the cold lands, for in the hot country the whole year would be utilized in this final experiment which I have proposed as the most useful and efficacious one.

I stated that as a result of the last campaign I described, which Governor don José Tienda de Cuerdo undertook, it became obvious that campaigns of this kind were inadequate for the subjection of the enemy Indians. And this is true, because the aforesaid most recent campaign was conducted in an extraordinary manner, that is, with a rather large army of 426 men and with the intention of continuing it for four months. This was the longest campaign since I have resided in this diocese, and although it did not last the full four months, it did go on for more than three, and this is still the longest one of these times. Ordinary campaigns last a month at most, with a small force.

Another example, although a rather old one, might also be used: the campaign usually called Father Menchero's. This took place in the year 1747. Nearly seven hundred mounted men assembled, and, setting out from El Paso, they went up the Río del Norte. From the Jornada del Muerto they turned west in search of the Gila River. They



reached it and made some forays in those vast lands. They discovered several Indian encampments and made some captives. They returned toward the north and reached the direct way to and the latitude of New Mexico. By that time they did not know where they were. They found a trail; they sent people to explore it, and they came out at the pueblo of Acoma. The missionary of Acoma told me this story, and he informed me that when Father Menchero came there, he was with the soldiers and a captain, Don Santiago Ruiz, who also told me about it. From there they went to Zuñi, and, because it was late in the season, they did not go on to the Moquis. They did, indeed, leave orders for the founding of pueblos. The Navahos were supplied with all they needed at the expense of the royal treasury, and these Indians lost it. The same ones came to me at the pueblo of Laguna with the same petition for pueblos, saying that they desired to become Christians. The Franciscan fathers informed me about the inconstancy of the Navahos and that they always said the same thing, but that there was no way of subjecting them to catechism. I observed that they did not come as they should. I treated them kindly, I exhorted them, I left orders with the missionaries to keep on trying to draw them in as best they could. No other special fruit of that celebrated campaign was known.

I asked for Spanish infantry, for the military who are known here in these presidios are all cavalry. According to the ordinance each one must have at least six horses. Others have more, and the reserve captains maintain large herds of horses. It is a continual nagging embarrassment to care for so many horses, which are greatly coveted by the enemy Indians. As a result, during campaigns half the force is diverted from the business at hand and kept busy guarding the herd of remounts which is always taken. The horses cannot climb the crags where the Indians assemble. Infantry can. The mounted man uses a short-barreled shotgun and a lance for arms. The former is more frequently used. Its range is short, and, impeded by the shield, reins, and the movements of the horse, most of the shots

fail to find their mark. The foot soldier would carry a musket. It has a much greater range than arrows; with the bayonet, it serves as a lance. Instead of the uniform jacket, they would wear the leather jackets used here, which arrows do not penetrate. And in this way, taking their time, marching in two or three campaigns of nine or ten months each, their progress will be obvious. It is understood that each division of infantry would need some cavalry from the presidios to reconnoitre the stopping and watering places. In the report I cited, I gave as an example the infantry consisting of more than a thousand men who were sent to the province of Caracas in the year 1749 and who traveled throughout the province, which is very extensive, and entered the province of Cumaná. They also reached the Kingdom of Santa Fe, over harsher and more wooded regions and mountains than those in this part of the world, for here only the Sierra Madre is more difficult. As a result that land was pacified and subdued by the said infantry, who were the means whereby the end for which it was sent was accomplished.

The King maintains three foot soldiers for the amount one mounted soldier costs him. Pasturage and watering places for a large herd of horses are usually rare. In an operation taking more than two months, the six horses apiece required by ordinance would not be sufficient for each soldier of the cavalry of this land, because of the effect galloping has on them. Just lassoing and bridling every day is a task that only he who has traveled a long distance will believe. What races this first daily task costs; for since there is no manger, straw, or barley, they have to turn the horses loose to look for grass, or *zacate*, as it is called here, to eat. Most mornings they find that some are missing. They make mad dashes to look for them. Some of the other less tame horses take off suddenly. Three or four men ride as fast as they can to intercept them. I used to have these spectacles before my eyes for many days when we spent the night in unpopulated areas. Infantry is free from this tiring diversion.

According to the description they have given me, the confusion which a dawn attack, when they want to take

their enemy by surprise, in these wars creates among these mounted soldiers is inexpressible. They make the assault at break of day, which is why they call it a dawn attack. They are horseless and unprepared. Their fright and fear, because they do not know what to do, have no equal. The foot soldier arms himself with greater facility. On several occasions people have emphasized to me how easily these mounted soldiers are put out of action, whether they are killed or fall, or if the engagement begins before they are mounted. They use spurs with disks as large as the palm of the hand, with long points, and this impediment is enough to entangle them.

As one example among many, in the month of November, 1759, it happened that the captain of the El Paso presidio, Don Manuel de San Juan, was returning to his presidio from Chihuahua. Halfway there, when they had already made camp rather early at a place which was a little far from water, he thought it best to go a league farther to a better site. This was possible because there was more than enough time to do so by daylight. Since they had already unloaded, they saddled and the captain set out with most of the escort. He left behind three muleteers to attend to the loading and four soldiers to guard them. The captain departed with his force; they reached the appointed place, and, seeing how late in the afternoon it was now and that there had been more than enough time for the loads to arrive, he sent some soldiers to find out whether they were coming. They went; there was no sign of them; they went on to where they had left them. They saw all of them stretched out, the locks of the chests and trunks removed, and part of the clothing strewed about. Terrified, they hastened to advise the captain, who came immediately and found six men, four already dead and two living, but so badly wounded that one died on the road and the other when they reached El Paso. They had all been pierced through by many arrows. They collected the clothing which they had left behind [and found that the enemy] had carried off the best, as well as the mules and horses and one of the muleteers to help transport the booty. Later they decided to leave him behind and gave him a heavy

thrust with a lance. He managed to bind or tie up his wound well and stop the blood. He recovered and he was the one who told me about everything that happened and that the Indian attackers numbered five, and that this number had wreaked such havoc against seven men. Seven months later I passed by the place where so lamentable an event had occurred. It is quite open, with no wood or thicket, completely flat. They say that the enemy came from some hills to the west and must not have been seen at once, and the soldiers had not even taken their shotguns out of their cases. This has given rise to discussion, with varying opinions about the reason for their failure to act.

Although the case which I am about to relate, like the one I have just told, belongs to the New Mexico branch, because those wars resemble the ones in Sonora they are recorded here to illustrate my point. I left New Mexico in July of the year 1760. In December of the same year the cordon, for they so designate the annual departure to Vizcaya for purposes of trade which the settlers make at that season, left. Usually five or six hundred men go. That year there were about two hundred and no more because of fear that the Comanches might invade the kingdom. In the region halfway between El Paso and Chihuahua the Indian enemies attacked them at midnight. Their numbers were not equal to those of the cordon, but the latter took it for granted that they were at the mercy of the Indians, and their tribulation, fright, and confusion was as great as possible. It was their good fortune that the Indians only shot to frighten them, in order to make sure of their booty from the herd of horses, which was what they were after. They carried off most of it. When the members of the cordon recovered from their terror, they undertook to saddle the remaining horses in order to pursue the thieves. They found them after dawn. When the Indians saw that they were being overtaken, they took refuge in some crags where the horses could not go. The Spaniards did, indeed, succeed in recovering most of the booty, but from on high on the rocks the Indians cried to those who followed them and threatened to see them when they returned. If there were infantry, they would not think themselves so safe

on their rocks. These reasons seem to lead to the conclusion that said infantry should be tried, for its success will give complete proof. This is true of every war, for one does not sing victory until it is over.

My reasoning on this point has been castigated in Mexico with the specious pretext of the conservation of the royal exchequer, although one of my chief reasons is its increase by safeguarding the wealth of Sonora alone. To gain, it is necessary to spend. This is my aim, and my chief one is the exaltation of the Holy Faith, which is the same motive that impels our very religious Catholic monarchs to such enterprises, as their most just laws and royal cédulas testify and state with extraordinary piety and holy zeal.

The other difficulties which are contemplated will be conquered as time goes on in the same way as in other reductions. One of them is: What should be done with so many Indians as there are in the places to be traversed by the soldiers? Of these, those who are subdued should be established in a pueblo with missionaries to teach them, and in order to make these permanent, settlers are necessary to help to hold them in check. It would be advisable to remove the rebels from their native soil and take them elsewhere by sea, in order to avoid what happened with the Seris and many other captives who were sent to Mexico in collars and who have returned more haughty and violent than they went. The other difficulty is that because the regions are so vast, there would always be many Indians in the mountains who would escape. This is very true, for who ever succeeded in putting doors on the field? In time they would diminish. Wolves and other wild beasts ravage the herds, but they do not cease to establish these haciendas for this reason. The owners employ hunters to pursue them, but in spite of such precautions they attack the lambs, the cattle, and the horses. I am ready to answer the many other recriminations of the opposition whenever the occasion may offer, and I would try to satisfy them, with the sole desire of facilitating this matter, the extreme importance of which I have learned. This is the reason why I have deliberated it at such length.

# CHECKLIST OF NEW MEXICO PUBLICATIONS

By WILMA LOY SHELTON

(Continued)

## ASSOCIATIONS AND INSTITUTIONS

### *Associated plumbing, heating and piping contractors of New Mexico, Inc.*

Established in 1917 (?) for the purpose of promoting the education of apprentices, the encouragement of sanitary laws, the establishment of harmonious relationships and the betterment of the industry. Organized under the name of Associated plumbing contractors, which was changed to the present name on March 25, 1952.

A.P.H.P.C. News 1951-52

Issued regularly

Merchandising and domestic engineering news v. 1—March 1953—monthly

### *Better business bureau of New Mexico.*

Incorporated on Oct. 4, 1941, as a non-profit membership corporation by a group of Albuquerque business men. Policies are determined by a Board of directors. Bureau services are available to the public without charge. Its purpose is to promote accuracy in advertising, to aid in the elimination of unfair competitive practices, to provide for an unbiased board of arbitration and to expose fraudulent schemes.

Annual report

1949 (4) p. (Jack Chaney)

1950 (J. W. Gear)

Bulletin v. 1 no. 1-Oct. 25, 1941-Albuquerque, 1941—numbering discontinued in August, 1944.

News letter. Sept., 1945-April, 1948. Albuquerque, 1945-48.

Facts you should know about food-freezer plans. Albuquerque (1953) (4) p.

Facts compiled by Better business bureau. (Albuquerque, 1952) (8) p.

*Carrie Tingley crippled children's hospital, Truth or Consequences.*

Established in 1937 and maintained by the state as an orthopedic hospital for children.

Report

Sept. 1, 1937-June 30, 1939	28p.	v. 1	(J. K. Morrison)
Sept. 1, 1939-June 30, 1941	30p.	v. 2	(J. K. Morrison)
July 1, 1941-June 30, 1943	26,(3)p.	v. 3	(I. V. Boldt)

*New Mexico academy of science.*

Established in 1916 as New Mexico association for science, later called the New Mexico association for the advancement of science and in 1944 became the New Mexico academy of science.

Annual meeting . . . Abstracts of papers. 8th-9th, 14th; 1923-24, 1929. Albuquerque, The State University, 1924-30. 3v. (Bulletin of the State University of New Mexico. Whole no. 116, 131, 180. Educational series, v. 3, no. 1, 3; v. 4, no. 2)  
1923 has title; A scientific symposium, abstracts of papers and addresses . . . Annual meeting; other slight variations in title. Meetings for 1923-24 published under the association's earlier name: New Mexico association for science.  
No more published.

*New Mexico association of osteopathic physicians and surgeons.*

Organized in Sept. 1928 for the purpose of promoting the science and art of osteopathic medicine, the betterment of public health in New Mexico, the welfare of its members and to further an increased fraternal relationship among all osteopathic surgeons.

Bulletin Oct. 1942—v. p. 1942—monthly.

Dec. 1942 contains a History of osteopathy in New Mexico by C. A. Wheelon.

The basic conscience act of New Mexico: the osteopathic practice act of New Mexico. The constitution and by-laws of the association. Santa Fe, 1945. (28)p.

Constitution and by-laws . . . April 26, 1952. 11p. mimeo.

Rules and regulations for the New Mexico Board of osteopathic examination and registration . . . July 26, 1951. (14)p. mimeo.

*New Mexico association on Indian affairs.*

Organized in Dec. 1922 and affiliated with the Eastern association on Indian affairs which was organized the same year for the purpose of defeating the Bursum bill, which would have confirmed non-Indian titles to lands rightly belonging to the Indians. The association promotes the welfare of Indians, particularly in New Mexico and Arizona, through encouragement of arts and crafts, education, publicity, club activities and legislation.

## Annual report

Dec. 1922-1923	13p.	(M. McKittrich, chrmn.)	
1924-25	28p.	(M. McKittrich, chrmn.)	
1926	16p.	(M. McKittrich, chrmn.)	
1927			
1928			
1929			
1930	9p.	(M. B. Reebel, field nurse)	typew.
1931	5p.	(M. McKittrich)	typew.
1931	8p.	(M. B. Reebel, field nurse)	typew.
1932			
1933			
1934			
1935	9p.	(M. S. Dietrich, chrmn.)	typew.
1936			
1937			
1938	6p.	(M. S. Dietrich, chrmn.)	typew.
1939	5p.	(M. S. Dietrich, chrmn.)	typew.
1940	4p.	(M. S. Dietrich, chrmn.)	typew.
1941	7p.	(M. S. Dietrich, chrmn.)	typew.
1942	9p.	(M. S. Dietrich, chrmn.)	typew.
1943	14p.	(M. S. Dietrich, chrmn.)	typew.
1944	8p.	(M. S. Dietrich, chrmn.)	typew.
1945	6p.	(M. S. Dietrich, chrmn.)	typew.
1946	9p.	(M. S. Dietrich, chrmn.)	typew.
1947	6p.	(M. S. Dietrich, chrmn.)	typew.
1948	4p.	(C. Farrelly, vice-chrmn.)	typew.

## Bulletin

- No. 1 The Pueblo land problem. Santa Fe, 1923 ? 12p.  
Digest of Report on Navajo schools Mar. 1946. 6p.

Indian Art series, no. 1-13. Santa Fe, pub. with the approval of the Laboratory of Anthropology, 1936.

- No. 1 Pueblo Indian painting. 4p.



- No. 2 Basket making among the Indians of the Southwest, 1936. 4p.
- No. 3 Indian embroidery. 1936. 4p.
- No. 4 Indian dress. 1936. 4p.
- No. 5 Indian pottery by the roadside. 4p.
- No. 6 Navaho blanket weaving. 1936. 4p.
- No. 7 Navaho silversmithing. 4p.
- No. 8 Old art in new forms. 1936. 4p.
- No. 9 Navaho and pueblo Indian dancing. 1936. 4p.
- No. 10 Children of tradition. 4p.
- No. 11 Newcomb. Symbols in sand. 4p.
- No. 12 Architecture of the ancients. 4p.
- No. 13 Chapman. Decorative design. 4p.

In re HR 323: A bill to authorize exploration of proposed dam sites located on Indian lands in the State of New Mexico, July, 1943. 6p.

More about Navajo education. Nov. 1946. 5p.

The Navajo in No-man's land, by Margretta S. Dietrich. Albuquerque, 1951. p. 439-50.

Reprinted from New Mexico quarterly v. 20 no. 4.

Navajo rehabilitation program. Aug. 1948. 2p.

The Navajo today. May 1947. 1p.

The Navajo today. Aug., Nov. 1947.

The Navajos—past, present and future. Aug. 1949. 4p.

New Mexico Indians, a pocket handbook. Santa Fe, c1941. 36p.

New threat to pueblos. Oct. 1941. 4p.

News letter. Aug. 1948, Mr., Nov. 1949, Mr., Sept. 1950, Je. 1951, Feb., Nov. 1952, Mr., 1953.

News letters for Indians in Armed forces. Mimeo.

- No. 1
- 2 Dec. 1, 1942. 2p.
- 3 Feb. 10, 1943. 4p.
- 4 Mr. 31, 1943. 3p.
- 5 Je. 29, 1943. 4p.
- 6 Aug. 10, 1943. 4p.
- 7 Sept. 30, 1943. 5p.
- 8 Nov. 15, 1943. 5p.
- 9 Jan. 1, 1944. 5p.
- 10 Feb. 15, 1944. 5p.
- 11 Apr. 1, 1944. 5p.
- 12 May 27, 1944. 5p.
- 13 Jl. 15, 1944. 6p.
- 14 Sept. 1, 1944. 7p.

- 15 Oct. 20, 1944. 8p.
- 16 Dec. 10, 1944. 7p.
- 17 Feb. 5, 1945. 6p.
- 18 Mr. 18, 1945. 6p.
- 19 May 1, 1945. 6p.
- 20 June 15, 1945. 8p.
- 21 Aug. 1, 1945. 6p.

Name was changed to Smoke signals with no. 22

Smoke signals

- 22 Sept. 20, 1945. 6p.
  - 23 Nov. 20, 1945. 7p.
  - 24 Mr. 1, 1946. 4p.
- V. 2 No.
- 1 Feb. 1951. 3p.
  - 2 Apr. 1951. 4p.
  - 3 June, 1951. 8p.
  - 4 Jl. 1951. 8p.
  - 5 Sept. 1951. 6p.
  - 6 Nov. 1951. 6p.
  - 7 Christmas 1951. 11p.
  - 8 Feb. 1952. 8p.
  - 9 Mr.-Apr. 1952. 6p.
  - 10 May 1952. 8p.
  - 11 Jl. 1952. 6p.
  - 12 Sept. 1952. 7p.
  - 13 Nov. 1952. 6p.
  - 14 Dec. 1952. 6p.
  - 15 Feb. 1953. 6p.
  - 16 May 1953. 6p.
  - 17 Jl. 1953. 4p.
  - 18 Sept. 1953. 6p.

Discontinued

NRP, a Navajo rehabilitation program. Aug. 1948. 2p.

An open letter to Hon. John Collier. Mar. 1943. 4p.

Outline of suggestions for Indian office procedures. n.d. 3p.

Pocket handbook, New Mexico Indians, Bertha P. Dutton, editor. Santa Fe, 1948. 96p.

An earlier edition was published in 1941.

Pocket handbook, New Mexico Indians, Bertha P. Dutton, editor. Santa Fe, 1951. 101p.

The protest of artists and writers against the Bursum Indian bill. 1922. 1p.

Recommendations, Nov. 1944. 4p. mimeo.

Shall we save the Navajo? April, 1947. 6p.

Statement of purpose and policy of New Mexico association on Indian affairs. 4p. mimeo.

"Unless we are educated," deplorable condition of Navajo schooling. Oct. 1945. 6p.

Urgent Navajo problems; observations and recommendations based on a recent study by the New Mexico association on Indian affairs. Santa Fe, 1940. 42p.

By Maria Chabot, with foreword by M. S. Dietrich.

What should be done about this. Jan. 1948. 4p.

### *Asylum for the deaf and dumb, Santa Fe.*

Established in 1887; in 1923 for administrative purposes in all matters except suits, state lands, funds and appropriations, the name was abbreviated to New Mexico School for the deaf.

#### Report

Dec. 1894-Dec. 1896 11p. (L. M. Larson)

Jan. 1897-Dec. 1898 7p. (L. M. Larson)

Also in Message of Gov. M. A. Otero to the 33d Legislative Assembly of New Mexico. Jan. 16, 1899. "Exhibit BB" p. 48-52.

Also in House Journal 33d. Session, Jan. 16, 1899. p. 48-52.

Jan. 1899-Dec. 1900 (L. M. Larson)

Also in Message of Gov. M. A. Otero to the 34th Legislative Assembly of New Mexico. Jan. 21, 1901. Exhibit "2." p. 385-396.

Dec. 1, 1900-Nov. 30, 1902 10p.

Also in Message of Gov. M. A. Otero to the 35th Legislative Assembly of New Mexico. Jan. 19, 1903. Exhibit "Z." 9p.

Dec. 1, 1902-Nov. 30, 1904 6p. (Francisco Delgado)

Also in Message of Gov. M. A. Otero to the 36th Legislative Assembly of New Mexico. Jan. 16, 1905. Exhibit "Z." 6p.

Dec. 1, 1904-Nov. 30, 1906 (S. G. Cartwright)

Also in Message of Gov. H. J. Hagerman to the 37th Legislative Assembly of New Mexico. Jan. 21, 1907. Exhibit 33. 10p.

Dec. 1, 1906-Nov. 30, 1908 22p. (W. O. Connor)

Dec. 1, 1908-Feb. 1, 1912 34p. (W. O. Connor)

Conference of executives; report of committee on nomenclature . . . Santa Fe, 1950. (4)p.

Information concerning the asylum. (Santa Fe, 1910) 28p.

Informe del comite a cargo de la escuela para sordos y ciegos de Nuevo Mejico por los anos 1897 y 1898. Santa Fe, Compania Impresora del Nuevo Mexicano, 1899. 7p.

The New Mexico asylum for the deaf and dumb, Santa Fe, W. O. Connor, Jr., superintendent. n.p.n.d. 28p.

The New Mexico school for the deaf. Santa Fe. Printed by the pupils of the New Mexico School for the deaf. Santa Fe, 1930. (56) p.

The New Mexico progress, published by the deaf and for their interests; v. 1—; March 4, 1909—. Santa Fe, 1909—  
published monthly during the school year.

v. 1-19 1909-27 each issue 4 pages with total of 32 pages to vol.

v. 20 1928-29 each issue 8 pages with total of 64 pages to vol.

v. 21 1929-date each issue 16 pages with total of 144 pages to vol.

Yahraes, Herbert and Dixie. Does swimming cause deafness. Santa Fe, The New Mexico school for the deaf, c1950. 4p. (Reprinted with permission of The Woman's home companion and the authors)

Lewis, Arthur H. The world's safest drivers. Santa Fe, New Mexico progress press, n.d. 4p. (Ford times March, 1948; Reprinted with permission of Ford Motor company)

Stearns, Myron. Will your child be deaf? Santa Fe, The New Mexico school for the deaf, 1949. 11p.

Thompson, Helen. The importance of reading in the education of the deaf. Santa Fe, New Mexico school for the deaf, 1950. 7p. (Reprinted from the Colorado school for the deaf and the blind)

Wolf, Edna L. Suggestions for parents of the preschool deaf child. Santa Fe, New Mexico school for the deaf, 1945. 6p. (E & S)

### *New Mexico automobile dealers association.*

Established in 1929 to encourage sound business policies and practices, to facilitate the exchange of ideas among its members, to foster constructive and progressive legislation and to cooperate with all those directly or indirectly engaged in the motor vehicle industry.

Automotive data book.

1951. 16p.

1952. 40p.

1953. 51p.

Briefs. Jan. 1950— Albuquerque, 1950— mimeo.

Issued the 1st and 16th of each month.

Advisory bulletin, no. 1—1951— Albuquerque, 1951—  
Irregular.

*New Mexico bankers association.*

Organized Feb. 15-16, 1906, in order to promote the general welfare and usefulness of banks and to secure uniformity of action, together with practical benefits derived from discussion of subjects affecting banks.

Constitution and By-laws as amended at Roswell, May 7, 1948. 8p.

## Proceedings of the annual convention

Sept.	25-26, 1906	Albuquerque	51p. v. 1	(C. N. Blackwell)
1907-08	No convention			
Sept.	15-16, 1909	Santa Fe	41p. v. 2	(R. J. Palen)
1910-12	No convention			
Nov.	12-13, 1913	Albuquerque	60p. v. 3	(E. A. Cahoon)
Nov.	9-10, 1914	Albuquerque	82p. v. 4	(D. T. Hoskins)
Oct.	4- 5, 1915	Roswell	84p. v. 5	(J. B. Herndon)
Nov.	14-15, 1916	Albuquerque	167p. v. 6	(J. Corbett)
Sept.	11-12, 1917	Las Vegas	v. 7	(H. B. Jones)
Sept.	9-10, 1918	Santa Fe	v. 8	(W. A. Murray)
Sept.	8-9, 1919	Albuquerque	v. 9	(J. J. Jaffa)
Sept.	10-11, 1920	Albuquerque	146p. v. 10	(G. L. Ulrich)
Sept.	9-10, 1921	Santa Fe	104p. v. 11	(F. R. Coon)
Sept.	22-23, 1922	Las Vegas	101p. v. 12	(C. W. Harrison)
Sept.	7-8, 1923	Cloudcroft	80p. v. 13	(C. S. White)
Sept.	12-13, 1924	Albuquerque	120p. v. 14	(T. H. Rixey)
Sept.	21-22, 1925	Las Cruces	88p. v. 15	(W. A. Losey)
Oct.	22-23, 1926	Roswell	79p. v. 16	(L. C. Becker)
Oct.	20-22, 1927	Deming	101p. v. 17	(E. M. Brickley)
May	25-26, 1928	Tucumcari	106p. v. 18	(A. H. Gerdeman)
April	26-27, 1929	Las Vegas	112p. v. 19	(W. A. Foyil)
May	16-17, 1930	Raton	95p. v. 20	(H. L. Boyd)
April	24-25, 1931	Carlsbad	112p. v. 21	(G. K. Richardson)
May	13-14, 1932	Taos	88p. v. 22	(P. B. McSain)
Sept.	25, 1933	Albuquerque	31p. v. 23	(A. F. Jones)
April	20-21, 1934	Albuquerque	61p. v. 24	(J. B. Reed)
May	17-18, 1935	Roswell	40p. v. 25	(Floyd Childers)
May	15-16, 1936	Raton	48p. v. 26	(S. A. Jones)
April	23-24, 1937	Santa Fe	62p. v. 27	(H. H. Aull)
June	3- 5, 1938	Gallup	47p. v. 28	(P. A. F. Walter)
April	28-29, 1939	Clovis	46p. v. 29	(A. E. Huntsinger)
May	17-18, 1940	Albuquerque	52p. v. 30	(W. J. White)
April	17-19, 1941	Lordsburg	72p. v. 31	(G. L. Emmons)
May	21-23, 1942	Taos	81p. v. 32	(J. H. Askins)
May	8, 1943	Albuquerque	32p. v. 33	(J. E. Robertson)

April	28-29, 1944	Albuquerque	51p. v. 34 (Cale Carson)
1945	No convention		
May	17-18, 1946	Santa Fe	67p. v. 35 (R. T. Spence)
March	27-29, 1947	Grand Canyon	47p. v. 36 (C. K. Brasher)
May	6- 8, 1948	Roswell	70p. v. 37 (O. M. Love)
April	7- 9, 1949	Albuquerque	74p. v. 38 (G. L. Rogers)
May	26-27, 1950	Albuquerque	98p. v. 39 (G. H. Walden)
May	11-12, 1951	Santa Fe	101p. v. 40 (H. W. Moore)
April	18-19, 1952	Carlsbad	71p. v. 41 (F. H. Chilcote)

Titles varies:

1933-34 Condensed Report of the annual convention;

1935-40 Reports and Business Session of annual convention.

1941 contains Constitution and By-laws as amended April 19, 1941.

### *New Mexico cattle growers association.*

The association was first known as the Cattle theft association organized in 1865. On Jan. 15, 1881 the Southwestern Stockman's association was formed at Silver City for the purpose of mutual benefit and protection. In April, 1884 the Central New Mexico Cattle growers association was founded at Albuquerque to combat cattle thieves; in March 1886 the Central association was disbanded. In May 1886 the Sierra county cattle and horse protection association was organized at Hillsboro. Prior to 1914 many small organizations existed. In 1914 the Grant county and Southwestern cattle and horse protective association were reorganized under the title of New Mexico cattle and horse protective association. In 1915 the name was changed to N. M. Cattle and horse growers association; on March 16, 1929 the name was changed to New Mexico cattle growers association. Its objects are to promote the welfare and business interests of the cattlemen of the state.

Minutes of meetings of the board. Nov. 17, 1914—quarterly typw.

Quarterly bulletin on the conditions of range, water and cattle throughout New Mexico. v. 1-58, May 1923-Aug. 1937.

Superseded by New Mexico Stockman.

Proceedings of the . . . annual meeting. v. 1—1915—

Silver City, Apr. 2-3, 1915, 3p. v. 1 (C. Glenn), typw.

Deming, Feb. 22-23, 1916, 6p. v. 2 (C. Glenn), typw.

- Albuquerque, Mr. 20-22, 1917, v. 3 (W. R. Morley), typw.  
Las Vegas, Mr. 12-14, 1918, 148p. v. 4 (W. R. Morley), typw.  
1919, v. 5 (V. Culberson), typw.  
Roswell, Mr. 29-31, 1920, 126p. v. 6 (V. Culberson), typw.  
Albuquerque, Mr. 29-31, 1921, 57p. v. 7 (T. E. Mitchell), typw.  
Las Vegas, Mr. 20-21, 1922, 140p. v. 8 (T. E. Mitchell), typw.  
Las Vegas, Mr. 16-18, 1923, 88p. v. 9 (H. L. Hodge), typw.  
Albuquerque, Mr. 25, 1924, 92p. v. 10 (H. L. Hodge), typw.  
Santa Fe, Mr. 23-24, 1925, 53p. v. 11 (C. M. O'Donel), in Quarterly  
Bulletin, May 25, #9  
Albuquerque, Mr. 15-16, 1926, unpub. v. 12 (C. M. O'Donel), in Quar.  
Bull. #12  
Albuquerque, Feb. 7-8, 1927, unpub. v. 13 (T. P. Talle), in Quar.  
Bull. Feb. '27, #16  
Las Vegas, Feb. 27-28, 1928, v. 14 (T. P. Talle), in Quar. Bull.  
May '28, #21  
Roswell, Mr. 15-16, 1929, v. 15 (T. A. Spencer), in Quar. Bull.  
May '29, #25  
Albuquerque, Mr. 25-26, 1930, v. 16 (T. A. Spencer), in Quar.  
Bull. May '30, #29  
Las Vegas, Mr. 3-4, 1931, v. 17 (R. Royal), in Quar. Bull. May '31,  
#33  
Carlsbad, Mr. 4-5, 1932, v. 18 (R. Royal), in Quar. Bull. May '32,  
#37  
Lovington, Dec. 3, 1933, v. 19 (A. K. Mitchell), in Quar. Bull.  
Albuquerque, Sept. 24, 1934, v. 20 in Quar. Bull.  
Roswell, Mr. 25, 1935, v. 21 (L. S. Evans), in Quar. Bull. May '35,  
#49  
Silver City, Mr. 6-7, 1936, v. 22 (L. S. Evans), in Quar. Bull. May  
'36, #53  
Raton, Mr. 26-27, 1937, v. 23 (A. D. Brownfield), in Quar. Bull.  
May '37, #57  
Santa Fe, Mr. 23-24, 1938, v. 24 (A. D. Brownfield), N. M. Stock-  
man, v. 3 no. 4, Apr. '38, p. 5, 10-11  
Clovis, Mr. 27-28, 1939, v. 25 (O. M. Lee), N. M. Stockman, v. 4  
no. 4, Apr. '39, p. 2-11  
Gallup, Mr. 18-19, 1940, v. 26 (C. W. Jackson), N. M. Stockman,  
v. 5 no. 3, Mr. '40, p. 1-2, 12-17  
Albuquerque, Mr. 24-25, 1941, v. 27 (C. W. Jackson), N. M. Stock-  
man, v. 6 no. 4, Mr. '41, p. 1-9, 28-29  
Albuquerque, Mr. 7, 1942, v. 28 (Tom Clayton), N. M. Stockman,  
v. 7 no. 3, Mr. '42, p. 1-9  
Albuquerque, Mr. 12-13, 1943, v. 29 (Tom Clayton), N. M. Stock-  
man, v. 8 no. 3, Mr. '43, p. 1-8, 20  
Albuquerque, Mr. 21-22, 1944, v. 30 (E. G. Hayward), N. M.  
Stockman, v. 9 no. 4, Apr. '44, p. 1-3, 8-11

- Albuquerque, Mr. 8-9, 1945, v. 31 (E. G. Hayward), N. M. Stockman, v. 10 no. 3, Mr. '45, p. 4, 6, 43-44 (Executive board meeting; held no convention)
- Albuquerque, Mr. 19-20, 1946, v. 32 (E. G. Hayward), N. M. Stockman, v. 11 no. 4, Apr. '46, p. 4-24
- Albuquerque, Mr. 9-11, 1947, v. 33 (G. A. Godfrey), N. M. Stockman, v. 12 no. 3, Mr. '47, p. 34-49
- Albuquerque, Mr. 7-9, 1948, v. 34 (G. A. Godfrey), N. M. Stockman, v. 13 no. 3, Mr. '48, p. 6-14
- Albuquerque, Mr. 27-29, 1949, v. 35 (G. W. Evans), N. M. Stockman, v. 14 no. 4, Apr. '49, p. 8-25
- Albuquerque, Mr. 26-28, 1950, v. 36 (G. W. Evans), N. M. Stockman, v. 15 no. 4, Apr. '50, p. 8-19
- Albuquerque, March 25-27, 1951, v. 37 (Roy Forehand), N. M. Stockman, v. 16 no. 4, Apr. 1951, p. 6-14, 65-66
- Albuquerque, March 23-25, 1952, v. 38 (Roy Forehand), N. M. Stockman, v. 17 no. 4, April, 1952, p. 6-10
- Albuquerque, March 29-31, 1953, v. 39 (Ed. Heringa), N. M. Stockman, v. 39 no. 4, April, 1953, p. 9-13, 83
- Title varies; 1921, summary of proceedings; 1928, v. 14-date summarized in N. M. Stockman

Annual report of the secretary and treasurer . . .

Feb. 29, 1916-Mr. 17, 1917, 20p.

Mr. 17, 1917-Mr. 1, 1918, 6p.

Monthly news letter of the N. M. cattle and horse grower's association . . .

v. 1-2, July, 1916-1917

From v. 2 #1, Apr. 24, 1917, news letter "was to be published as occasion may arise."

v. 2 #1 contains Resolutions of 1917 convention

New Mexico stockman. v. 1- 1937- Albuquerque, 1937-

formerly El Borroguero-(The sheep grower) published monthly by N. M. wool growers, v. 1-5, 1933-37.

Resolution passed . . . at annual convention.

Las Vegas, Mr. 20-21, 1922 8p. v. 8

Las Vegas, Mr. 16-18, 1923 8p. v. 9

Albuquerque, Mr. 25, 1924 8p. v. 10

Santa Fe, Mr. 23-24, 1925 7p. v. 11

Albuquerque, Mr. 15-16, 1926 8p. v. 12

Albuquerque, Feb. 7- 8, 1927 12p. v. 13

Las Vegas, Feb. 27-28, 1928 11p. v. 14

Roswell, Mr. 15-16, 1929 10p. v. 15



*New Mexico conference of social welfare.*

Established in 1951 for the purpose of stimulating interest in social problems and conditions, to recommend and further social legislation and to work for unified coordination and planning.

## Proceedings

June 7-9, 1951, Albuquerque. 63p. mimeo.

June 4-6, 1952, Albuquerque. 70p. mimeo.

June 4-6, 1953, Albuquerque. 32p. mimeo.

## Program

Annual meeting

1953 (8) p.

Constitution. (Albuquerque, 1953) 3p. mimeo.

*Conference on educational problems in the Southwest.*

Committee reports of the Conference on educational problems in the Southwest, with special reference to the educational problems in Spanish speaking communities, held at Santa Fe, New Mexico, Aug. 19-24, 1943, under the auspices of the University of New Mexico, New Mexico Highlands University, the Coordinator of Inter-American affairs. (Santa Fe, 1943) (1), 26p. mimeo.

*New Mexico congress of parents and teachers.*

Organized on May 7, 1915 to promote child welfare in the home, the school and the community.

New Mexico parent teacher. v. 1-4, Nov. 1931-Nov. 1935. v. p. 1931-35.

Bulletin. v. p. 1936- irregular mimeo.

1938, 1942 called N. M. Parent Teacher convention bulletin

History of the New Mexico Congress of Parents and Teachers; history v. 1, 1915-1948 compiled by Mrs. P. G. Donaldson, historian. n.p.n.d. 74p.

*New Mexico credit service co.*

New Mexico today v. 1

monthly; irregular

Ceased publication with v. 2 no. 1 (June, 1941?)

*New Mexico educational association.*

Organized in 1886 to elevate the profession of teaching, secure effective coöperation of all agencies for improving schools, and to promote educational interests of the state.

## Journal of proceedings

- Santa Fe, Dec. 28-30, 1886 v. 1 (W. H. Ashley)  
 Las Vegas, Dec. 1887 v. 2 (R. W. D. Bryan)  
 Albuquerque, Dec. 1888 v. 3 (C. E. Hodgkin)  
 Las Cruces, (no meeting) 1889 v. 4 (J. P. Owen)  
 Albuquerque, Dec. 1890 v. 5 (Hiram Hadley)  
 Santa Fe, Dec. 1891 v. 6 (Elmore Chase)  
 Las Vegas, Dec. 1892 v. 7 (C. E. Hodgkin)  
 Albuquerque, Dec. 1893 v. 8 (G. S. Ramsay)  
 Albuquerque, Dec. 1894 v. 9 (Geo. Selby)  
 Albuquerque, Dec. 1895 v. 10 (R. H. Theilmann)  
 Socorro, Dec. 1896 v. 11 (J. A. Wood)  
 Albuquerque, Dec. 1897 v. 12 (D. M. Richards)  
 Las Vegas, Dec. 1898 v. 13 (C. M. Light)  
 Santa Fe, Dec. 1899 v. 14 (C. T. Jordan)  
 Santa Fe, Dec. 1900 v. 15 (C. L. Herrick)  
 Albuquerque, Dec. 26-28, 1901 v. 16 (Hiram Hadley)  
 Las Vegas, Dec. 22-24, 1902 v. 17 (M. E. Hickey)  
 Santa Fe, Dec. 1903 v. 18 (Luther Foster)  
 Silver City, Dec. 1904 v. 19 (A. B. Stroup)  
 Albuquerque, Dec. 26-28, 1905 v. 20 (W. G. Tight)  
 Minutes and papers read for 1905 in N. M. Journal of educ. v. 2  
 p. 2-18, Jan. '30, 1906.  
 Las Vegas Dec. 26-28, 1906 v. 21 (W. H. Decker)  
 "Echoes from the association meeting" and resolutions, 1906, in  
 N. M. journal of educ. v. 3 p. 10-15, Feb. 15, 1907.  
 \*Santa Fe, Dec. 26-27, 1907, 96p. v. 22 (R. R. Larkin)  
 Albuquerque, Dec. 28-30, 1908, v. 23 (C. O. Fisher)  
 Proceedings, 1908 in N. M. journal of educ. v. 5 p. 10-65, Feb. 15,  
 1909  
 Roswell, Dec. 28-30, 1909, v. 24 (W. E. Garrison)  
 Minutes, 1909 in N. M. journal of educ. v. 6 p. 6-16, Feb. 15, 1910  
 Las Vegas, Dec. 27-29, 1910, v. 25 (J. E. Clark)  
 Santa Fe, Nov. 16-18, 1911, v. 26 (J. S. Hofer)  
 Proceedings, 1911 in N. M. journal of educ. v. 8 p. 3-71, Jan. 1912  
 Albuquerque, Nov. 6-9, 1912, 166p. v. 27 (W. A. Poore)

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\* First published proceedings.

- Albuquerque, Nov. 24-26, 1913, 32p. v. 28, (W. B. McFarland)  
 Albuquerque, Nov. 21-25, 1914, 44p. v. 29 (C. C. Hill)  
 Albuquerque, Nov. 20-24, 1915, 45p. v. 30 (J. H. Vaughan)  
 Santa Fe, Nov. 27-29, 1916, 45p. v. 31 (John Milne)  
 (Bulletin v. 3 #4)  
 Santa Fe, Nov. 24-28, 1917, 23p. v. 32 (F. H. H. Roberts)  
 (Bulletin v. 3 #5)  
 Albuquerque, Dec. 26-28, 1918, v. 33 (I. L. Eckles) (no meeting)  
 Albuquerque, Nov. 22-26, 1919, v. 34 (I. L. Eckles)  
 Albuquerque, Nov. 20-24, 1920, v. 35 (J. H. Wagner)  
 Albuquerque, Nov. 19-23, 1921, v. 36 (J. M. Bickley)  
 Albuquerque, Nov. 27-29, 1922, v. 37 (Josephine Lockard)  
 East Las Vegas, Nov. 26-28, 1923, v. 38 (R. L. White)  
 Albuquerque, Nov. 6-8, 1924, v. 39 (H. L. Kent)  
 Albuquerque, Nov. 5-7, 1925, v. 40 (D. N. Pope)  
 Santa Fe, Nov. 4-6, 1926, v. 41 (Frank Carroon)  
 Albuquerque, Nov. 3-5, 1927, v. 42 (E. A. White)  
 Albuquerque, Oct. 31-Nov. 3, 1928, v. 43 (A. O. Bowden)  
 Albuquerque, Oct. 31-Nov. 2, 1929, 80p. v. 44 (J. F. Zimmerman)  
 Albuquerque, Nov. 5-8, 1930, v. 45 (C. B. Redick)  
 Santa Fe, Nov. 4-7, 1931, v. 46 (Raymond Huff)  
 Roswell, Nov. 2-5, 1932, v. 47 (S. P. Nanninga)  
 Albuquerque, Nov. 1-4, 1933, 317p. v. 48 (G. L. Fenlon) typw.  
 Santa Fe, Oct. 31-Nov. 3, 1934, v. 49 (C. L. Rose)  
 Albuquerque, Oct. 30-Nov. 2, 1935, v. 50 (G. I. Sanchez)  
 Albuquerque, Oct. 28-31, 1936, v. 51 (J. R. McCollum)  
 Albuquerque, Nov. 3-6, 1937, v. 52 (J. W. Wilferth)  
 Roswell, Oct. 26-29, 1938, v. 53 (M. J. Kennedy)  
 Albuquerque, Oct. 25-28, 1939, v. 54 (E. D. Martin)  
 Santa Fe, Oct. 23-26, 1940, v. 55 (W. G. Donley)  
 Albuquerque, Oct. 22-25, 1941, v. 56 (J. P. Steiner)  
 Albuquerque, Oct. 22-24, 1942, v. 57 (Tom Wiley)  
 (Limited to Council meeting)  
 Albuquerque, Oct. 21-23, 1943, v. 58 (Tom Wiley)  
 Albuquerque, Oct. 25-28, 1944, v. 59 (Tom Mayfield)  
 \*No state convention held 1945 (W. E. Kerr)  
 District meetings held  
 Albuquerque, Nov. 25-27, 1946, v. 59 (W. E. Kerr)  
 Albuquerque, Oct. 22-25, 1947, v. 60 (J. C. Miller)  
 Albuquerque, Oct. 28-30, 1948, v. 61 (Mary Watson)  
 Albuquerque, Oct. 27-29, 1949, v. 62 (J. C. Pannell)  
 Albuquerque, Oct. 25-28, 1950, v. 63 (Charles Wood)  
 Albuquerque, Oct. 23-26, 1951, v. 64 (M. G. Hunt)  
 Albuquerque, Oct. 22-25, 1952, v. 65 (Mary Foraker)  
 Albuquerque, Oct. 28-31, 1953, v. 65 (Travis Stovall)

## Program of the annual meeting

1886	2p.	v. 1	1920	32p.	v. 35
1887		v. 2	1921	22p.	v. 36
1888		v. 3	1922		v. 37
1889		v. 4	1923	32p.	v. 38
1890		v. 5	1924	18p.	v. 39
1891		v. 6	1925	32p.	v. 40
1892		v. 7	1926	(22) p.	v. 41
1893		v. 8	1927	(24) p.	v. 42
1894		v. 9	1928	27p.	v. 43
1895		v. 10	1929	32p.	v. 44
1896		v. 11	1930	32p.	v. 45
1897		v. 12	1931	32p.	v. 46
1898		v. 13	1932	40p.	v. 47
1899		v. 14	1933	40p.	v. 48
1900		v. 15	1934	40p.	v. 49
1901	(4) p.	v. 16	1935	40p.	v. 50
1902		v. 17	1936	40p.	v. 51
1903		v. 18	1937	43p.	v. 52
1904		v. 19	1938	32p.	v. 53
1905	(24) p.	v. 20	1939	35p.	v. 54
1906		v. 21	1940	32p.	v. 55
1907	(14) p.	v. 22	1941		v. 56
1908	24p.	v. 23	1942		v. 57
1909	(12) p.	v. 24	1943		v. 58
1910	(15) p.	v. 25	1944	20p.	v. 59
1911	(19) p.	v. 26	1945-no state convention		
1912	24p.	v. 27	1946	16p.	v. 59
1913	28p.	v. 28	1947	24p.	v. 60
1914	16p.	v. 29	1948	28p.	v. 61
1915	23p.	v. 30	1949	32p.	v. 62
1916		v. 31	1950	32p.	v. 63
1917	24p.	v. 32	1951	32p.	v. 64
1918		v. 33	1952	35p.	v. 65
1919	20p.	v. 34	1953	40p.	v. 66

## Title varies:

Program of annual meeting

Official program

Handbook and program

Annual convention

Constitution. . . Santa Fe, n.d. 10p.

Constitution, Jan. 1, 1952 (in N. M. School review mid-monthly bulletin v. 1 no. 5, Jan. 15, 1952. 8p.)

Costs and methods of financing public education in New Mexico by J. E. Seyfried. Santa Fe, 1932. 87p.

- Education for all New Mexico's children; amplification of the platform of the N.M.E.A. Santa Fe, 1948. 17p.
- Handbook for local associations of the New Mexico education; a booklet of information and guidance; Jan. 1946. Santa Fe, 1946. 20p.
- Handbook for local associations; a guide to action; March, 1948. Santa Fe, 1948. 30p.
- New Mexico journal of education. v.p. Jan. 1905-Nov. 1920. v. 1-17 no 2
- New Mexico school review; official organ of the New Mexico education association. v. p. The association, July 1921- v. 1-
- New Mexico school review mid monthly bulletin v. 1-Sept. 15, 1951-Santa Fe, The association, 1951-
- NMEA reporter v. 1 nos. 1-9, Sept. 1952-May, 1953. Santa Fe, 1952-53. Discontinued
- A proposal for the re-organization of the State department of education, to secure a sound business administration of the New Mexico public school system. (Santa Fe, 1948) 16p.
- A sound business administration for the New Mexico public school system Santa Fe, 1950. 20p.
- Teacher education in New Mexico; the El Rito conference, a report and discussion outline. Santa Fe, 1950. 16p.
- Working together at the local level; 1951 handbook. Santa Fe, 1951. (8)p.

*New Mexico folklore society.*

Established in 1931; reorganized in 1946. Its purpose is to collect and preserve the folklore of the state.

- New Mexico folklore record; annual publication of the New Mexico folklore society. v. 1- 1946/47-Albuquerque, c1947-

*New Mexico funeral directors and embalmers association.*

Organized in 1908 to secure harmony in business, to disseminate correct principles of business management and methods for maintaining high professional ideals of public service.

Yearbook

- Las Vegas, June 10-11, 1947. 65p. v. 40 (J. H. Hanlon)  
 Roswell, June 4-5, 1948. 74p. v. 41 (Ernest Wheeler)  
 v. 1-39, 42-46, 1908-1946, 1949-1953 not published

New Mexico funeral directors and embalmers association. Las Vegas, Feb. 24, 1943. 2p.

Program

Albuquerque, June 13-16, 1944. (8)p. v. 37 (D. M. Talmage)  
 Santa Fe, June 12-13, 1950. (8)p. v. 43 (L. E. Handlin, Jr.)  
 Albuquerque, June 13-14, 1952. (8)p. v. 45 (L. M. Westrum)  
 Carlsbad, June 19-20, 1953. v. 46 (S. H. Curtis)

*New Mexico geological society.*

Established April 12, 1947 to further the geology of the state.

Guidebook on the San Juan Basin, N. M. and Colorado. First field conference, Nov. 3, 4, 5, 1950. (Albuquerque, 1950) 153p. Compiled and edited by Vincent C. Kelley.

Guidebook of the south and west sides of the San Juan Basin, N. M. and Arizona. Second Field conference. Oct. 12-13-14, 1951. (Albuquerque, 1951) 167p.

Guidebook of the Rio Grande country; Central New Mexico. Third field conference, Oct. 3-4-5, 1952. (Albuquerque, 1952) 126p.

*New Mexico good roads association.*

Proceedings. v. 1-5. 1910-1913

Proceedings of the fourth annual meeting of the N. M. good roads assoc. and the First convention of the State association of highway officials; constitution & by-laws. Albuquerque, May 8th and 9th, 1913. 128p.

Fifth Annual meeting of the N. M. good roads assoc., N. M. division of National highways assoc. including the second annual meeting of the N. M. association of highway officials, Santa Fe, July 30, 31, Aug. 1, 1914.

*New Mexico high school activities association.*

Established in 1922 to supervise all extra curricular activities of the high schools of the state. Called New Mexico high school athletic association from 1922 to March 1953.

N. M. High school activities association bulletin. Sept. 1950-  
 Albuquerque, 1950-  
 monthly

Revised constitution and by-laws, 1935; effective Dec. 1, 1934 to Dec. 1, 1935. 29p.

*Highway Traffic advisory committee.*

State capitol transportation survey. Santa Fe, 1942. 5p. (mimeo)

*Highway users conference.*

Review of highway taxing, borrowing, spending trends in New Mexico; war economy program urged in light of facts disclosed by survey. Albuquerque, n.d. 24p.

*New Mexico Historical society.*

For official list of publications see

List of publications Jan. 1949: School of American research, Historical society of New Mexico, Laboratory of anthropology. Santa Fe (1949) 19p.

*New Mexico horticulture society.*

Incorporated in 1886.

Annual fairs; premium list and regulations. Santa Fe, New Mexican printing co., 1897-99.

Sept. 7-9, 1897, 16p. v. 1 (L. B. Prince)

Sept. 7-9, 1898, 20p. v. 2 (L. B. Prince)

Oct. 4-6, 1899, 23p. v. 3 (L. B. Prince)

First annual report of New Mexico horticulture society for the year 1897; certificate of incorporation and by-laws. Santa Fe, New Mexican printing co., 1898. 24p.

*Industrial school.*

Established 1903 at El Rito; moved to Springer 1909.

## Report

June 17, 1903-Dec. 16, 1904.

In Appendix to Message of M. A. Otero, governor of N. M., to the legislative assembly Jan. 16, 1905. Exhibit A7 5p.

Report of the Board of trustees and superintendent to the governor.

\*July 2, 1913-Nov. 30, 1914, v. 1-2 21p. 1-2 fiscal yr. (J. D. McPike)

Dec. 1, 1914-Nov. 30, 1915, v. 3 3rd fiscal yr. (J. D. McPike)

Dec. 1, 1915-Nov. 30, 1916, v. 4 25p. 4th fiscal yr. (J. D. McPike)

July 1, 1929-June 30, 1930, v. 18 (12)p. 18th fiscal yr. (Jaffa Miller)

July 1, 1930-June 30, 1934, v. 19-22 (22)p. 19-20 fiscal yr. (Jaffa Miller)

July 1, 1934-June 30, 1935

July 1, 1935-June 30, 1936, v. 24.13p. 24th fiscal yr. (J. C. Peck)

July 1, 1936-June 30, 1938, v. 25-26 19p. 25-26 fiscal yr. (J. C. Peck)

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Boys' journal; vol. no. 1, June, 1915. Springer, 1915. (4)p.

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Report of the directors, medical superintendent, steward and matron.

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- No. 22 Index to samples from oil and gas well tests in library at Socorro, N. M., comp. by Robert A. Bieberman and Florence B. Crespin. Socorro. Jan. 1953. 15p. (Supp. no. II) mimeo.
- No. 23 Geology and ore deposits of a part of the Hansonburg mining district, Socorro county, N. M., by Frank E. Kottlowski. 1953. 9p.
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*(To be continued)*

## Book Reviews

*The Hopis: Portrait of a Desert People.* By Walter Collins O'Kane. Norman, Oklahoma: Oklahoma University Press, 1953. Pp. xii, 267, 24 color plates. \$5.00.

*The Hopis: Portrait of a Desert People* is a popularized account of the culture of the Hopi written by an amateur. It adds little or nothing that is new to our knowledge of this voluminously documented group and one wonders why it was ever published.

The work follows standard monographic form and includes material on family, social organization, economics, craftsmanship, religious practices, acculturation, language, etc. The author has managed to convey, through the use of anecdotes and episodes, a fairly convincing picture of everyday life and some feeling for the yearly round. The accounts of the secular sides of medical practice, eagle and turtle hunting are interesting as far as they go. The handling of religion, acculturation and linguistics is less than superficial. Throughout, an attempt is made to create an ideal picture of the life of a native people, ignoring the tensions which characterize these and other Pueblo groups. In this connection, much good description is often marred by philosophic digression which can only be presumed to be projections of the author's thinking, since they do not appear inherent in the data.

W. W. HILL

University of New Mexico.

*The Road to Santa Fe: The Journal and Diaries of George Champlin Sibley and Others Pertaining to the Surveying and Marking of a Road From the Missouri Frontier to the Settlements of New Mexico, 1825-1827.* By Kate L. Gregg. Albuquerque: University of New Mexico Press, 1952. Pp. viii, 280. \$4.50.

The Santa Fe Trail became of especial importance to United States frontiersmen after Mexico's separation from Spain in 1820/21 when trading restrictions with Mexico

were removed. Word of the new arrangements got around quickly. Merchants from Missouri and Kentucky moved into the Southwest, among them William Becknell, sometimes called "Father of the Santa Fe Trail." This Franklin, Missouri trader made profitable expeditions to Santa Fe in 1821 and 1822. The volume of traffic to Santa Fe increased so rapidly in the next years that one may consider the Trail as well established by 1824.

At about this time in our national history occurred a juncture of "men and motives" which laid the basis for a survey of a road to Santa Fe, a trail now being considered inadequate. Among the motives may be listed United States interest in the Southwest, dating back to the genesis of "Manifest Destiny" prior to the War of 1812, and the great increase in the volume of trade with Santa Fe in the early 1820's with the need for safeguarding this trade from marauding Plains Indians. Among the men who should be mentioned are Thomas Jefferson, who as early as 1807 had projected a road through Creek and Spanish territory from Georgia to New Orleans; the indefatigable Senator Thomas Hart Benton who urged that a road to Santa Fe be surveyed on the basis not only of the argument available in the Jefferson precedent but also in a wide variety of appeals ranging from moral uplift to commerce; and finally, George Champlin Sibley, who turned out to be the man of the hour for making the actual survey, though a humble man, withal.

In March 1825 President Monroe signed the bill which provided ten thousand dollars for the survey and for marking the road, and another twenty thousand for negotiating a right of way with the Indians. Dr. Gregg now tells the story of this survey through the journal and diaries of Sibley, Joseph Davis, and Benjamin Reeves as well as in five introductory chapters, a Report of the Commissioners, an Appendix, and extensive footnotes. A bibliography, a reproduction of a portrait of Sibley, end maps, and a sketch of Ft. Osage (p. 197) improve the meaning of the volume. Curiously there is little in the introductory section on Reeves or Davis, though their diaries are used, nor does a careful study of the entire volume reveal much additional on these other "authors" (see note 50, p. 240 on Davis). It is probable

that Dr. Gregg considered that the Davis and Reeves journals speak for themselves, and that she would have to center upon Sibley who "from the start took the initiative in the work of the Commission, wrote the history of the project, made the government report—in truth saw the surveying and marking through to a finish when his colleagues long since had grown tired of dust, heat, prairie flies, and buffalo meat and refused longer to bother themselves with Benton's road to Santa Fe . . ." (p. 10).

At any rate, the book is an important and useful addition to literature on the trans-Mississippi West. Sibley's almost complete lack of "literary style" may seem to some dull, but the patient reader will suddenly realize that he is learning about a persevering man, devoted to his task, who performed a very arduous service without fanfare, and who deserves to be much better known than he is. When the survey was finished the commissioners could state in their report "That they have Surveyed, located and Marked out, a Road from the Western frontier of Missouri, to the confines of New Mexico, and from thence to the frontier Settlements of New Mexico. That they have located the Road upon the best practicable Route that exists; and that the whole is Sufficiently marked out by natural and artificial conspicuous objects, and by the tracks of the numerous caravans that have passed on it, to prevent in future, any the least difficulty in the commercial intercourse between the western parts of the United States and New Mexico, Sonora, and Chihuahua (*sic*); in so far as a direct and most excellent Road from Missouri and the Mexican Settlements is considered useful in promoting that object." (pp. 203-204).

THEODORE E. TREUTLEIN

San Francisco State College.

*California*. By John Walton Caughey. Second edition. New York: Prentice-Hall, Inc., 1953. Pp. xiv, 672. \$9.00.

Occasionally there appears an almost perfectly balanced account of an American State or region, so comprehensively, clearly and thoughtfully written that the critic finds it difficult to discover any flaws in it, literary or otherwise. That is

nearly the case with John W. Caughey's history of California, which for more than a decade has been generally accepted as the standard one-volume work on the subject.

In the second edition of this fine work, the author has tried to bring his story down to date with chapters on the period during and since the Second World War. There is also some alteration and enlargement of earlier chapters and an appraisal of new contributions to the steadily growing list of Californiana. In effect, the five closing chapters of the 1940 edition have been worked over and enlarged into nine new chapters, covering the growth of California over a period of thirteen years.

Most writers on California, past and present, have a tendency to gild and glamorize its story. Caughey, however, is well aware also of the problems of California—such as population, labor, water-supply, transportation and pressure politics—which have become more acute since the early forties of this century. It is refreshing to find such impartial, judicious and loyal treatment of both the strength and potential weaknesses of the Golden State.

There seem to be no important errors in text or interpretation. But a somewhat defective map used in the first edition is reproduced (p. 75), showing a number of mistakes in the location of places and areas in Mexico. The illustrations and maps are fewer, less pertinent and less interesting than those of the first edition. That fact does not detract, however, from the consistently high quality of this excellent volume.

RUFUS KAY WYLLYS

Arizona State College.

*The Time of the Gringo.* By Elliot Arnold. New York: Alfred A. Knopf, Inc. 1953. Pp. 612. \$4.95.

Of necessity a good historical novel is hard to write. The author must operate within a framework of actual events, some of his characters must be real people, and he is therefore limited in what he can do. In *The Time of the Gringo*, Elliot Arnold has conformed to all the requirements and has done a fine job.



The book is placed in that period just prior to, and during the first part of, the American occupation of New Mexico, and Mr. Arnold's history is accurate. One wonders if the small details of background are as authentic as the principal events. It seems, at times, as if the uniforms were a little too magnificent, the dwellings a little too well built, the whole a trifle too clean. But this doubt appears only upon a critical second reading; when first read the story sweeps along, carrying all before it. The principal character, Mañuel Armijo, Governor of New Mexico, is magnificently drawn. Against him the others, real and fictional, cannot but lose stature. Villain, conniver, lecher, hero, Mañuel Armijo, as Mr. Arnold draws him, is a colossus.

It is not often that an historical novel is as well written as *The Time of the Gringo*. Costain can do it, so can Shellabarger, but neither better than Arnold. Recommended reading.

BENNETT FOSTER

Albuquerque.

*Indian Legends of the Pacific Northwest*. By Ella E. Clark. Berkeley and Los Angeles: University of California Press, 1953. Pp. xii, 225. Maps, illus., source notes, bibliography, glossary. \$4.50.

If this review could be devoted exclusively to a discussion of the form of this book, it would be a pleasant task indeed to write it. The University of California Press has again produced a beautiful volume, the principal merit of which lies in its being graced by the illustrations of an exceptionally talented artist-anthropologist, Robert Bruce Inverarity. Now Director of the Museum of International Folk Art at Santa Fe, Inverarity has specialized in the art of the Northwest Coast Indians. His illustrations which accompany the present collection of tales are gracefully executed designs, each a gem, decorating, as appropriately as possible under the circumstances, texts which would have far better remained unadorned. It is a pity that so much editorial and artistic talent were lavished on so worthless a book, and it

would be regrettable if this disproportion of form and content were to mislead the general reader for whose benefit it was evidently put together.

What the author, who teaches English at the State College of Washington, has done is to take some hundred tales of various Northwest Coast tribes, mostly "from government documents, old periodicals, old histories . . . from manuscripts of Oregon and Washington pioneers," as well as from such respectable anthropological reports as those of Boas, Dixon, Sapir, and the like, and rewritten them for what the blurb on the jacket—and what a handsome jacket it is—calls "their entertainment value." Not only did she condense and excerpt, but she also "developed" and "restored," and, therefore, it seems questionable whether, as it is claimed, "the tales reveal much about the mind of the native American," or whether, as seems more likely, they reveal something of a tourist mentality. One of the most singular assumptions the author makes is that a tale will especially appeal to "the general reader" because it was recorded by his amateur colleague, "the general listener"; the implications of this assumption are hair-raising in their logical conclusion.

The tales are organized under five principal headings. In addition to the miscellaneous concluding section, they are, "Myths of the Mountains," "Legends of the Lakes," "Tales of the Rivers, Rocks, and Waterfalls," and "Myths of Creation, the Sky, and Storms." Less than a quarter of the collection is original, and all sources are scrupulously acknowledged. A bibliography of printed works and primary sources, and a glossary, in the Webster transcription, are appended. The tribal map and the map of the geographical features mentioned in the tales are clear and competent.

THOMAS A. SEBEOK

Indiana University.

*Changing Military Patterns of the Great Plains.* By Frank Raymond Secoy. Locust Valley, New York: Monographs of the American Ethnological Society, XXI, 1953. Pp. vii, 112. Maps, bibliography.

Mr. Secoy's study presents no field work to which the student of history or of anthropology would turn for new data. Facts available elsewhere in more detail and in over-all context are here presented in the form of brief meaty summaries, which may give one—in skipping from one subject to another—a sense of disjointedness. But these summaries are the data marshalled to illustrate two new, important, and very interesting theoretical points which he sketches in the first section and carefully, if succinctly, discusses in the conclusion. The first of these points should be of equal interest to historians and anthropologists: it covers the diffusion of horse and gun, separately, from two different points of contact between Indians and Whites and the eventual merging of the horse-pattern with the gun-pattern in producing the typical Plains Indian culture of the late 19th century.

The horse was primarily a contribution of the Spaniards, although at times it actually traveled ahead of them through the eager acceptance of this new mode of transportation by peoples of the southwestern high plains. Spanish interest in the Southwest was colonization and in the typical close control exerted by the Crown the safety of settlers was emphasized. Guns were withheld from Indians as far as possible. Horses, as well as sheep and cattle, also were withheld at first but soon became objects of barter as well as of theft. The animals thrived and reproduced well on the open ranges, and permitted the tribesmen mobility and increase of hunting range never before enjoyed. Their use gave rise to new military patterns which utilized old native weapons and new items of armor copied in leather from Spanish metal and hide prototypes. Security was so increased as to temporarily encourage the possibilities of horticulture, although as soon as enemy tribes likewise acquired horses, the sedentary periods required by farming became unsafe and hence undesirable.

The people of the northeastern plains, in contrast, saw little of the horse, which did not flourish in that area and whose usefulness was greatly inhibited by the type of terrain. The French and the English with whom Indians of that area came in contact were interested mainly in fur trade,

not in settlements. Guns were important not only as trade objects but also in permitting Indians to obtain the coveted furs. Greed for pelts largely overshadowed reflections that the guns might function equally in warfare. Actually, except when opposing nations stirred the Indians against each other, warfare with Whites appears to have been at a minimum until the period of large western migrations. Tribes of the northeastern plains modified their aboriginal pattern of warfare to permit the more individualistic use of firearms.

As time passed, the Post-gun—Pre-horse complex moved toward the south and west at the same time that the Post-horse—Pre-gun complex was moving out to meet it. The merging of the two resulted in the pattern of firing from the backs of horses running in a line past the enemy, recorded by Whites on the Santa Fe Trail and elsewhere. A series of maps illustrating the progress of horse and gun frontiers at successive intervals between 1630 (date of the earliest adequate documentary data on the area) and 1790 are of great aid in the reader's visualization of culture changes from the dynamic viewpoint set forth in this study.

The second point made by Mr. Secoy, one perhaps of more specific concern to anthropologists than to historians, concerns "certain inadequacies in the culture pattern concept, both as it has been applied in general and in the Plains area in particular." This concept, introduced by Ruth Benedict in 1922, Secoy neatly defines as concentrated upon a limited aspect of culture, "the part of any given culture that tends to form a system which is not only self-contained within this culture but which is also self-determining with respect to its next phase of development." When new elements chance to be introduced from the outside, the existent pattern presumably determines either their complete rejection or the type and degree of acceptance. But the three warfare patterns, Post-horse—Pre-gun, Post-gun—Pre-horse, and Horse and Gun, explains the author, each were widespread and basically alike wherever found. Hence the military pattern of any one tribe would appear to be part of a larger system involving the military patterns of all those tribes which engage in battle with each other. In the struggle for survival

any new developments in efficiency by one must be copied by the others if they are not to risk quick destruction or enforced retreat into new areas. This suggests that the culture of the tribe is of less effect in determining its military pattern than outside influences, and Secoy concludes that for investigations of such portions of a culture the culture pattern concept is "an ineffective tool."

On this point we must take issue in part. Granting that in such matters as warfare, and perhaps to a lesser extent in trade, the outside contacts involved must determine to a large extent the gross manifestations of the complex as seen in each tribe, other aspects of the total pattern will be found to vary appreciably if those tribes actually represent different cultures. Such features of difference, not covered in this monograph, would involve the relative importance of warriors in each tribe; the specific uses of war trophies—such as use of scalps in bringing rain, warning the owners of enemy approach, or as a medicine when chewed and the spittle mixed with clay to be taken in water; the types of war trophies taken and any entailed ritual; the types of functions considered appropriate as duties for warriors when not involved in battle; the type of purification for warriors who have killed; the participation of women in scalp dances or in care of scalps; the taboos concerning wives or families of warriors before, during, and after battles; etc. One basic point of similarity or of difference in the warfare pattern would be the attitude of the tribe toward warfare as such: for defense, for conquest of lands, slaves, or food, or as the paramount diversion of life.

Unless *all* of the traits within the military or any other culture pattern were identical in characteristics and in native evaluation between two or more tribes, the patterns should not be considered to duplicate each other. All anthropologists agree that as two or more tribes, nations, or cultures continue to interinfluence each other, whatever their type of contact, they become increasingly like each other through shared traits, and the rapidity with which various types of traits are accepted varies greatly. Basic techniques of warfare are shown by Secoy's study to be accepted as

quickly or even more quickly than the traits of material culture usually placed first in acculturation expectancy. But the identity of warfare or military *pattern* between tribes carrying cultures of appreciable difference remains open to question, unless one uses a much more limited definition of *pattern* than Benedict and most other anthropologists employ.

As a historical study covering not only tribal changes, conflicts and movements, but also the effect of horse and gun on the balance of power and on the fur trade, this paper is both interesting and stimulating reading. Even the footnotes quoting passages from early sources are worthy a glance from either professional or layman. And—to readers whose hobbies touch on early firearms and their use—the appendix entitled “The Use of the Flintlock Muzzle-Loader on Horseback” provides a delightful final dividend.

FLORENCE HAWLEY ELLIS

University of New Mexico.

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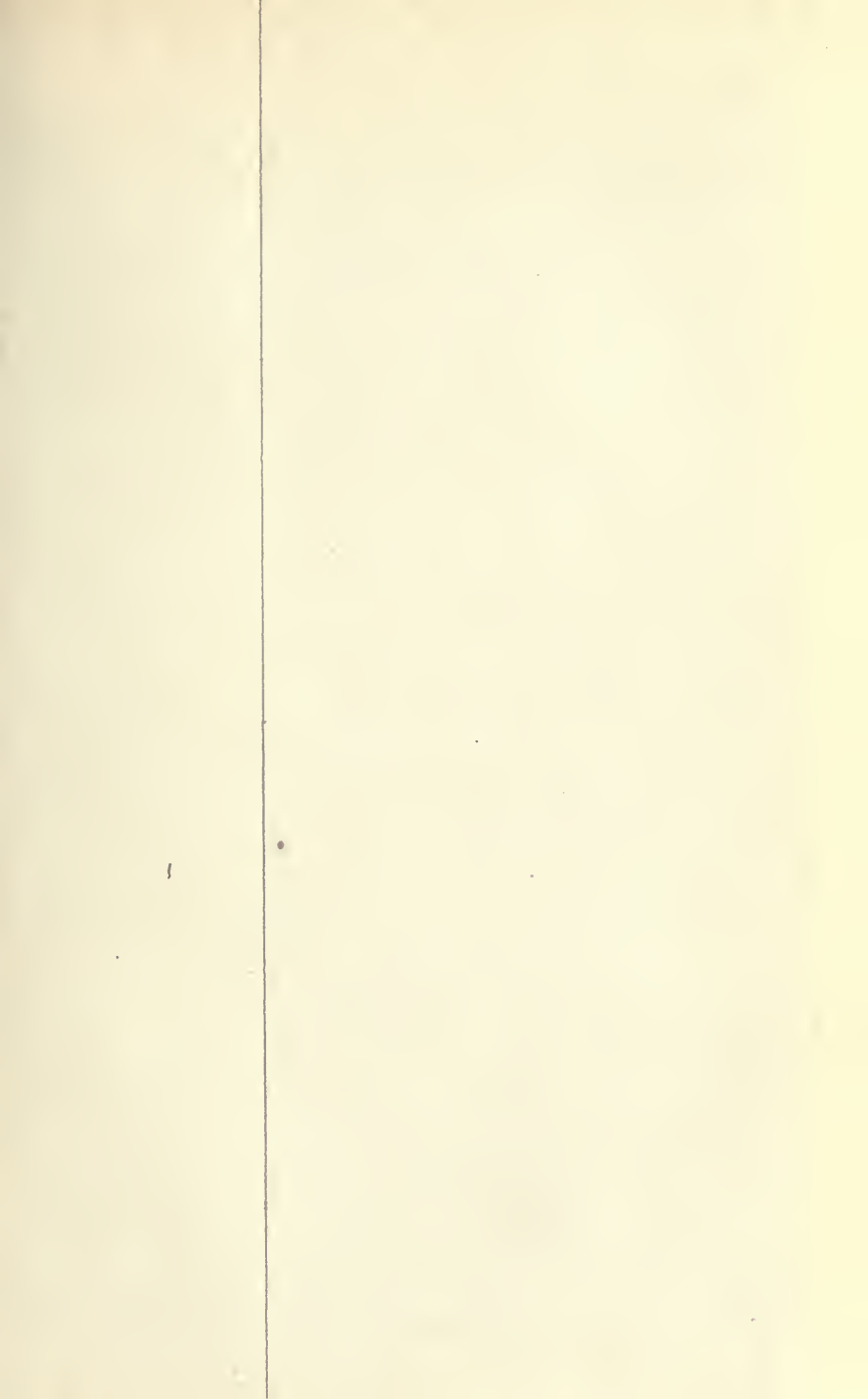
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# NEW MEXICO HISTORICAL REVIEW

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## THE LE GRAND SURVEY OF THE HIGH PLAINS— FACT OR FANCY

By RAYMOND ESTEP\*

THE STORY of Alexander Le Grand's adventures on the western frontier will prove among the most interesting and entertaining when the many threads of the fabric of his career are gathered together. After leaving his traces on the frontier in 1824, Le Grand figured briefly in the military and diplomatic activities of the Republic of Texas and became embroiled in a bitter quarrel with Sam Houston during the latter's first months as president of the new nation.<sup>1</sup> His name has been preserved to posterity, however, largely through the efforts of the British writer William Kennedy. In his *Texas: The Rise, Progress, and Prospects of the Republic of Texas*, first published in London in 1841, Kennedy used information from many sources, including that gained personally on a boat trip to Texas. To complete his description of the topography of the region, Kennedy, probably with the consent of Charles Edwards, Secretary of the Rio Grande and Texas Land Company, inserted a document titled: "Copy of Field Notes and Journal of Survey," and signed, A. Le Grand.<sup>2</sup> This "Journal," bearing entries

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1. For this phase of Le Grand's career see Raymond Estep, "The Military and Diplomatic Services of Alexander Le Grand for the Republic of Texas, 1836-1837," *The Southwestern Historical Quarterly*, LIV (October, 1950), 169-189.

2. Kennedy, *Texas* (reprint, Fort Worth, 1925), 176-191, 391. An original copy of this document bearing Le Grand's signature is in Archivo General de Relaciones Exteriores, Mexico, Expediente H/252 (73:72) /148, Legajo 5-16-8712.

See Notes and Documents for the Le Grand survey journal.

from June 27 through October 30 of an undesignated year, was sufficient to inscribe Le Grand's name indelibly in southwestern history as the first and presumably most careful surveyor of that region known today as the high plains. Thereby hangs the tale.

Concerning this expedition by Le Grand considerable misinformation incorporated in earlier histories has been accepted by more recent historians. Among the most glaring errors have been: (1) the date of the survey, (2) the place from which the expedition set out, (3) the persons for whom the survey was made, and (4), greatest error of all, the acceptance of Le Grand's statements of the area surveyed without examination of their veracity. It is this latter point which has prompted the present study. Most of the errors can be disposed of quickly. Those pertaining to date, contractors, and place of departure probably arose from Kennedy's wording of his narrative. In publishing Le Grand's "Journal," he stated that the document was drawn up for the use of the New Arkansas and Texas Land Company, corporate holder of a grant made in 1832 to Doctor John Charles Beales and José Manuel Royuela by the State of Coahuila and Texas.<sup>3</sup> Undoubtedly basing some of their statements on Kennedy's assertion, Brown, writing a half century later,<sup>4</sup> and others have recorded that Le Grand was dispatched from Santa Fe by Beales in June, 1833, to survey the land granted Beales and Royuela. The facts are quite the contrary. The survey was made in 1827, not 1833; the expedition proceeded from New Orleans via present Texarkana, not by way of Santa Fe; the Le Grand contract for the survey was negotiated by Stephen Julian Wilson and promoted by Richard Exter—Beales did not enter the scene until three years after the completion of the purported survey.

The story of this Le Grand episode had its beginnings on May 27, 1826, when the State of Coahuila and Texas entered into a 200-family *empresario* contract with Stephen

3. Kennedy, *Texas*, 175.

4. John Henry Brown, *History of Texas* (St. Louis, 1892-93), I, 254.

Julian Wilson, a native of the United States.<sup>5</sup> The vast domain included in the contract (sometimes estimated to contain forty-eight million acres)<sup>6</sup> in its official description was circumscribed as follows: Beginning at the point of intersection of the 32nd degree of north latitude and the 102nd meridian, thence west on the 32nd parallel to the eastern boundary of New Mexico (not otherwise defined), thence north along that boundary to a point 20 leagues south of the Arkansas River, thence east along a line parallel to and 20 leagues south of the Arkansas to the 102nd meridian, thence south to the point of commencement.<sup>7</sup>

Within the next six months Wilson took two important steps looking to the development of the grant. Prior to November 21, 1826, for a sum estimated at \$10,000,<sup>8</sup> he contracted with "Alexander Le Grand, a native of the United States of the north . . . to survey, examine, and measure the lands mentioned in the foregoing grant, personally, or by the persons necessary to assist and protect him while so employed."<sup>9</sup> Wilson's second significant action was the disposal of one-half of his interest in the *empresario* contract to Richard Exter, an English merchant residing in

5. Wilson, in his petition of May 15, 1826, stated that he was "a native of the United States of North America, and an inhabitant of the city of Mexico." See *Documents Relating to Grants of Lands Made to Don Estevan Julian Willson* [sic] and *Richard Exter in Texas* (New York, 1831). Brown, *History of Texas*, I, 254, erroneously declared that Wilson was an Englishman, naturalized in Mexico.

6. The estimate of 48,000,000 acres certainly originated with Le Grand. See Richard Exter to Dennis A. Smith, Mexico City, [October 6], 1827, in *National Intelligencer* (Washington), July 8, 1829.

7. This delineation is given in many sources. It is repeated a number of times in *Documents Relating to Grants of Lands*. See also José María Tornel, *Breve Reseña Histórica* (Mexico, 1852), 156; Archivo de Museo Nacional de Mexico, "Papeles de Texas," Legajo 59, Expediente 9, No. 70-4, p. 145a; Mary Virginia Henderson, "Minor Empresario Contracts for the Colonization of Texas, 1825-1834," *The Southwestern Historical Quarterly*, XXXII (July, 1928), 22-23.

8. A writer in *The Albion*, a New York paper, gives the figure, but he makes Exter, not Wilson, the bearer of the expense, and in error gives the year as 1829. Referring to the grant, he wrote: "An exploring and surveying party was sent thither in 1829 [sic] by Mr. Exter, at the expense of \$10,000." This extract from *The Albion* is from *The Bee* (New Orleans), November 6, 1834, p. 2. A contemporary later reported that Le Grand left Mexico City "well supplied with money. . . ." See William Waldo, "Recollections of a Septuagenarian," *Glimpses of the Past* (Missouri Historical Society), V, 89.

9. The date and the place of the signing of this contract have not been ascertained, but Wilson's deposition confirming the contract's existence was notarized in Mexico City on November 21, 1826. See *Documents Relating to Grants of Lands*, 7.

Mexico City. On November 27, six days after notarizing the Le Grand contract, Wilson made his partnership agreement with Exter a matter of record.<sup>10</sup> Although no additional contract between Le Grand and the Wilson-Exter partnership has been discovered, later events were to prove that Le Grand had also been commissioned to act as an agent in the settling of the land grant.

The time and the manner of Le Grand's arrival in Mexico City have not been ascertained. His first recorded appearance on the western frontier occurred in April, 1824, at Franklin, Missouri, when he took the lead in organizing a trading expedition to Santa Fe. Subsequently elected captain by the expedition's members, Le Grand at the head of 83 traders, teamsters, and others, with 2 road wagons, 20 dearborns, 2 carts, 200 horses and mules, and goods to the value of \$30,000, departed the Missouri settlements on May 24. Proceeding by the Cimarron cutoff and San Miguel, Le Grand led the expedition into Santa Fe on July 31, sixty-eight days out from Missouri, without the loss of a man and without unusual incident. All suffered from a shortage of water in the arid sand dunes and plains between the Arkansas and the Cimarron, but Le Grand's successful expedition gave the first large-scale proof that the Santa Fe Trail could be negotiated by wheeled vehicles.<sup>11</sup>

With his arrival in Santa Fe at the end of July, 1824, Le Grand drops from sight for more than two years. It may be that he proceeded south with some of the traders to Chihuahua and Sonora<sup>12</sup> and eventually reached Mexico City by an overland route. Regardless of the time and the

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10. The date of the Wilson-Exter agreement is not revealed in the available records; the document establishing the partnership was notarized on November 27, 1826. See *Documents Relating to Grants of Lands*, 7-9.

11. "The Santa Fe Trail: M. M. Marmaduke Journal," in *The Missouri Historical Review*, Vol. 6 (October, 1911), 1-10; *Missouri Intelligencer*, April 3 and June 5, 1824; Hiram M. Chittenden, *The American Fur Trade of the Far West* (New York, 1902), II, 505; R. E. Twitchell, *The Leading Facts of New Mexican History* (Cedar Rapids, 1912), II, 106-107.

12. Le Grand's assertion in November, 1827, that he had "certain knowledge" of the price of buffalo robes in Sonora seems to imply that he had personally visited the region. See Le Grand to Exter, Santa Fe, November 15, 1827, in John Enrico and W. H. Egerton, *Emigration to Texas: Proposals for Colonizing Certain Extensive Tracts of Land in the Republic of Mexico* (Bath, 1832), 16.

way, it is clearly evident that Le Grand arrived in the Mexican capital prior to the middle of November, 1826, and entered into the contract with Wilson. Soon thereafter he said good-by to his new employer, an event anticipated on November 15, when Joel R. Poinsett, the United States Minister to Mexico, issued Passport No. 112 to "Alexander Le Grand, Merchant."<sup>13</sup> In the succeeding weeks the Santa Fe trader made the miserable journey from the Valley of Mexico to the miasmatic lowlands of the Mexican gulf coast. Departing from Vera Cruz on board the sloop *Boston Packet* on December 13,<sup>14</sup> he arrived in New Orleans on December 26, 1826.<sup>15</sup> From the Crescent City, Le Grand proceeded up the Mississippi to the frontier settlements on the Missouri. There, as he hastened to inform Exter, he received "applications from more persons than would colonize the grant, agreeable to the cession, and ready to enter upon their labours."<sup>16</sup> No further information relative to Le Grand's attempts to colonize the grant has been found and it is presumed that he devoted little time to the matter. A larger task, the primary one in his relations with Wilson, was at hand and to this he devoted his efforts.

In the first four months of 1827 Le Grand recruited and organized a large expedition for the making of his contracted survey. Whether his force was assembled in Missouri or wholly in New Orleans is not revealed, but the point of departure and time—New Orleans, April, 1827—are clearly established.<sup>17</sup> From the metropolis of the Lower Mississippi,

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13. Diplomatic Despatches, Mexico, Vol. 3, May 7, 1827-April 23, 1828 (MSS.), Department of State Records Section, National Archives, Washington.

14. The *Boston Packet* cleared on December 12th and sailed on the 13th. See Consular Letters, Vera Cruz, 1822-1831 (MSS.), Department of State Records Section, National Archives, Washington.

15. Philip Nolan was with Le Grand on the vessel. See *The Courier* (New Orleans), December 26, 1826, p. 3; and "Passenger Lists Taken from Manifests of the Customs Service, Port of New Orleans" (Survey of Federal Archives in Louisiana, Works Project Administration of Louisiana), Book 1, 1813-1837, p. 108. The latter source gives December 27 as the date of clearing the customs in New Orleans.

16. Exter to Dennis A. Smith, Mexico City, October 6, 1827, in Enrico and Egerton, *Emigration to Texas*, 15. The version of this letter printed in the *National Intelligencer*, July 8, 1829, does not contain this quotation.

17. Exter later wrote: "Mr. Le Grand was dispatched from New Orleans, in April last, and I have already read intelligence of his having passed the frontiers with his surveying party . . . to enter upon his labors. The like intelligence has also been

Le Grand may have transported his expedition by steamer up the Mississippi and Red Rivers to a point near present Nachitoches.<sup>18</sup> Beyond, he most probably proceeded on horseback. Irrespective of the manner and the means of movement, the Maryland adventurer arrived in Miller County, the southwestern county in Arkansas Territory, about the middle of June, 1827.

The size and the purpose of the expedition were the cause of much speculation and gave rise to many conflicting and romantic reports. Exter learned that the party consisted of "about thirty, and a parcel of Indians. . . ."<sup>19</sup> A resident on the line of march reported:

An armed body of men, fifty-six in number, from New Orleans, left our settlement yesterday, on their way towards Santa Fee [sic], for the purpose, they say, of surveying a large grant of land in that quarter, belonging to a company in London; but that such is their object is entirely doubtful. I am induced to think they are on a mining expedition, or some wilder scheme. The party is commanded by Capt. Legrand [sic], who, it is said, has a passport from our Government.<sup>20</sup>

A contemporary, writing long afterwards, asserted that Le Grand "hired and fitted out eighty or a hundred men" in New Orleans who believed that Le Grand "proposed, by means of the numerous Indian tribes then covering the plains and mountains, east, north and south of Santa Fe, to wrest this vast territory from the feeble revolutionary government of Mexico, and build up an independent republic of which Le Grand was to be President."<sup>21</sup>

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transmitted to his Excellency, Mr. POINSETT, from the Consular Departments in that quarter." Exter to Smith, Mexico City, [October 6], 1827, *National Intelligencer*, July 8, 1829, p. 3. This portion of the letter was omitted in the copy printed in Enrico and Egerton, *Emigration to Texas*, 15.

18. The steamboat *Planter* and other vessels were in regular service between New Orleans and Natchitoches. See advertisements by Pavie & Constantzi in the *Natchitoches Courier*, May 29, June 12, and July 3, 1827.

19. Exter to Smith, Mexico City, [October 6], 1827, *National Intelligencer*, July 8, 1829. Enrico and Egerton, *Emigration to Texas*, 14, reported that the expedition included "about 30 persons from the United States and a few Indians. . . ."

20. *The Arkansas Gazette* (Little Rock), July 24, 1827, p. 3. The passport referred to probably was that issued to Le Grand by Poinsett in Mexico City on November 15, 1826.

21. Waldo, "Recollections of a Septuagenarian," *Glimpses of the Past*, V, 89-90.



How long Le Grand tarried in Miller County has not been determined, but on June 20 he bade farewell to the Arkansas settlements,<sup>22</sup> and began his westward trek along Red River. From that date until his arrival in Santa Fe on November 15, 1827, Le Grand's movements are shrouded in mystery. According to his own accounts, Le Grand was employed from June 27 through October 30 in carefully plotting a survey of the Wilson-Exter grant on the high plains. These declarations apparently will not bear the test of analysis. If Le Grand was not at the places he alleged and therefore was not making the survey he recorded, what then was he doing and where? Half a century later a contemporary, in recalling the event as he had heard it, repeated this account of Le Grand's expedition:

He reached Red River, I forget in what manner, and traveled up that river for several hundred miles, thus far all went well. But he soon left the stream where water could be obtained as needed, and set out over an unknown and unexplored wilderness. Here their difficulties began. Often, for several days together no water could be found: again no game, their only dependence for food, could be killed: thus they wandered on for months.<sup>23</sup>

Le Grand, however, asserted that he reached the initial point of the survey, the intersection of the 102nd meridian and the 32nd parallel of north latitude, on June 27. The particular point of departure in Miller County is not known, but for purposes of examination if it be assumed that the place was in the vicinity of present Texarkana, then in order for the group to have reached the designated point near present Midland, Texas, on June 27, it would have had to travel some 600 statute miles in less than eight days. With the large number of men in the party it would have been almost impossible to have accomplished the long overland

22. *The Arkansas Gazette*, July 24, 1827, p. 3. In publishing the information relative to the Le Grand expedition, the editor prefaced it as follows: "A letter to the Editor, from a respectable gentleman in Miller county, under date of 21st ult., contains the following interesting news." From this it seems certain that "21st ultimo" could mean only June 21; if July had been intended then "21st instant" would have been proper. That June was the correct month is partially established by the fact that in the same column appears another letter from Miller County, dated June 21, 1827.

23. Waldo, "Recollections of a Septuagenarian," *Glimpses of the Past*, V, 90.

journey in the time indicated. Assuming that the group traveled on horseback, it would have been more likely that a day's journey did not exceed 30 statute miles. If this deduction is anywhere near correct then the expedition, at the end of eight days, had attained a point some 240 statute miles to the west of Miller County. Thus the surveyors would have approached the vicinity of the 98th meridian, or even have reached the area of present Throckmorton County, Texas, as averred by some.<sup>24</sup>

Le Grand's plan, as revealed in his "Journal," was to divide the tract into 12 sections, each approximately 50 miles north and south by 100 miles east and west, to run a survey along these sectional boundaries, and to fix the sectional corners. (See map.) It is evident from the entries in his "Journal" that he was instructed to keep detailed notes on soil, terrain, vegetation, rainfall, and game. According to Le Grand's notes, his party traveled 1957 miles (probably nautical), in the 126 days between June 27 and October 30, in surveying 1305 miles of sectional boundaries. In the process the surveyors allegedly measured four sides of Sections 4, 5, 8, and 12, and three sides of Sections 1 and 9, all in the eastern tier. In addition they reportedly surveyed considerable portions of the east-west boundaries of Sections 6, 7, 10, and 11 in the western tier.

From many points of view Le Grand's "Journal" will not bear close inspection. In the first place, as previously shown, it was well nigh impossible for a large expedition to have made the long overland trip in the time indicated. This, together with the data and descriptions recorded, suffices to raise serious doubts as to the accuracy of the "Journal." If Le Grand began the survey at the designated point near present Midland, then the region visited overlapped the existing Texas-New Mexico boundary from the 32nd

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24. The latter deduction is that of a pioneer West Texas surveyor, Judge O. W. Williams of Fort Stockton, who concluded from a study of the terrain that Le Grand began his reported survey in Throckmorton County rather than at a point in present Midland County as Le Grand avers. See Lucy Lee Dickson, "Speculation of John Charles Beales in Texas Lands" (M.A. Thesis, The University of Texas, 1941), 10-11, citing letter from Judge O. W. Williams, Fort Stockton, Texas, to Miss Dickson, July 1, 1941.

parallel of north latitude to the Arkansas River, an area including eastern New Mexico, southeastern Colorado, and the Panhandles of Texas and Oklahoma. Through much of that region, especially in the south, the surveyors would have traversed in the heat of summer the broad, arid expanse of the high plains. But scant are Le Grand's references to that vast, untimbered, endless plain known to the Spaniard as the *llano estacado*. His party, although encountering bad water on occasion and infrequently making night camp without wood or water, for the most part found plenty of wood and abundant water in the midst of summer! The prairies were alive with game and the hunters rarely failed in their chore; river courses abounded with grapes, plums, currants, and cherries. Yet, fifteen years later the Texan-Santa Fe Expedition suffered all of the agonies attendant upon starvation and thirst in its ill-fated crossing of the area.

It is of interest to examine the accuracy of Le Grand's assertions with regard to the survey. He records that after measuring six sections, each 50 miles north and south (or 300 total miles), he was at a point 55 miles south of the Arkansas River. At first glance it seems amazing that his purported measurement from Midland north along the 102nd meridian to the Arkansas River was so nearly accurate—it is almost exactly 355 nautical miles from the intersection of the 102nd meridian and the 32nd parallel to the point where the 102nd meridian crosses the Arkansas River! This distance of 355 miles, however, might have been easily determined. Since the geographical coordinates of the Upper Arkansas had been established and published a number of years before, and the Santa Fe Trail had been plotted by a United States government survey begun in 1825,<sup>25</sup> the distance from a fixed point on the Arkansas to

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25. The Long Expedition in 1820 took three readings on the Arkansas River between 103° and 106° west longitude, each showing a north latitude between 38° and 39°. See Reuben G. Thwaites (ed.), *Early Western Travels, 1743-1846* (Cleveland, 1905), XVII, 262. (The original account of this expedition was published in London and Philadelphia in 1823.) It should be noted that the Arkansas in its present course between the 101st and the 104th meridians is never more than ten miles north or south of the 38th parallel. From a point on the Arkansas 5 miles south of the 38th

the 32nd meridian could have been readily calculated by formula. This, Le Grand may have done.

This deduction seems supported by the fact that it is impossible to correlate Le Grand's location of the major streams of the region with their present position. For the most part he located those in the southern part of the grant a hundred or more miles too far to the south. Thus, 16 miles north of the 32nd parallel he crossed the "Red River of Texas," with a bottom nearly a mile in width and timbered with cottonwood, black locust, and boxwood. Northward, through occasional groves of oak timber, after 23 miles, he reached the "South Fork of Red River," 45 yards wide in a cottonwood bottom. Another 35 miles to the north, through rough and timbered country, brought him to the main branch of Red River, here 50 to 60 yards wide "with a large and extensive bottom, timber'd with Oak, Hackberry &c," and having a dense undergrowth of plum bushes and grapevines. Some 40 miles to the north of this stream Le Grand came to the False Washita, "a deep and bold stream, with a good bottom, timber'd with Oak, &c." Another 60 miles brought him to the Canadian. The 23-mile area to the south of this river was partly forested with hackberry and oak. The stream itself was "large and bold . . . 50 or 60 yds wide, with a rich and extensive bottom, well timber'd with Hackberry Oak &c." Eighty-four miles to the north of the main Canadian, Le Grand reached the North Fork of that stream which he described in language almost identical with that used in his report on the main Canadian. North another 93 miles he pushed to the banks of the Arkansas, here half a mile wide "with a very large bottom and well timbered with Oak, Hackberry, and Elm."<sup>26</sup>

Even a casual reading of Le Grand's description of the route along this eastern boundary suffices to indicate that

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parallel it is 355 nautical miles to the 32nd parallel. For the survey of the Santa Fe Trail, see Joseph C. Brown, "Field Notes of the Santa Fe Trail Survey," *Eighteenth Biennial Report of the Board of Directors of the Kansas State Historical Society* (Topeka, 1913), 117-125.

26. Quoted material above is from Le Grand's manuscript "Journal" cited in note 2.

if he actually encountered rough terrain broken by hills and free-flowing streams he must needs have been to the east of the "Cap Rock." It is only here that the rivers have the width, the volume of water, and the timbered bottoms he mentioned so frequently. By this reasoning it becomes easier to accept the possibility that Le Grand actually began his survey much farther east and north than he alleged. Thus, it is necessary to examine the probability that he may have actually initiated the survey in Throckmorton County, Texas, as has been indicated by some, or in the vicinity of the 98th meridian as suggested above. In neither location do the water courses occupy positions that correspond with those indicated by Le Grand, and, too, in either instance the running of a line 355 miles to the north would have carried the survey beyond the Arkansas. Further refutation of the possibility of the survey having been begun near the 98th meridian is the complete lack of reference to either the Arbuckle or Wichita Mountains, one or the other of which would have been traversed or described. The major ground on which to refute the suggestion of either the Throckmorton or 98th meridian areas as the initial point of the survey is that from either place it is impossible to correlate Le Grand's statement of the distances traversed with the actual distances to the northwestern and western borders of the grant.

Every attempt to reconcile Le Grand's descriptions with the actual terrain can be refuted with such plausibility that it seems apparent his "Journal" is grossly in error. How or why these errors were recorded is difficult to determine and with the available evidence can only be the subject of speculation. That he was in the general area is unquestioned; that he made the purported survey is doubtful. In his favor it must be admitted that the natural vegetation differs in many respects today from that of a century and a quarter ago. In the interval there may have been considerable piracy of streams; certain it is that timber is no longer found as it was in the early 1800's. On the other hand, it is difficult to avoid the conclusion that Le Grand prepared a map

(the original of which is as yet unlocated)<sup>27</sup> on which he outlined the terrain features and then prepared a "Journal," the entries of which he made to correspond to the map. If this was done, he could have relied on information from Indians, trappers, traders, on existing maps, and on personal knowledge acquired during that summer of 1827. Le Grand, as seen earlier, was already familiar with the region traversed by the Santa Fe Trail and it is in his description of this, the northern, portion of the supposed survey that his "Journal" places the rivers in their best approximate present location. It is only here that it is possible to locate the South Canadian, the North Canadian, and the Arkansas Rivers in their approximate juxtaposition. In this region, too, his accounts of terrain and distances on the eastern slope of the Rocky Mountains are reasonably accurate. But even here a discrepancy appears to exist. The "Sierra Obscura" of that period was the eastern range of the Rockies immediately to the east of Santa Fe. Le Grand, however, locates these mountains, as nearly as can be determined from his "Journal," much farther to the east. His party, which for four months had allegedly negotiated distances approximating 20 miles per day, required the two weeks from October 30 to November 15 to cover the distance from "Sierra Obscura" to Santa Fe. If a 20-mile-per-day rate was maintained during this interval then the "Sierra Obscura" mentioned by Le Grand was some 300 miles from Santa Fe, not a range of mountains immediately to the east.<sup>28</sup>

Regardless of the accuracy of Le Grand's reports, it should not be forgotten that he was employed by *empresarios* more interested in realizing a quick return from their hold-

27. Information taken from that map or from Le Grand's "Journal" was incorporated in an Arrowsmith map of Texas, published in London, April 17, 1841, and reproduced as the frontispiece to the 1925 reprint of Kennedy's *Texas*. See map. Le Grand mentioned his "plat or survey" in a letter to Richard Exter from Santa Fe on November 15, 1827. See *National Intelligencer*, July 8, 1829. The map and the "Journal" enjoyed a wide circulation. See *The Bee*, November 6, 1834, p. 2, quoting from *The Albion*.

28. The date of October 30 is recorded in Le Grand's "Journal;" the November 15 date is contained in his letter to Exter announcing his arrival in Santa Fe on that date. See *National Intelligencer*, July 8, 1829.

ings than in actually following Stephen F. Austin's plan of encouraging settlement. By the very nature of his mission it seems apparent that Le Grand was expected, if not obligated, to present the facts about the terrain in the land grant in the best possible light. Exter and Wilson were interested in disposing of the grant; obviously they could not sell a desert. This may account for Le Grand's crossing of larger and more numerous streams, with more timber and water than have been observed in recent years!

Not content with his description of the "promised land" recorded in his "Journal," Le Grand enlarged upon the assets inherent in the grant. Immediately upon arrival in Santa Fe, he hastened to inform his employers:

As far as regards the character of the country that we have surveyed, I can say of it generally, and without exaggeration, that it is at least *as good as any I have ever seen*. The grant affords every advantage for trade with the Indians. I think from five to eight thousand Beaver Skins, and any number of Buffaloe Robes, may be purchased annually, and at a price to admit of a profit of at least 1,000 per cent. The Indians here are as needy of every article of their trade as they can possibly be. [I make the foregoing estimate on the certain knowledge I have of the price of beaver in the city of Mexico, and that of Buffalo robes in the state of Sonora.]

On the subject of precious metals I can say but little. My time permitted me to give but a superficial examination of the mountainous tracts. However, they have every appearance I have heretofore observed in localities productive of minerals. We found in another part of the principal mountain, and within the grant, mineral which appears to be composed principally of gold, with some silver. I have not yet had it analyzed, but by the next mail I will be able to give you more satisfaction on the subject. The Governor of this territory informs me that in the archives of his office are many evidences of mines embraced within the grant. These discoveries were made in former times by persons who were not permitted to work them. [Before the departure of the next mail I will give them an examination, and advise you of the result.]

On the grant were pastured annually not less than 300,000 sheep and a large number of cattle, horses, &c. They belong to [a] few proprietors, who are consequently wealthy.

I will here remark that the prospect of the settlement of a Foreign Colony so near this Territory appears to give universal satisfaction to the inhabitants.<sup>29</sup>

The survey report Le Grand authored figured prominently in grandiose land schemes designed to attract the attention of speculators in Baltimore, Washington, New York, and England. The extent to which potential settlers were mulcted is not known, but there was no dearth of attempts to use the land grant as the springboard to fortune. Le Grand's reports furnished the descriptions for the painting of a rosy picture of the region for the prospective English investor and settler. In truth, the *llano estacado* was portrayed as the land flowing with milk and honey; here wild fruits grew in profusion, corn, wheat, and other grains would yield abundantly, large areas were adapted to the growth of cotton, the mountains were reported rich in ores, and suitable for the growing of sheep.<sup>30</sup>

Fictional his "Journal" may have been, but it is undisputed that Le Grand did enter the general region of the Wilson and Exter grant from Arkansas Territory near the end of June, 1827, and did not reach Santa Fe until the middle of the following November. Accompanying him was an expedition variously estimated to number from 30 to 100 men, both American and Indian. The number reaching Santa Fe is not revealed but one writer asserted that "half his command . . . perished on the deserts by thirst, and starvation."<sup>31</sup> Le Grand himself declared that the early advent of wintry weather caused the surveyors to present an ultimatum demanding their pay and refusing to continue the survey pending remuneration. "I knew it was fruitless to oppose any objection whatever to their determinations,"

29. Le Grand to Exter, Santa Fe, November 15, 1827. This letter is basically that published in the *National Intelligencer*, July 8, 1829. The material enclosed in brackets appeared in the version published in Enrico and Egerton, *Emigration to Texas*, 16.

30. Enrico and Egerton, *Emigration to Texas*, 1-18. The authors also used information from David G. Burnet and from published documents of the Galveston Bay and Texas Land Company. *The Albion* carried a glowing description of the area borrowed from Le Grand's reports. See *The Bee*, November 6, 1834, p. 2. It should be noted that in the present century parts of the region have fulfilled the earlier glowing predictions.

31. Waldo, "Recollections of a Septuagenarian," *Glimpses of the Past*, V, 90.



Le Grand concluded his "Journal," "and consequently determined on going to Santa Fe to report progress."<sup>32</sup> Of the men who accompanied him the names of only eleven have been preserved. On the night of September 10, so Le Grand recorded, Kemble, Bois, Casebolt, Boring, and Ryan stole all of the horses except four and deserted the expedition. He also reported that Crummin, Weathers, and Jouy were killed and Thompson was slightly wounded by Snake Indians in a midnight assault on the night of September 27.<sup>33</sup> In addition to these, two other members have been identified. A youthful lawyer named Mitchell, talented but dissipated, died during the summer. John Black, later United States Consul in Mexico City, was also a member of the expedition.<sup>34</sup>

For almost nine years after his arrival in Santa Fe—in the middle of November, 1827—Le Grand escaped the attention of frontier chroniclers. A contemporary later declared that Le Grand spent his time in Santa Fe and the surrounding country until the outbreak of the Texas Revolution.<sup>35</sup> It is more probable that he traveled widely during the intervening period. He may have been the "A. Legrand" who arrived in New Orleans from Vera Cruz aboard the brig *Ohio* on February 27, 1833.<sup>36</sup> Prior to April, 1836, he spent enough time among the different tribes of plains Indians to become an authority on their total numbers, military strength, customs, and tribal alliances. A tribute to this knowledge was paid by Major P. L. Chouteau, the United States Indian Agent to the Osages, when he copied Le Grand's reports in their entirety in his official correspondence.<sup>37</sup>

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32. Le Grand's original "Journal" cited in note 2.

33. The spelling of the names is from Le Grand's manuscript "Journal," cited in note 2. Kennedy, *Texas*, 185 and 187, gives Kimble, Caseboth, Ryou, McCrummins, and Jones. He agrees on the other spellings.

34. Waldo, "Recollections of a Septuagenarian," *Glances of the Past*, V, 90.

35. *Ibid.*

36. *The Courier*, February 27, 1833, p. 3. The ship's arrival date is given as March 1, 1833, in "Passenger Lists Taken from Manifests of the Customs Service, Port of New Orleans," Book 1, 1813-1837, p. 235.

37. See Chouteau to Governor M[ontfort] Stokes and Brigadier General M[atthew] Arbuckle, Fort Gibson, April 25, 1836 (MS.), in Bureau of Indian Affairs Records, Western Superintendency, National Archives, Washington.

Although posterity may challenge the accuracy of the report Le Grand preserved, it cannot deny him the distinction of being among the earliest of United States citizens to traverse the high plains. His adventures in the region in 1827 were of minor importance in the settlement of the West, but to the literature of the era they contribute an interesting chapter.

## THE PENITENTES \* OF NEW MEXICO

By FRAY ANGELICO CHAVEZ

### *Introduction*

THE origin and nature of the Penitentes of New Mexico have been the subject of much wonderment and conjecture ever since the first United States Americans arrived here in the early Nineteenth Century, a period, by the way, in which this penitential society was at its height. The members themselves, taking their rules and practices as immemorial traditions that were inherited from their forefathers, assumed that their society came to New Mexico with the original Spanish colonists. It was a reasonable assumption, and an irrefutable one in view of a total lack of evidence to support their belief or else prove the contrary. This lack of concrete evidence, however, gave ample room to the growth of a mass of confusing misinformation which has held sway for more than a century.

This confusion on the subject was brought about through two distinct, yet in this case complementary, American sources, the clergy and the writers. The first source embraces the efforts of the Catholic hierarchy in New Mexico to suppress, or at least temper, the society's activities, and the society's resistance, as well as the interference by some early Protestant clergymen in this regard. The second consists of the writings in books, journals, and periodicals, by a varied assortment of writers from American Occupation days down to our own times. Historically speaking, the early American Catholic clergy beclouded the issue by incorrectly assuming that the Penitentes had degenerated from the Third Order of St. Francis.<sup>1</sup> The squabbles following their

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\* This term is resented by the *Hermanos* themselves because it became one of ridicule since American times. Because it is an honored word in its older connotations, and has been consistently used in all writings on the subject, it is employed here with all due respect.

1. St. Francis of Assisi founded three ascetic "Orders." The First Order consisted of priests and lay-brothers (friars), and the Second Order comprised the cloistered nuns which he founded with St. Clare (The Poor Clares). The *Third Order*, founded in 1221, was for men and women outside the cloister who still wished to be real disciples of St. Francis without leaving their homes and worldly occupations. Their

attempt to reform the society, in some instances abetted by early Protestant proselytizers, also helped to emphasize and magnify its strange practices before the observing eyes of strangers. And it was these, the American newcomers with a penchant for writing, who, out of the strangeness of the subject, and their own lack of background concerning Christian penance as an idea and, more particularly, as a penitential tradition peculiar to Spanish lands, distorted the Penitentes' rites and motives beyond their natural bounds. The result was a welter of theories that further obscured their origin and nature. The bulk of later writings has been but a rehash, often sensational, of what had been written before.

Those authors with some knowledge of certain medieval sects of Europe, like the *Flagellanti*, found a ready connection between them and this New Mexico society, simply because the latter also practiced flagellation. Conversant also with the account of New Mexico's first colonization as told in Villagr , they noted that O ate had scourged himself to blood in Holy Week of 1598,<sup>2</sup> and therefore concluded that the Penitentes of New Mexico had come with the first colony. From Father Benavides' indirect reference to penitential processions through the streets of Santa Fe prior to 1630,<sup>3</sup> the existence of the brotherhood was further traced to the

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Rule forbade the carrying of weapons, to promote peace, and prescribed certain days of fast and abstinence as well as a number of daily prayers. Worldly spectacles and dances were also to be avoided, as well as extravagance in food and clothing. The Tertiaries originally wore a modified form of the Franciscan garb over or underneath their regular clothing, but later it was worn only at meetings and in church processions. When not worn, a token scapular and cord had to take its place, and this is still of strict obligation for members of the Third Order. (The full habit is now used as a burial shroud).

From the start the Third Order was also called "The Order of Penance," in Spanish "*Orden de Penitencia*." This led the uninitiated, like Lummis and others, to confuse this term in old documents with the "*Penitentes*." In Spain and Spanish-America Tertiaries did practice flagellation over their habits. This was, however, not a distinct Third Order feature, but the general Spanish practice among all societies in those times.

2. Gaspar de Villagr , *History of New Mexico*, tr. by Gilberto Espinosa (Los Angeles: 1933), Canto XI.

3. F. W. Hodge, *Fray Alonso de Benavides' Revised Memorial of 1634* (Albuquerque: 1945), p. 66. A note on p. 244 states that the Penitentes are an outgrowth of the Third Order of St. Francis. The sources given range from Lummis down to Henderson, which will be treated further on.

pioneer Franciscan clergy of New Mexico and their Third Order.

*The American Clergy and the Penitentes*

In 1850 a Catholic diocese was established in Santa Fe for the extensive Southwest Territory recently acquired by the United States. John B. Lamy, a French-born priest laboring in Ohio was sent to Santa Fe as first bishop, and was soon joined by a body of clergy which he had recruited in France. Among the many and extremely difficult problems that confronted the new clergy, none was more strange to them, and in a way more difficult to cope with, than that of the *Hermandades* or Brotherhoods found in almost every village, societies of men who practiced bloody flagellations and similar tortures during Holy Week and on other occasions. It was a phenomenon from another age, something buried in ancient books. Bishop Lamy knew right away that these penitents did not fit in with church discipline in modern times and, noting the greater shock and scandal created among the ever-increasing number of people "from the States," both Catholic and otherwise, he felt a still greater urgency to remedy the situation as soon as possible.

Judging from the decrees of his successor, we may assume that Lamy tried at first to abolish the Penitentes, and failed. The problem was complicated by the fact that most of these people were good men, sincerely and deeply Catholic in their own simple faith, who believed that they were carrying on an old Spanish Catholic heritage. Furthermore, he could not tell them that their penances, performed by saints in the past, were wrong in themselves. There simply was no common meeting ground of minds whereby he could make them understand that he was not trying to destroy their Spanish heritage, and that their peculiar practices were not only contrary to present ecclesiastical order, but most harmful to their religion under present circumstances. As he was deeply appreciative of New Mexico's thoroughly Franciscan past, Lamy felt that these brotherhoods had degenerated, since the disappearance of the

Franciscans, from the Third Order of St. Francis; and in this thought he found a possible solution. By returning them to the Third Order he would gradually and peacefully wean them away from their tenaciously held ideas. He then composed a set of rules for them under the name of the Third Order. These regulations toned down their penances for the present, eliminated the severer ones for good, and consigned their entire practice to strict privacy; they laid stress on good Catholic living and the reception of the Sacraments.<sup>4</sup>

Evidently, most of the brotherhoods accepted the reform, while some did not. Or else, if all accepted it at first, there were several that went back to their old ways of public flagellation and other accompanying rites—to the headache of their pastors and the embarrassment of other New Mexican Catholics for generations to come, and to the delight of writers and others ever on the lookout for the odd and the strange. What Lamy accomplished was to leave the idea of their Third Order origin implanted in the public mind, including the Penitentes themselves.

Lamy's successor, Archbishop Salpointe, called on the societies "to return" to the Third Order of St. Francis.<sup>5</sup> In the first Synod of the Archdiocese of Santa Fe, celebrated in June, 1888, he firmly condemned the Penitentes as "not to be fostered in the least." Believing that they had degenerated long ago from a perhaps legitimate church society, he urged the individual pastors to guide the groups in their parishes into embracing the Rule of the Third Order. He further commanded them to refuse to celebrate Mass in the chapels of groups continuing their abuses, and to deny the Sacraments to those who insisted on observing their old wakes for the dead, and those who had opposed his legisla-

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4. Copies shown me by the *Hermanos*. The bylaws are essentially those of the Cochiti-Conejos brotherhoods quoted by Darley. See Notes 11-13. While bearing the title of the Third Order and the fact of their Lamy derivation, the copies I have seen in no way resemble the Rule of the Third Order. Nor have I found evidence that the good archbishop ever had authority, or knew how, to establish the Third Order, or that the Penitentes ever wore the strictly required scapular and cord of St. Francis.

5. *Revista Católica*, Vol. XII, No. 12, pp. 138-139.

tions and ignored his threats of the year 1886.<sup>6</sup> This Archbishop's term was punctuated by heated controversies between the Catholic pastors of some northern villages and his local Penitentes, and the fire was fanned by some Protestant preachers.

Originally, the Penitentes' general opposition to complete suppression, and the later open defiance from certain northern groups to the church authorities, came not so much from a spirit of disobedience as from a distorted notion of patriotism or racial sensitivity. It was the same spirit that incited the 1847 rebellion at Taos and the murder of Governor Bent, though not by the Penitentes as such. As the Americans were invaders, to them, in the political and economic field, so had appeared to be these strange new clergy in the ecclesiastical, outsiders who were imposing French and American customs to the abolition of the Spanish. For, to repeat, the Penitentes erroneously considered their brotherhoods an essential part of Spanish Catholicism and a heritage from earliest times to be kept intact. No minor cause of this dissident spirit was the rebellious priest of Taos, Don Antonio José Martínez.<sup>7</sup>

Fomenting much of the trouble in Salpointe's time were some early Protestant ministers, bent on winning the Penitentes to their side, or at least into being a thorn in the side of their Catholic pastors. On November 1, 1876, there was a meeting in the Presbyterian church at Las Vegas with two *hermanos mayores* of Mora County who were organizing a Protestant church there, while at Conejos in Colorado another such church was founded in the home of another *hermano mayor*, or head brother.<sup>8</sup> Apparently, it was the non-flogging leaders who resented the Archbishop's intrusion into their heretofore unquestioned preserve, while the poor brothers of blood wanted to continue as faithful, if stubborn, Catholics. To further confuse the issue, some

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6. *Synodus Sanctae Fidei Prima* (Las Vegas: 1893), Cap. IX, Par. 1, No. 2, pp. 31-32.

7. Huntington Library, *Ritch Collection*, Memo Book No. 4, p. 325. Martínez wrote a pamphlet in their defense entitled: "Order of the Holy Brotherhood."

8. *Revista Católica*, Vol. II, No. 46, pp. 545-546; Vol. III, No. 45, pp. 529-530.

preachers, while praising the Penitentes for any opposition to Catholic authority, had also cause to complain that they were often in peril of being whipped by them.<sup>9</sup> And the Jesuit Fathers, who were publishing the weekly *Revista Catolica* in Las Vegas at the time, while entreating the Penitentes to obey their Catholic pastors in one breath, in another editorialized against them as "fanatics."<sup>10</sup>

The foremost Protestant protagonist was the Rev. Alex. M. Darley, self-styled "Apostle to the Colorado Mexicans," who wrote a book on the Penitentes<sup>11</sup> that proved quite controversial in its day, and has inspired some sordid writing in ours. Ostensibly about the Penitentes, it was a direct attack on the Catholic Church. As the author admits having read Lummis, much of the historical background of the Penitentes can be traced to him, though Darley did make up a history of penance in the "Romanist Church" by stringing scattered dates and data from medieval history. He started out by saying that the Penitentes were a "Mexican 'Third Order of St. Francis,'" that their bylaws and practices showed that "this body was founded and maintained by the priests of Romanism, in spite of their protests to Eastern-raised 'Catholics' that they are 'ignorant fools' whom they cannot control," and that the doctrine underlying the society bound it "indissolubly to the ancient penitential practices of the Papacy."<sup>12</sup> He set out to prove its Third Order nature by quoting *in toto* a copy of the constitutions used by the Conejos brotherhood, and derived from one kept at Cochiti. He also referred to a priest in Saguache County who in a sermon had declared that the society was indeed the Third Order of St. Francis.<sup>13</sup> His summary at this point was that the Catholic Church, while condemning Masonry for being a secret society, was hypocritically fostering a more sinister secret society. Next he tackled the female

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9. *Ibid.*, Vol. III, No. 30, pp. 353-354.

10. *Ibid.*, Vol. III, No. 14, p. 160; No. 15, p. 173.

11. *The Passionists of the Southwest* (Pueblo: 1893).

12. *Op. cit.*, pp. 1-8.

13. *Ibid.*, pp. 9-18. He also included similar bylaws of the Rincones brotherhood, pp. 20-22.



Penitentes; but, there being none in Colorado and New Mexico,<sup>14</sup> to his chagrin, he reached far down to Old Mexico and brought up tales about women flogging themselves naked before the priests; and since celibacy, wrote he, was an impossibility in his own confirmed opinion, this and the confessional were the means by which the tyrant clergy held the women in their power. As for the immediate origin of the Penitentes, coming back to the Third Order as a connection, he said that the local ones were reported begun in 1792,<sup>15</sup> but he personally believed them much older, from the days of the early Franciscans who had substituted their own barbarities of penance for the hardly worse barbarities of Indian dance worship.<sup>16</sup>

Mr. Darley was quite correct in saying that the practices of the Penitentes were none other than those "ancient penitential teachings of the Papacy," but his own Nordic lack of appreciation for penance as a primitive Christian idea, as explained further on, and also his anger at a Church he madly hated, made him view this connection all out of joint, historically as well as spiritually. His belief that the society was the Franciscan Third Order (also the opinion of the Saguache priest whom he quoted as proof) was undoubtedly derived from Lummis as well as from the erroneous declarations to this effect by the first two Archbishops of Santa Fe. However, the Penitente constitutions reproduced by Darley as internal proof have nothing about the Third Order in them, being merely a set of pious bylaws of their own and, in my belief, their old rules watered down by Lamy.<sup>17</sup> Darley's farfetched diatribe against female penitents speaks for itself. All in all, the angry clergyman was fulminating against the Catholic Church and using the barbarous Penitentes as a weapon. This comes out so plainly when he

14. Lummis "heard" that there had been women Penitentes at San Mateo up to the year 1886. *Land of Poco Tiempo* (New York: 1893), p. 106.

15. Darley, *op. cit.*, pp. 20-24. This date is evidently Darley's hazy recollection of a Third Order document which Lummis (*op. cit.*, p. 82) misquoted as a genuine Penitente source of the year 1793. But actually the date was Sept. 17, 1794, a report on the Third Order at Santa Fe and Santa Cruz by Fray Cayetano Bernal. Cf. *El Palacio*, Vol. VIII, No. 1, p. 4.

16. Darley, *ibid.*

17. See Note 4.

tells how a Colorado priest was selling tickets to view the Penitentes at one dollar a head, and, after Salpointe forbade the practice, this priest raised the price to two dollars—so that he and the archbishop could divide the profits!<sup>18</sup> The angry man's one consolation, said he, was that practically all the Penitentes of Conejos had been "converted to Presbyterianism," the *hermano mayor* of Taos had become a Protestant also, the one at Conejos had "died in the true Christian faith," and one thousand Bibles had broken the back of the society (and the Church?) in the San Luis Valley.<sup>19</sup>

The Penitentes of the southern part of the territory were described in 1885 by another minister, the Rev. Jacob Miles Ashley, as being a New Mexican "Catholic Society called Penitentes," whose barbarous exercises he correctly gives in a general way, though not as an eyewitness apparently. Also correct is the members' own name for themselves as "the slaves of Jesus" whom they have to imitate. Mr. Ashley states that at Cubero, where his church had a mission school, two youths died under the torment, one on the cross and the other from being trampled upon. And one of them was a prize student of the school.<sup>20</sup>

The Rev. Thomas Harwood, another pioneer preacher, was admitted into a *morada* in 1871, at a canyon opening into the La Junta (Watrous) valley. Seven years later he described the rites correctly and minutely to Mr. W. G. Ritch at Santa Fe, but without any bias or disgust. Indeed, he himself seemed deeply touched by the reverent earnestness of both penitents and spectators.<sup>21</sup>

At the end of the century, Archbishop Salpointe, after having retired to Banning, California, wrote his last comments on the Penitentes, who had given him so much trouble, in his much-quoted history of the Catholic Church in New Mexico, Colorado, and Arizona. This brief reference merely

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18. Darley, *ibid.*, p. 30. See Salpointe's decrees of First Synod of Santa Fe above Note 6.

19. Darley, *ibid.*, pp. 18, 35, 44.

20. NEW MEXICO HISTORICAL REVIEW, Vol. 24, No. 1, p. 74.

21. Huntington Library, *loc. cit.*, pp. 325-326.

repeats his formerly expressed beliefs as to their Third Order derivation. His quoting of an old Santa Fe Tertiary in this regard throws no light on the problem. And he erroneously makes "Brothers of Darkness" (instead of "Blood") to be the opposite of "Brothers of Light."<sup>22</sup>

That these troubles, caused by attempts at reformation on the one side, and at proselytism on the other, served to confirm the Penitentes' Third Order origin in the public mind, there is not the least doubt. But even had there been no such pandemonium, which is hard to imagine under the circumstances, the very nature and practices of the brotherhoods would not have escaped the writers and their theories. The Flagellanti-Oñate-Franciscan theory of origin was too tempting to be ignored by the well-read observer.

#### *Principal American Accounts*

The main published source for the early American and still current theory on the Penitentes' origin is Charles F. Lummis.<sup>23</sup> Well before his time, Josiah Gregg,<sup>24</sup> forerunner of early American writers on New Mexican life and customs, briefly described a Holy Week ceremonial that combined an old-time Passion Play with some authentic Penitente rites. What with all his disdain for all things Spanish, Mexican, and Catholic, Gregg was naturally shocked. That he did not dwell long on the matter makes this account all the more credible, since he has been proven merrily mendacious with regard to other matters that he treated in greater detail.<sup>25</sup> One of his observations on the Penitentes, repeated ever since, is their alleged belief that a Holy Week's round of

22. *Soldiers of the Cross* (Banning: 1898), pp. 161-163.

23. *Land of Poco Tiempo*, pp. 79-83, and *Mesa, Canyon, and Pueblo* (New York: 1938), reprint, pp. 125-127.—So well did Lummis and those who repeated him establish the Franciscan theory of origin that even an eminent Franciscan historian concurred with others in re-confirming this derivation of the Penitentes. Cf. Mitchell A. Wilder, *Santos* (Colorado Springs: 1943), pp. 15, 37-39.—Von Wuthenau, in treating about the Reconquest chapel of the Santa Fe garrison, arbitrarily thought it to be the birthplace of the Third Order in New Mexico, and therefore of the Penitente movement! Cf. *NEW MEXICO HISTORICAL REVIEW*, Vol. X, No. 3, p. 180.

24. *Commerce of the Prairies* (Philadelphia: 1849), pp. 258-259.

25. E.g., the native origin and character of Gertrudis Barceló, *El Palacio*, Vol. 57, No. 8, pp. 227-234. See also the tale of the old church clock of Santa Fe in the monograph, *The Santa Fe Cathedral* (Santa Fe: 1947), p. 16.

penances wiped out all their sins and gave them leave to start out on another year of crime.<sup>26</sup> As Gregg himself admits, this was told him by others, very likely native New Mexicans who were not Penitentes, the same way Lummis got this idea.<sup>27</sup> W. W. H. Davis, quoted as a Penitente source,<sup>28</sup> described a Good Friday procession at Peña Blanca in which the faithful carried images representing the Passion of Christ. He pitied the people's ignorant veneration of their ugly *santos*, but mentioned no Penitente rites.

It was Lummis, the enthusiastic pioneer promoter of our Spanish and Indian Southwest, who became the chief source of all subsequent Penitente writing, good and otherwise. Unlike Gregg and Davis, he had no anti-Catholic bias, or Anglo-Saxon sense of superiority, to discolor or distort his observations. Yet, his lively sense of wonder and his exaggerated style of writing gave to his eyewitness accounts, howsoever true, a lurid quality that has tended to mislead not so well-equipped readers and writers. Moreover, his farfetched theories on their origin, likewise emphasized beyond their value by his bombast, were consequently picked up and repeated as history. In brief, his descriptions of what he himself saw at San Mateo in 1888, including good photographs of a procession and a crucifixion, are invaluable historical material on the subject; also, if in a lesser degree, his remarks that by 1888 only three towns in New Mexico had public Penitente processions, and only one (San Mateo) had a crucifixion.<sup>29</sup>

But his linking of the New Mexico Penitentes with medieval sects, with Oñate's personal act of scourging, "unquestionably" with the pioneer Franciscans and their Third

26. Gregg, *op. cit.*

27. *Land of Poco Tiempo*, *loc. cit.*—This was a popular native New Mexican canard poking fun at the Penitentes, more in jest than out of malice. It certainly was not the belief of the honest and sincere brethren as a body, even if the lives of many did lend substance to the idea. A little sarcastic verse about a stolen cow, sung by us children when I was a boy, was already being recited to Lummis in 1888.

28. *El Gringo* (New York: 1857), pp. 345-346.

29. *Land of Poco Tiempo*, pp. 84, 106, and *Mesa, etc.*, facing pp. 125, 127.—In Santa Fe, it was reported, there had been only one public procession since 1846, in 1859 or 1860; but two native octogenarians of the city insisted in 1878 that there had been none since the arrival of the American Army (*Huntington Libr., loc. cit.*, p. 325).

Order—all this has no complete basis in fact, as will be seen. This also led to his honest but mistaken reading of the Penitentes into an old New Mexico document of the late Eighteenth Century that dealt with the Third Order “of Penance,” and not “of Penitentes” as he and others would have it.<sup>30</sup> His further efforts to connect their practices with age-old penitential rites among the Pueblo Indians was also illogical and farfetched.<sup>31</sup> But, in all fairness, let it be said that it was not good old hearty Lummis who sinned, but his vigor and honest enthusiasm that carried him away. Still, it muddied the waters for generations after among the writing brethren of books as well as the Sunday supplements of newspapers.

The Nineteenth Century ended with a novel about the Penitentes of San Luis Valley<sup>32</sup> which embodied the ideas found in Lummis and Darley. Rehashing the same ideas, some of them inextricably tangling up the Penitente rites with the old mystery plays (two distinct entities), other authors kept pace with every decade of the Twentieth.<sup>33</sup> Among these, Alice Corbin Henderson’s book stands out as the best by far because of her warm human understanding; but her historical background is no improvement on what had been written before. An article printed in 1920, purportedly a University of New Mexico thesis written in 1910,<sup>34</sup> is a forerunner of Mrs. Henderson’s book in its sympathetic approach, but again, historically, it merely digests anew the old theories and misconceptions. There was much

30. *Land of Poco Tiempo*, p. 82. See Note 15.

31. *Ibid.*, pp. 82-83.

32. Louis How, *The Penitentes of San Rafael* (Indianapolis: 1900). Forty-two years later it was followed by a much more sensational and false novel by Joseph O’Kane Foster, *In the Night Did I Sing* (New York: 1942).

33. Charles F. Saunders in his *The Indians of the Terraced Houses* (New York: 1912), pp. 112-124; L. Bradford Prince in his *Spanish Mission Churches of New Mexico* (Cedar Rapid: 1915), pp. 363-373; Ralph E. Twitchell in his several works; George Wharton James in his *New Mexico, The Land of the Delight Makers* (Boston: 1920), pp. viii, 269 *et seq.*, 227 *et seq.*; Mary Austin in her *The Land of Journeys’ Ending* (New York: 1924), pp. 349-372; Earl E. Forrest in his *Missions and Pueblos of the Old Southwest* (Cleveland: 1929), pp. 195-206; Alice Corbin Henderson, *Brothers of Light* (New York: 1937); and other lesser articles in the same general vein and chain-reaction derivation.

34. “Los Hermanos Penitentes,” *El Palacio*, Vol. VIII, No. 1, pp. 3-20. Alice Corbin Henderson, *op. cit.*, cites it as a thesis by Laurence F. Lee.

merit, however, in an article written around this time by Dr. Aurelio M. Espinosa.<sup>35</sup> While considering the Lummis and Salpointe ideas of origin, he prudently did not accept them as final. One statement, that the Penitentes had prevailed in southern Colorado and northern New Mexico since the beginning of the Nineteenth Century, carried considerable weight, from the fact that the author was a native of those areas. However, this signally different article went to naught twenty years later, when its author joined the crowd by categorically linking the Penitentes of Oñate's Conquistadores and the Third Order of St. Francis.<sup>36</sup>

### *Origin of the Penitentes*

Internal historical evidence about the founding and founders of the Penitentes in New Mexico, that is, specific names and dates, is nonexistent to my present knowledge. What has been furnished me by "old-timers" among the penitential brethren has no intrinsic value, for all the information received can readily be traced to Lummis and Salpointe. Contemporary external evidence is likewise negative, insofar as I know. Confronted by such an impasse, one looks for other historical evidence by which a *terminus a quo* and a *terminus ad quem* can be reached. In other words, one must find a period, the latest, in which they did not exist, and then another period, the earliest, in which they are mentioned as already in existence. Then one places their beginnings within these two points.

I believe that I have found both terminal points in two excellent documentary sources: the report of Fray Francisco Atanasio Domínguez of 1777, from material he gathered the previous year,<sup>37</sup> and a decree of Bishop Zubiría of Durango written at Santa Cruz in 1833.<sup>38</sup>

Father Domínguez was a learned Franciscan priest of the

35. "Penitentes, Los Hermanos," *The Catholic Encyclopedia* (New York: 1910).

36. "Traditional Spanish Ballads in New Mexico," *Hispania*, Vol. XV, No. 2, p. 95.

37. *Biblioteca Nacional de Mexico*, Legajo 10, No. 43. This important document with related papers is in its final steps of preparation for the press.

38. Archives of the Archdiocese of Santa Fe, *Book of Visitations*, LXXXIX, pp. 71-72.

City of Mexico who was commissioned to make a minute description of all the New Mexico missions, their buildings, lands, missionaries, religious program, income and expenditures, number and classes of people, geography and climate, and, not the least item, *religious societies*. The Padre carried out his mandate to the letter, and left no stone unturned in examining, describing, approving or condemning every minute phase of mission activity. With regard to religious societies, he named every single one with their respective *mayordomos* and their funds and properties, he examined their documents of ecclesiastical foundation, severely censuring those that had none to show, and he made a full report on their annual feasts, periodic meetings, their annual income and expenditures.

But nowhere are the Penitentes mentioned, either in name or in practice. The religious societies found were limited to the three Spanish parishes of Santa Fe, Santa Cruz de la Cañada, and Albuquerque. There were none in the Indian Pueblo Missions. Those in Santa Fe were the Third Order of St. Francis (in a very sad state), the Confraternities of Our Lady of the Rosary and of the Blessed Sacrament, both now under the same administration, the Confraternity of the Poor Souls, and also the Confraternity of Our Lady of Light at the military chapel of the same name. Those at Santa Cruz were the Third Order of St. Francis and the Confraternities of the Blessed Sacrament and of Our Lady of Mount Carmel. At Albuquerque there were only two societies, the Third Order (in a very poor condition) and the Confraternity of the Poor Souls. From the way Father Domínguez condemned, reproved, and even ridiculed certain abuses down to the smallest detail, it is obvious that the Penitentes, had he found them in existence, would have provided plenty of rich grist for his mill.

The closest thing to the idea of the Penitentes was what he observed being done at Abiquiu, but recently re-founded as a Pueblo for *genízaros*. He found it worth commenting on because it was not done in any other Mission. Every Friday of Lent, the resident missionary observed the devotion of

the Way of the Cross in church, and this was followed by scourging after the lights were blown out, in which his example was followed by some of the faithful, both Spanish neighbors and the Indians of the place. Father Domínguez was quick to point out that all this was voluntarily done at the zealous missionary's "suggestion and good example." There was no society of any kind. This Padre was Fray Sebastián Fernández, thirty-four years old, and a native of Asturias in northern Spain.

Another interesting reference was with regard to special Holy Week observances at Tomé, a *visita* of Albuquerque at the time. The author merely refers to its "*función de Semana Santa*," apparently not observed every year, but also evidently an exclusive feature of Tomé at the time. However, it had no Penitente features, and is to all appearances the Holy Week pageantry for which the town became famous in later years, the origin and nature of which has also been linked with the Penitentes,<sup>39</sup> but is an entirely different thing even if taken over by the penitential brotherhoods in later times.

We may safely assume, then, from the Domínguez Report, that there were no Penitente brotherhoods in all New Mexico in 1776, and that they did not exist prior to that date.

The other terminal point is the Zúbiría decree of 1833. In this year this bishop of Durango made his first visitation of his flock in New Mexico; in fact, it was the first episcopal visitation in seventy-three years, since Bishop Tamarón's memorable journey in 1760.<sup>40</sup> At Santa Cruz, Bishop Zúbiría found something he did not like at all, and promptly issued a vehement condemnation, dated July 21, 1833,<sup>41</sup> of "a Brotherhood of Penitentes, already existing for a goodly number of years, but without any authorization or even the knowledge of the bishops, who definitely would not have given

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39. An excellent sympathetic article is Florence Hawley Ellis' "Passion Play in New Mexico" in *New Mexico Quarterly*, Summer, 1952, pp. 200-212. She, however, identifies the old mystery plays with the Penitentes, just as Penitente writers identified their subject with the mystery plays.

40. The Tamarón Journal and related material are currently appearing in the *NEW MEXICO HISTORICAL REVIEW*, Vol. 28, Nos. 2, 3, 4, and Vol. 29, No. 1.

41. See Note 38.



their consent for such a Brotherhood . . . since the excesses of very indiscreet corporal penances which they are accustomed to practice on some days of the year, and even publicly, are so contrary to the spirit of Religion and the regulations of Holy Church . . . We strictly command, laying it on the conscience of our present and future pastors of this villa, that they must never in the future permit such reunions of Penitentes under any pretext whatsoever." He further ordered each and every Penitente never again to consider himself a member of such a "Brotherhood of Penitence which we annul and which must remain forever abolished."

Furthermore, the bishop charged every future pastor of Santa Cruz, should he discover the existence of Penitentes in any other place, to intimate the contents of this decree to the pastor of that parish. Twelve years later, in 1845, Don Juan de Jesús Trujillo, then pastor of Santa Cruz, used this very decree to advise the priest of Albuquerque, Don José Manuel Gallegos, to bear down on the Penitentes in his parish.<sup>42</sup>

Unfortunately, Zubiría gave no more precise information, save that the abuse found at Santa Cruz had existed "*ya de bastantes años atrás*"—for a goodly number of years since. He did not say "*bastante tiempo*," thus restricting an indefinite period of time to a shorter period of "years." It is also possible that there were such brotherhoods in other places at this time, but the tenor of the decree seems to confine their existence to the environs of Santa Cruz. Yet the bishop, suspecting their present or future existence elsewhere, made provisions for this contingency. Now, since we are quite certain that they did not exist at all in 1776, the bishop's "goodly number of years" could extend back some fifty-six years to that date; but since the movement seems to have been restricted to Santa Cruz when he wrote, it may well be that the Penitentes of New Mexico had their beginning at the turn of the century, perhaps a decade beyond or after, between 1790 and 1810.

This makes the Penitentes a late New Mexico phenom-

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42. AASF, *Santa Cruz Book*, XIX, p. 43.

enon of the half-century prior to the American Occupation of 1846, and definitely not a society and movement inherited from the first two centuries of New Mexico as a Spanish Kingdom.

However, if such is the case, how can we explain the later existence of this penitential society, and why it took root so readily on New Mexican soil? Moreover, how can we account for Oñate's own act of scourging far back in 1598, Father Benavides' reference to public flagellation in Santa Fe before 1630, and Father Fernández' practice at Abiquiu in 1776? The answer for all these questions can be found in one single source—the spirit of primitive Christian penance inherent in the Spanish soul for centuries after it had disappeared from Christendom in general.

### *The Spanish Penitential Tradition*

The early Christian Church, ever bloodstained from continuous persecutions and the bloody deaths of her martyrs, had likewise kept the Passion and Death of her Founder uppermost in her consciousness. Personal acts of severe penance were a requisite for the forgiveness of grave sin, that is, a balancing of the scales of divine justice even when the sin itself was forgiven sacramentally. And even though Christ had redeemed mankind through His own Death on the Cross, each individual felt that he must show his devotion to his Master by imitation, an idea reflected by St. Peter in saying that Christ suffered for us, leaving an example for us to follow in his steps.<sup>43</sup> A further motive for penance was self-discipline and the curbing of carnal passions, as when St. Paul remarked that he chastised his own body and brought it into subjection to keep himself from becoming a castaway.<sup>44</sup> All kinds of corporal mortification were widespread even after the Roman persecutions came to an end. The Fathers in the desert are the classic example of those times.

The Dark Ages, brought on by the sacking of civilized Europe by the northern barbarians, while causing defections

43. I Peter, II, 21 (*Douay Version*).

44. I Corinthians, IX, 27 (*Ibid.*).

and laxity in Christendom, also crystallized and further emphasized bodily penance among the faithful. When the Middle Ages followed with their quaint beauty in art and song in the embellishment of forms of worship, penitential practices accompanied them hand in hand. St. Francis of Assisi is the prime example at the end of this era, preaching to the birds and singing his Canticle to Brother Sun, while at the same time he fasted vigorously, rolled himself in nettles, and lashed "Brother Ass" into subjection. As a striving toward sanctity, all sorts of penitential practices came into vogue, under restraint and direction as practiced by genuinely saintly persons, with insane abandon by fanatics who spurned all guidance.

It was in these medieval times that the various fanatical sects of flagellants, the *Flagellanti*, had their rise in Italy and northern Europe. They were not societies within the Church, but truly heretical sects: *heretical* because they went their own way, rejecting most of the Church's teachings and blowing up the practice of flagellation out of all due proportion as their chief tenet of salvation; they were *sects*, because they cut themselves off from existing ecclesiastical authority. ("A slice completely on its own" is a literal as well as a perfectly semantic rendering of "heretical sect.") These flagellants were but one type of many such groups in those times, differing from each other in the one feature of the Church which they chose to emphasize as the only means to salvation, to the rejection of all the rest. The Fraticelli, for example, emphasized "poverty," the Albigenses "celibacy," and the Waldenses "the Bible."<sup>45</sup>

The Renaissance, with its return to classic Greek and Roman paganism in literature and the arts, affected the Church in many ways, and very much so in the matter of bodily penance. People became softer in their mental outlook, more hedonistic with regard to the care of their bodies. Ancient disciplines were gradually relaxed or dispensed with. Lenten fasts and days of abstinence from meat became fewer, and these have come down in continually mitigated

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45. Cf. these sects in Encyclopedias: Americana, Britannica, and Catholic.

forms to our day. The monasteries retained some of the old forms of penance in varying degrees, according to the severity of each particular Order. This is not to say that the ancient Church had abandoned her primitive doctrines of penance, but the modes and degrees of severity had accommodated themselves to the times.

Then came the "Reformation," or birth of modern Protestantism, which, rejecting most Catholic doctrines and customs, emphasized salvation by faith alone, by an emotional inner feeling of being already saved, or by predestination. Obviously, corporal penance did not fit into this new scheme, and its very concept eventually vanished in the countries of northern Europe, except among the Catholic minorities, and then in its Renaissance watered-down forms.

But Spain, medieval Spain, was not greatly affected by the Renaissance, nor was she touched by the Protestant Reformation, for political as well as geographical reasons. The Spanish-Catholic mind and heart still thought and felt about religious matters, and penance in particular, as did the Catholics of the Middle Ages and beyond. The inherent traits of the Spanish character helped, perhaps, and the harsh central plateaus and landscapes of their land contributed to some extent. Later products and ideas from the Renaissance and the Reformation that did trickle into Spain had their several effects, but not in altering the severity of the Spanish character in this regard.

And this is the Spanish soul that colonized the New World from Patagonia to New Mexico. No Spaniard marveled at Oñate privately scourging himself during Holy Week, for it was a common practice all over Spain and Spanish America. Processions like the one described by Benavides were the ordinary thing on certain occasions, when the members of religious Orders, lay members of parish societies, and particular individuals, scourged themselves or carried heavy crosses in religious processions. The singular practice of the Padre at Abiquiu was a part of this tradition. Generally, these public flagellations were done over fully clothed bodies; they were token disciplines for

those of blood which an individual might do in private, as when Oñate left the camp of his colony to perform this penance out of the sight of his people.<sup>46</sup>

While most of Spain and Spanish America, at least the larger centers, became more "modern" as the centuries went by, though much less so than northern European nations and their own American colonies, New Mexico was still decidedly medieval in character when the Nineteenth Century arrived. The chief cause was the lack of cultural contact with Spain for two centuries, and very little with New Spain and other Spanish American colonies. There was none with New England or New France. Also to be considered was the poverty and suffering of the New Mexicans as a result of continual depredations by savage nomadic Indian tribes, a siege endured for generations on end which kept the people on most intimate terms with the basic realities of life and death. The landscape was no less harsh and ascetic, if starkly enchanting, very similar to the bare Spanish countryside which the New Mexican life-force had left long ago in León, Extremadura, La Mancha, and parts of Aragón and Andalucía.

In connection with these struggles with savage tribes, there was the rise at this period of the *genízaros*, a segment of the population composed of hispanicized and christianized non-Pueblo Indian captives, and the descendants of such captives since the Reconquest of 1694. Church and civil records amply show that they were a mixture of such varied peoples as Apaches, Cumanches, Utes, Navajos, and even such far-away tribes as the Pawnees and Kiowas, whose common language now was Spanish. From their former masters they

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46. Fray Agustín de Vetancurt casually mentions "*Procesiones de Sangre*" in 1616 and 1641, between Mexico City and Vera Cruz, which were acts of rogation in times of pestilence and drought (*Crónica de la Provincia del Santo Evangelio*, Mexico, 1697, p. 131). Yet, such practices were strictly forbidden both by church and royal decrees; witness an Ordinance promulgated in Mexico City under date of April 16, 1612, prohibiting all scourgings and processions during Holy Week under pain of a fifty-peso fine and ten days in jail (*Archivo General de la Nación, Mexico, Ordenanzas, Tomo I, f. 150*).

Such repeated regulations were continually being ignored by the masses, sometimes led by imprudent clerics, even as late as the 1800's. Henderson quotes vivid descriptions of such goings-on in Mexico as late as 1843 (*op. cit.*, pp. 117-122). *This late resurgence in Mexico is evidently the source of the movement in New Mexico brought up by some migrant at the turn of the century.*

had also received Spanish names, and in many instances Spanish blood. They were generally shiftless and lazy, as reported by Father Domínguez in 1776.<sup>47</sup> A great number of them were not recently-made Catholics, but the children and grandchildren of Catholics, and they took their religion seriously; and so it is significant that certain villages in which the Penitente movement was strongest were also greatly populated by *genízaros*.<sup>48</sup>

By 1800, too, the Franciscans had dwindled away, leaving the people, especially those in outlying districts, to their own devices in matters of worship. In 1797 the bishop of Durango had effectively "secularized" the Hispanic parishes by sending priests from Durango to administer them. These *curas* did not stay long, and the aging *frailes* had to replace them again. Other priests came from Durango later on, some native New Mexicans were ordained, but these were never near enough to cover a vast primitive territory which the Franciscans had left vacant, and whose population had increased and spread out in many new villages and hamlets away from the Rio Grande Valley.

It was in this "Secular Period" (1790-1850) that the now-famed New Mexico *retablos* and *santos* came into being, primitive altarpieces and statues by untutored craftsmen that replaced old Spanish art pieces which time had destroyed. In many ways, the Penitentes are a living counterpart of these bizarre *santos*. These animate and inanimate contemporaries undoubtedly influenced each other to some degree. As the one replaced the old images and paintings, so the other replaced the church societies that had died, including the Third Order, and also took over the ceremonies

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47. *BNM*, *loc. cit.*

48. *Genízaro* has a double derivation. The older one, from the Greek "born of a stranger," was applied in Spain to a European of mixed blood, but especially to a Spaniard with French, Italian, or other such admixture. This first meaning became obsolete in Spain, but was continued by New Mexicans as applied to Indians of mixed nomadic tribes living among them in more or less Spanish fashion.—The second derivation of *genízaro*, more correctly spelled *jenízaro*, comes from the Turkish "new militia," and was originally applied to the Sultan's special guard. It still is the Spanish word for special troops, English "janizary" or "janissary." (Early American writers thought the New Mexico *genízaros* were so called because the Spaniards used them as auxiliary troops!)

of worship (except the Mass and the Sacraments) in the place of clergymen whom time had also taken away and never adequately replaced.

What is of utmost significance is the fact that the Penitentes appear full-blown, with a recognizable and still more significant terminology for the society itself, for its classes of members, and for its main rites. The society is an *Hermanidad* (Brotherhood, Fraternity) or a *Cofradía* (Confraternity), with the pious title of "*Nuestro Padre Jesús Nazareno*." It is divided into *Hermanos de Luz* (Brothers of Light) and *Hermanos de Sangre* (Brothers of Blood), those who scourge themselves to blood, carry heavy crosses, and perform other drastic acts of penance.

This terminology and its accompanying practices are exactly the ones pertaining to the penitential societies of Seville that date from the early part of the Sixteenth Century. The first fraternities are believed to have been started by a knight, Don Fadrique Henríquez de Ribera, following his return from a pilgrimage to Jerusalem in 1533. These societies made the Via Crucis, or devotion of the Way of the Cross, through the city streets and the countryside. A large wooden cross headed the march of each *Cofradía*, followed by a *muñidor* (beadle) announcing the procession's approach, and also signalling its stops and starts, with the sound of small bells on a frame. Trumpets were used instead on more solemn occasions. Then came the *Penitentes*: first, the *Hermanos de Sangre*, naked from the waist up, with loose hoods completely covering their heads, and scourging themselves with leather whips studded with metal; next came the *Hermanos de Luz*, bearing thick giant candles; then came a third group, the *Nazarenos*, carrying heavy crosses on their backs, and dressed in long red or purple gowns tied at the waist with a thick cord, with long scraggly wigs on their heads that reached to their shoulders. This was the picture in earlier times. Eventually the Church authorities suppressed these extravagant acts of penance, but to this day these very same confraternities, still using the same names, march through the streets of Seville in Holy Week

with their standards and statues, and dressed in long gowns of various colors with tall conical hoods with masks.<sup>49</sup>

Cervantes had his Don Quijote encounter such a penitential procession of flagellants in the manner that the mad knight had assaulted the windmill. The author treats them as nothing unusual, a religious procession praying for rain, with clergy attending, and the disciplinants "laying open their flesh."<sup>50</sup> But more detailed is another old description of these Spanish Penitentes and their customs, a fact also taken for granted by the author, which may be found in the droll Spanish classic, *Fray Gerundio*, first published in 1758. The same terminology and ritual of the brotherhood are here brought out by the picaresque author, who also playfully observes that the Penitentes of Light, like the Leaders of the Brotherhood, content themselves with "lighting up" the Penitentes of Blood with their candles, while the latter "burn themselves up" with their scourging.<sup>51</sup> A news account of the Seville processions, in 1908, pictures these barefoot "*penitentes, Nazarenos descalzos*," and how their "*Hermandad de Nuestro Padre Jesús*" now numbers no less than three hundred *Hermanos*.<sup>52</sup>

As previously stated, the New Mexico Penitentes suddenly appear in the Secular Period with all the trappings of the Penitentes of Seville in their earlier phase. There is the distinctive name and title of *Cofradía de Nuestro PADRE Jesús Nazareno*," a peculiar title indeed, for nowhere else in Christendom is the word "Father" applied to Jesus Christ, the *Son* of God in the Holy Trinity.<sup>53</sup> Then there is the important division of the brethren into those of Light and those of Blood. (The *Nazarenos* with their long gowns and wigs<sup>54</sup> are missing in New Mexico, and their heavy burden

49. José Ortiz Echagüe, *España Mística* (Bilbao: 1950), p. 26.

50. Miguel de Cervantes, *Don Quijote de la Mancha*, Libro I, Cap. LII.

51. José Francisco de Isla, S.J., *Fray Gerundio de Campazas*, Libro III, Cap. V (Danzig Edition: 1885), pp. 225-235.

52. *La Hormiga de Oro*, Barcelona, April 11, 1908, p. 236. One of the photo plates is of their large statue of *Nuestro Padre Jesús*.

53. New Mexico Penitentes were also much devoted to "*El Cristo del Gran Poder*." A realistic statue of Christ bearing His Cross, and having this very title, is one of the famous religious images of Seville.

54. *Jesús Nazareno* and the *nazarenos* are not derived, as commonly supposed, from Jesus as a native of Nazareth, but from "Nazarite," a Hebrew term applied



of cross-bearing is taken up by the brothers of blood.) The beadle with bells or trumpet is replaced here by the *pitero* with his fife, but his office is exactly the same; and his weird flute is none other, at least in sound, than the ones heard when drum and fife teams play on the street corners of Seville. Also identical with the original brothers of blood in Spain are the bare torsos and loose hood-masks of the New Mexican flagellants. Their hymns and *alabados* are also Sevillan, both in metric form and in their minor-key cadences, as well as in their uninhibited yelled manner of delivery. It is the *cante jondo*, a deep singing brought up from the very depths of being, a cry wrenched from the soul as in a fit of paroxysm, and trailing off in unexpected tones and half-tones.<sup>55</sup>

### *A Late Transplant*

To call all this a coincidence is unreasonable, to say the least. The only inference possible is that the Penitentes of New Mexico as a society are a late transplant. In other words, a society or groups of similar societies which came from southern Spain to the New World after the discovery of America did not come up to New Mexico during her first two centuries of existence as a Spanish colony. Was it because she was not settled by Andalucians as a body? Perhaps. But toward the end of those two centuries the society does appear, and similar in all its essentials to the ancient societies of Seville.

Sometime in the Secular Period, some individual, or more than one, came to New Mexico from New Spain (soon

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in the Old Testament to one who was "consecrated to God" in a very special manner. One exterior feature of the Nazarites was that they never trimmed their hair. Samson and Samuel, for example, were Nazarites.

In Spanish devotional writing these men prefigured Christ in His unkempt appearance as described by the Prophet Isaias. And so, when representing Christ bearing His Cross with scraggly, blood-matted hair, they called Him "*Nazareno*" because of this Nazarite connotation, not because of the town of Nazareth. Consequently, the Penitentes who wore long gowns and wigs and carried heavy crosses in imitation of Christ were also called "*nazarenos*."

55. This theory on Penitente singing is my own, but is also expressed by Henderson who witnessed the Holy Week processions of Seville (*Op. cit.*, p. 73). Expert research and comparison, both textual and musical, of the old New Mexican hymns and *alabados* and the old Andalusian *soleás*, *seguiriyas*, *saetas*, and *peteneras*, would, I believe, confirm this opinion.

to become Mexico), or from some other Spanish colony to the south, where such penitential societies had long existed.<sup>56</sup> Such individuals had belonged to such a society, to be able to impart its organization and ritual to their new neighbors here in New Mexico. And if we consider the New Mexicans' own medieval-Spanish religious background at the time, a feeling made more acute by living for generations so close to the essentials of life and death in a stark land, the soil was most fertile and ready for such a transplant. Within a few years the movement had spread, despite Bishop Zubiría's prohibition, from the Santa Cruz and Chimayó area to almost every village in New Mexico.

An alternate supposition is that some book, which described the old Spanish penitential societies and their rites, had found its way to New Mexico at this time, in the quarter-century after 1776, to inspire the first *Hermandad*. The quick results, however, suggest a living person as the prime mover.

It is true that certain practices common to all the New Mexican brotherhoods are different from the original Spanish ones. The absence of the *nazarenos* is one, perhaps because their long gowns and wigs were unavailable. The use of obsidian knives and spiny cactus, of yucca scourges, for drawing blood and causing pain, the penance of kneeling on *arroz* (rice) composed of tiny sharp stones from our Southwest anthills, all these were features and modifications suggested and provided by the local landscape.

The *Tinieblas* rites of Holy Week with their multiple candlestick and noisemaking chains and *matracas* were nothing else than their imitation of the liturgical *Tenebrae* services as they remembered them from the now-vanished Franciscans. So also was the procession of the Way of the Cross, though this, too, had been associated with the original Penitentes of Spain.

The rare practice of "crucifying" by tying a volunteer to a cross on Good Friday—never by nailing<sup>57</sup>—came from

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56. See Note 46. Different Mexican priests have told me of similar Penitentes that have existed from time immemorial in remote sections of Mexico.

57. Lurid articles in the past have accused the Penitentes of nailing a victim to the cross, more for sensational effect and out of ignorance, we trust, than out of

a different source, the old folk Passion Play, the crucifixion scene of which was made a realistic part of the Penitente rites by the brethren who eventually were the only ones to preserve some elements of such dramas of the people.<sup>58</sup> Also from the miracle plays was the macabre feature of a wooden figure of Death riding a heavy cart with ready bow and arrow. This *Carro*, or *Carreta de la Muerte*, one of the most common features of the medieval mystery plays, like the Crucified of the Passion dramas, was made part and parcel of the Penitente rites.<sup>59</sup> A nun writing her doctoral thesis on old New Mexico folk plays, while repeating the oft-told errors about the Penitentes' origin, showed rare insight in one brief paragraph: "Passion plays were undoubtedly used by the missionaries in the Colonial days, then were taken over by the Folk, and later made part of the expiatory practice of the Penitente Brothers."<sup>60</sup> Yes, there was a clear distinction between the original rites peculiar to the Penitentes and the old mystery plays of the people, and it is most important to keep them separate, even if the New Mexico Penitentes assimilated them into their own rites.

These and other peculiarities, however, do not alter the fact that, as an organization, the New Mexico Penitentes had an outside origin that was recent. They were not much more than fifty years old, perhaps even less, when the United States took over in 1846.<sup>61</sup>

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malice.—A volunteer was bound hand and foot, and also at the waist sometimes, and taken down from the cross at his request or if he fainted. Lummis' photographs at San Mateo in 1888 may be found in the sources already cited.

58. Lummis wrote that in 1888 only one town (San Mateo) carried out a crucifixion (*loc. cit.*), adding that others had been held there in 1889, 1890, and 1891.—Samuel Ellison saw a boy lashed to a cross and wearing a cactus crown at Peña Blanca in 1867 or 1868; he witnessed a similar scene at Mora in 1859 or 1860 (Huntington Libr., *loc. cit.*, p. 325).—Alice Corbin Henderson warmly describes one at Abiquiu that she herself witnessed in this present century! (*Op. cit.*, pp. 46-47.)

59. Father Domínguez described the present church of Trampas minutely, but did not find its famous Death Figure and Cart here, nor elsewhere.

60. Sister Joseph Marie, I.H.M., *The Role of the Church and the Folk in the Development of the Early Drama in New Mexico*, University of Pennsylvania (Philadelphia: 1948), p. 89.

61. At least in strength and size, for the initial *Hermanidad* could have started obscurely any time between 1777 and 1800.—Someone wrote in the *Albuquerque Record*, April 6, 1878, that the Penitentes had started there in 1820, but Ritch thought they were older. (Huntington Libr., *loc. cit.*)

The functions of the New Mexico brotherhoods were public in those early days, during Lent and particularly during Holy Week, at funerals and other special occasions, as when rogations were made for rain. The villagers participated (for not all were members by any means) as a most sympathetic audience, or congregation rather, since the society was supplying these priestless villages with religious ceremonies for which they greatly hungered. There were no women Penitentes at all, although some served as auxiliaries in providing meals and cleaning the *moradas* (combination chapel and meeting rooms).<sup>62</sup> The poor, whether white or *genízaro*, were generally the more devout souls who became "brothers of blood." The *ricos* and more sophisticated men, if they joined at all, tended to be only "brothers of light" who, as in the quip by the author of *Fray Gerundio*, were content to light the way for their more simple and sincere brethren and their scourging, and, after the American Occupation, to peddle them as vote-blocks at the polls. Some were also ready to become Protestants when the Archbishop invaded their sphere of influence.

The uncompromising attempt of Bishop Zubiría to abolish the society in 1833 has already been told. But in New Mexico there was no closely-knit church administration at that time, the few pastors in the larger centers being responsible to the bishop in Durango far away through a Vicar in Santa Fe who did not seem to exercise much authority. As previously pointed out, there had been no episcopal visitation between 1760 and 1833, and Bishop Zubiría did not make another until 1850. In the meantime, the Penitentes spread into every hamlet and town. Due to the paucity of priests, or carelessness among the few, his decree of suppression had no effect at all. A year after this bishop's second and last visit to New Mexico, Lamy came as first resident bishop, to meet the problem in the way he saw best. Evidently he was not made aware of his Mexican predecessor's strict condemnation; probably this decree had never been seen or read

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62. A *morada* is a dwelling place or lodge, from the verb *morar*, and not from the feminine of the adjective "purple," as some writers have guessed.

again since 1845 until recently. Had Lamy and Salpointe known about it, they would have taken a different view from that of a Third Order derivation, and consequently would have proceeded against the brotherhoods with much greater severity and finality.

Regardless of whatever course they would have taken, or whether or not the Rev. Mr. Darley and his helpers had interfered, the Penitente brotherhoods would still have been there with all their strange practices to shock the first Anglo-Americans, and provide exotic material for the books and journals that continue to be the source of so much Penitente-writing down to our times.

Finally, let it be said that New Mexicans need not apologize for the Penitentes. Whatever their failings, they are not a real blot on the history of this region and its native people. While graphically representing a distinct phase in our local history, like the strange *santos*, they also were instrumental in preserving for us, during a most critical period, many old Christian and old Spanish nuggets of virtue, courtesy, and folklore, which we have since squandered away. Culturally and religiously, the Penitentes themselves are and ought to be a thing of the past. If they still persist, though in steadily diminishing numbers, it is because of the universal need that human males have of belonging to a "club" of their equals, one which reflects their individuality and gives it opportunity for action; and their individualities' only reflection is in the past, with their forefathers of recent memory. They are the few whose outlook has not changed enough for them to feel at home with the Knights of Columbus or the Holy Name Society or, secularly, with the Elks and Kiwanis.

# CHECKLIST OF NEW MEXICO PUBLICATIONS

By WILMA LOY SHELTON

(Concluded)

## *Ground water report.*

- No. 1 Geology and ground water resources of the eastern part of Colfax county, N. M., by Roy L. Griggs. (Socorro) 1948. 187p.
- No. 2 Geology and ground water resources of San Miguel county, N. M., by R. L. Griggs and G. E. Hendrickson. Prepared in coöperation with the U. S. Bureau of reclamation, N. M. Bureau of mines and mineral resources and the N. M. State engineer. Socorro, 1951. 121p.
- No. 3 Geology and ground water resources of Eddy county, N. M., by G. E. Hendrickson and R. S. Jones. Prepared coöperatively by the U. S. Geological survey, N. M. Bureau of mines and mineral resources, and the State engineer of N. M. 1952. 169p.

Oil and gas map of New Mexico, by Dean E. Winchester . . . 1931. (Socorro, 1931) 1 sheet 25½ x 23½ in.

Oil and gas map of New Mexico, by Dean E. Winchester (1931) Rev. by A. Andreas to July 15, 1936. Scale; 125 mi. = 1 in. (Socorro, 1936) 1 sheet. 27¾ x 25½.

New Mexico oil and gas engineering data. 1947- Socorro, 1947- vol. for 1947 issued as its Circular 19B; 1948 issued as its Oil and gas report 4-B.

New Mexico oil and gas statistical data 1947- Socorro, 1947- vol. for 1947 issued as its Circular 19A; 1948 issued as its Oil and gas report 4A.

## Report

- 1927-1930. v. 1-3 (E. H. Wells) Circular no. 3 mimeo.  
July 1, 1945-June 30, 1946. 42p. (E. C. Anderson)  
July 1, 1946-June 30, 1947. 49p. (E. C. Anderson)  
July 1, 1947-June 30, 1948. 56p. (E. C. Anderson)  
July 1, 1949-June 30, 1950. 26p. (E. J. Workman)  
July 1, 1951-June 30, 1952. 42p. (E. J. Workman)

## *New Mexico Interscholastic oratorical and declamatory association.*

Annual report of the executive committee . . . v.p. 1911-1915. 5v.

*New Mexico magazine.*

Home plan book (rev. and enl. ed.) ed. by George Fitzpatrick.  
Art editor, Wilfred Stedman. Santa Fe, 1946. 55p.

Pictorial New Mexico, ed. by George Fitzpatrick. Art ed. Wilfred  
Stedman. Santa Fe, Rydal press, c1949. 191p.

Poems of New Mexico, ed. by George Fitzpatrick. Albuquerque,  
Valliant printing co., c1936. 4p., 11-71 (8)p.

*New Mexico medical society.*

Organized for the purpose of federating and bringing  
together the entire medical profession of the state, to  
unite with similar societies and advance medical science  
. . . to secure enactment and enforcement of medical  
laws . . . and to guard and foster interests of members.  
. . . Founded in 1882 as the Las Vegas medical society.  
The name was changed in 1896 to N.M.medical society.

Constitution and by-laws, 1882.

Constitution and by-laws . . . May 28, 1940. (Albuquerque, 1940)  
20p.

Constitution and by-laws . . . Aug. 1, 1952. (Albuquerque, 1952) 23p.

News letter. v. 1- July, 1949- Albuquerque, 1949- monthly

*New Mexico military institute, Roswell.*

Incorporated in 1891 as Goss military academy; name  
was changed in 1893 in accordance with bill passed in  
territorial legislature, which established the New Mexico  
military institute.

A history of New Mexico military academy, 1891-1941, by J. R. Kelly.  
(Albuquerque, University of New Mexico press, 1953) 404p.

The library no. 1-7; Nov. 15, 1926- May 15, 1927.  
ed. by Paul Horgan  
no more published

*New Mexico mining association.*

Organized in January 1939 at Silver City as New Mex-  
ico Miner and prospector's association. The office was  
moved to Albuquerque in Sept. 1945 and to Carlsbad in  
March 1953. The name was changed to N. M. Mining

Association in Dec. 1951. The purpose of the organization is to promote the welfare of the mining industry in New Mexico.

Annual meeting

Jan. 19-20, 1940, Albuquerque (T. D. Benjovsky)

Jan. 24-25, 1941, Albuquerque (A. S. Walter)

Jan. 16-17, 1942, Albuquerque (Frank McDonough)

1943 no convention

called special meeting March 20 at Silver City for election of officers

April 21-22, 1944, Albuquerque (F. O. Davis)

1945 no convention

April 19-20, 1946, Albuquerque (Horace Moses)

Feb. 21-22, 1947, Albuquerque (E. C. Iden)

Jan. 9-10, 1948, Carlsbad (H. E. McCray)

Feb. 10-12, 1949, Santa Fe (G. T. Harley)

Jan. 19-21, 1950, Silver City (G. A. Warner)

Feb. 15-17, 1951, Albuquerque (Wm. H. Goodrich)

Jan. 17-19, 1952, Carlsbad (T. M. Cramer)

Proceedings of meetings are summarized in the official publication of the Association

New Mexico Miner, v. 1-Aug. 1939- v. p. 1939-

Title varies: Aug. 1939-Nov. 1951, New Mexico Miner and Prospector

Beginning with v. 14 no. 11-12 for Nov.-Dec. 1952 the publication is a mimeographed new type bulletin

*New Mexico Mining company.*

Preliminary report for the use of the stockholders. New York, Baker, 1864. 21p.

Statement and compilation of facts and evidences concerning the franchises of the N. M. mining co. New York, 1871, 16p.

*New Mexico motor carriers' association, inc.*

Incorporated Aug. 5, 1939 for the purpose of advancing the interests of transporters of property and passengers by motor vehicles.

Articles of incorporation . . . (Albuquerque, 1939) (2)p. mimeo.

Annual convention. 1939-

Santa Fe, Dec. 8-9, 1944 (2)p. v. 6, typew.

Albuquerque, Dec. 14-15, 1945, v. 7 (Art Nay, pres.) in New Mexico Transporter, v. 1 no. 4, Dec. '45, p. 1



- Albuquerque, Sept. 12-14, 1946, v. 8 (R. F. Brown, pres.) in N. M. Transporter, v. 2 no. 2, Oct. '46, p. 1, 10
- Albuquerque, Oct. 16-18, 1947, v. 9 (R. F. Brown, pres.) in N. M. Transporter, v. 3 no. 3, Nov. '47, p. 1, 6
- Albuquerque, Sept. 2-4, 1948, v. 10 (C. R. Bryant) 10p. mimeo. also in N. M. Transporter, v. 4 no. 2, Oct. '48, p. 1, 8, 10
- No convention 1949
- Carlsbad, Jan. 20-21, 1950, v. 11 (C. R. Bryant) in N. M. Transporter, v. 5 no. 6, Feb. 1950
- Albuquerque, Jan. 19-20, 1951, v. 12 (R. B. Smith) in N. M. Transporter, v. 6 no. 6, Feb. '51, p. 3, 21
- Hobbs, Jan. 17-19, 1952, v. 13 (R. B. Smith) in N. M. Transporter, v. 7 no. 6, Feb. '52, p. 3, 12
- Albuquerque, Jan. 8-10, 1953, v. 14 (C. L. McClaskey) in N. M. Transporter, v. 8 no. 6, Feb. '53, p. 10, 12
- Legislative bulletin. Albuquerque, 1953  
nos. 1-4 mimeo.
- The New Mexico Transporter. v. 1- Sept. 1945- Albuquerque, 1945-monthly
- History of the N. M. Motor carriers association in v. 5 no. 5, Jan. 1950, p. 3
- Safety awards, state safety program. (Albuquerque, 1953) (4)p.
- New Mexico petroleum industries commission.*
- Established in 1933 to check tax and legislative program.
- Bulletin, Jan. 1936-October, 1943, monthly, mimeo. continued as N. M. P.I.C.
- N.M.P.I.C., Nov. 1943- monthly
- New Mexico pharmaceutical association.*
- Established May 1929 to improve and better pharmacy in New Mexico.
- El Boticario, New Mexico druggist news. Feb. 1948-Nov. 1950, Albuquerque, 1948-50
- El Boticario, the news of New Mexico pharmacy. v. 1- Feb. 1953, Albuquerque, 1953- mimeo., monthly
- Minutes of annual convention.
- May 20-21, 1929, Albuquerque (26)p. v. 1 (E. C. Welch, pres.) typew.
- May 19-20, 1930, Carlsbad (15)p. v. 2 (W. W. McAdoo, pres.) typew.

May 20-21, 1931, Albuquerque, 40, 4p. v. 3 (W. W. McAdoo, pres.) typew.

March 21-23, 1932, El Paso, v.p. v. 4 (R. M. Tihner, pres.) typew.

May 24-25, 1933, Carlsbad, v.p. v. 5 (D. L. C. Hoyer) typew.

March 11, 1934, Vaughn, 4p. Special sess. (R. E. Campbell) typew.

May 23-24, 1934, Santa Fe, 29p. v. 6 (R. E. Campbell) typew.

May 22-23, 1935, Clovis, 10p. v. 7 (H. I. Braden) typew.

May 20-21, 1936, Albuquerque, 32p. v. 8 (E. C. Welch) typew.

Dec. 10, 1936, Albuquerque, 3p. Special session (H. I. Braden) typew.

June 14-17, 1937, El Paso, 12p. v. 9 (H. I. Braden) typew.  
(Tri state—Texas, Arizona, New Mexico)

May 18-19, 1938, Albuquerque, 20p. v. 10 (H. I. Braden) typew.

May 17-18, 1939, Carlsbad, 64p. v. 11 (G. B. Riddle) typew.

May 15-16, 1940, Albuquerque, 9p. v. 12 (A. L. Evans) typew.

May 19-20, 1941, Silver City, 5p. v. 13 (F. B. Seals) typew.

May 25, 1942, Albuquerque, 15p. v. 14 (M. D. Smithson) typew.

1943 no convention (Paul Austin)

July 17, 1944, Albuquerque, 58p. v. 16 (Bert Rose, vice pres.) typew.

1945 no convention

July 15-16, Albuquerque, 171p. v. 17 (F. C. Reilly) typew.

June 2-3, 1947, Albuquerque, 232p. v. 18 (M. G. Howe) typew.

June 1-2, 1948, Albuquerque, 260p. v. 19 (Stanley Pawol) typew.

June 8-10, 1949, Albuquerque, 218p. v. 20 (Bill Burt) typew.

June 6-8, 1950, Santa Fe, 45p. v. 21 (J. M. Henry) typew.

June 5-7, 1951, Albuquerque, 26p. v. 22 (Ray Platt) mimeo.

June 3-5, 1952, Albuquerque, 39p. v. 23 (George Arnold) mimeo.

June 1-3, 1953, Albuquerque, v. 24 (R. D. Sasser) mimeo.

#### Annual convention program . . .

1936 18p. v. 8

1946 unpub. v. 17

1947 56p. v. 18

1948 56p. v. 19

1949 55p. v. 20

1950 64p. v. 21

1951 48p. v. 22

1952 48p. v. 23

#### *New Mexico society for crippled children.*

Established in 1940 to assist crippled children and adults.

New Mexico sunshine; a quarterly bulletin dedicated to friends of crippled children. Albuquerque, 1944-1945.

v. 1 #1-5, March 1944-Oct. 1945.

Discontinued

Symposium on crippled children's services, New Mexico; ed. by W. L. Minear; rev. 1951. n.p. (1951) 89p.

*New Mexico society of professional engineers.*

Established in March, 1947, for the purpose of promoting and protecting the profession of engineering as a social and economic influence vital to the affairs of men and their community.

New Mexico professional engineer v. 1-5; Jan. 1949-May 1953. Albuquerque, 1949-1953

Title varied: From Jl. 1949-Apr. 1951, v. 1 #7-v. 3 #4 called New Mexico professional engineer and contractor

*New Mexico Speech association.*

Established in July 1934.

Proceedings, v. 1-3. 1934-July, 1936

First, Third reports issued with the N. M. Theatre conference

*New Mexico state bar association.*

Formed in 1886 to cultivate the science of jurisprudence, to promote reform in law, to facilitate the administration of justice and to elevate the standard of integrity in the legal profession.

Minutes at regular annual session . . . together with constitution and by-laws as amended and in force . . . Santa Fe, 1886-1911

Santa Fe, Jan. 19, 30, 1886, 18p. v. 1

(Organization, Constitution & By-laws)

Santa Fe, Jan. 4, 12, 17, 20, 24, 1887, 38p. v. 2 (W. A. Vincent)

Santa Fe, Jan. 3, 20, 21, 1888, 65p. v. 3 (N. B. Field)

Santa Fe (Jan. 1, 1889), 61p. v. 4 (S. P. Newcomb)

Santa Fe, Jan. 7, 1890, 78p. v. 5 (Frank Springer)

Santa Fe, Jan. 6, 12, 19, 26, 31, 1891, 91p. v. 6 (F. W. Clancy)

Santa Fe, July, 1892, 55p. v. 7 (W. E. Hazledine)

July session, 1892, special session Nov. and Dec. 1892.

Santa Fe, Aug. 1, 3, 9, 18, 1893, 47p. v. 8 (A. B. Elliott)

Special session in January

Santa Fe, July 31 and Aug. 29, 1894, 55p. v. 9 (A. A. Jones)

Santa Fe, Oct. 3, 28, 1895, 163p. v. 10 (J. D. Fitch)

Adjourned session of 1894

Santa Fe, July 27, Aug. 10, Sept. 24, Dec. 14-15, 1896, and Jan. 4, 1897

Adjourned sessions, 36p. v. 11 (T. B. Catron)

Santa Fe, July 26-28 and Aug. 16, 1897; July 25 and Aug. 18, 1898

Adjourned sessions, 53p. v. 12 & 13 (A. B. Fall, R. E. Twitchell)

Santa Fe, Jan. 3, 10, 11, 18, 1900, 63(1)p. v. 14 (R. E. Twitchell)

Santa Fe, Jan. 9, 22, 24 & Feb. 25, 1901, 70p. v. 15 (A. A. Freeman)

Together with proceedings on "Marshall Day"

Santa Fe, Jan. 8-9, 20, 23, 1902, 32p. v. 16 (E. A. Fiske)

Santa Fe, Jan. 7, 12, 19, 26 & Feb. 26, 1903, 39p. v. 17 (W. B. Childers)

Santa Fe, Jan. 6, 1904, 75(1)p. v. 18 (A. H. Harllee)

Santa Fe, Aug. 29-30, 1904, 87(1)p. (W. C. Wrigley)

Regular annual session

Santa Fe, Sept. 20-22, 1905, 43(1)p. v. 19 (G. A. Richardson)

Santa Fe, Aug. 22-23, 1906, 91(1)p. v. 20 (W. A. Hawkins)

Roswell, Aug. 22-24, 1907, 115p. v. 21

(1908-14 sessions incorrectly numbered; correct numbering resumed 1915)

Santa Fe, Aug. 31-Sept. 1, 1908, 104p. (v. 22) (A. B. McMillen)  
(No meeting held in 1909)

Albuquerque, Aug. 28-30, 1911, 87p. (v. 26)

(Includes minutes of 24th and 25th sessions, Feb. 28, 1910, and Oct. 18, 1910)

Report with proposed legislation as to elections. Santa Fe, New Mexican printing co., 1914, 42p. (F. W. Clancy)

Report of proceedings of the annual meeting.

Santa Fe, Aug. 19, 1925, 23p. v. 1 (J. M. Hervey)

Santa Fe, Aug. 10-11, 1926, 66p. v. 2 (J. M. Hervey)

Santa Fe, Aug. 9-10, 1927, 78p. v. 3 (A. H. Hudspeth)

v. 4 (E. C. Crampton)

v. 5

Roswell, Aug. 12-13, 1930, 131p. v. 6 (L. O. Fullen)

Albuquerque, Aug. 17-18, 1931, 66p. v. 7 (T. E. Mears)

Santa Fe, Aug. 16-17, 1932, 51p. v. 8 (M. C. Mechem)

Albuquerque, Aug. 22, 1933, 63p. v. 9 (H. M. Dow)

Albuquerque, Aug. 14-15, 1934, 86p. v. 10 (E. L. Holt)

Santa Fe, Aug. 9-10, 1935, 93p. v. 11 (J. A. Hall)

Raton, Aug. 14-15, 1936, 79p. v. 12 (C. M. Botts)

\*Santa Fe, Oct. 8-9, 1937, 148p. v. 13 (A. N. White)

Albuquerque, Oct. 14-15, 1938, 107p. v. 14 (C. H. Fowler)

Santa Fe, Aug. 18-19, 1939, 149p. v. 15 (H. A. Kiker)

- Albuquerque, Sept. 27-28, 1940, 153p. v. 16 (Edwin Mechem)  
 Roswell, Oct. 10-11, 1941, 135p. v. 17 (G. L. Reese, Sr.)  
 Santa Fe, Oct. 16-17, 1942, 76p. v. 18 (E. M. Grantham)  
 Santa Fe, Oct. 22-23, 1943, 112p. v. 19 (A. K. Montgomery)  
 Albuquerque, Oct. 13-14, 1944, 120p. v. 20 (A. W. Marshall)  
 Annual meeting not held; board meeting held at  
 Santa Fe, Nov. 6, 1945, 44p. (Waldo Spiess)  
 Annual meeting not held; board meeting held at  
 Santa Fe, Jan. 27, 1947, 41p. (E. C. Crampton)  
 \*Includes dedication ceremonies Supreme Court Building (title  
 varies slightly) 1886-1925 as New Mexico bar association; 1926-  
 33, New Mexico state bar association  
 Las Cruces, Oct. 17-18, 1947, 97p. v. 21 (E. C. Iden)  
 Roswell, Oct. 8-9, 1948, 52p. v. 22 (C. C. McCulloh)  
 Tucumcari, Oct. 7-8, 1949, 52p. v. 23 (E. F. Sanders)  
 Carlsbad, Oct. 20-21, 1950, 52p. v. 24 (Otto Smith)  
 Silver City, Oct. 26-27, 1951, 56p. v. 25 (F. W. Beuther)  
 Raton, Oct. 24-25, 1952, 71p. v. 26 (G. L. Reese)  
 Secretary's letter v. 1- 1942-

*New Mexico State dental society.*

Established in 1907 to promote public welfare by advancement of the dental profession in education, science and mutual fellowship and by advocacy of proper legal legislation.

New Mexico state dental journal v. 1- 1949- Santa Fe, 1949-

*New Mexico state federation of labor.*

Established Dec. 2, 1912, for the purpose of establishing better communications between trade unions of the state, work for their rights and the advancement of their vocation.

Constitution and by-laws of New Mexico state federation of labor as amended and adopted at ninth convention at Santa Fe, July 7-8, 1926. n.p. (1926) 11p.

Constitution and by-laws (approved Sept. 16, 1931) Santa Fe (1931) 20p.

Constitution and by-laws, 1940-41. n.p.n.d. 19p.

Constitution and by-laws as amended by Santa Fe convention, Oct. 1st, 2nd, 3rd, 1948. Santa Fe (1948) 19p.

Constitution and by-laws as amended by Roswell convention, Oct. 3, 4, 5, 1952. (Santa Fe, 1952) 20p.

Official labor day and convention book

1935 58p. v. 12 (Alex Craig, pres.) in v. 1 no. 17 of Union organizer

1937 80p. v. 14 (Alex. Craig, pres.) in v. 3 no. 6 of Union organizer

1941 64p. v. 18

1942 48p. v. 19 (Pete Olivas)

1946 90p. v. 23 (Bill McHugh)

1947 72p. v. 24 (Peter Cooney)

1948 96p. v. 25 (W. A. Walker)

1949 80p. v. 26 (Charles A. Cooper)

1950 92p. v. 27 (Joe Rivera)

1951 96p. v. 28 (James A. Price)

1952 88p. v. 29 (James A. Price)

Official program of the annual convention . . .

1952 (2)p.

New Mexico labor leader. v. 1- 1948-

weekly

Proceedings of convention

Oct. 15-16, 1920, Gallup (9)p. v. 1 (C. J. Williams)

(Contains Annual report for Oct. 1, 1919-Sept. 30, 1920)

Oct. 14-15, 1921, Albuquerque (26)p. v. 2 (M. J. Lynch)

(Contains Annual report for Oct. 1, 1920-Sept. 30, 1921)

July 7-8, 1926, Santa Fe, 14p. v. 3 (J. H. Hanks) mimeo.

Oct. 13-14, 1927, Clovis, 7p. v. 4 (E. T. Schwab)

Oct. 10-12, 1929, Albuquerque, 28p. v. 6 (J. C. Hughes)

Sept. 12-15, 1930, Albuquerque, 19p. v. 7 (L. M. Thompson)

Sept. 14-18, 1931, Albuquerque, 48p. v. 8 (Alex Craig)

Sept. 25-27, 1937, Albuquerque, 38p. v. 14 (Alex Craig)

Sept. 30, Oct. 1-2, 1938, Santa Fe, 47p. v. 15 (C. A. Cooper)

Sept. 15-17, 1939, Carlsbad, 61p. v. 16 (R. N. Pearce)

Sept. 27-29, 1940, Clovis, 73p. v. 17 (R. N. Pearce)

1941 64p. v. 18

Sept. 13-14, 1946, Albuquerque, 90p. v. 23 (Bill McHugh)

Oct. 10-12, 1947, Carlsbad, 110p. v. 24 (Peter Cooney)

Oct. 1-3, 1948, Santa Fe, 104p. v. 25 (W. A. Walker)

Oct. 14-16, 1949, Albuquerque, 86p. v. 26 (Charles A. Cooper)

Oct. 6-8, 1950, Carlsbad, 89p. v. 27 (Joe Rivera)

Oct. 5-7, 1951, Clovis, 93p. v. 28 (James A. Price)

Oct. 3-5, 1952, Roswell, 91p. v. 29 (James A. Price)

*New Mexico state firemen's association.*

Established in 1923.

## Minutes of the annual meeting

- |                       |      |     |   |
|-----------------------|------|-----|---|
| Las Vegas             | 1923 | v.1 |   |
| Santa Fe, Oct. 28-29  | 1924 | v.2 | (4)p. (L. W. Ilfeld, pres.) typew.      |
| Las Vegas, Oct. 12-13 | 1925 | v.3 | 5p. (L. W. Ilfeld, pres.) typew.        |
| Las Vegas, July 3     | 1927 | v.5 | 3p. (L. W. Ilfeld, pres.) typew.        |
| Socorro, July 27-28   | 1928 | v.6 | 5p. (P. D. Miller, 1st v. p.)<br>typew. |

## Proceedings of the annual convention.

- |                    |      |     |                                  |
|--------------------|------|-----|----------------------------------|
| Gallup, Aug. 25-27 | 1929 | v.7 | 6p. (P. D. Miller, pres.) typew. |
|--------------------|------|-----|----------------------------------|

## Proceedings of the eighth annual convention and the First annual Fire college . . . Deming, June 4, 5, and 6, 1930. 19p.

## Proceedings of the ninth annual convention and second annual Fire college . . . held at Clovis. Albuquerque, 1931. 46p. (Univ. of New Mexico. Bulletin Whole no. 196. Engineering series v.1 no.1 July 15, 1931)

## Proceedings of the tenth annual convention and third annual Fire college of New Mexico . . . Raton, N. M. June 13, 14, 15, 1932. n.p.n.d. 60p.

## Proceedings of the eleventh annual Fire school and eighteenth annual convention . . . Hobbs, N. M. May 13-14-15, 1940; compiled and published by The New Mexico State Department of vocational trade and industrial education, Santa Fe, N. M. 23, 5p.

No meeting held in 1943.

## Addresses delivered at fourteenth annual Fire school . . . Raton, June 12, 13, 14, 1944. Santa Fe, New Mexico Dept. of Trade and Industrial education (1944) 54p. mimeo.

No meeting held in 1945.

## Minutes of the fifteenth annual Fire school and twenty-second annual convention . . . Raton, June 17, 18, 19, 1946. 22p. typew.

Minutes and proceedings of the 25th annual convention and 18th Fire college . . . Silver City, June 12-15, 1949. 4, 8p.  
Issued in News letter July, 1949.

## Minutes and proceedings of the 26th annual convention and nineteenth Fire college . . . Tucumcari, 1950. 33p. typew.

## Minutes and proceedings of the 27th annual convention and 20th Fire college . . . Hobbs, May 14, 15, and 16, 1951. (31)p.

## Minutes . . . Clayton, June 25, 1952. (29)p.

Includes Constitution and By-laws

Minutes and proceedings of the annual convention and Fire college . . .  
Raton, June 8, 9, 10, 1953. Raton, 1953. 24p.

News letter

Nov. 12, 1950 (3)p. mimeo.  
Mar. 12, 1951 (2)p. "  
May, 28, 1952 (1)p. "  
1953 (2)p. "

Program . . . annual convention

- Sixth annual convention of The New Mexico State Fire chief's association and associate members. Socorro, July 27, 28, 1928. (4) p.
- Seventh annual convention of The New Mexico State Firemen's association. Gallup, Aug. 26th, 27th and 28th, 1929. (6) p.
- 3th Annual convention, 1st Annual Fire college . . . Deming, June 4th, 5th and 6th, 1930. (6) p.
- Ninth annual convention, second Fire college. Clovis, June 3rd, 4th, 5th, 1931. (7) p.
- Tenth annual convention and Third Fire college. Raton, June 13, 14, 15, 1932. (21) p.
- Eleventh annual convention and Fourth Fire college . . . Las Cruces, June 5, 6, and 7, 1933. 11p.
- Twelfth annual convention and Fifth Fire college . . . Roswell, May 28, 29, 30, 1934. (12) p.
- Thirteenth annual convention and Sixth Fire college . . . Santa Fe, June 20, 21 and 22, 1935. (11) p. folder.
- Fourteenth annual convention and Seventh Fire college . . . May 11, 12 and 13, 1936. (10) p. folder.
- Fifteenth annual convention and Eighth Fire college . . . Clayton, May 24, 25 and 26, 1937. (10) p. folder.
- Sixteenth annual convention and Ninth Fire college . . . Carlsbad, May 16, 17 and 18, 1938. (11) p. folder.
- Seventeenth annual convention and Tenth Fire college . . . June 19, 20, 21, 1939, Las Vegas. (16) p.
- Eleventh annual Fire college and eighteenth annual convention . . .  
May 13, 14, 15, 1940, Hobbs . . . (14) p.
- Twelfth annual Fire college and nineteenth annual convention . . .  
Hot Springs, May 26, 27, 28, 1941 . . . (14) p.
- Thirteenth annual Fire college and twentieth annual convention . . .  
Las Vegas, June 8, 9, 10, 1942 . . . (6) p. folder.
- Fourteenth annual Fire college and twenty-first annual convention  
. . . Raton, June 12, 13, 14, 1944 . . . (10) p.



Fifteenth annual Fire school and twenty-second annual convention . . . Raton, June 17, 18, 19, 1946 . . . (9)p.

"Investigation by fires," an address by H. C. Watson, National Board of Fire Underwriters, Arson dept., Denver, Colorado. Presented at the annual convention of the New Mexico state Firemen's association, Carlsbad, May 16, 1938. 5p. mimeo.

Laws pertaining to Fire departments. Santa Fe, New Mexico Department of vocational trade & industrial education. Division of Public service training, n.d. 7p. (Fire service training bulletin #1) mimeo.

Safety in the fire service (by) Sydney Ingham. Address delivered at the Fifteenth annual Fire school . . . Raton, June 17, 1946. 8p. mimeo.

The underwriter's greatest service to a fire department, by Julius Pearse, n.d. 3p.

#### *New Mexico state poultry association.*

Organized Dec. 2, 1927 for the welfare and protection of the producers, buyers, and consumers of poultry and its products, and to outline and foster a definite system of poultry improvement; dissolved Nov. 26, 1949.

#### Directory.

1933	8p.	(W. M. Ginn)
1936	4p.	(W. M. Ginn)
1937	4p.	(W. M. Ginn)
1938	4p.	(E. E. Anderson)
1939	2p.	(E. E. Anderson)
1940	2p.	(E. E. Anderson)
1941	2p.	(E. E. Anderson)
1942	2p.	(E. E. Anderson)

#### *New Mexico Town company, Santa Fe.*

Real estate in New Mexico. Santa Fe, 1883.

#### *New Mexico tuberculosis association.*

Organized May 2, 1917 as New Mexico public health association; reorganized Oct. 6, 1921 as New Mexico tuberculosis association. Its purpose is the dissemination of knowledge, securing proper legislation, coöperation with public authorities, state and local boards of health organiza-

tions, medical societies, and the encouragement of adequate provision for consumptives.

33 years—May 2, 1917-April 15, 1950 (by Myrtle Greenfield) (Albuquerque, 1950) 16p.

Annual report

April 1, 1942-Mr. 31, 1943. (18)p. (Dr. C. H. Gellenthien)

### *New Mexico University.*

Established in 1889.

For official list of publications see Its

List of publications of the University; 6th ed. Albuquerque, 1949. 14p.

A selected list of publications. Albuquerque, April 15, 1953. 10p.

### *New Mexico wool growers association.*

Constitution and by-laws . . . Albuquerque (1906) 24p. in English and Spanish.

Proceedings of the annual convention. v.1— v.p. 1905-

Albuquerque Oct. 7-8, 1907 50p. v. 2 (Solomon Luna)

Albuquerque Mr. 18-19, 1918 112p. v.16 (E. M. Otero)

Albuquerque Mr. 8-9, 1920 95p. v.17 (Prager Miller)

Albuquerque Feb. 9-10, 1927 (103)p. v.23 (David Farr)

East Las

Vegas Feb. 29-Mr. 1, 1928 28p. v.25 (F. W. Lee)

(Silver Jubilee)

Roswell Feb. 5-6, 1929 19p. v.26 (F. W. Lee)

Albuquerque Feb. 5-6, 1930 23p. v.27 (F. W. Lee)

Albuquerque Feb. 5-6, 1931 44p. v.28 (F. W. Lee)

Albuquerque Feb. 4-5, 1932 4p. v.29 (F. W. Lee) program.

Roswell Mr. 25-27, 1935 6p. v.32 (F. W. Lee) program

Santa Fe Feb. 10-11, 1938 v.35 (F. W. Lee)

N. M. Stockman v. 3 no. 3 Mr. '38 p. 12-13

Santa Fe Feb. 9-10, 1939 v.36 (F. W. Lee)

N. M. Stockman v. 4 no. 3 Mr. '39 p. 12-13

Albuquerque Feb. 8-9, 1940 v.37 (F. W. Lee)

N. M. Stockman v. 5 no. 2 Feb. '40 p. 8, 20-21

Albuquerque Feb. 6-7, 1941 v.38 (F. W. Lee)

N. M. Stockman v. 6 no. 2 Feb. '41 p. 28-36

Albuquerque Feb. 5-6, 1942 v.39 (F. W. Lee)

N. M. Stockman v. 7 no. 2 Feb. '42 p. 14-16

- Albuquerque Feb. 4-5, 1943 7p. v.40 (F. W. Lee)  
 also in N. M. Stockman v. 8 no. 2 Feb. '43 p. 14-18  
 Albuquerque Feb. 3-4, 1944 v.41 (F. W. Lee)  
 N. M. Stockman v. 9 no. 2 Feb. '44 p. 1-10  
 Albuquerque Feb. 15-16, 1945 19p. v.42 (F. W. Lee)  
 Summary in N. M. Stockman v. 10 no. 2 Feb. '45 p. 4-7  
 Albuquerque Feb. 5-6, 1946 20p. v.43 (F. W. Lee)  
 Summary in N. M. Stockman v. 11 no. 2 Feb. '46 p. 29-33  
 Albuquerque Feb. 4-5, 1947 24p. v.44 (F. W. Lee)  
 Summary in N. M. Stockman v. 12 no. 2 Feb. '47 p. 42-56  
 Albuquerque Feb. 3-4, 1948 23p. v.45 (F. W. Lee)  
 Summary in N. M. Stockman v. 13 no. 2 Feb. '48 p. 17-32  
 Albuquerque Feb. 8-9, 1949 23p. v.46 (F. W. Lee)  
 Summary in N. M. Stockman v. 14 no. 2 Feb. '49 p. 24B-31  
 Albuquerque Feb. 7-8, 1950 23p. v.47 (F. W. Lee)  
 Summary in N. M. Stockman v. 15 no. 2 Feb. '50 p. 18-23, 96-98  
 Albuquerque Feb. 6-8, 1951 22p. v.48 (F. W. Lee)  
 Summary in N. M. Stockman v. 16 no. 2 Feb. '51 p. 18-23, 96-98  
 Albuquerque Feb. 3-5, 1952 24p. v.49 (F. W. Lee)  
 Summary in N. M. Stockman v. 17 no. 2 Feb. '52 p. 10-16, 81-82  
 Albuquerque Feb. 8-10, 1953 30p. v.50 (F. W. Lee)  
 Summary in N. M. Stockman v. 18 no. 2 Feb. '53 p. 18-22, 78

1932-1944 not published; 1945-49 not published separately; only a summary of association events and resolutions were included in N. M. Stockman.

El Gorroguero (The sheep grower) v.1-5, 1933-37. Albuquerque, 1933-37 monthly.

———Resolutions adopted by the N. M. wool growers assoc. in 39th annual convention. Albuquerque Thurs. & Fri. Feb. 5-6, 1942. 22p.

———Summary of resolutions and declaration of public policy adopted by 40th annual convention of N. M. wool growers assoc. Albuquerque Thurs. & Fri. Feb. 4-5, 1943. 7p.

———Resolutions adopted by the Executive bd. of the N. M. wool growers assoc. in session at Albuquerque Feb. 15-16, 1945 with list of awards at the annual wool show and list of officers and members of the Executive bd. Albuquerque, 1945. 19p.

This meeting of Executive bd. was called in lieu of the 42nd annual convention of the association which was prohibited by order of the Federal war convention bd. due to wartime conditions.

*Public service company of New Mexico.*

Organized May, 1917 as Albuquerque Gas and Electric company; name changed September, 1946; on Sept. 30, 1949, the company's natural gas distribution system was sold to Southern Union gas company.

Annual report to the stockholders. Albuquerque, 1947-

1947	8p.	(Arthur Prager, pres.)
1948	8p.	(Arthur Prager, pres.)
1949	20p.	(Arthur Prager, pres.)
1950	20p.	(Arthur Prager, pres.)
1951	20p.	(Arthur Prager, pres.)
1952	20p.	(Arthur Prager, pres.)

*School for the visually handicapped, Alamogordo.*

Established in 1903 as Institute for the blind; in 1925 for administrative purposes in all matters except suits, state lands, funds and appropriations, the Institute was authorized to use the name N. M. School for the blind. Name was changed by the 1953 legislature.

## Report

Feb. 1903-Nov. 30, 1904

in Message of M. A. Otero to the 36th Legislative Assembly Jan. 16, 1905. Exhibit "A5." 4p.

Dec. 1, 1904-Nov. 30, 1906

in Message of H. J. Hagerman to the 37th Legislative Assembly Jan. 21, 1907. Exhibit 34. 10p.

1906- 1907 11p. v.1 (S. H. Gill)

1907- 1908 16p. v.2 (S. H. Gill) (E&S)

1909-June 30, 1910 25, 52p. v.4 (R. R. Pratt) (E&S)

July 1, 1910-June 7, 1912 96p. (v.5) (E&S)

July 1, 1912-June 10, 1914 105p. (v.6) (R. R. Pratt) (E&S)

Dec. 1, 1920-Nov. 30, 1922 79p. (v.7)

Nothing was published showing the activities of the school since 1914, and in order to bring the reports to date, there is included in this biennial a brief summary of the biennials ending 1916, 1918, 1920.

Dec. 1, 1922-Nov. 30, 1924 80p. (v.8) (R. R. Pratt) (E&S)

*Taxpayers' association of New Mexico.*

Founded in 1915. Devoted to the interests of New Mexico, its citizens and taxpayers. It is an unofficial agency for securing and publishing unbiased and accurate information concerning the administration and cost of government—national, state, and local.

(Audit survey of the counties of New Mexico, 1939-1941?)

Title varies

Contents.—A citizen looks at Chaves county, by Philip E. Larson and Carl M. Bird.—A taxpayer examines Harding county, by Philip E. Larson.—The finances of local government in Mora county for the fiscal year ending June 30, 1940 by C. M. Botts, jr. and Sebe Barnes.—Audit Survey of Sandoval county for the year ending June 30, 1939, by Philip E. Larson and C. M. Botts, jr.—Audit Survey of Socorro county for the year ending June 30, 1939, by Philip E. Larson, and C. M. Botts, jr.—Torrance county.—A taxpayer examines Union county by Philip E. Larson.—The finances of local government in Valencia county for the fiscal year ending June 30, 1940, by C. M. Botts, jr. and Sebe Barnes.

Controlling public assistance costs; a presentation to the legislature of New Mexico, Jan. 1953. (Santa Fe, 1953) 9p.

New Mexico tax bulletin. v. 1- Jan. 1922- Santa Fe, N. M.

Taxpayers' association of New Mexico, 1922-

Supersedes the New Mexico tax review.

The New Mexico tax review by the Taxpayers' association of New Mexico. v. 1-6 no. 1; Feb. 1916-May 1921. (Albuquerque, N. M.) 1916-1921.

6 v. in 1.

V. 1 consists of 6 nos. (Feb.-July 1916); v. 2, 6 nos. (Sept.-Oct. 1916, Jan., Apr., June, Aug. 1917); v. 3, 1 no. (June 1918); v. 4, 5 nos. (Dec. 1918, Jan., Mar., May, July 1919); v. 5, 1 no. (Dec. 1919); v. 6, 1 no. (May, 1921).

Published in Santa Fe, Apr. 1917-May, 1921.

Superseded by New Mexico tax bulletin.

New Mexico state highways, James A. French and the state engineer, an audit. Albuquerque, n.d. 39p.

The public assistance program in New Mexico. A "know your government" report. n.p., 1947. 14p.

Special report on the fiscal policies of the state of New Mexico by A. E. James . . . Santa Fe, February 5, 1929. 15p.

State Control of bond issues to supplement state control of tax levies; a paper read at the second annual meeting of the Taxpayers'

association of New Mexico, by George G. Tunell. Albuquerque, September, 1916. 8p.

This is how public roads are financed in New Mexico. A "know your government" report . . . (Santa Fe, 1949) 22 leaves.

This is how public schools are financed in New Mexico. A "know your government" report . . . (Santa Fe, 1947) 21, 3 leaves.

This is how public schools are financed in New Mexico. A "know your government" report. (Rev. July, 1949) (Santa Fe, 1949) 25, 8 leaves.

This is how public schools are financed in New Mexico. (Santa Fe, 1953) v.p.

The war and the business outlook for 1942; an address delivered by G. S. Carter, director School tax division at a meeting of the Taxpayers' association. Albuquerque, Jan. 15, 1942. (17) p.

*Santa Fe. Laboratory of anthropology.*

For official list of publications see Its

List of publications Jan. 1949; School of American research, Historical society of New Mexico, Laboratory of anthropology. Santa Fe, (1949) 19p.

*Santa Fe. School of American research.*

For official list of publications see

List of publications Jan. 1949; School of American research, Historical society of New Mexico, Laboratory of anthropology. Santa Fe, (1949) 19p.

(Concluded)

## Notes and Documents

### Le Grande Survey Notes and Journal

June 27<sup>th</sup>

Having, by a variety of observations, ascertained the intersection of the 32<sup>nd</sup> degree of North Latitude with the 102<sup>nd</sup> of West Longitude from London, we this day established our commencement Corner at the point of intersection, by erecting a considerable pile of loose rock, in the centre of which we placed a stake of hackberry 10 feet long marked S C E, meaning South East Corner. We made our corner in a clean open Prairie, near a fine spring of Free Stone Water and due South about 20 miles from the Red River of Texas. The land here is fertile and clothed with the finest pasture: a species of Grass called by the Mexicans "*Grana*" — Buffaloes and Antelopes in great abundance.

June 28<sup>th</sup>

Today we made 16 miles N. over fertile Prairie land and encamped at night on the North bank of the Red River of Texas finding our commencement corner to be 4 miles less distant from this River than we yesterday supposed it to be. The bottom of Red River at this place, is nearly a mile in width & formed of the richest loam. Timber — Cotton wood, black locust, and some Boxwood — Undergrowth— Buck eye & Spice wood. Killed 1 Buffalo & 2 Antelopes.

June 29<sup>th</sup>

This day we made 17 miles N. over good Prairie land, interspersed with occasional groves of Oak timber. We today passed two dry creeks or rather sandy drains, at present totally dry. Saw large gangs of Buffaloes and wild Horses—Killed of the first, two & encamped at a pond of miserably bad Water.

June 30<sup>th</sup>

Made 6 miles N. over bad Prairie [land to the] South Fork of Red River. The bottom lands [of this] River are not very good. The water course at this place is not more than 45 yds. in breadth and extremely red, approaching almost to the consistency of mud,— We here found no other timber than Cotton wood. Passed the River and continued our course further 7 miles N. & encamped for the night on an inconsiderable stream of tolerable water. Killed 3 Buffaloes.

July 1<sup>st</sup>

Made 4 miles N. over broken and rugged barrens and established the N.E. corner of Section 1 & S.E. corner of Section 4; after which made 10 miles W. over land of the same character as that passed in earlier part of the day. Today we saw immense herds of Buffaloes off to the N.—Killed 1—Encamped again on the South Fork of Red River.

July 2<sup>nd</sup>

We this day made 19 miles W. over high, open, tho' fertile Prairie possessing excellent Pasture, & encamped for the night at a hole of Water, that possessed barely a sufficiency for the occasion. This night one of our horses died from the Sting of a rattle snake—

July 3.<sup>rd</sup>

Made today 14 miles W. over delightful Prairie. In the afternoon we passed an extraordinary large spring of water, and encamped at night without either water or wood. Killed 2 deer and abandoned in the Prairie one of our horses, that had given out when on the march.

July 4.<sup>th</sup>

Today we ran off 10 miles W. over land similar to that passed yesterday, and encamped about 2 o'clock on a beautiful little stream of clear water, with rich bottom land and plenty of timber—Course of the stream S.E.—We have concluded to remain [the] rest of the day, in order to celebrate as best we could, the Anniversary of our National Independence. Hunters started forth in every direction, and at supper, tho' we were entirely destitute of the luxuries of civilized life, we feasted most sumptuously on, buffaloe, venison, and antelope with wild turkey,—

July 5<sup>th</sup>

Having set out early this morning we made 10 miles W. between Sections 1 & 2 over extremely broken and rugged Country. During the day we Saw large gangs of Buffaloes and some few Antelopes. We encamped for the night on a low piece of marshy ground that barely afforded a sufficiency of water for our purposes.—

July 6.<sup>th</sup>

W. between Sections 1 and 2—17 miles—part of the distance, very broken; the residue level rich Prairie, occasionally timber'd with Oak and Hackberry. In the evening the Hunters brought to Camp one buffaloe. We this night encamped at a spring of free stone water in a small grove of timber.

July 7<sup>th</sup>

Made 19 miles W. over much such land as yesterday & encamped for the night at a small pool of miserable water. Here we established the Corner of Sections 1, 2, 3 & 4.

July 8.<sup>th</sup>

We this morning proceeded South to ascertain the Corner of Sections 1 & 2 and on the fifth day arrived at the Supposed Corner, which we established, and returning on the same line, made 15 miles N. between Sections 1 and 2 over Prairie some what broken, tho' rich & fertile. The Hunters Killed 2 Buffaloes. —



July 14.<sup>th</sup>

This day we remained in Camp for the [purpose] of killing and curing meat.—

July 15.

We remained in Camp until 9 or 10 o'clock this morning and afterwards made 9 miles N. over smooth Praire [sic] without seeing water during the day. Encamped without Wood or Water.

July 16

We made an early start in order to reach Red River;—at the distance of 7 miles we crossed a small stream running N.E., with some timber, such as Cotton Wood & Willows. In 12 miles more, we reached the bottom of Red River of Texas which is extensive and rich. Timber—Oak, Hackberry &c—Undergrowth—Plumb. Cherry and Currant Bushes with much Grape Vine. The River is about 50 yds in width and at this time about 3 feet in depth. Encamped on the South bank for the night.

July 17.

This morning early we forded the River and left the large timber at the distance of half a mile—We then entered a thicket of Plumb, Hazle and Oak bushes, which continued the distance of 2 miles—We then pursued our Course N. over rich and rolling Prairie 8 miles to the Corner of Sections 1. 2. 3. 4. Encamped at a hole of Water in the Prairie.

July 18.

Proceeded N. between Sections 3 & 4. 16 miles over level Prairie, passing during the day many ponds of bad water. During this days march one of our horses took fright and bursted 2 Kegs of powder. Encamped at night on a beautiful branch of Red River running S. E.

July 19.

Left the creek at an early hour and ran 17 miles over much such land as yesterday, and encamped in a small grove of timber without water.

July 20.

We this morning at the distance of 4 miles, reached the South fork of Red River—This stream at this place is about 45 yds in width and about 3 feet deep, with a wide and rich bottom— A variety of large and excellent timber.— We this day made 17 miles to the corner of Sections 3. 4. 5. & 6 over very good land and encamped on a small stream about  $\frac{1}{2}$  a mile distant E. of this corner.—

July 21

E. between Sections 4 & 5— At the distance of  $\frac{1}{2}$  a mile crossed a small stream running S.E. Made 11 miles E. over land somewhat broken, but unusually rich & encamped at a very large spring in a grove of timber. This day killed 4 Buffaloes. Game plenty.

July 22.

Made 19 miles E. over same quality of land as that surveyed yesterday & encamped on a branch of the So. Fork. Bottom, wide and rich with plenty of Timber— Viz. to Cotton Wood.

July 23.

Started early and made 17 miles thro' a country generally, tho' lightly, timber'd, without undergrowth, & encamped on a creek about the size of that passed yesterday. Killed 2 Buffaloes.

July 24

Reached about 10.O'clock this day a small quantity of Cotton Wood on a dry creek. Made 18 miles E. over tolerable land and encamped on main Red River. Here we found the River near 100 yds wide. Stream bold & muddy, with very wide bottoms, [grass], plentifully timbered with Cotton Wood, Hackberry, black locust—Here we encamped—Killed 1 Buffaloe.

July 25

Made 20 miles E. over a most delightful country, both Prairie and timber land. At the distance of 12 miles crossed a stream running So.—about 4 yds wide—At a further distance of 4 miles crossed another stream about the same size and encamped on another larger at the distance of 4 miles more.

July 26.

Made 15 miles E.—Character of the country similar to that passed yesterday. Killed 2 Buffaloes & 1 Deer. Here we established the E. corner of Sections 4 & 5.

July 27

We started S. to ascertain the corner of Sections 1 & 4 at which point we arrived on 5.<sup>th</sup> day after having rested, during this time, 1 day and a half to cure meat. In consequence of some of our horses escaping from the guard, we were detained until a late hour, and made but 9 miles.

Aug.<sup>t</sup> 1

North, over a rich and fertile land, generally timber'd, and encamped on a small stream running East.

Aug.<sup>t</sup> 2

We today made 15 miles N. to the main branch of Red River—Here we found the River from 50 to 60 yds wide, with a large and extensive bottom, timber'd with Oak, Hackberry &c—undergrowth, Plumb bushes & grape vines. One of the Hunters Killed a white bear of a large size.

Aug<sup>t</sup> 3

Today we made 17 miles N. over a gently rolling Prairie of a good quality, with fine Pasturage Large [gangs] of Buffaloes seen to the

W. during the day. At the distance of 8 miles we crossed a Stream of fine water from 8 to 10 yds wide, running S.E.—We encamp'd at a Pool of Water in the Prairie.

Aug.<sup>t</sup> 4

Today we made 9 miles North to the corner of Sections 4 and 5 and passed over land of an unusually good quality.— We saw immense herds of Buffaloe during the day.

Aug.<sup>t</sup> 5

North, along the E. side of section 5. Today we made 17 miles N. over land of a good quality, generally lightly timber'd. We encamped on a branch of the false Washita at the distance of 2 miles from the corner of Sections 4 & 5. We passed the false Washita, a deep and bold stream, with a good bottom, timber'd with Oak &c.

Aug<sup>t</sup> 6

North, along the E. side of Section 5—Today we made 18 miles over level & rich Prairie,—We encamped without water—No sign of Timber. during the day we pass'd some pools of miserable Water, much used by Buffaloes.

Aug<sup>t</sup> 7

North, along the E. side of Section 5. We today made 15 miles to the corner of Sections 5 & 8, & encamped on a stream of fine water running E.—The land that we passed today, was generally Prairie of a good quality. Killed 2 Buffaloes this day—

Aug.<sup>t</sup> 8

West between Sections 5 & 8. Today we made 15 miles—Land of good quality, generally creek bottom. We encamped on a creek of fine Water running E. Here we found Game in great abun- abundance [sic]. One of the hunters killed a White Bear of a large size & 2 Buffaloes.

Aug<sup>t</sup> 9.

West, between Sections 5 & 8. We made today 20 miles over land of a good quality but broken—Well timber'd with Oak, Hackberry &c. Encamped on a small Branch running So. Game very plentiful—

Aug 10

West, between Sections 5 & 8 — We today made 18 miles over a broken Country, land generally good—Passed during the day some small streams running So. Encamped on a small stream about 5 or 6 [yds] wide, running So—Today 5 Buffaloes were killed.

Aug<sup>t</sup> 11.

West, 21 miles between Sections 5 & 8—At the distance of 5 miles we entered a beautiful Prairie gently rolling and of a very superior quality of Soil. Here Buffaloes exist in almost incredible numbers. We en-

camped at a large lake or pond of Water—during the night one of our horses died.

Aug<sup>t</sup> 12.

West 17 miles over much such land as that passed yesterday. Encamped on a creek 8 or 10 yds across, a rich bottom with some brushwood on it; its course was S.E.

Aug<sup>t</sup> 13.

Aug<sup>t</sup> 14.

West 9 miles to the corner of Sections 5. 6. 7. &, 8. The land we passed today was generally Prairie. Game plentiful here. Encamped at a small creek near the corner. This day we fell in with a party of Kiowa Indians, who informed us they were on their way to Santa Fé for the purpose of treating with the Government— We sent a copy of our journal up to this date.

Aug<sup>t</sup> 15

South, between Sections 5 & 6 to the Corner of Sect<sup>s</sup>. 3, 4, 5, 6, — We reached it on the 3.<sup>rd</sup> day without difficulty.

Aug.<sup>t</sup> 19

North between Sect<sup>s</sup>. 5 and 6. At the distance of 3 miles we crossed a small creek running S.E. & again at the distance of 15 miles we crossed another of a larger size running S.E.—Made 25 miles this day and encamped on a Prairie without Wood or Water.

Aug<sup>t</sup> 20

This day, as we were about to leave Camp, we met with a Comanche Indian, who informed us they were encamped on a small Creek a little to the north. We proceeded N. about the distance of 2 miles, when we met with a large party, who appeared to be quite friendly. We immediately commenced trading with them and purchased 191 excellent Beaver's Skins— We could have made more purchases, but thought it advisable to retain some of our goods for other Indians with whom we might fall in. The Chief of this party was called Cordéro—We also purchased 5 Horses that we much needed.

Aug<sup>t</sup> 21

North, between Sections 5 and 6. Made 17 miles over broken land, thinly timbered with Cedar and Pine. Encamped on a small ravine making from the mountains. Killed 2 mountain Deer this day.

Aug<sup>t</sup> 22

North along Sections 5 and 6. Made today 18 miles to the Corner of Sections 5, 6, 7, 8 where we encamped for the night— No game killed this day. The ground we passed over broken and poor.

Aug 23

North between Sections 7 and 8— At the distance of  $\frac{1}{2}$  a mile we crossed a small creek running N.E. & at 6 miles we crossed another, but of larger size and running S E. The land we passed today was broken and thin soil. Made 16 miles and encamped by the side of a deep ravine with a small quantity of bad water in it.

Aug 24

North between Sections 7 & 8. Today made 15 miles over much such land as yesterday, and encamped on the S. Fork of the Canadian River—It is a deep and bold stream, with a wide bottom of good land. Timber—Hackberry, Cotton W. &c. Undergrowth—Plumb Bushes & grape Vines. Here we gather'd some Plumbs of a large size and delicious flavor.

Aug 25

North between Sections 7 and 8. Made 19 miles this day over uneven ground & thin soil to the Corner of Sections 7 & 9. Encamped at corner of said sections, on a Small Creek running E. No Game killed today.

Aug<sup>t</sup> 26

East, between Sections 8 & 9 to the Corner of same; On the 5<sup>th</sup> day arrived at supposed corner—On the 28.<sup>th</sup> one of the men was bitten by a rattle snake, but fortunately relief was found instantly.

Aug<sup>t</sup> 30

South, along the E. side of Section 8 to the Corner of Sections 5 and 8. On the 1.<sup>st</sup> Sept.<sup>r</sup> we killed 2 Buffaloes and in the Evening abandoned one of our horses owing to fatigue.

Sep.<sup>r</sup> 1

North, along the E. side of Section 8. Today we made 23 miles over a rich tract of Country, partly timber'd with Hackberry Oak &c. Here we found game in great abundance, and encamped on the Canadian for the night. It is a large and bold stream 50 or 60 yds wide, with a rich and extensive bottom, well timber'd with Hackberry Oak &c. Undergrowth.

Sep.<sup>r</sup> 2

North, along the East side of Section 8. Made 27 miles to the corner of Sections 8 & 9. The ground we pass'd today is very generally Prairie of a good quality. Encamped near a piece of low Marshy land, which afforded a sufficient quantity of water for the night. One Buffalo killed today.

Sep.<sup>r</sup> 3

West between Sections 8 and 9. Made this day 17 miles over level rich Prairie and encamped without water on a prairie. Our horses are very much fatigued. The Hunters killed 2 Buffaloes.

Sep<sup>r</sup> 4

West between Sections 8 & 9. At the distance of 6 miles we crossed a branch of the Canadian running S.E. (with a bottom of good land,) from 50 to 100 yds wide. The land we pass'd over today was generally prairie of a good quality. Made 23 miles and encamped on a small stream running S.E.

Sep<sup>r</sup> 5

West, between Sections 8 and 9 over a prairie Country of good quality. Encamped at night on the dry Fork. This is a stream with but little water and deep and rugged banks.

Sep<sup>r</sup> 6

West. Today we made 26 miles over a very [rich] level prairie—Encamped at [night] near a large spring in the prairie. Game in great abundance—5 Buffaloes killed this day.

Sep<sup>r</sup> 7

West, between Sections 8 and 9. Made 16 miles to the Corner of Sections 7, 8, 9, and 10, where we encamped for the night. Land such as yesterday.

Sep<sup>r</sup> 8

North, between Sections 9 and 10.—Made 16 miles through an uneven prairie of thin Soil. Encamped without water—Game scarce—

Sep.<sup>r</sup> 9

North, between Sections 9 and 10. Made 12 miles over a prairie; at the distance of 5 miles crossed the dry Fork and encamped at a small hole of water in the prairie.

Sep.<sup>r</sup> 10

North between Sections 9 & 10. This day made 20 miles over a level plain of tolerable land. On this night 5 of our party deserted. Viz, Kemble, Bois, Casebolt, Boring, & Ryan, taking with them all our horses excepting 4. This measure was adopted, no doubt to prevent pursuit. We have suffered much from the want of food. Encamped this night in an extensive prairie without water.

Sep<sup>r</sup> 11.

We this morning for the want of water and horses were unable to lift our packs, or remain to cash them; therefore we scatter'd all our purchases, as well as the residue of our goods over the prairie, proceeding North to the corner of Sections 7, 8, 9, 10. We establish'd the corner to the said Sections on the Bank of a ravine. Thence East between Sections 9 & 12 over a level plain 22 miles and encamped at a large Spring in the prairie.

Sep.<sup>r</sup> 12

East, between Sections 9 & 12. Made 23 miles over level prairie of a good quality, and encamped on a small Branch of fine water running N.E. Here one of the hunters killed 2 Buffaloes.

Sep.<sup>r</sup> 13.

East, between Sections 9 & 12. Today made 21 miles and encamped in the prairie at a small pond of water, which had been much used by Buffaloes. The prairie is level and of a good quality.

Sep.<sup>r</sup> 14

East, between Sections 9 and 12—Made 14 miles over such land as yesterday — During the day saw large groves of Timber to the North. Encamped for the night on a stream of clear water with little or no timber. 2 Buffaloes killed today. Large gangs of wild horses & Buffaloes passed us during the day.

Sep.<sup>r</sup> 15

East between Sections 9 & 12. This day made 20 miles to the corner of Sections 9 & 12, where we encamped on a small trace running N.E. During the day we saw immense herds of Buffaloes and some deer—Land—Prairie and of good quality—

Sep.<sup>r</sup> 16

North, along the East boundary of Section 12 at three miles we crossed a small Branch, running N.E. and 4 miles further crossed the N. Fork of the Canadian—Here it is a large and bold stream from 50 to 60 yds wide, with a large and extensive bottom, well timber'd with Oak, Hackberry &c. Undergrowth— Plumb Bushes & Grape Vines. The country we pass'd over today was of a good quality, generally timber'd—Game plentiful. We made 20 miles.—

Sep.<sup>r</sup> 17

North, along the East side of Section 12. This day made 25 miles to the supposed corner of Section [12] and the NorthEastern boundary of the grant. Encamped on a small Creek, running S.E.

Sep.<sup>r</sup> 18

We proceeded N. to ascertain the true distance to the Arkansas River. — Here we found it to be 55 miles N. of the supposed Corner. The River here is upwards of  $\frac{1}{2}$  a mile wide, with a very large bottom and well timbered with Oak, Hackberry, and Elm. Undergrowth, Grape Vines &c. On 19<sup>th</sup> some of the Hunters killed a Buffaloe —

Sep.<sup>r</sup> 22.

We returned to the N.E. corner of the Grant and established it permanently about  $\frac{1}{2}$  a mile north of the temporary corner formerly established. On the 21.<sup>st</sup> we saw a large party of Indians to the W. The country between this corner and the Arkansas River is generally good.

On the 24<sup>th</sup> our horses strayed, or were driven by Indians, and were gone 2 days.

Sep 27

West, along the N. Boundary of Section 12. This line we ran on a supposed parallel line with the Arkansas River, Say West 10 degrees North. We this day made 20 miles over land of a superior quality—part of the way well timber'd. Encamped on a small creek running S.E. About midnight we were attacked by a party of Snake Indians— All prepared for battle and made a most manful resistance. The action lasted but a few minutes, when the enemy fled, leaving on the ground nine of their party dead. We have to regret the loss of 3 men killed and one slightly wounded. The men killed are, Crummin, Weathers & Jouy — Thompson slightly wounded.

Sep<sup>r</sup> 28

We were occupied this day in burying our deceased friends, which we did with as much decency as our situation would admit of. Encamped on the field of action at night.

Sep<sup>r</sup> 29

West 10 degrees North, along the North side of Section 12. This day made 24 miles, over good land and well situated, mostly prairie. Encamped on a small stream of fine water, running S.E. Today some of the hunters killed 4 Buffaloes and 1 Deer.

Sep<sup>r</sup> 30

West 10 degrees North, along the North side of Section 12. Made 26 miles over a level and rich prairie. During the day passed some pools of stagnant water, but encamped at night without it, after running until a late hour. 2 Buffaloes killed this day.

Oct<sup>r</sup> 1

West 10 degrees North along the North side of Section 12. Today made 21 miles— At 4 miles distance we crossed a creek 10 or 15 yds across, running S.E. with a good bottom of land, timber'd with Oak, Hackberry, & Cotton Wood—At the distance of 4 miles more we crossed the same Creek running N.E. The land that we passed over today was generally good. Encamped on a branch running N.E.

Oct<sup>r</sup> 2

West 10 degrees North, along the N. boundary of Section 12. Today made 9 miles and established the Corner to Sections 11 & 12. Land very generally good, a large majority of it timbered with Elm, Oak & Hackberry.

Oct. 3

W. 10 degrees N. along the North boundary of Section 11. At the distance of 12 miles crossed a branch running N.E. This day made 20



miles over good and well timber'd land. Encamped on a small branch running N.E. Killed 2 Buffaloes, 3 Deer.

Oct. 4

West 10 degrees North along the N. boundary of Section 11. Made 22 miles and encamped on a small branch running N.E. The land today was similar to that passed yesterday—Killed 1 Antelope & 1 Deer.

Oct. 5

W. 10 degrees N. along the N. boundary of Section 11. Made 21 miles and encamped on a creek running N.E. The land now, as we approach the mountain, extremely broken.

Oct. 6

W. 10 degrees N. on N. boundary of Section 11. Made 16 miles over very broken & rugged land, thickly timber'd with Pine and Cedar to the base of the mountain & extreme head of a small creek running N.E. This night there fell a Snow 8 inches deep.

Oct. 7

This day we devoted to a partial examination of the mountain. Found difficulty in continuing our Survey farther W.—; such as to induce us to abandon the attempt. The men here found some Ore, which from its appearance we thought worthy of saving for examination hereafter. In consequence of the lateness of the Season & our total inability to finish the whole of our Survey before Winter, I thought it best to pursue the most Speedy plan for arriving in front of Sierra Obscura, in order to give it that examination required in my letter of instructions.

Oct. 8

Commenced retracing our Steps to the N. corner of Sections 11 & 12 at which point we arrived on the 4<sup>th</sup> day in the Even<sup>g</sup>.

Oct. 13

S. between Sections 11 and 12. Made 26 miles over very level and rich prairie, to the Moro River—This river is very abundant and deep tho' not wide, and certainly runs thro' the best Country contained in the Grant. The timber is in plentiful abundance & the bottom of the River, tho' nearly 3 miles in width, uniformly very rich. Killed 4 Buffaloes and encamped on the River for the night.

Oct. 14

S. between Sections 11 & 12— Made 20 miles over delightful prairie occasionally studded with groves of timber, to the bank of a small river, where we remained for the night.

Oct. 15

S. between Sections 11 & 12 — 7 miles to the corner of Sections 9, 10, 11, & 12; thence West 6 miles to the same creek we encamped on last night— The whole of this day's march was over good land and broken.

Oct<sup>r</sup> 16

W. between Sections 10 & 11.— 25 miles over very broken Country, and encamped on the extreme head of the Dry Fork. Killed 2 Buffaloes & 1 Elk.

Oct<sup>r</sup> 17

W. between Sections 10 & 11— 21 miles to the base of the mountain, where we arrived extremely late in consequence of the unevenness [sic] of the land.

Oct<sup>r</sup> 18

Retraced our steps along our last course to the corner of Sections 9. 10. 11 & 12 where we arrived the third day, early in the Afternoon.

Oct 21

S. between Sections 9 & 10 to the corner of Sections 7, 8, 9, 10, where we arrived the 2<sup>d</sup> day and encamped on a small creek immediately in a corner—running E.

Oct.<sup>r</sup> 23

W. between Sections 7. 10—Made 11 miles over very broken sterile land to the base of Sierra Obscura. Here we remained until the 25<sup>th</sup> of the month, to give such examination of this mountain, as the Snow would permit. The character of this mountain appears to be extremely Sterile, being composed, where it was observable, of Black Rock and Sand. It affords but little timber, and that of a stunted growth—Within about 4 miles of where we struck this mountain, we found the remains of 5 old Furnaces. This mountain is entirely separated from the principal one and only connected to the Sierra del Sacramento by a low Chain—It is much higher than any of its neighbours.

Oct<sup>r</sup> 25

Believing that any further examination of Sierra Obscura, at this Season and under present circumstances, would be fruitless, we returned this day to the Corner of Sections 7, 8, 9, 10, and encamped on the same spot where we encamped on the 22<sup>nd</sup>

Oct<sup>r</sup> 26

S. between 7, 8 to the corner of 5. 6. 7. 8 where we arrived on the third day.

Oct 29

W. between 6, 7.— 15 miles over broken land to the Base of Sierra Obscura—Here we arrived sufficiently early to have time to observe, that the mountain here was of pretty much the same character, as where we last touched it, with the exception, that it was materially lower. Killed 3 Deer 1 Elk.

Oct 30

This morning, the men having become extremely impatient, in consequence of the lateness and rigour of the Season, made a formal demand of me of their pay & refused positively to serve any longer unless their demands were discharg'd. I knew it was fruitless to oppose any objection whatever to their determination and consequently determined on going to Santa Fé to report progress.

Signed  
Alex. Le Grand  
(Rubric)

## Book Reviews

*Florentine Codex. General History of the Things of New Spain.* By Fray Bernardino de Sahagún. Books 3 and 7. Translated from the Aztec into English, with notes and illustrations by Arthur J. O. Anderson and Charles E. Dibble. Santa Fe, New Mexico: The School of American Research and The University of Utah, 1952 and 1953 (Monographs of The School of American Research, No. 14, pts. 4 and 8).

It is easy to imagine many occasions when some serious scholar or writer, not a specialist in the field and not equipped to read Spanish, might want reliable information on ancient Mexico. Until recently such a person would have been restricted to second-hand information in English, and while much of that is of sound quality, the appearance in English of a truly trustworthy translation of our greatest first-hand source is an event.

We already have Bishop Landa's<sup>1</sup> work in Tozzer's wonderfully annotated version, and Bernal Díaz<sup>2</sup> is available, although abridged, in the Maudslay version. But Sahagún remains the most important of all, the source of much which has been long mistakenly considered as source materials. Fray Sahagún wrote parallel columns of Spanish and Nahuatl, but his columns were only physically parallel, often summarizing or amplifying each other rather than simply duplicating in translation. Therefore, even a knowledge of Spanish has only enabled the researcher to read half of Sahagún in the original, leaving him with someone's Spanish version of Sahagún's Nahuatl for the rest.

There is much reason to believe that the Anderson and Dibble translation to English of Sahagún's Nahuatl is the most scrupulous yet made into any language, and therefore

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1. Tozzer, Alfred M. *Landa's Relacion de las Cosas de Yucatan*. Cambridge, Mass.: Papers of the Peabody Museum, Vol. XVIII, 1941.

2. Bernal Díaz del Castillo, *The Discovery and Conquest of Mexico*, translated and abridged by A. P. Maudslay. Mexico, D. F.: The Mexico Press, 1928.

our Spanish-speaking friends will now have good reason to refer to an English source of Mexican history.

Four of the planned thirteen volumes are now available, and a fifth is in press; we are dealing here with the two most recent releases. Sahagún divided the History of the Things of New Spain into twelve books, and the plan is to publish them one by one in separate volumes, to be followed at the end by Volume One, containing introductory material, index and so on. Sahagún's order is not being followed, however, and we therefore have, in the order of appearance, his Book One, The Gods; Book Two, The Ceremonies; Book Three, The Origin of the Gods; and Book Seven, The Sun, Moon and Stars, and The Binding of the Years. The volume in press is Book Eight, dealing with kings and nobles, social structure and machinery, and the life of the upper classes.

There really is little for a reviewer to say of such a work of loving and unhurried scholarship as this one. Here we have parallel columns of English and Nahuatl, giving (presumably in their own words) a world of information about Aztec custom and tradition garnered from Aztec informants and in part from Fray Bernardino's own observations. Occasional questions do come to mind in the reading, though, and it may be worthwhile to give some examples.

In Volume Four (Book Three of Sahagún), on page 5 there is a note questioning Seler's rendering of *chicalotl* as the common Mexican prickly poppy, a white-flowered plant resembling a thistle in many ways. Since the plant is commonly called *chicalote* in much of Mexico to this day, and we know the derivation of many similar words (*tomatl*, *tomate*, tomato; *petlatl*, *petate*, rush mat; *tilmatl*, *tilma*, blanket; *tecolotl*, *tecolote*, owl; *tsapotl*, *zapote*, sapote; etc), Seler seems to have been on safe ground.

On page 33, the Nahuatl *coahapan* is rendered in English as Coaapan. In old Spanish spellings of Nahuatl, the letter *h* is used in this way to indicate a glottal stop, and the translators are probably correct in assuming that many or most English speakers will pronounce the *aa* as *a'a*; but their intention is not entirely clear.

Again, on page 47, *tzivactli* (*tsiwaktli* in modern orthography) is rendered as *maguey*, with another note referring to Seler's different choice of cactus to go with the name. But no mention is made of the Nahuatl *mayawel*, from which the Spanish-Mexican name *maguey* for the familiar plant source of *pulque* is clearly derived.

These are quibbles, and as such are an accurate indication of the quality of the work done by Anderson and Dibble; if the reviewer can find no more than this to complain of, he probably should not complain at all.

Volume Eight (Sahagún's Book Seven) illustrates on page 12 the commendable care of the translators' work: where Sahagún used "doors and windows" as his Spanish rendering of a certain Nahuatl phrase, Anderson and Dibble have resorted to the perhaps awkward but more precise "outlets and openings of houses." Sahagún was making the error of equating Aztec architecture with European, but the present translators, realizing that Aztec "doors" and "windows" were not necessarily equivalent *as ideas* to European ones, have made an effort to avoid bringing a false picture to the reader's mind.

In his Book Seven, Sahagún included detailed directions as to how his work should be presented. Here the translators have presented not two but four parallel columns in an appendix, giving Sahagún's Spanish text; an English version of it; Sahagún's Nahuatl version; and, in Spanish, his detailed notes explaining, word by word, the Nahuatl text.

After going to an enormous amount of trouble to spare the English-speaking scholar the necessity of learning Spanish in order to read Sahagún, it would have been a trifling further step to have put the many quotations included as footnotes from German and French sources also into English. There is a tendency for the younger Americanists to be more interested in American native languages than in European ones other than Spanish and English, and to turn to the Orient more than to Europe for further study.

Nahuatl is, unlike many American Indian languages, delightfully simple phonetically, and logical and regular in

general. Therefore, while the desire of Anderson and Dibble to preserve Sahagún's Nahuatl text accurately down to the last pen-stroke is entirely understandable, it really pains one to see a basically simple language presented in his barbarous 16th-century Spanish orthography, which was utterly inadequate to deal with the sounds uttered by his Aztec informants. English orthography does it effortlessly, and one may be permitted to hope that when the introductory volume is published, it will include a full explanation of Nahuatl phonetics and an unravelling of the old Spanish spellings. Spanish orthography certainly renders Spanish speech better than English orthography does English speech, but the attempt to spell Nahuatl with Spanish orthography is disastrous—difficult reading even for a person who has some familiarity with modern spoken Nahuatl.

Mexico, D. F., Mexico  
Calle Tinala 223

JOHN PADDOCK

*Most Reverend Anthony J. Schuler, S.J., D.D. First Bishop of El Paso. And Some Catholic Activities in the Diocese Between 1915-1942.* By Sister M. Lilliana Owen, S.L., Ph.D. El Paso, Texas: Revista Catolica Press, 1953. Pp. xxiii, 584 (Jesuit Studies—Southwest, No. 3)

Almost a quarter of a century ago, it was the present reviewer's experience to meet Bishop Schuler, Jesuit Bishop of El Paso, at Sacred Heart Novitiate, Los Gatos, California. Those of us then new in the Society of Jesus took an especially long look, for we already knew that few were—and are—the Bishops in the Jesuit Order. I can still recall his nice geniality and sturdy sense of humor and we were pleased with the visit to us of the Shepherd of El Paso. Now there comes to my desk the life of Anthony Joseph Schuler, S.J., D.D. (1868-1944) who served as Bishop of El Paso from 1915-1942. The author is Sister Mary Lilliana Owens who has collaborated within the last few years with other Southwest Catholic scholars to produce a series of three volumes called "Jesuit Studies—Southwest." Already

published are "Jesuit Beginnings in New Mexico, 1867-1882" and "Reverend Carlos M. Pinto, S.J., Apostle of El Paso."

No one will ever say that Sister Mary Lilliana has forgotten the apparatus of the foreword, etc. in this book! In fact, she gives the reader much more than most—for, in addition to the foreword, there is an author's preface, another preface, an introduction and an acknowledgment! Thus prepared, the reader reads on—and on, for the book is a detailed and fairly lengthy one. Yet it is well that the author protests that the "present study does not pretend to cover completely the period under study, much less to evaluate with any historical finality the person of Bishop A. J. Schuler, S.J. . . . it is rather an appreciation of the good accomplished by Bishop Schuler during his incumbency." It is, therefore, intended as a contribution to the general Catholic Church history of the Southwest. It should be judged, therefore, as a source book in a field which needs exploitation and, judged as such, Sister Mary Lilliana Owens has wrought a good work. All who wish to delve into the Catholic history of the period and places she covers will, and this necessarily, meet this author and this work.

It is my impression that Sister Mary Lilliana is a better researcher than a writer and, since this is avowedly a source book, the author should not be unduly alarmed at the perfectly honest observation. There are certain irritating features in the style adopted, chief among which I found the constant repetition of "Bishop A. J. Schuler, S.J.," which, conservatively, must appear several hundred times in her pages. Would it not have been much smoother to have varied the bishop's mention by use of the customary synonyms—i.e. "the prelate"—the "Ordinary of El Paso," etc.? But no doubt is left in the reader's mind as to whom is being discussed in the pages! An idiosyncrasy—but it would be neither kind or just to conclude from this one facet of the book that the author has not done her work well. A labor of love does not result in notably critical or definitive history—but such was not Sister Mary Lilliana's intent. What she has done she has done well and her work is what she



hoped it would be—a contribution of worth to the story she has chosen to tell.

JOHN BERNARD MCGLOIN, S.J.

University of San Francisco

*Antoine Robidoux, 1794-1860: A Biography of a Western Venturer.* By William Swilling Wallace. Los Angeles: Glen Dawson, 1953. Pp. xii, 59. \$5.00 (Early California Travel Series, vol. XIV).

Antoine Robidoux is an example of one of the important smaller figures that played so significant a part in the development of the Far American West. He is also an example of the persistence of the French influence in the same region. Perhaps if much more were known about Antoine and his work, and other adventurers of his kind, the history of the Far West would lay less stress on the sensational achievements of numerous, romantic, "over advertised" contemporaries of mixed fact and fancy.

Antoine, if not a major figure, nevertheless played a highly constructive part in the development of the Intermontane Corridor, and deserves great credit for his achievements. He was one of the first penetrators of the entire Corridor. Also, he was the first adventurer "to remain long enough in a large section of the Corridor to establish himself . . . This distinction came about through his establishment of a small fort on the banks of the Gunnison River, a short distance below the mouth of the Uncompahgre River, in what is now Western Colorado." This introduction of Indo-European civilization was "extended to a second fort which he constructed near the forks of the Uinta River and White Rocks Creek, in northeastern Utah."

These initial activities of about 1830 settled into a successful Indian trading business which continued until 1844, when Antoine discontinued all his intermontane activities, following the destruction of Fort Uintah by the powerful Utes. Influenced, no doubt, by the hazardous and transitory nature of his operations in the Corridor, Antoine returned

to St. Joseph, Missouri, a town recently founded by a brother, Joseph Robidoux III.

The Mexican War called Antoine in 1846, despite his fifty-two years of age, in the capacity of an interpreter for Colonel Stephen W. Kearny. This experience reached a climax at the battle of San Pasqual, where Antoine was grievously wounded. His severance from the interpreter's post in 1847 was followed by a swift onslaught of old age, although his perseverance in the quest of a military pension was perhaps a strong indication of the firmness of purpose which must have been an outstanding trait of his character. He was almost sixty-six years of age when he died an invalid on August 29, 1860.

In this excellent little book Mr. Wallace produces ample evidence to show that the Robidoux family was a positive and dynamic force throughout the history of the early Far West, and that Antoine's claim to distinction lies in his contribution as a primary factor in the opening and development of the Intermontane Corridor. The book maintains a high level of interest and is well written. Moreover, the student will be gratified by the ten pages of copious and illuminating notes that follow the narrative. The format is delightful.

R. H. OGLE

Phoenix High Schools and Phoenix College

*Franco-Spanish Rivalry in North America.* By Henry Folmer. Glendale, Calif.: The Arthur H. Clark Company. Pp. 346. \$10.00.

A number of studies have been made during the past three decades on the rivalry of Spain and France in North America, but Henry Folmer, in this work, has compassed the noteworthy pioneering achievement of being the first to provide a continuous summary-synthesis of this rivalry.

Covering the period, principally, from 1524 to 1763, Dr. Folmer proceeds from the premise that both Spain and France pursued consistent policies which originated during the earliest stages of their overseas competition. Basically, then, the source of these policies would be found in Spain's

adamant assertions of exclusive title to all territories lying west of the Papal line of demarcation, occupied or unoccupied, and France's equally insistent denial of the validity of that Papal assignment, to which the House of Bourbon had not been a party. France demanded to see Adam's will dividing the world, and avowed her right to those lands which she discovered or occupied, which had not been previously effectively occupied by Spain; and to freedom of the seas for her vessels.

Although Franco-Spanish diplomacy and statesmanship failed to resolve their conflicting claims, and thus left North America in a perpetual state of conflict, the differences and difficulties "beyond the line" became largely separated from official relations in Europe between the French and Spanish monarchs. During the period, however, the vast wealth of the Spanish Empire in the New World, and particularly the rich mines of Mexico, attracted the fancies of French expansionists, especially Louis XIV, and plans were actually formulated to conquer the mines of New Spain. La Salle's discovery, plus other information, made the French conquest of parts of Spanish North America feasible, and there is reason to believe that French occupation of Gulf spots might also be partially explained in the light of their acquisition of bases from which an attack on Mexico might be launched.

Albeit these French plans, combined with Spain's perennial suspicions of her Gallic neighbor, kept Spanish fears on edge, it appears to the reviewer that the most important facets of the Franco-Spanish rivalry are to be found in the activities of the French in North America in the 18th century: their expansion into unoccupied areas, and the subsequent narrowing of the northern frontiers of New Spain; their expanding trade with the Indians, which eventually led them to the Plains Indians; their explorations of the Missouri and its tributaries, and the frontier conflicts in Texas and Florida—and the Spanish reactions to such French advances. It is in this field that Dr. Folmer has made his earlier contributions and scholarly studies, and yet, strangely, only a very small portion of *Franco-Spanish Rivalry in North America* has been devoted to this important

struggle. It is true enough that the number of scholarly studies in this field are limited, but this reviewer is frankly disappointed in Dr. Folmer's not doing a more thorough job in this field, with which he is so familiar (especially the last chapter).

The reviewer also feels that far too much importance, and space, has been devoted to the earlier positions of France and Spain (for instance, La Salle is not discussed until page 134). While in joining the threads of Paris-Madrid diplomacy on the one hand, and the story of the actual colonization activities on the other, Dr. Folmer has woven a complete tapestry of the period for the first time (which is this work's important contribution), this reviewer feels that a much more balanced picture would have been formed had Folmer devoted a great deal less space to the period before La Salle (in which he has added little that is new), and had given a great deal more space to the colonial activities and rivalries from La Salle's time on. In reality, the 18th century is not extensively discussed until Folmer's dealing with the "Race for Pensacola," this on p. 189. Real colonial rivalry begins with Iberville and the French occupation of the Mississippi Valley, but this is past p. 200, in a volume of some 310 pages of text.

*Franco-Spanish Rivalry in North America* is a well printed book and rightly is included in the A. H. Clark Company's "Spain in the West" series. Folmer writes clearly and has co-ordinated events into a whole story rather well. He shows his familiarity with the printed literature on his field. His archival references and bibliography is in the main limited to transcripts in the Library of Congress, the University of Texas, and a few other repositories in the United States. A number of archival references noted in the foot-notes have been printed and/or quoted in printed works listed in his bibliography. The reviewer noted the omission in the bibliography of Hackett's notable contribution to Spanish Policy regarding French encroachments which appeared in *New Spain and the West*. Several dissertations at the University of Texas would have bolstered his story of

rivalry in the Texas area. The greatest fault which the reviewer has found, however, is faulty accenting of Spanish names and terms.

Folmer's volume would have been much enhanced in its use and value to readers and students had he included some maps. The only map and illustration included in the volume is Delisle's well-known and many times published map of 1718, but it is too small to be of much value to the reader. This is partly compensated by the inclusion of a good index.

Despite many minor things with which this reviewer might quibble with Folmer, the learned doctor has pioneered a new field in a well done piece of work.

A. P. NASATIR

San Diego State College

*Lost Mines of Death Valley.* By Harold O. Weight. Twenty-nine Palms, California: The Calico Press, 1953. Pp. 72. \$1.50. (Southwest Panorama, No. 2)

Death Valley is a legendary place in the annals of the Southwest. Hunting lost mines is an old western practice. Both legends and huntings are brought together in this paper-bound *Lost Mines of Death Valley*.

Some of the stories have been told before, others are less well-known. In either case, the author has worked diligently to make them as complete and authentic as possible. Reading interest is heightened by an excellent map drawn by Norton Allen. Several photographs present pioneers of Death Valley, ghost mining towns and the rugged grandeur of the country.

A closing chapter includes excellent advice to those who would seek lost mines, advice on what not to do! It is good even for those travelers who just want to tour the Valley. If you feel the urge to adventure, just remember that "year after year men die needlessly on the deserts. Lost mine hunting can be an exciting and entertaining pastime. But it can turn with shocking suddenness into absolute and irredeemable tragedy." If this closing statement sounds too alarming, enjoy a vicarious thrill by reading the book.

F. D. R.

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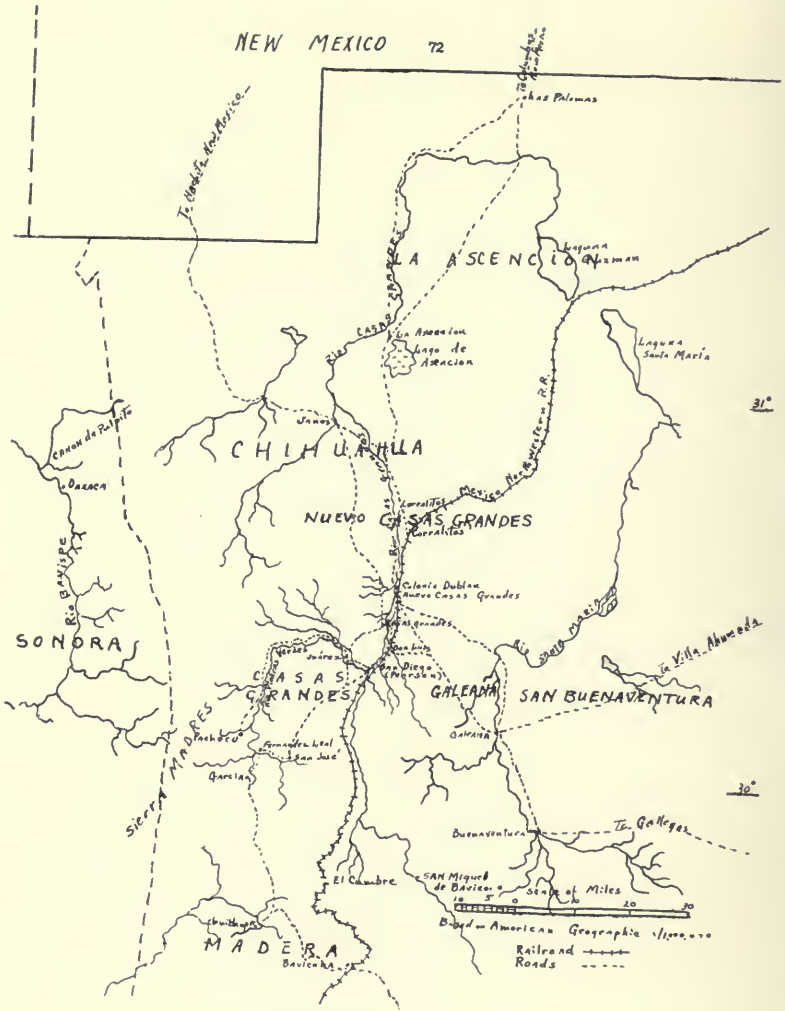
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THE MORMON COLONIES

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## THE MORMON COLONIES IN CHIHUAHUA AFTER THE 1912 EXODUS \*

By ELIZABETH H. MILLS

### *Introduction*

IN the spring of 1846 the Mormons trekked across the plains from Nauvoo, Illinois, to the Great Salt Lake Basin, then a part of Mexico, for persecution of the Mormons in Illinois had led to the decision of their leader, Brigham Young, to seek a land where they would be free to practice their religion in peace. Here the Mormons prospered and gradually extended their colonies to the neighboring territories. Their original numbers were augmented by the immigration of converts from Europe and from Great Britain. By 1887 it was estimated that more than 85,000 immigrants had entered the Great Basin as a result of foreign missionary work, one of the strong features of the Mormon religion.<sup>1</sup>

The early Mormon colonies in Utah, largely agricultural, were distinguished by the efficient organization of the church and by a spirit of coöperation among the colonists. The first irrigation projects were on a communal basis, water being allotted in proportion to the amount of work done on the irrigation canals, and the land was also dis-

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1. G. O. Larson, "The Story of the Perpetual Emigration Fund," *Mississippi Valley Historical Review*, Vol. XVIII (September, 1931) 184-194.

tributed on an equitable basis. The system of tithes to support the church and to provide educational and recreational facilities likewise tended to equalize the economic status of the colonists. The church was the dominating influence and maintained a closely knit organization which formed a practical theocracy.<sup>2</sup>

The missionary work of the Mormons extended to Mexico, where missionaries had been sent as early as 1874 to work among the natives, and by 1880 a Mexican mission had been established in Mexico City. Later missions, such as those to Sonora and Chihuahua in 1881 and 1882, were exploratory as well as religious in character, for they were sent out not only to convert the natives but also to find a place suitable for Mormon settlement.<sup>3</sup> Rising resentment in Utah against the Mormon practice of plural marriage, a tenet of their faith at that time, and the misunderstandings which followed the passage in 1882 of the Edmunds-Tucker Act which prohibited polygamy, led Mormon leaders to turn again to Mexico for a home for their followers.<sup>4</sup> In 1884 the Yaqui River country was visited by a party of Mormons seeking land for settlement.<sup>5</sup> The following January, at the request of church authorities, a party from Saint David, Arizona, explored the Casas Grandes River Valley and the neighboring Sierra Madres in northern Chihuahua and reported favorably on the possibilities of the country for colonization. In February and March of 1885, small groups of Mormons migrated from Arizona and were laying out home sites along the Casas Grandes Valley from Ascención to Casas Grandes. By April the arrival of more than three hundred and fifty colonists had alarmed the local Mexicans who thought that the Mormons had come for conquest. Their expulsion was prevented by the prompt action of the church leaders in Mexico City, who obtained from President Por-

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2. H. Gardner, "Cooperation Among the Mormons," *The Quarterly Journal of Economics*, Vol. XXXI (May, 1917) pp. 461-99.

3. T. C. Romney, *The Mormon Colonies in Mexico*, pp. 38-48 (Salt Lake City: Deseret Book Co., 1938).

4. *Ibid.*, pp. 51-52.

5. *Ibid.*, pp. 54-55.

firio Díaz and from General Carlos Pacheco, the governor of Chihuahua, approval of Mormon colonization except in the *Zona Prohibida* (Prohibited Zone).<sup>6</sup>

After official sanction of colonization by the Mexican government had been received, Mormon settlement and exploration continued. Land was purchased both by individual colonists and by groups of colonists. In the latter case the land was held in common by a company, the Mexican Colonization and Land Company, which was organized by the church as a nonprofit enterprise to purchase land which was then leased to the colonists. As the company was under the management of the church authorities, settlement was controlled and colonists were carefully selected.<sup>7</sup>

In Chihuahua the colonies were seven in number, three were located in the valleys and four in the mountains. Colonia Díaz near Ascención, the first colony to be formed, and Colonia Dublán, about forty miles to the south, were located in the Casas Grandes Valley. Colonia Juárez, which became the cultural center of the colonies, was established in the Piedras Verdes Valley about fifteen miles west of Colonia Dublán. The mountain colonies of Cave Valley, Pacheco, García and Chuichupa lay to the south and west of Colonia Juárez, in a region of the Sierra Madres which at one time had been a famous Apache retreat.<sup>8</sup> The Sonoran settlements of Colonia Oaxaca and Colonia Morelos were established in the 1890's on the Bavispe River about fifty miles southeast of Douglas, Arizona.<sup>9</sup> In each community one-fourth of the land was usually unoccupied, for Mexican law required that twenty-five per cent of the property in each community be reserved for purchase by Mexicans.<sup>10</sup> The valley communities were predominantly agricultural while in the mountain

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6. *Ibid.*, pp. 55-59.

7. *Ibid.*, pp. 62-63.

8. In an interview in Colonia Juárez in April, 1950, Mr. S. Farnsworth stated that the Apaches had driven the Mexicans from the mountain regions in which the Mormons established settlements.

9. Romney, *op. cit.*, pp. 115-127.

10. Moisés T. de la Peña, "Extranjeros y Tarahumares en Chihuahua"—in *Obras Completas*, Miguel Othon de Mendizabal, Vol. I, pp. 225-6 (Mexico, D. F.: Los Talleres Gráficos de la Nación, Tolso y Enrico Martines, 1947).

colonies the chief activities were stock raising, lumbering and some farming.

The perseverance, industry and thrift of the colonists surmounted the hardships and poverty of the first years and brought prosperity to the colonies. Dams and canals were constructed to irrigate their lands, fruit trees were planted, strains of improved cattle and horses imported, and industries such as saw mills, a tannery, harness shops, mercantile establishments and flour mills supplied many of their needs. Well-built red brick houses were surrounded by vegetable and flower gardens. But the first permanent building to be erected in each community was usually the schoolhouse, which also served as the church and the community recreation center. From the Juárez Stake Academy, founded in 1897 in Colonia Juárez, students graduated, many of whom continued their studies in universities in the United States.<sup>11</sup>

Politically the colonies were subject to the Mexican municipalities in which they were located, but were practically self-governing with a president, town council and other officials whom they elected.<sup>12</sup> That the Mormons caused the Mexicans little trouble can be seen by the following statement quoted by Romney from the *Ciudad Juárez Revista Internacional*:

The oldest colony is the Colony Díaz which contains nearly a thousand souls, with clean streets, lined with shade trees on either side. Díaz has several industrial establishments, a church, school and drug store, but they have neither a saloon, billiard hall, nor any place whatever where mescal is sold. Consequently they have little need of a jail, nor have they one in any of the colonies. There are seldom any complaints or quarrels and scandals are entirely unknown in any of the colonies.<sup>13</sup>

Socially, the colonists, who numbered about four thousand by 1912, had little intercourse with their Mexican

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11. Romney, *op. cit.*, pp. 141-142.

12. *Ibid.*, p. 148.

13. *Ibid.*, pp. 71-72.

neighbors. Romney who lived in Colonia Juárez until 1912 explains the Mormon attitude as follows:

Socially the colonists were exclusive and seclusive, having few if any contacts with their neighbors. Occasionally, as a matter of diplomacy or as an expression of good will, government officials would be invited to participate in a national festivity or perchance some other form of entertainment, otherwise these social functions were entirely restricted. . . . This policy inaugurated by the church was not born of a "race superiority" complex, but resulted from a feeling that groups of people having different social standards, resulting from radically different environments, will have more enduring friendships for one another if they do not become too intimate.<sup>14</sup>

As factors contributing to the ill-feeling expressed toward the colonists during the Mexican Revolution, Romney cites the difference between the Latin temperament of the Mexicans and the practical, less emotional temperament of the colonists, who were largely of North European extraction; and the contrast of the hopeless peonage of the Mexicans with the comparatively abundant life and economic independence of the Mormons.<sup>15</sup>

Although it was at the old town of Casas Grandes, between Dublán and Juárez, that Francisco Madero was defeated in 1910 in the first battle of his rebellion against Díaz, the revolutionists did not make undue demands upon the Mormon colonists. When requisitions were made by the revolutionary leaders, receipts were usually issued for the material taken.<sup>16</sup> However, the Orozco revolt against Madero in 1912 seriously threatened the safety of the colonists, for the rebels camped in the vicinity looted the stores, stole from the gardens, appropriated the horses and butchered the cattle of the colonists. In July the rebel commander of Casas Grandes, General José Inez Salazar, ordered the colonists to surrender their guns and at the same time withdrew his

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14. *Ibid.*, p. 147.

15. *Ibid.*, p. 146.

16. *Ibid.*, pp. 150-151. Most of these receipts proved to be of no value, though a few were used in payment of taxes.

guarantee of protection. After consultation the colonists decided to surrender their arms but to send the women and children from the country. Although the Mormons brought in a strange array of old guns to the amusement of the Mexican commander receiving them, they retained their better guns which they thought might be needed later.<sup>17</sup> On the following days, July 28 and 29, 1912, the women and children from Dublán, Juárez and the mountain colonies were put on trains for El Paso with only a few personal possessions, for they expected to return in a short time. The greater number of the men remained behind to protect their homes and property.<sup>18</sup> In Colonia Díaz on July 28, three hours after the decision to leave had been made, the colonists had loaded their goods into wagons and were traveling by wagon and on horseback toward Hachita, New Mexico. A few young men remained behind, only to see the colony ransacked and burned a few hours later by the rebels.<sup>19</sup>

As the depredations, the hostility and the numbers of the rebels increased, the men who had stayed behind to protect their property collected the remaining cattle and horses in the Sierra Madres to the west and drove them north to Hachita, New Mexico. By the end of August, 1912, the only Mormons in the Mexican colonies were a few young men who were taking care of cattle hidden in the mountain canyons and who were hoping to harvest the crops which had not been destroyed.<sup>20</sup>

In the meantime in El Paso, Texas, the women and children, encamped in old lumber sheds, were dependent on the charity of the Mormon Church, of the citizens of El Paso and of the United States government. On July 29, 1912, the Secretary of War of the United States was authorized to supply tents and rations to the four thousand American citizens

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17. Statement by Mr. Eli Abegg, personal interview, January, 1950 (at Tucson, Arizona).

18. Romney, *op. cit.*, pp. 182-194.

19. S. C. Richardson, Jr., "Remembering Colonia Díaz," *The Improvement Era*, Vol. XL (May, 1937) pp. 298-300, 322, 331.

20. Committee on Foreign Relations of the United States Senate, *Investigation of Mexican Affairs*, Vol. I, p. 1481 (Washington: Government Printing Office, 1920. 2 vols.).



compelled to leave Mexico by Salazar and the Red Flaggers<sup>21</sup> in revolt against Madero. The government further aided the refugees by appropriating on August 2, 1912, the sum of one hundred thousand dollars to provide transportation "to such place as each shall select," of this amount twenty thousand dollars was to be used for refugees in Arizona from Sonora.<sup>22</sup>

Conditions in Chihuahua resulting from the hostility of the Mexican rebels toward Americans, from the policy of the United States government, and from the desire of the Mormons to remain neutral made the exodus from the Chihuahua colonies in 1912 inevitable. To aid the Madero government which it had recognized in 1912, the United States put an embargo on the shipment of arms to revolutionists in Mexico. It was this embargo which contributed to the ill-feeling of the rebels against all Americans in Chihuahua and which embittered the Orozco rebels and led to their demand for arms from the colonists, only a few of whom were Mexican citizens at the time.<sup>23</sup> As the demands and the hostility of the Orozco rebels were such that the Mormons could no longer remain in Chihuahua without resorting to arms to defend themselves, and as the policy of the church and of the colonists was to remain neutral and to avoid a conflict, a withdrawal from Mexico was the only course open to the colonists.

### *Resettlement Amidst Revolution*

During the remainder of the summer of 1912, the Mormon refugees in El Paso anxiously awaited news that conditions in Casas Grandes were such that they might return to their homes. Consular reports were not optimistic. On July 31, 1912, the American consul in Chihuahua City informed Secretary Knox:<sup>1</sup>

21. Mr. J. H. Martineau of Colonia Juárez stated in a personal interview that the Red Flaggers were originally rebels in Orozco's army, but later became unorganized bands who pillaged the countryside (April, 1950, at Colonia Juárez).

22. *Investigation of Mexican Affairs*, Vol. II, pp. 3346-47.

23. Statement by Mr. J. H. Martineau, personal interview, April, 1950 (at Colonia Juárez).

1. *Foreign Relations of the United States*, 1912, p. 824 (Department of State, Washington: Government Printing Office, 1948).

I believe Federals will not occupy Casas Grandes district for two or three weeks. Campaign perfectly incompetent and no relief for Americans in northwestern part of the state for a considerable time. Occasional squads of rebels reported but impossible to communicate specific warning of them to Americans. Madera cut off two weeks.

It was not until August 12th that the American consul in Ciudad Juárez reported that the federals had occupied the city, that railroad traffic would be resumed and that refugees would soon return to their homes in the belief that the revolution was over in Chihuahua.

In the Mormon colonies, however, there was still no certainty of safety from rebel attack, for although the federal forces of General Agustín Sanjinez had occupied Casas Grandes,<sup>2</sup> General Salazar and his rebels had retired to the mountains southwest of Casas Grandes and were in possession of the Mormon mountain colonies. At García the irrigation dam had been destroyed, and at Chuichupa the rebels had looted the town, taken all the horses and killed many of the cattle that had not been driven into the mountain canyons.<sup>3</sup> Bands of Red Flaggers seeking horses and ammunition were reported in the neighborhood of Palomas, while quantities of ammunition were shipped to an unknown person in the vicinity of Columbus, New Mexico.<sup>4</sup> In Colonia Pacheco the Stevens family, trusting for safety in the isolation of their farm in the Sierra Madres, had not left Mexico in the general exodus in July, 1912. The rebels retreating toward García and Chuichupa in mid-August had taken three of the four guns owned by the family, but had demanded no money; their horses and cattle were hidden in a mountain canyon where the boys of the family tended them. Several weeks later Mr. Stevens was killed in a struggle with two Mexicans who had approached his daughters as they were picking berries. The mother and four children then sought refuge in El Paso, but two of the boys remained to take care

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2. *Ibid.*, p. 825.

3. *Investigation of Mexican Affairs*, Vol. I, pp. 1480-82.

4. *The Deming Graphic*, Vol. X, August 9, 1912.

of the horses and cattle concealed in the mountains and to harvest the crops. It was never known whether or not the Mexicans responsible for Mr. Steven's death were rebels, for they wore no identifying uniforms.<sup>5</sup>

From El Paso the men began to return to the colonies early in August to look after their property, for in a few cases Mexican generals had given local Mexicans permission to take possession of Mormon farms and homes.<sup>6</sup> In the latter part of August, Junius Romney, the president of the Mexican colonies, and a committee appointed by the refugees in El Paso returned to the colonies to investigate conditions and to estimate the property damage. After conferring with General Sanjinez, the federal commander, and the civil authorities in Casas Grandes, Romney reported:

My best judgment after visiting the colonies and talking with those who visited the mountain colonies, and after consulting with Sanjinez and Blanco and perceiving their manifest indisposition to pursue the rebels and their apparent indifference to the conditions in the colonies, was that it was not safe for the colonists to return with their families at this time.<sup>7</sup>

By the middle of September, 1912, however, it was considered safe for the men to return to the colonies to harvest their crops, to care for their cattle and to look after their property.

The conditions that make the present time seem opportune for this work are that there are apparently few Rebels in that part of the country at present; and but little Rebel activity manifest; while Federal garrisons already occupy the towns of Pearson, Unero, Casas Grandes, La Ascensión, Sabinal, and Guzman, while a detachment of 135 Federals are now on their way from Guzman to Palomas. There are many cattle belonging to the colonists in the district and good offers have been made to buy most of these cattle. There is much lucerne, hay, corn and oats that might be harvested and perhaps sold.<sup>8</sup>

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5. *Investigation of Mexican Affairs*, Vol. II, p. 2602.

6. *Ibid.*, Vol. I, p. 1482.

7. Romney, *op. cit.*, p. 206.

8. Romney, *op. cit.*, p. 208.

As a result of this report several men returned to look after their interests, and before the end of the year a few families had followed them. Conditions, however, were still unsettled, for the camp of some Mormons rounding up cattle in the mountains was looted, the men themselves disarmed, and one of their number was held for ransom.<sup>9</sup> It is interesting to note that Joel H. Martineau, a Mormon colonist who had become a Mexican citizen in 1897, remained in the colonies during the revolution, except for a period of two weeks, yet never carried a gun nor had occasion to use one.<sup>10</sup>

As the winter of 1912 approached and it was still considered unsafe for families to return to the colonies, many of the refugees in El Paso, despairing of peaceful conditions in Mexico, scattered to other parts of the United States and even to Canada to start life anew. Others took up homesteads in southern Arizona and New Mexico or settled in El Paso, Texas, Douglas, Arizona, and other towns near the Mexican border. The more optimistic found work on ranches or in the border towns to tide them over the winter until they could return to Mexico in the spring to plant their crops.<sup>11</sup> There was no employment to be had near their homes in Mexico, for the lumbering companies near Pearson and Madera, with which the Mormons had previously found employment, had ceased operations because of the rebel activities in the neighborhood.<sup>12</sup>

The location of the Mormon colonies in northwestern Chihuahua accounts for many of the depredations to which they were subjected, for they were surrounded by the Terrazas range lands stocked with fine cattle and horses which fed and provided mounts for many a rebel band.<sup>13</sup> From the northern part of the Casas Grandes Valley, in

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9. *Ibid.*, p. 208-9.

10. Statement by Mr. Joel H. Martineau, personal interview, April, 1950.

11. Romney, *op. cit.*, p. 211-12.

12. *The Mexican Yearbook*, 1914, p. 50. (Issued under the Auspices of the Department of Finance, Mexico City, New York, London: published by McCorquodale and Co., Ltd., London).

13. Edgcomb Pinchon, *Viva Villa*, p. 226 (New York: Harcourt Brace and Co., 1933).

which Colonia Dublán is situated, Pulpito Pass leading to northern Sonora was an easier route for mounted or marching armies than that over the Sierra Madres; while the mountains themselves formed a safe refuge for defeated rebel bands, or Red Flaggers. From Ciudad Juárez, opposite El Paso, Texas, the Mexican Northwestern Railroad ran west to Corralitos in the Casas Grandes Valley and thence south through Colonia Dublán, Nuevo Casas Grandes, and the lumber shipping points of Pearson and Madera to Chihuahua City. Though strategically not as important as the Mexican Central Railroad, it was used in military maneuvers by Mexican commanders in northwest Chihuahua, and the denial of its use to General John J. Pershing by Carranza in 1916 hampered the movements of the expedition to capture Francisco Villa.<sup>14</sup>

The murder of President Madero in February, 1913, and the refusal of the United States to recognize Victoriano Huerta as president of Mexico affected the political scene in northwest Chihuahua. The former rebel General Salazar then became the federal commander in the Casas Grandes district and Francisco Villa began to assemble his army on the pretext of avenging Madero's death. Early in the campaign Villa defeated Salazar at Casas Grandes<sup>15</sup> and soon controlled all of northwest Chihuahua. The cattle and horses of Don Luis Terrazas, who owned thousands of acres of range land in the region, fed, provided mounts for and equipped Villa's army, for not only were many of Terrazas' cattle sold to American buyers on the border, but a brisk business was also done in hides, many of which were sold to Mormon traders.<sup>16</sup>

At this time only two of the Mormon colonies, Juárez and Dublán, were being resettled, as the mountain colonies were still unsafe because of roving bands of Red Flaggers,

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14. *Foreign Relations*, 1916, p. 512.

15. N. Campobello, *Apuntes sobre la vida militar de Francisco Villa*, p. 43 (Mexico: Edición y Distribución Ibero-Americano de Publicaciones, S. A., 1940).

16. Statement by Mr. Eli Abegg, personal interview, June, 1950.

and Colonia Díaz had been destroyed by fire.<sup>17</sup> In Chuichupa federal troops rounded up horses and cattle which were to be distributed to widows and orphans.<sup>18</sup> Occasional groups of armed horsemen would ride into Juárez or Dublán demanding arms, food, clothing and money. The colonists acquiesced in their demands when necessary, but generally tried to maintain an attitude of impartial neutrality.<sup>19</sup> Anti-American feeling was not as strong in rebel or Constitutionalist Chihuahua as it was farther south where the Lind Mission had aroused the antagonism of Huerta and his followers in Mexico City. In the north Venustiano Carranza, the leader of the Constitutionals, had promised payment on all claims for damages caused by the Madero and Constitutionalist revolutions and had ordered that looting and seizure of foreign property should therefore cease.<sup>20</sup> In July, 1913, the American consul in Ciudad Juárez reported:

Americans in Chihuahua are less than one-third original number, and there are very few families. American enterprise is correspondingly reduced, and the interest in Mexican affairs is greatly diminished during the past few months.<sup>21</sup>

Because of Huerta's intransigence, President Wilson in a speech to Congress in August urged all Americans who were able to do so to leave Mexico, for only the Mexican authorities would be responsible for the safety of Americans unable to leave the country; he also recommended that an embargo be placed on arms to all factions in Mexico.<sup>22</sup> Despite this warning, the approximately three hundred Mormon colonists who had returned to Chihuahua decided not to abandon their homes.

The year 1914 brought no improvement in the relations between President Huerta and the United States government. On February third President Wilson lifted the embargo on arms to Mexico in order to aid the Constitution-

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17. Romney, *op. cit.*, p. 234.

18. *Investigation of Mexican Affairs*, Vol. I, p. 1483.

19. Statement by Mr. J. H. Martineau, personal interview, April, 1950.

20. *Foreign Relations*, 1913, p. 955.

21. *Ibid.*, p. 816.

22. *Ibid.*, p. 823.

alists in the north;<sup>23</sup> and in March Carranza was reported to have rebuked strongly the Mexican residents of Colonia Morelos in Sonora, who had petitioned him to apportion among them the farms, houses and other property of the Mormons who had fled from the country because of raids the previous year.<sup>24</sup> The Tampico incident and the occupation of Vera Cruz by United States troops in April, however, brought a change in Carranza's attitude toward the "colossus of the north" and resulted in a strong anti-American sentiment throughout Mexico.<sup>25</sup> Again the Mormon colonists left their homes in Dublán and Juárez, the only colonies which had been resettled, and sought safety in the United States. This time the colonists were away for only a short time. "It was more like a visit," as one resident of Colonia Juárez described the withdrawal.<sup>26</sup>

Huerta's resignation in July, 1914, did not bring peace to Mexico, for Villa and Zapata refused to recognize Carranza as the leader of the Constitutionalist forces, yet were not strong enough to overcome his forces. Although Chihuahua was controlled by Villa, conditions were unsettled in the Casas Grandes district where it was reported in October that the federal General Herrera was attacking the Villa garrison;<sup>27</sup> and in December, Salazar, the former federal commander of the Casas Grandes garrison, who had recently escaped from prison in the United States, was said to be near Ascención recruiting an army for the purpose of restoring land to the people.<sup>28</sup>

The defeat of Villa at Celaya in April, 1915, forced him to retreat into Durango and Chihuahua where he rested his men and prepared to gather and equip new recruits for his campaign into Sonora. It was at this time that demands on the colonists for horses for Villa's army led the Mormons

23. *Ibid.*, 1914, pp. 447-48.

24. *New York Times*, March 22, 1914.

25. S. F. Bemis, *The Latin American Policy of the United States*, p. 178 (New York: Harcourt, Brace and Co., 1943).

26. Statement by Mrs. Enos Wood, of Colonia Juárez, personal interview, June, 1950 (at Tucson, Arizona).

27. *New York Times*, October 17, 1914.

28. *Ibid.*, December 7, 1914.

to drive most of their horses, which had not already been taken, to Blue Mesa in the Sierra Madres where for the next two years men from the colonies were detailed to guard them.<sup>29</sup> For three weeks before starting into Sonora, Villa and his army of about six thousand men were encamped in the neighborhood of Dublán. Although the Mormons were completely at the mercy of Villa's troops, there was comparatively little damage to property, and only occasional thefts and threats of violence were committed by individual soldiers, for Villa was still hoping for recognition from the United States. Demands were made upon the Mormons for horses and for equipment which could not be obtained from the Mexicans themselves or taken from the neighboring ranches.<sup>30</sup>

When Villa left Casas Grandes on October 14, 1915, to cross into Sonora, three Mormons, James Whipple, Lynn Hatch and Charles Turley, accompanied his army to look after their horses and wagons which had been requisitioned by Villa. Four days later the United States officially recognized Carranza as the Chief Executive of the *de facto* government and placed an embargo on arms and ammunition to all factions in Mexico except the *de facto* government.<sup>31</sup> On October 31, 1915, when his army was drawn up ready for the attack on Agua Prieta, Villa learned that the United States had recognized the Carranza faction, yet his resentment against Americans did not include the three Mormons who were with his troops. During the battle at Agua Prieta the Mormons with their teams hauled ammunition to Villa's men, but fled over the border to safety in Arizona after the rout of Villa's army.<sup>32</sup>

Meanwhile the warnings of the United States Department of State that all Americans should leave Mexico were

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29. Statement by Mr. S. Farnsworth, personal interview, April, 1950 (at Colonia Juárez).

30. Raymond J. Reed, *The Mormons in Chihuahua: Their Relations with Villa and the Pershing Punitive Expedition, 1910-1917*, p. 13 (Master of Arts thesis, Department of History, University of New Mexico).

31. Bemis, *op. cit.*, p. 178.

32. R. J. Reed, *op. cit.*, pp. 14-15.



unheeded by the Mormons who had learned to live among Mexican revolutionists and decided to remain in their homes regardless of the anti-American sentiment prevalent in the country.<sup>33</sup> Resentment, however, was strong among the remnants of Villa's army who after Agua Prieta straggled back across the Sierra Madres to join the garrison which had remained at Casas Grandes, for they felt that American aid to the *de facto* forces had caused their defeat. There was looting in the colonies despite the fact that from their depleted stores the Mormons provided blankets for the wounded and half-frozen men and helped to feed and care for them.<sup>34</sup>

Villa was not with them at this time, he having gone into Guerrero, and a number of his officers whom he had left in command declared their intention of going over to the cause of Carranza. Confusion reigned and the soldiers assumed a threatening attitude toward the helpless colonists. Toward midnight the army broke up into small squads and passing from house to house threatened, robbed, looted and burned. Truly it was a night of terror for the defenseless people, but when morning came the rabble had disappeared. Many of the Saints had narrowly escaped with their lives, shots had been fired into houses where people were, and fires started in several of the homes. The house of Bishop Samuel J. Robinson had been looted and burned and his life was sought by the looters. . . . The home of P. S. Williams was broken into and robbed and a band of marauders visited the ranch of James Skousen situated a short distance from the old town of Casas Grandes. Mr. Skousen being away from home the women folks fled to a neighbor's leaving the bandits to plunder the homesteads.<sup>35</sup>

The year 1916 was a critical one for Mexico and for the Mormon colonists at Dublán and Juárez. Disorganized bands of Villa's former army were plundering the Chihuahua countryside. In January occurred the Santa Ysabel massacre which aroused concern for the safety of other Americans in Chihuahua, particularly those in the Casas Grandes dis-

33. *Foreign Relations*, 1915, p. 775.

34. Statement by Mr. J. H. Martineau, personal interview, April, 1950.

35. Romney, *op. cit.*, p. 242.

trict.<sup>36</sup> All Americans were warned to seek safety in the United States, but the five hundred Mormons of *Dublán* and *Juárez* refused to leave their homes in Mexico and decided to trust to the protection of the Carranza garrisons in *Casas Grandes* and *Pearson*.<sup>37</sup> On January 17, 1916, the American consul at *Ciudad Juárez* made the following report on conditions in northwest *Chihuahua*:

First passenger train in ten days arrived from *Casas Grandes*, *Pearson* and the Mormon Colony district at 10:00 last night bringing about 25 Americans among whom were dozen women and children. They report have been fully informed in due time of the massacre at *Santa Ysabel*. A number who arrived came on business and expect to return. They report conditions to them unalarming as they consider the garrisons at towns mentioned sufficient to protect their people. This consul will, however, insist on their sending their women and children to place of safety. The garrison at *Casas Grandes* number 400 and *Pearson* 300. These figures are given by Americans of *Madera*. Little is known that is reliable but nothing of an unalarming nature reported.<sup>38</sup>

The first week in March news that *Villa* was in the mountains west of *Casas Grandes*, that he had murdered an American rancher named *Wright* and had taken his wife prisoner, caused alarm among the Mormon colonists.<sup>39</sup> Their anxiety was increased when word reached them of *Villa's* raid on *Columbus*, *New Mexico*, and of his retreat south toward the Mormon colonies. While preparations were being made by the church authorities in *El Paso* to send a rescue train to *Dublán* and requests were being sent to the Mexican government for a military escort,<sup>40</sup> reports appeared in American newspapers to the effect that the Carranza garrisons were inadequate to protect the Mormons, and that *Villa* had agreed to drive the Mormons and other Americans from the country, to confiscate their property and to distribute it

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36. *Foreign Relations*, 1916, p. 655.

37. *New York Times*, Jan. 16, 1916.

38. *Foreign Relations*, 1916, pp. 660-61.

39. *Ibid.*, 1916, p. 478.

40. *Ibid.*, 1916, p. 684.

among the Mexicans.<sup>41</sup> On the second day following the Columbus attack, Villa's men shot the Mexican caretakers of an American owned ranch at Corralitos about twenty miles north of Dublán. Here they were encamped along the railroad by which the Mormon women and children were to have been sent to El Paso. From his camp at Corralitos Villa sent a messenger to Casas Grandes to urge the Carranza garrison to join his forces, and the following day moved his army south to within a few miles of Dublán. Bishop Anson B. Call summoned a meeting of the Mormon leaders to determine the course they should follow. Some felt they should not leave as Villa had not harmed them before, some advised going to Colonia Juárez or into the mountains, others thought they should seek the protection of the garrison at Casas Grandes, but the advice of those who advocated going home to pray and to bed prevailed. That night Villa broke camp and passed to the east of Dublán.<sup>42</sup>

Various versions were given for Villa's turning aside and sparing the Mormon colonies. One was that he thought the Casas Grandes garrison had been strengthened;<sup>43</sup> another, that he remembered past kindnesses of the colonists and therefore did not attack them, was borne out by the account that he instructed one of his men to ride south from Palomas to learn from the "gringo" ranchers at Casa Grandes what they knew, and then to meet him in five or six days at Nami-quipa.<sup>44</sup> The colonists themselves attributed their deliverance to their earnest prayers.<sup>45</sup> Still another version is given in a letter written by Theodore Martineau, a resident of the colonies, in which he stated:

It was Villa's intention to slaughter the people of Dublán as he had slaughtered people at Columbus a few days before. While camped east of Dublán he called his officers together to decide upon the best method of attack. Some of the officers

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41. *New York Times*, March 11, 1916.

42. Reed, *op. cit.*, pp. 20-23.

43. Romney, *op. cit.*, p. 239.

44. R. F. Muñoz, *Vamonos con Pancho Villa*, pp. 198-99 (Madrid: Talleres Espasa-Calpe, 1931).

45. Statement by Mr. E. Abegg, personal interview, January, 1950.

wanted a repetition of the Columbus affair while others remembering the kind treatment of the colonists when they had some time before come into the colony hungry, wanted to pass them by. Villa was determined to make the attack, thereby hoping to bring on intervention. "He went for a walk at night," said Martineau, "and returned with a changed heart." His secretary later informed one of the colonists why he changed his mind. "He told me," said the secretary, "that while he had been away alone trying to decide as to the destruction of the colonies, some unseen power had impressed him with the conviction that any such act upon his part would bring upon himself the vengeance of a just God."<sup>46</sup>

On March 18, 1916, after his arrival at Dublán, General John J. Pershing wired his commander, General Frederick Funston, at Fort Sam Houston that the natives in Casas Grandes seemed friendly and that the Mormons considered the American troops as rescuers.<sup>47</sup>

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46. Romney, *op. cit.*, p. 240.

47. *Foreign Relations*, 1916, p. 498.

(To be continued)

## ARIZONA'S EXPERIENCE WITH THE INITIATIVE AND REFERENDUM

By N. D. HOUGHTON \*

ARIZONA'S constitution was drafted in 1910, preparatory to admission of the territory into the union as a state, in 1912. It was perhaps inevitable, therefore, in that era of advocacy of increased popular control in government, that the initiative, the referendum, the recall, the direct primary, and woman suffrage should have got some attention in Arizona. And there were in territorial Arizona specific local conditions which operated to give these processes strong appeal for alert public welfare-minded persons.

It was generally understood that during the two decades prior to statehood the territorial government was rather effectively controlled by, or in the interest of, railroad and mining corporations. The legislative performance record indicated that these corporate interests had a high batting average in securing enactment of territorial laws and in preventing enactment of labor-sponsored measures and others not desired by mining and railroad management.<sup>1</sup> The historian McClintock records the bold assertion that a veto by the territorial governor could be assured for \$2000.<sup>2</sup> Naturally, alert men from the ranks of workers, farmers, and small business were dissatisfied and desirous of breaking this alleged corporation dominance. The then currently-new direct popular control processes seemed to be promising devices for counteracting corporate influence, if they could be adopted in Arizona.

It appears that the initiative and referendum were first brought to public attention in Arizona by an unsuccessful Populist candidate for territorial delegate to Congress in

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1. See V. D. Brannon, *Employers' Liability and Workmen's Compensation in Arizona*, Social Science Bulletin No. 7, University of Arizona, 1934, pp. 11, 12. See also Judson King, "The Arizona Story in a Nutshell," *Equity Series*, Vol. XIV, p. 7, 1912.

2. See J. H. McClintock, *Arizona*, Vol. II, pp. 345, 356, cited by Brannon, *op. cit.*

1894.<sup>3</sup> The platform of the territorial Republican Party in 1898 advocated the principles of the initiative and referendum applicable to measures creating public debt, apparently having in mind particularly the referendum.<sup>4</sup> This declaration did not connote any real Arizona Republican liberalism, however, and in the legislative experiences of the period Republicans generally were reported as voting acceptably to the corporations; such support as labor was able to get came mostly from Democrats.

In the legislative session of 1899, controlled by Democrats, a bill establishing a system of initiative and referendum was passed,<sup>5</sup> but was pocket-vetoed by the Republican territorial governor,<sup>6</sup> and no further legislative consideration was given to the matter till 1909. In that year, a labor-sponsored bill to adopt the initiative and the referendum was able to get through only one house of a heavily Democratic legislature.<sup>7</sup>

In the decade prior to 1910, unionization of workers in Arizona Territory made considerable progress. In the local aspects of the statehood controversy, mine and railroad management were understood to be unenthusiastic about statehood. They felt satisfied with the existing governmental situation, feared higher taxes, and the mines particularly feared what are now called severance taxes. Labor spokesmen favored statehood, hoping to be in a stronger position with a new locally-based state governmental organization.<sup>8</sup>

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3. Mr. W. O. O'Neill, former editor of *Hoof and Horn*, a weekly organ of the Territorial Livestock Association. See *Prescott Weekly Courier*, October 12, 1894. See Charles F. Todd, *The Initiative and Referendum in Arizona*, unpublished thesis in the University of Arizona Library, 1931. This is an excellent study of developments down to 1930.

4. *Arizona Sentinel*, September 24, 1898.

5. *Journals of Twentieth Legislative Assembly of the Territory of Arizona*, pp. 363, 367, 377.

6. Governor N. O. Murphy, reputed to have been very friendly with mines and railroads. Todd, *op. cit.*, p. 9.

7. *Journals of Twenty-fifth Legislative Assembly of the Territory of Arizona*, pp. 247-48; *Arizona Gazette*, March 19, 1909.

8. See Brannon, *op. cit.*, p. 15, and Katheryne Elizabeth Baugh, *Arizona's Struggle for Statehood*, unpublished thesis in the University of Missouri Library, 1934. See also Howard A. Hubbard, "The Arizona Enabling Act and President Taft's Veto," *Pacific Historical Review*, Vol. III, p. 307 (September 1934).

Statehood was also favored by farmers and small business generally.

When Congress finally passed the Arizona Enabling Act in 1910, local labor leaders recognized that the time was ripe for labor, with such other support as might be found, to lay a foundation for a more effective voice in government. As a local union resolution put the matter, "The working class, if it only utilizes it, has the power to make this constitution to its own liking, and if it is properly drafted, our economic struggles of the future will be greatly simplified and our opportunities of bettering our conditions rendered much easier."<sup>9</sup> The common people of Arizona seemed really to *need* the initiative and the referendum forty years ago.

In the struggle to get control of the convention, which was to draft a constitution for the proposed new state, labor and liberal forces teamed up with Democratic Party leaders, the Republicans being alleged to be more friendly to the corporations. In that campaign for the election of delegates, the principal contest was on the issue of whether the proposed constitution should embody the initiative, the referendum, and the recall. Alert labor men wanted particularly to get a plan for direct legislation written into the constitution because of their unhappy legislative experiences in the pre-state era. They had no illusions about being able to control the new state legislature; but, because of their voting strength, they hoped to be able, by the initiative process, to enact laws directly which they would not be able to get by the regular legislative process. They also hoped to be able, by use of the referendum, to prevent enactment of laws which they might not be able to defeat in the legislature.<sup>10</sup> The corporations feared that working people might possibly make good on this threat to use these direct legislative devices, and opposed their adoption with great vigor.

Labor had active support in its fight for direct legislation

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9. Resolution passed by Bisbee Miners' Union, calling for a state-wide labor conference to make plans for electing pro-labor delegates to the convention which was to draft a constitution. *Arizona Daily Star*, July 8, 1910.

10. See Tru McGinnis, *The Influence of Organized Labor on the Making of the Arizona Constitution*, unpublished thesis in the University of Arizona Library, 1930.

from two other sources. Advocates of suffrage for women, being unable to get the right to vote by legislative action, threw their support to the effort to get direct legislative processes into the constitution. Similarly, the prohibitionists supported the effort.<sup>11</sup>

Election returns showed that of the 52 convention delegates elected, 41 were Democrats, of whom most were avowedly friendly to labor and committed to adoption of the initiative, referendum, and recall.<sup>12</sup> The convention chose as chairman G. W. P. Hunt, prominent labor man, member of the territorial legislature, and first and long-time governor of the new state. Those committees having charge of matters of particular interest to labor were loaded with men considered friendly to labor and its program.

In the convention, opponents of direct legislation continued to fight, seeking to set the required numbers of signatures to petitions high enough, they said, to discourage too frequent use; so high, charged labor delegates, as to render impractical the operation of its processes. As finally adopted, signatures required for use of the state-wide initiative were set at 10 per cent for statutory measures and 15 per cent for constitutional amendments. For the referendum, the requirement is 5 per cent. These fixed percentages are of the total vote cast for all candidates for governor in the last preceding general election.<sup>13</sup> Any legislative enactments carrying an emergency clause, and passed by a two-thirds vote of all members of both houses, are exempt

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11. Todd, *op. cit.*, pp. 17, 18. These elements appear also to have worked together to put over direct legislation plans elsewhere in that period. For example, see N. D. Houghton, "The Initiative and Referendum in Missouri," *Missouri Historical Review*, Vol. XIX, pp. 268-300 (January 1925).

12. One of the most prominent of the Democrats, Mr. E. E. Ellinwood, was an attorney for one of the copper companies and was considered to be openly a spokesman for that point of view.

13. Art. IV, Part 1, and Art. XXI. All petitions for state use must be filed with the Secretary of State. Initiative petitions must be filed at least four months prior to the election at which the measures are to be submitted to popular vote. Referendum petitions must be filed within ninety days after the close of the legislative session at which the measures are enacted, during which period operation of all enactments to which the referendum is applicable, is automatically suspended. For local city, town, and county purposes, signature requirements are 15 per cent for the initiative and 10 per cent for the referendum.



from operation of the referendum.<sup>14</sup> In actual practice, essentially every law enacted by the Arizona legislature carries an emergency clause, if its sponsors can muster the necessary votes, by deliberate design, to avoid any possibility of its being subjected to the referendum process.

Measures initiated or referred by petition to a vote of the people are submitted at regular general elections only.<sup>15</sup> The Secretary of State is required by law to prepare and make available to the voters for their information on such measures a *Publicity Pamphlet* containing their full texts, titles, and forms in which they are to appear on the ballot, and carrying also such limited-length arguments for and against any measures as sponsors or opponents may care to submit and pay for.<sup>16</sup> In order to become effective, any measure submitted to popular vote must receive an affirmative majority of all votes cast upon it.<sup>17</sup>

Simple tabulation reveals that, in the forty-year period from 1912 to 1952, a total of 133 measures<sup>18</sup> were submitted to the people of Arizona by these processes:

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14. Measures necessary "to preserve the public peace, health, or safety, or to provide appropriations for the support and maintenance of the Departments of State and of State Institutions" may be declared "emergency measures" by the legislature.

15. The legislature may, at its own discretion, refer any enactment to a popular vote, making its adoption contingent upon popular approval, and must so refer all legislative proposals of constitutional amendments. The former may be referred at general elections only, but the latter may be referred at either general, primary, or special elections, as designated by the legislature. For decisions holding invalid referendum measures approved at special elections, see *Estes v. State*, 48 Ariz. 21; 58 Pac. 2d 753 (1936); *Hudson v. Cummar*, 44 Ariz. 7; 33 Pac. 2d 591 (1934); *Tucson Manor, Inc. v. Federal National Mortgage Assn.*, 73 Ariz. 387; 241 Pac. 2d 1126 (1952).

16. 60-107, Ch. 60, Art 1, *Arizona Code Annotated*, 1939.

17. All statutory enactments by the legislature are subject to the governor's veto at time of enactment. In order to override a veto of an act carrying an emergency clause, and passed by a two-thirds vote of both houses, the legislature must repass it by a three-fourths vote in both houses. These majorities are of members, not merely of those present.

18. In addition, the legislature submitted 48 proposals to amend the constitution, making a grand total of 181 measures upon which the people of Arizona were called upon to vote in 22 elections over a period of 40 years. (At a special election, held in conjunction with the primary election in 1950, only legislative proposals of constitutional amendments were submitted.) Of the 48 legislative proposals for amending the constitution, 21 were adopted and 27 were disapproved. Out of a grand total of 181 propositions of all kinds submitted to the voters in that 40 year period, 73 were approved and 108 were rejected.

38 *initiated* proposals to *amend* the Constitution

13 adopted

25 lost

58 *initiated statutory* measures

18 adopted

40 lost

26 measures by *referendum petition*

14 approved

12 rejected

11 measures *referred* by *legislature*

7 approved

4 rejected

Professorial search for startling or even significant "trends" in these over-all statistical data may be disappointing. As might have been expected, the proverbial "new broom" was used rather freely in its early years. In the first four consecutive elections, 15 *constitutional amendments* were proposed by *initiative* petitions; that was approximately one-third of all such proposals for the forty year period, which saw 24 such elections. In the first five consecutive elections, 24 *statutory* measures were proposed by *initiative* petition, that being approximately 40 per cent of all that type of proposals for the forty year period. Those same first five consecutive elections saw the *referendum* by petition applied to 15 legislative enactments; that was about 55 per cent of all use of this device for the forty year period. The first half of this period saw all the devices of direct legislation used 81 times, while the second twenty year period saw them used only 52 times, the referendum being applied only 11 times, as compared with 26 applications of it in the previous twenty year period.

All this is not meant to imply, however, that these devices are dying for lack of use or popular interest, as may be seen

TABULATION SHOWING NUMBERS OF ALL KINDS OF  
MEASURES SUBMITTED TO ARIZONA VOTERS  
FROM 1912 TO 1952, INCLUSIVE

Year	By the Initiative		Referendum		Amendments
	Amendments	Statutes	By Petition	By Legis- lature	Proposed by the Legislature
1912	1	0	8	0	4
1914	5	10	4	0	0
1916	5	5	0	0	2
1918	4	3	2	1	0
1920	0	6	1	1	2
1922	2	1	0	1	8
1924	1	3	1	0	1
1925	0	0	0	0	1
1926	1	2	1	1	0
1927	0	0	0	0	2
1928	1	3	4	1	1
1930	2	0	0	0	4
1932	5	3	1	0	0
1933	0	0	2	0	6
1934	0	2	0	0	0
1936	0	0	0	1	0
1938	2	1	0	0	0
1940	4	3	1	0	2
1942	0	1	0	0	0
1944	1	0	0	1	0
1946	1	1	0	0	4
1948	0	4	1	0	3
1950	3	9	0	0	7
1952	0	1	0	4	1
Totals	38	58	26	11	48

from simple graphical representation. In fact, in only one previous year had more petitioned measures been on the Arizona ballot than in 1950;<sup>19</sup> and recent years have shown

19. In 1914, there were 19 propositions on the ballot by petition. In 1950, the corresponding number was 12; but there were also referred to the people in 1950 by the legislature seven additional proposals to amend the state constitution.

a sustained high voting performance on these propositions, both numerically and proportionally.

Whether or not the processes of direct legislation may be said to have been "successful" in Arizona depends partly upon definition, partly upon the extent to which groups who have made use of the devices have been able to attain their objectives, and partly upon the subjective attitudes of interested persons at particular times. The initiative was designed as a *positive* device for the *enactment* of law. The referendum by petition was designed as a *negative* device, frankly for the *prevention* of lawmaking. Groups which have made use of the *initiative* in Arizona have *secured enactment* of their measures in approximately one-third of their attempts; while groups which have resorted to *referendum* by petition in efforts to defeat the enactment of statutes have managed to *defeat* 46 per cent of the measures attacked. Measured by achievements through regular legislative processes, these results may seem impressive, particularly when it is realized that presumably these groups have been unable to secure (or defeat) the enactment of *any* of these laws in the legislature. In fact, the apparent "successes" of these devices seem largely to account for a recurrent spotty demand for their abandonment or drastic restriction. On the other hand, expensive unsuccessful efforts to gain their objectives by these devices have naturally been disappointing to some groups on occasion.

Voters' responses to the challenges presented by these legislative measures on the ballot may be shown by a simple chart, statistically speaking. But any such presentation must necessarily be highly superficial. Any inclination to draw significant conclusions from them would probably be unwarranted. The number of petitioned measures appearing on the ballot has ranged from one to nineteen,<sup>20</sup> per election. The proportion of voters voting at the elections,

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20. The official election returns on all measures from 1912 to 1948 may be found in two compilations made by the Arizona Secretary of State in 1930 and 1949. Yearly records are available at the same office.

who have voted on the measures, has ranged from 28 per cent in 1936 to 83.2 per cent in 1946.<sup>21</sup>

Brief special mention should be made of the experience record of the three readily identifiable groups who joined in sponsoring the fight for adoption of the initiative and referendum in Arizona in the 1910-1912 era, labor, suffragists, and prohibitionists. All three groups met immediate successes with these new devices in the early years of their operation. Woman suffrage was adopted by the initiative process at the new state's very first election in 1912. A prohibition amendment was adopted by the initiative in 1914, and strengthened by another in 1916; but they were both repealed by initiative in 1932.

The first experience organized labor had with the actual operation of direct legislation in Arizona found labor on the defensive side of the referendum. Labor came out of its active participation in the framing of the constitution with new vigor, prestige, confidence, and accepted leadership. In 1912, at the peak of its new and brief position of power and assertiveness, labor was able to secure passage by the legislature of a series of laws, in the face of traditional opposition from mining and railroad sources. Seven of these laws were held up by referendum petitions. Labor managed to get them all approved by the voters, but it got an early demonstration of the fact that wealthy elements, with ample means to pay the costs, could use the new devices at least as advantageously as labor.

In 1914, six initiated measures, sponsored or supported by the Arizona Federation of Labor, were adopted at the

21. Stated percentages are composite averages for all measures on the ballot at each election:

1912—81.5	1928—47.3	1942—52
1914—68.7	1930—53.3	1944—72.3
1916—66.6	1932—73.4	1946—83.2
1918—53.6	1933—(Special Election)	1948—71
1920—58.7	1934—48.6	1950—80
1922—58.1	*1936—28	1952—67.4
1924—67.4	1938—54	
1926—62.4	1940—65.1	

\* In 1936, only one measure was on the ballot.

polls, though by very narrow margins in some cases. Retrospectively, it can be seen that the going was getting harder for labor. And in 1916, not only did it fail to secure adoption of the two measures which it sponsored by the initiative,<sup>22</sup> but it also had to fight desperately to defeat two amendments, initiated with alleged corporation support, and apparently designed virtually to emasculate both the newly-won workmen's compensation system<sup>23</sup> and the direct legislation system itself.<sup>24</sup> That ended labor's honeymoon with direct legislative processes in Arizona. Only rarely thereafter has labor resorted to them by deliberate design.

On two later occasions, in 1918 and in 1932, labor had to defend its workmen's compensation system against determined attempts to weaken it at the polls. In 1946, in the wake of postwar reaction, an anti-union, so-called "Right to Work" Amendment was adopted, in spite of labor's best efforts to prevent it. In 1948 labor was also unable to defeat an initiated statutory measure effectuating this amendment. In 1950, all six measures initiated with labor backing were defeated.<sup>25</sup> And in 1952, labor was unable to prevent the overwhelming adoption by the initiative process of a so-called "Fair Labor Practices Act," prohibiting "secondary

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22. One was an amendment designed to establish a unicameral legislature. See N. D. Houghton, "Arizona's Adventure with Unicameralism—an Anti-Climax," 11 *University of Kansas City Law Review* 38 (December, 1940).

23. See Brannon, *op. cit.*, pp. 47-48.

24. Opponents of direct legislation were able to get legislative submission to the voters in 1916 of a proposed amendment to the constitution providing that, in order to become effective, initiated or referred measures must receive an affirmative vote equal to "a majority of the total vote of the electors voting at said election," as distinguished from the existing requirement of merely a majority of the votes cast on the particular measures. *Publicity Paraphlet*, 1916, pp. 3-4. That would have made the initiative process virtually unworkable. Only five initiated measures out of 31 which have been adopted, have ever received a majority of all votes cast at the elections at which they have been approved, not one since 1916, when a prohibition amendment was so adopted.

On the other hand, adoption in 1916 of the requirement of a majority of all votes cast at an election could well have meant that no referendum measure would ever have been saved from defeat. No referred measure has ever received a majority of all votes cast at the election since 1912, when 3 measures were so approved.

This proposal was defeated by the very narrow margin of 18,961 to 18,356.

25. Two merit system laws, two measures extending and liberalizing the state's unemployment compensation plan, one liberalizing old age assistance, and one liberalizing workmen's compensation as to occupational diseases.

boycotts," restricting picketing, and authorizing injunctions for enforcement.<sup>26</sup>

It has been widely asserted that the potency of corporate and conservative influences in Arizona's public affairs has remained very well intact. The terms "special interests," "big interests," and "large taxpayers," have been used there to include mining, railroad, banking, utility, and sometimes large cattle and ranching interests, and it has been commonly said that perhaps they have never been more effectively integrated. Generally understood to operate in close harmony with the leadership in what has been known as the "majority" bloc in the legislature, and with the so-called Arizona Tax Research Association, this somewhat varying alignment of interests has allegedly been able to exert a powerful influence upon Arizona's traditional governmental processes for many years.<sup>27</sup> Reputedly, it has also managed, on occasion, to operate by means of, even in defiance of, those special people's devices, the initiative and the referendum.

By using the initiative process, the public employees of Arizona secured adoption of a state retirement system for

26. *Publicity Pamphlet*, 1952, pp. 24-26.

27. Speaking on personal privilege in a move to get his remarks recorded in the *Journal of the Senate*, near the end of the first regular session of the 21st Legislature, on March 26, 1953, Senator James Smith, the unsuccessful "minority" candidate for President of the Senate, was quoted as saying in part that in the course of the session, "I have been a member of the Independent and Minority group and have had very little to do with any major legislation which has passed this body—a thing for which I am proud! I am also proud of my colleagues in this Independent group who have had the courage to stand up on their hind legs and fight a system that has so completely throttled . . . the body politic of this state that fair and equitable legislation has become a lost art. . . ."

"The governor could have had anything he wanted in legislation from this Senate, so long as it did not cost the big interests of this state additional taxes. . . ."

"Mr. President, . . . I am only attacking a system . . . a system that is bigger than men, distorts legislatures, influences governors, and stymies equality in legislation. It has no God except the almighty dollar, and all legislation is based on how many dollars it will save the system.

"This system . . . is a lobby of big interests. It operates to the disadvantage of 95 per cent of the citizens of this state.

"Fine men are elected to both branches of this legislature, but before they can have even the slightest consideration in getting a bill out of the packed committees, they must align themselves with the powers in control of that system. . . ." Text published in the *Arizona Statesman*, April 2, 1953. See also *Arizona Republic*, March 28, 1953, p. 8.

public employees, a relatively excellent plan, in 1948.<sup>28</sup> The law was approved by a decisive vote of 86,989 to 38,111. Yet the "majority" leadership in the state legislature persistently throughout three regular sessions and one competent special session refused to permit voting of appropriations to effectuate the plan. This refusal was in disregard of the law's provision purportedly requiring the legislature to appropriate funds to operate the system, and in the face of the fact that, by terms of the law, compulsory deductions from state employees' earnings had started building a retirement fund on July 1, 1949. This legislative defiance of a people's enactment seems to have been a new development in the country's experience with direct legislation. That and its consequent developments seem, therefore, to call for careful analysis in the interest of realistic understanding.<sup>28a</sup>

Finally, in 1952, the "majority" in the legislature passed a measure repealing the Public Employees Retirement Act of 1948 and referring it to a vote of the people at the general election in November 1952. Then followed an observably unequal campaign contest, conducted simultaneously with the presidential and general state campaigns. It fell to the state's eloquent and very popular Republican governor,<sup>29</sup> campaigning for election to a second term, to play a leading part in the appeal to the voters to repeal their own previous enactment, in a Republican landslide election.<sup>30</sup> The public employees had almost no funds to use in making out a case in favor of retention of the Retirement Act, as contrasted

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28. Sections 12-801 to 12-823, *Arizona Code Annotated*, 1939. Cum. Supp.

28a. In the course of this long and unsuccessful struggle by the public employees to get the Retirement Act of 1948 activated, they finally resorted to an effort to use the initiative process in 1952 (1) to levy a severance tax on ores and minerals in order to provide funds to operate the system, and (2) to appropriate money to pay the costs of getting the plan into operation. One of the two costly suits which enjoined the Secretary of State from putting these measures on the ballot was brought in the *names* of the Speaker of the House and the President of the Senate. *Mattice and Langham v. Bolin*, Case No. 73, 296, Maricopa County Superior Court, September 19, 1952.

29. The third Republican governor since statehood in a traditionally Democratic state. See N. D. Houghton, "The 1950 Elections in Arizona," *Western Political Quarterly*, Vol. IV, p. 91 (March 1951).

30. See Paul Kelso, "The 1952 Elections in Arizona," *Western Political Quarterly*, Vol. VI, p. 100 (March 1953).



with what appeared to be ample expenditures on behalf of the repeal effort.<sup>31</sup> The result was repeal by a vote of 128,094 to 48,409—and a vivid illustration of the fact that the “popular will,” as recorded by use of one of these people’s devices, may be successfully defied by a sufficiently determined and powerful opposition, even with engineered approval of the “popular will.”<sup>32</sup>

In the years following the adoption of the Arizona Constitution there came, in the natural course of events, legislative enactments to effectuate the provisions for direct legislation<sup>33</sup> and judicial interpretation of them.<sup>34</sup> The bulk of these statutory enactments and court decisions, though important, do not imperatively call for attention here; but one recent decision of the Arizona Supreme Court has so vitally affected the operation of the initiative and referendum in the state as to make mandatory some analysis of the situation. It involves a series of developments with respect

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31. The files of the newspapers of the state will reveal part of the contrast, although comparable radio evidence is not so readily re-examined, having largely vanished with the sounds of the voices.

32. In the campaign, pledges were given that popular repeal of the unactivated Retirement Act would be followed by action of the state: (1) to bring Arizona’s public employees under federal old age and survivors insurance coverage, and (2) to provide an “adequate supplementary retirement plan.” Pursuant to this assurance, the necessary steps were taken to effectuate (1), and in 1953 the legislature passed a law in the direction of (2). Spokesmen for the public employees were disappointed with the law, however, considering it defective in several important respects, and particularly inadequate in its almost complete failure to make provision for the “prior service” component so essential to launching a plan for adequate retirement compensation.

33. Most of the effectuating legislation was enacted in 1912. See *Arizona Session Laws*, 1912, Chapters 70 and 71. Current citations are 60-101 to 60-115, Ch. 60, Art. I, *Arizona Code Annotated*, 1939. See also *Arizona Session Laws*, 1953, Chapters 57 and 82.

34. Leading cases: *Allen v. State*, 14 Ariz. 458; 130 Pac. 1114 (1918); *Bullard v. Osborn*, 16 Ariz. 247; 143 Pac. 117 (1914); *Clements v. Hall*, 23 Ariz. 2; 201 Pac. 87 (1921); *Willard v. Hubbs*, 30 Ariz. 417; 428 Pac. 32 (1926); *McBride v. Kirby*, 32 Ariz. 515; 260 Pac. 435 (1927); *State v. Pelosi*, 68 Ariz. 51; 199 Pac. 2d. 765 (1948); *Ward v. Industrial Commission*, 70 Ariz. 271; 219 Pac. 2d 765 (1950); *Warner v. White*, 39 Ariz. 203; 4 Pac. 2d 1000 (1931); *Kirby v. Griffin*, 48 Ariz. 434; 62 Pac. 2d 1131 (1936); *Whitman v. Moore*, 59 Ariz. 211; 125 Pac. 2d 445 (1942); *Arizona v. Superior Court*, 60 Ariz. 69; 131 Pac. 2d 983 (1942); *Hernandez v. Frohmler*, 68 Ariz. 242; 204 Pac. 2d 854 (1949); *Dennis v. Jordon*, 71 Ariz. 430; 229 Pac. 2d 692 (1951); *Eide v. Frohmler*, 70 Ariz. 128; 216 Pac. 2d 726 (1950); *Adams v. Bolin*, 74 Ariz. 269; 247 Pac. 2d 617 (1952); *Estes v. State*, 48 Ariz. 21; 58 Pac. 2d 753 (1936); *Tucson Manor, Inc. v. Federal National Mortgage Assn.*, 73 Ariz. 387; 241 Pac. 2d 1126 (1952).

to whether and under what conditions measures once adopted by the voters shall be subject to subsequent alteration or repeal by the legislature.

Examination of the provisions for direct legislation in the various states having those devices discloses some variety of policy in this regard. In some states, measures adopted by direct legislative processes are entirely immune from any subsequent legislative disturbance.<sup>35</sup> In other states, such enactments are immune from legislative repeal or amendment for some specified period of time—two years in Washington. It is the peculiar wording of the Arizona Constitution which has permitted recent confusion there.

It has also been common practice to exempt measures adopted by vote of the people from veto by the governor, in terms making the exemption applicable to "measures referred to the people" or to "initiative or referendum measures." And again, it is the peculiar wording of the Arizona Constitution which has led to confusion there.

Let it be recalled at this point that the outstanding issue in the election of delegates to the Arizona Constitutional Convention in 1910 and also in the deliberations of the convention was on the initiative, referendum, and recall. Research on the work of the convention does not reveal whether the confusing provision, to which reference has been made immediately above, was simply inadvertently so worded, or whether possibly it could have been done by deliberate design of opponents of the whole idea of direct legislation. Records show that the Oregon provision for direct legislation was the major pattern by which the Arizona Convention was guided; yet for some reason the wording in this unfortunate instance did not follow the comparable Oregon provision.

The Arizona Constitution provides that

any measure or amendment to the constitution proposed under the Initiative, and any measure to which the Referendum is applied, shall be referred to the qualified electors, and shall

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35. See, for example, the Constitution of California, Art. IV, sec. 1.

*become law* when approved by a *majority of the votes cast thereon*. . . .<sup>36</sup>

Then, as originally adopted, the Constitution provided that

The veto power of the Governor shall not extend to Initiative or Referendum measures approved by a *majority of the qualified electors*.<sup>37</sup>

Thus, as originally adopted, the legislature was left entirely free to repeal or amend statutory measures approved by a vote of the people and, although there is indication that the convention originally deliberately refrained from denying this power to the legislature, search fails to reveal any convention awareness or intent that measures approved at the polls by a "majority of the votes cast thereon," as provided by paragraph 5, were in any way distinguishable from measures approved by a "majority of the qualified electors," as the wording was put in paragraph 6. The *original intent* appears simply to have been: (1) that measures should become effective when approved by a *majority of the votes cast thereon*, and; (2) that *all* measures so approved should be exempt from *executive veto*, but subject to legislative repeal or alteration.

Then, for reasons shortly to be stated, the enthusiastic proponents of direct legislation sponsored and secured adoption in 1914 of an amendment to paragraph 6 designed to immunize all measures adopted by these devices from subsequent legislative repeal or alteration. Thereafter, paragraph 6 read:

The veto power of the Governor, *or the power of the legislature to repeal or amend*,<sup>38</sup> shall not extend to initiative or referendum measures approved by a majority vote of the qualified electors.

There is an obvious discrepancy between the *wording* of paragraph 5, a "majority of the votes cast thereon," and

36. Art. IV, Part I, sec. 1, paragraph 5. Italics supplied.

37. Art. IV, Part I, sec. 1, paragraph 6. Italics supplied.

38. Italics supplied to show the words added by the 1914 amendment.

paragraph 6, a "majority of the qualified electors," which was pointed out by the first comprehensive study made of the initiative and referendum in Arizona, back in 1931.<sup>39</sup> Again, however, careful search fails to reveal any evidence prior to 1952, that there ever was any official or legal assertion or assumption of doubt that the two were *intended to mean* precisely the same thing, namely, *approved by the voters*. But in the spring of 1952, alert and ingenious counsel, working not only to prevent legislative effectuation of the Public Employees Retirement Act of 1948, but also to nullify that law, argued effectively before the State Supreme Court that the two expressions should be interpreted *absolutely literally*. The result was that the court, by a division of 4 to 1, held that a "majority of the qualified electors" means a majority of all *registered voters* of the state; and the effect was to make all statutory measures approved by a "majority of the votes cast thereon" subject to subsequent alteration or repeal by the legislature,<sup>40</sup> *unless* approved by a "majority vote of the qualified electors (registered voters)" of the state.<sup>41</sup>

The potential significance of this decision becomes apparent in light of the fact that no single measure has ever been approved by a majority of the *registered voters* of the state; and there appears to be no real prospect that any measure ever will receive that number of votes, so as to be immune from legislative repeal. The significance is equally impressive, on the one hand with ardent proponents of direct legislation, as devices for getting results by popular action, in spite of the legislature, and on the other hand, with those who feel more comfortable with a restoration of essentially

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39. See Todd, *op. cit.*, p. 37. In this study, made in 1931, long after paragraph 6 had been amended to bar also legislative alteration or repeal of such measures, Mr. Todd pointed out that "under a strict construction of this phrase, the governor, apparently, could veto, or the legislature could act upon a measure approved by a majority of those voting upon that particular question, should that number be less than a majority of the 'qualified electors.' Although it is not established that this loophole was deliberately placed in the Constitution, and no court construction has been made thereupon, the situation seems to leave a possibility of the above-mentioned action on the part of the governor or the legislature."

40. And also subject to veto by the governor.

41. *Adams v. Bolin*, 74 Ariz. 269; 247 Pac. 2d 617 (1952).

the old territorial situation, in which groups able to control the legislature need have perhaps not too much fear of effective popular defiance of their will.

We have had occasion earlier to refer to the fact that at the first session of the Arizona legislature after statehood, organized labor was able to secure enactment by the legislature of a number of laws, in spite of the traditional opposition of railroad and mining interests. The opposition immediately had recourse to the referendum in an unsuccessful effort to nullify several of these enactments. In the course of the campaign, however, and in the next session of the legislature there was some apparently serious threat that the legislature might undertake to repeal some of these laws.<sup>42</sup>

This early experience led to the proposal in 1914 of the constitutional amendment by the initiative process, sponsored by the Arizona Federation of Labor, *designed* to prevent the legislature from altering or repealing *any* measure once *adopted by popular vote*. The form of the proposal was to add a minimum of essential words to paragraph 6, so as to bar *both* veto by the governor and alteration by the legislature of all "initiative or referendum measures *approved by a majority vote of the qualified electors.*"<sup>43</sup> Thus, due to an economy in the use of words, not commonly attributed to lawyers in the popular mind, the framers of this amendment allowed the language to stand so as to invite argument for literal interpretation of it by some attorney of a later generation, who 'vas not there, Charlie,' when the general understanding of intent and purpose originated among lawyers of the state contemporary to the wording of the language.

As an indication of the *intent* and *purpose* of the *sponsors* of the 1914 amendment, their argument published in the *Publicity Pamphlet* of 1914 declared:

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42. Particularly, a law fixing maximum railroad passenger rates and another requiring private employers to pay workers twice a month. See *Publicity Pamphlet*, 1914, pp. 41-42.

43. *Publicity Pamphlet*, 1914, pp. 39-42.

We wish to impress upon the voters of the State the importance of the amendment to the State Constitution whereby the Legislature will not be allowed to repeal or amend *any* initiative or referendum measure *passed by the people*.<sup>44</sup>

As an indication that the active *opponents* of the 1914 amendment also understood its intent and purpose precisely as its sponsors did, their opposing argument published in the *Publicity Pamphlet* stated specifically that:

The Constitution already prohibits the governor from vetoing *any law adopted by the people*, so the amendment merely pertains to [alterations or repeal of such measures by] the legislature.<sup>45</sup>

The main argument of the opposition was simply that the amendment should be defeated because the legislature ought to have power to "correct mistakes" in popularly enacted laws; and they certainly accepted the sponsors' interpretation that, if adopted, this amendment would effectively deprive the legislature of its power to alter or repeal *any* law "passed by the people."<sup>46</sup> As previously stated, the amendment was adopted; and, so far as can be ascertained, no judge, legislator, governor, or attorney ever questioned the accepted proposition that its intended effect had been accomplished, until the summer of 1952.<sup>47</sup>

In explanation of the wording of the 1914 amendment, a prominent member of the Convention of 1910, continuous and forceful advocate of direct legislation, and one of the state's most highly respected attorneys, states that:

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44. Statement signed by Bert Davis, President of the Arizona Federation of Labor. Italics supplied.

45. Italics supplied.

46. *Publicity Pamphlet*, 1914, pp. 41, 42.

47. The most serious previous frontal attack made upon the workability of the initiative and referendum had come in 1916, immediately following the amendment of 1914, while the original sponsors and opponents of direct legislation were still rather clearly and identifiably squared off against each other. Since the 1914 amendment was universally accepted as having removed laws enacted by popular vote from subsequent legislative alteration or repeal, those elements in the state who were unhappy about the situation were able to secure legislative proposal of an amendment to the constitution designed to make it decidedly *more difficult* to enact measures by popular vote. See footnote 24.

The form of the [original] paragraph was left, as is the usual practice in preparing legal amendments, to follow the original form except as to the addition of such words as might be necessary to effect the desired purpose, and the only change desired in this instance was to supplement the denial of power to the Governor to veto with the denial of the power to the legislature to repeal or amend an initiative or referendum measure approved by the people. It did not occur to the proposers of the amendment in 1914, as in thirty-six years following, it did not occur to any Governor, any legislator, or any citizen, that the form of the paragraph limited its effectiveness to measures approved by a majority of all eligible voters, whether voting or not.

This appears to be a fair statement of the matter. In fact, the Arizona Supreme Court in several cases, over the period from 1926 to 1950, took occasion to affirm the general understanding that, after 1914, *all* measures adopted by popular vote were immune from subsequent repeal or alteration by the legislature.

In 1926, the court said that, "no measure approved by a referendum could be repealed or amended by the legislature."<sup>48</sup>

In 1927, the court declared that, "paragraph (6) expressly deprives the legislature of the right to enact measures affecting . . . initiated or referred measures approved by the voters."<sup>49</sup>

In 1942, the court had occasion to say that, "there is one difference between an initiated and legislative law. While a legislative act may be repealed by a subsequent legislature, an initiated measure, *once adopted*, can only be repealed in the same manner in which it was adopted."<sup>50</sup>

In 1948, the court, referring to certain sections of the statutes, said they, "were enacted by the Legislature and referred to and approved by the people, and having been approved by the people, the Legislature is without power to repeal or amend these measures."<sup>51</sup>

48. *Willard v. Hubbs*, 30 Ariz. 417; 248 Pac. 32 (1926).

49. *McBride v. Kerby*, 32 Ariz. 515; 260 Pac. 435 (1927).

50. *Arizona v. Superior Court*, 60 Ariz. 69; 131 Pac. 2d 983 (1942).

51. *State v. Pelosi*, 68 Ariz. 51; 199 Pac. 2d 125 (1948).

And as late as 1950 the court recognized the "constitutional immunity [of initiative and referendum measures] from amendment by the Legislature."<sup>52</sup>

When the legislative majority in 1952, refusing again to effectuate the Public Employees Retirement Act of 1948, passed a bill purporting to repeal that law, but referring it to a vote of the people, the public employees with support from Mr. William R. Mathews, Editor and Publisher of the *Arizona Daily Star*, sought an injunction to prevent the Secretary of State from putting the measure on the ballot on the ground that "the Legislature was without power to refer the measure" to a vote of the people.<sup>53</sup> The Superior Court having refused to grant the injunction, the case was appealed to the State Supreme Court, which not only affirmed the propriety of the Legislature's action to refer the law to the people for a "second look," as it was semiofficially designated,<sup>54</sup> but it also held that the Legislature has power to *amend* or *repeal*, on its *own authority*, any statutory measure which has been enacted by the people *unless* it has been approved by a "majority vote of the qualified [registered] electors" of the state.<sup>55</sup>

To counsel's reliance upon the apparently universal official and legal acceptance of the proposition that the *intent* and *purpose* of the amendment of 1914 had been to place all measures adopted by vote of the people beyond the power of the legislature to repeal or amend, buttressed as it had been by repeated acceptance of it by the State Supreme Court, the Court in 1952 simply replied: (1) that "where

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52. *Ward v. Industrial Commission*, 70 Ariz. 271; 219 Pac. 2d 765 (1950).

53. *Adams v. Bolin*, 74 Ariz. 269; 247 Pac. 2d 617 (1952).

54. On three previous occasions the legislature had referred to the voters measures to repeal the same identical law (a game control law) which had originally been enacted by the initiative process in 1916. The people rejected the repeal in 1921 (See *Arizona Session Laws*, 1923, p. 444) and again in 1926 (See *Arizona Session Laws*, 1925, Chap. 6). On the third try, the people approved the repeal in 1928 (See Chap. 3, Acts of the Special Session of the Eighth Legislature, *Session Laws*, 1928). It appears, however, that the courts had had no previous occasion to adjudicate the propriety of this legislative action, but the experience seems to show that the legislature had never considered that it had power to repeal outright any measure previously enacted or approved by the people by a "majority of the votes cast thereon."

55. *Willard v. Hubbs*, 30 Ariz. 417; 248 Pac. 32 (1926).



there is involved no ambiguity or absurdity, a statutory or constitutional provision requires no interpretation"; (2) that in no previous case had the meaning of the pertinent language of the Arizona Constitution ever been questioned by litigants; (3) that in one of the cases cited it had not been necessary for the court to make the statement recognizing immunity of all popularly enacted laws from legislative power to repeal; and (4) that in any event all such previous holdings of the court were now specifically *overruled*, in so far as they may have applied to measures approved by less than a "majority vote of the qualified (registered) electors" of the state.<sup>56</sup>

Said the Court:

None of these [previous] cases presented the direct question as to whether there is a *vital distinction* between an initiated or referred measure enacted or approved by a *majority of the qualified* (registered) *electors* and measures enacted or approved merely by a *majority of the votes cast thereon*.<sup>57</sup> The instant case for the first time asserts that there is such distinction and makes an issue of it.

The Court readily saw the distinction, and being unimpressed by a showing of original and long accepted understanding that the two expressions were *identical in intent and purpose*, the Court, admitting that "we are on our own in attempting to construe the words 'approved by a majority vote of the qualified electors,'" for lack of any reference to any case in which the expression had ever been judicially construed, nevertheless reached the

conclusion that the words mean simply what they say. . . . To enforce it according to its terms [said the opinion], will mean that only those initiated and referred measures which receive the majority vote of the qualified [registered] electors will be immune from legislative amendment or repeal.

Counsel for plaintiffs argued vainly, but apparently unanswerably, that the court was being asked to adopt an interpretation which would be both administratively and ju-

56. *Adams v. Bolin*, 74 Ariz. 269; 247 Pac. 2d 617 (1952).

57. Italics supplied.

dicially *unworkable*. They pointed out that, as a matter of practical application, it is simply not administratively feasible to know or to determine for any election how many "qualified electors" there are in the state. *Registration*, which the court accepted and designated as the test for voter qualification, is as a matter of fact not an adequate test. Even, assuming the legality of registration, as of the date of enrollment for each registered voter, registration lists become notoriously and progressively inaccurate, due to deaths, and removals from precincts and counties, and even from the state. A sizeable proportion of registered persons are, therefore, not "qualified electors," and the only way really to know how many "qualified electors" there are in the state at any given election time would be actually to check every registration, in order to verify its validity, a process which is simply not practicable. If any case should ever develop inviting or calling for court determination of whether any measure has been adopted by a "majority of the qualified electors," only a litigant with ample funds to pay for the very expensive checking services could possibly offer the courts even allegedly accurate data on which a sound decision might be based; and only a group with equally ample funds could offer any effective rebuttal.

The majority opinion is one which perhaps many lawyers might call "well reasoned," or what perhaps Professor Rodell of Yale Law School might call "well rationalized."<sup>58</sup> It purports to put the court in a position of really having no choice but to rule as it did. In fact, if one may take a bit of liberty with a bit of Hamlet, it may appear to some that the judge who wrote the opinion in *Adams v. Bolin*, "doth protest too much," with approval of three of his brethren, to the moralistic effect that the state's legislative future must necessarily be in safer hands because of this decision.

Saith the Court:

We are of the opinion that to permit the legislature to make needed amendments to ill-considered initiated laws or referred measures that, through the passage of time, have become obso-

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58. Fred Rodell, *Woe Unto You, Lawyers*, Ch. 8, esp. p. 193.

lete, will be a step forward and relieve the people of shackling legislation.

Continuing, the opinion stated that measures enacted by popular vote

do not have the advantage of open debate and analysis, and oftentimes incorporate provisions that are out of harmony with and contradict the general scheme of legislation.

Aside from the fact that no examples were cited of such "oftentimes"-enacted poorly conceived laws by popular vote in the state, the court seemed to overlook the fact that all measures referred by referendum petition will have had all the alleged "advantage of open debate and analysis" when enacted by the legislature.

As further indication that some of the judges may possibly have had their own individual intolerances for the processes of direct legislation, on principle,<sup>59</sup> the opinion referred to the fact that some Arizona laws approved by popular vote in the early years of statehood, when the population was far less than in the 1950's, had received relatively small numbers of votes.

In order, [said the court] to propose [by the initiative] an amendment or repeal of an initiated or referred law at the present time [prior to *Adams v. Bolin*], for the most part, requires one and one-half times as many signatures as the measure received when it was enacted or approved, a most

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59. One of the judges who concurred in *Adams v. Bolin* had taken occasion frankly to express his lack of confidence in the initiative process in a recent previous case, in which he dissented. Said he: "I recognize that the Constitution reserves to the people of the state the right to initiate and pass legislation . . . and it may be that, upon the ground of public policy, it is entitled to be shielded by the same protective armor of legal presumptions that surround an act of the legislature. Public policy, however, is the only theory in my opinion upon which such presumption could possibly rest. I say this for the reason that it is common knowledge that voters, for the most part, have no knowledge whatever of the contents of initiative measures, therefore the language used therein cannot be said to express their legislative intent. Under such circumstances it is very doubtful in my mind if public policy should be allowed to prevail in establishing a legislative intent in initiative measures when the facts all contradict that presumption." *Dennis v. Jordon*, 71 Ariz. 430; 229 Pac. 2d 692, 707 (1951) in which the Court, 4 to 1, upheld the constitutionality of the Public Employees Retirement Act of 1948 against a battery of attacks.

*expensive and laborious* undertaking; *so much so*, in fact, *that many of them die a-borning*.<sup>60</sup>

Then, putting a sort of cap sheaf upon this moral line of justification for its presumably judicially unavoidable ruling, the opinion went on to say that,

To give the legislature the outright power to amend or repeal, both subject to the referendum, can only result in good; not 'good' that we, as members of the court view it, but the opportunity for 'good' as envisioned and authorized by the Constitution. And if the people think that any legislative repeal or amendment of initiated law is not desirable, five per centum of the qualified electors can force a referendum against it and the people will *again* have an opportunity to express their opinion thereon.

The court may have spoken more truly than it realized when it referred to the "expensive and laborious undertaking" involved in making use of the processes of direct law-making. In fact, that use is *so* "laborious and expensive" as to make it impractical for the same group of the common "people" to utilize them over and over, in order to accomplish and maintain results, as against allegedly entrenched power in the legislature, and in the face of demonstrated financial disadvantage of "the people" in the conduct of popular campaigns. Experience in this respect particularly has shown that the sponsors of direct legislation forty years ago had some reason to seek to put popularly enacted measures beyond the power of the legislature freely to annul them.

It is submitted here that the matter ought not to be allowed to rest as it was left by *Adams v. Bolin*. It should be possible to work out a proper repair job by way of a constitutional amendment. There has always been recognized merit in the proposition that it is unwise, on principle, to give ordinary statutory law a status of constitutional law, whether by writing it into a constitution or by placing popularly enacted measures beyond all reach of necessary legislative alteration. Yet legislative alteration of such measures

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60. Italics supplied.

should not be so easy as to invite legislative sabotage of hard-won ("laborious and expensive") popularly-approved reforms. There may be no way to give effective voice in state policymaking to minority groups with modest financial assets comparable to the influence of other closely integrated minority groups. But in a democracy the underlying assumption is that an effort must be made to do just that.

It is suggested, substantially in accord with a proposal introduced in the first regular session of the 21st legislature in 1953,<sup>61</sup> that the Arizona Constitution might well be amended so as to permit legislative alteration of popularly enacted statutory measures under presumably adequate restrictions. Perhaps all such enactments could well be given a trial run of some minimum period of say six years, during which they would be completely immune from all legislative action directed toward their repeal or alteration. Then, after expiration of this period, they might with some reason become subject to legislative alteration by a vote of two-thirds or three-fourths of the members of each house,<sup>62</sup> subject, however, to use of the referendum; and in the event of popular rejection of such legislative alteration, then it might seem reasonable to make the measure immune from further legislative molestation for an extended period of years.

At the regular session in 1953, immediately following the long controversy about the activation of the Public Employees Retirement Act of 1948 and *Adams v. Bolin*, the legislature passed an act, "introduced by the Committee on Suffrage and Elections," purporting to revamp the law prescribing the operating details for direct legislation. In an introductory section entitled "Declaration of purpose," it is set forth in part that

In recent years small pressure groups, taking advantage of the substantial increase in the size of the electorate and the

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61. House Concurrent Resolution, No. 4.

62. There is already some basis in the Constitution for suggesting either of these extraordinary majority votes. Legislative enactments may be made immune from the referendum by a two-thirds vote of the elected members of both houses. And such "emergency" measures, if vetoed by the governor, may be passed over the veto only by a vote of three-fourths of the members of each house. Art. IV, Part I, par. 3.

resultant great numbers of uninformed signers of initiative and referendum petitions, have attempted, through fraudulent and corrupt practices in connection with the circulation of petitions, to appropriate this fundamental right of the people to their own selfish purposes. These abuses have tended to bring the initiative and referendum processes into disrepute. It is the sense of this legislature that in order to prevent the recurrence of such abuses . . . legislation should be enacted further implementing the provisions of the constitution governing the exercise of this right.

Careful examination of the new law fails to reveal anything which would appear to offer any additional safeguard against alleged "fraudulent and corrupt practices" or "abuses," though perhaps it may make the process of securing valid signatures somewhat *more difficult*. The *new and really significant feature* introduced here is a provision for a system by which well-financed groups, opposed to submission of any particular measures to a vote of the people, may undertake to induce wholesale *withdrawals* of signatures within 60 days, after petitions have been filed.

This plan provides for withdrawals by means of individual affidavits to be executed by signers of previously filed petitions. The process, being necessarily expensive and inconvenient, could hardly conceivably be used, *spontaneously* and individually, by any appreciable number of persons. But, under the pressure of an organized, publicized, and possibly prepaid *movement*, enough withdrawals may very well be *induced* either (1) to invalidate the petitions or (2) to provide a basis for expensive litigation in court. In any event, only well financed interests could either (1) *utilize* the device effectively to prevent submission of measures whose submission they oppose, or (2) *survive* its use against measures which they may wish to sponsor.<sup>63</sup>

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63. *Arizona Session Laws, 1953, Chapter 82 (House Bill No. 167)*. In the interest of realistic evaluation and clarity of understanding, it should be made clear that this legislative allegation of "fraudulent and corrupt practices" and "abuses" in the circulation of direct legislation petitions appears to be a misleading one. That is not to say that in the course of forty years there have never been any irregularities or improprieties in these processes; but any implication that they have been more prevalent in this field than in other aspects of the state's political and governmental processes seems unwarranted.

It appears that irreconcilable opponents of the processes of direct legislation in the state may not be satisfied even with the new situation which permits the legislature to alter or repeal measures so enacted.<sup>64</sup> There are persistent reports that it is proposed again to sponsor an amendment to the constitution providing that measures of direct legislation shall become effective only if approved by a *majority of the voters voting at the election* at which they are submitted. That could make it virtually impossible ever to secure the enactment of any such measure.<sup>65</sup>

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64. Unsuccessful efforts were made at the regular session of the legislature in 1953 to get consideration of a proposal to bar legislative alteration or repeal of popularly enacted measures. House Concurrent Resolution, Nos. 3 and 5.

65. See footnote 24 for a similar effort in 1916.

## COOLIDGE AND THOREAU: FORGOTTEN FRONTIER TOWNS.<sup>1</sup>

*By* IRVING TELLING\*

**M**OST historical studies concern successful men or communities, yet similar attention to failures can contribute to an understanding of some historical processes. The Atlantic & Pacific Railroad, building across western New Mexico and Arizona between 1880 and 1883, opened that territory for settlement. Men and women who followed the call of opportunity to this new area planted villages beside the tracks: Grants, Mitchell (Thoreau), Coolidge, Gallup, Holbrook, Winslow, and others. The sites known today as Coolidge and Thoreau in New Mexico receive attention here for the insight they furnish into such problems as how towns appeared in this wilderness, what factors might bring life or death to these places, and how the settlers reacted to this struggle for community survival.

The railroad region was young in the years after 1881. Until later developments created an economic pattern of settlement, no one could tell upon whom the gods might smile or which village they would ignore. A sense of civic insecurity accordingly haunted those who dwelt in these new centers since events beyond their control might prove vital to their welfare. Construction of additional buildings or stockpens and the presence of locomotive shops were symbols and tangible evidence of the permanence of one's community and business investments.

Boosterism may have helped to promote local interests, it certainly served to reassure apprehensive citizens by quieting their doubts. Newspapers entered into this game

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with a will, using such terms as "wide awake," "thriving," and "lively" to describe each settlement. A news item of 1882, when Coolidge was a "mere village," exemplifies both this uncertainty and advertising:

This town is very quiet . . . and its citizens have settled down as if they meant to stay. No place on the Atlantic and Pacific railroad affords a more pleasant resort these hot days . . . than Coolidge. . . . Now is a good time for Albuquerqueans to come and spend a few days with us.<sup>2</sup>

Rivalry between towns also derived from the uneasiness of the early days. Extension of trade in one place might mean a potential lost opportunity for another. The growth of this center could well cause that one's eclipse. Indeed, as matters turned out, Gallup became the metropolis of a region which included Thoreau, thus limiting the latter's possible development. Citizens of one hamlet wished their "enterprising" neighbors "all the luck possible" but refused to admit anything but their own superiority. When Holbrook boasted of her school and court house in 1883, Gallup quickly retorted:

Holbrook will have to show up something better than a "teacher with a life diploma" or a third class court house before she can compete with Gallup.<sup>3</sup>

When they began, Coolidge and Mitchell appeared to have as good chances as Gallup or Holbrook to flourish, yet they have left little but faint memories. Their unpredictable decline and death brought home to others the fate that might befall their rivals and revealed how thin was the line between prosperity and extinction.

When the Atlantic & Pacific construction crews reached the location chosen for the first division point 136 miles west of Albuquerque, they found themselves at Bacon Springs, near the ranch of William Crane (better known as Uncle Billy). The latter, a scout for Kit Carson on the Navaho

2. *Albuquerque Morning Journal*, August 19, 1882.

3. *Ibid.*, December 25, 1883.

campaign of 1863, had remained behind as a rancher, supplying Fort Wingate with hay and beef, cutting lumber for the Zuñi Indian agent, and operating a station on the Santa Fe-Prescott stage line.<sup>4</sup> Uncle Billy proved so helpful to the railroaders that they presented him in 1886 with a lifetime pass and the rest of section 7 in which he had earlier secured a homestead.<sup>5</sup>

Although G. B. Anderson describes Bacon Springs as "a live and progressive town even before the advent of the railroad," this is probably retrospective exaggeration.<sup>6</sup> The post trader at Fort Wingate long served as storekeeper for stockmen, and Crane's stage station doubtless filled most other needs. The railroad really made the place important. Track-laying crews arrived in the middle of March 1881, pausing to build temporary quarters and pile up materials for the next stretch. A telegraph office and section house had already appeared in April, when Lieutenant John G. Bourke rode out from Albuquerque in a caboose "jammed with passengers most of them smoking villainous pipes." At Cranes Station,

all tumbled out to get a cup of coffee and a sandwich in a "saloon," doing business in a tent alongside the track. The coffee was quite good and the sandwiches fresh; the shaggy haired men behind the bar were courteous and polite . . . and reasonable in the charges. . . .<sup>7</sup>

4. Albuquerque *Daily Citizen*, April 6, 1900; George B. Anderson, ed., *History of New Mexico Its Resources and People* (2 vols., Los Angeles, 1907), II, 836; National Archives, Records of United States Army Commands, Ft. Wingate, Letters Received, William Crane to Gen. George P. Buell, June 24, 1880; Pueblo Agency MSS (Albuquerque), Benjamin Thomas to William Crane, October 23, 1880.

5. *McKinley County Republican*, December 15, 1904; Santa Fe Pacific Tract Book (Albuquerque), West Ranges X to XV, 481; Department of the Interior, Land and Survey Office (Santa Fe), Tract Book of Range 14 West.

6. Anderson, *op. cit.*, II, 836, 839. The springs were on Crane's ranch, although a settlement of that name was recorded one mile northwest in 1881. Apparently the name designated some kind of settlement before the railroad's advent since details from Fort Wingate sought AWOL's there in 1880. Department of the Interior, Bureau of Land Management, Division of Engineering (Albuquerque), Field Notes of the Survey of the Subdivisional Lines of Township 14 North, Range 15 West (June 4, 1881) and of Township 14 North, Range 14 West (June 10, 1881); National Archives, Records of United States Army Commands, Ft. Wingate, General and Special Orders, Orders No. 122, December 26, 1880; Orders No. 127, December 31, 1880.

7. *Annual Report of the Board of Directors of the Atlantic & Pacific Railroad Company . . . for the Year Ending December 31, 1880* (Boston, 1881), 13-15; Lansing B. Bloom, "Bourke on the Southwest," *NEW MEXICO HISTORICAL REVIEW*, XI (1936), 78-79.

The station name became Coolidge in March 1882, honoring T. Jefferson Coolidge, a director of the Atlantic & Pacific.<sup>8</sup> The community was on its way.

Construction continued at the division point. By 1885 the company owned a depot, water tank, roundhouse and turntable, coal chute, eating house (replacing the tent saloon), some eight other buildings, and five cottages for personnel. This property had a value of \$35,831, nearly three quarters of that of the buildings at Winslow, the next division point, and over five times those at Gallup.<sup>9</sup> The railroad gave the little settlement a real sense of permanence, and as early as December 1882 Coolidge began to "present the appearance of a town, instead of a mere village."<sup>10</sup>

Attracted by these customers, businessmen soon moved into town. J. D. Ellis, with his partner, Harmon, established a livery stable and butcher shop in mid-1882 near Zeiger and Marshall, proprietors of the "best fitted bar in Western New Mexico."<sup>11</sup> A Canadian, John B. Hall, joined Charles M. Paxton, of Pennsylvania, to start a general store which so prospered that they erected a larger adobe building in August 1883. Charles L. Flynn soon opened a rival emporium.<sup>12</sup> Charles Lummis found Coolidge in 1884 "the only town of one hundred people . . . between Albuquerque and Winslow," and three years later the Albuquerque *Morning Democrat* reported, "Coolidge is sharing the general prosperity of the southwest, as evidenced by a row of buildings just completed and occupied by various business enterprises."<sup>13</sup> One of these may have housed "our tonsorial artist" who was prepared to trim mustaches in March 1888.<sup>14</sup> Two months later Mrs. J. Leahey opened a dressmaking shop, while Mrs. Irene

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8. Letter from F. B. Baldwin, Valuation Engineer System, The Atchison, Topeka & Santa Fe Railway Company, to author, July 6, 1951.

9. *Ibid.* The Santa Fe Railway curio business is said to have begun when Herman Schweitzer sold items like petrified wood at the Coolidge Harvey House in 1882. Interview with T. W. Cabeen.

10. *Albuquerque Morning Journal*, December 2, 1882.

11. *Ibid.*, December 15, 1882; October 22, 1882.

12. Anderson, *op. cit.*, II, 839; *Albuquerque Morning Journal*, August 10, 1883.

13. Charles F. Lummis, *A Tramp Across the Continent* (New York, 1892), 205; *Albuquerque Morning Democrat*, August 2, 1887.

14. *Albuquerque Daily Citizen*, March 14, 1888.

Lewis ran a rooming-house for some time before 1890.<sup>15</sup> John J. Keegan's lunch stand did a "rushing business" at least a year before 1890, when the settlement contained three saloons, two stores, and several residences.<sup>16</sup>

While the merchants regarded railroaders as their steady customers and found trade "a little dull" between pay days, ranchers, lumbermen, and soldiers helped to liven business.<sup>17</sup> Cattlemen used Coolidge as a shipping point, supply depot, and place for relaxation. One stockman in 1886 even drove his herd from distant St. Johns, Arizona, to ship it from Coolidge.<sup>18</sup> The citizens had a lively interest in range conditions and eagerly repeated rumors that some ranchers might build storage pens in the town.<sup>19</sup> Roundups brought the "jolly 'punchers'" to Coolidge in large numbers at least once a year, and the "wild and desperate cowboys" with their six shooters strapped about their waists" who loitered at the station thrilled eastern dudes traveling through.<sup>20</sup>

Lumbering on the Zuñi Mountains south of Coolidge began with the tie contractors in 1881. Then James and Gregory Page came from Ontario, Canada, to establish a mill and lumber yard at Coolidge. Having skimmed the cream off this market by the mid-80's, Gregory Page moved west to Winslow, where he opened "one of the largest and best billiard rooms, club rooms and saloons to be found along the railroad."<sup>21</sup> Henry Hart, recently of Liverpool, England, with his partner, W. S. Bliss, in 1889 installed "extensive machinery at their mills south of Coolidge." Bliss joined

15. *Ibid.*, May 8, 1888; April 21, 1890.

16. *Gallup Gleaner*, May 22, 1889; *Gallup Elk*, March 1, 1890.

17. *Albuquerque Morning Journal*, August 19, 1882.

18. Ft. Wingate, Letters Received, Smith Carson Co. to Comdg. Off., May 8, 1886. Holbrook was the customary shipping point for the St. Johns region; see: "From Ash Fork to Albuquerque," *The Southwest Illustrated Magazine*, II (Feb., 1896), 24; *Albuquerque Daily Citizen*, October 11, 1897; John Dougherty, *Atlantic & Pacific Railroad*, Report, June 30th 1894 (typescript in Baker Library, Harvard Business School), 16.

19. *Albuquerque Morning Journal*, December 8, 1882; August 10, 1883.

20. *Gallup Elk*, May 17, 1890; *Albuquerque Morning Democrat*, June 18, 1887.

21. Anderson, *op. cit.*, II, 839, 842; *Albuquerque Daily Citizen*, January 30, 1890; *McKinley County Republican*, August 1, 1908; *Gallup Herald*, July 24, 1920; Land Office, Tract Book of Range 15 West, shows James Page filed five miles southwest of Coolidge in 1883 but relinquished his claim June 20, 1885.

J. M. Dennis soon after in another lumbering enterprise on the mountain.<sup>22</sup> Until their disappearance in the mid-90's, these two firms added to Coolidge's prosperity.

Soldiers from Fort Wingate spent their money in the little town, but as usual the citizens had to pay a price for this trade. In 1882 a corporal, having indulged too freely in Coolidge wet goods, created "a disturbance, during which he shot in the leg, a citizen named Wilson." For this a court martial reduced him to private.<sup>23</sup> Seven years later an irate citizen complained that a drunken soldier had annoyed his wife, to which Colonel E. A. Carr replied:

I would be glad if the authorities of Coolidge would cinch any of my men who misconduct themselves; but it is my experience that the saloonkeepers are too glad to get the soldiers money, to allow them to get into trouble when drunk on their liquor.<sup>24</sup>

The military not only caused trouble but furnished help when others misbehaved. The community's first few years were a time of violence as men drifted into the area, "some of whom were really bad and others . . . thought they were or . . . wanted to be."<sup>25</sup> In February 1882 the law-abiding element engaged in a gun-fight with these desperadoes—the result: three outlaws and one deputy sheriff killed, two wounded citizens lying in the Wingate post hospital.<sup>26</sup> Three months later John B. Hall, justice of the peace at Coolidge, sent a frantic telegram to the fort:

The civil law is unable to cope with the gamblers here—they make night hideous [sic] last night and stole a wagon load of beer from Railroad company—For [sic] troops at Holbrook—there are about fifteen in all—can you help us?<sup>27</sup>

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22. Gallup *News-Register*, June 14, 1889; *Gallup Gleaner*, December 24, 1889.

23. Ft. Wingate, General and Special Orders, Orders No. 145, September 11, 1882.

24. National Archives, Records of United States Army Commands, Ft. Wingate, Letters Sent, Col. E. A. Carr to A. J. Brown, December 29, 1889.

25. "In the Early Days at Coolidge," *Santa Fe Employes' Magazine*, II (1908), 399.

26. National Archives, Records of the Adjutant General's Office, Ft. Wingate, Record of Medical History of the Post, February 1876 to June 1889, 158.

27. Ft. Wingate, Letters Received, John B. Hall to Gen. L. P. Bradley, May 9, 1882.

On this or an earlier occasion, the Atlantic & Pacific threatened to recall "the whole of the construction gang of several hundred men" to level the town unless stolen barrels of beer were returned.<sup>28</sup>

Despite such alarms and excursions, Coolidge enjoyed many attributes of a more civilized life. One of these was easier communication. As early as May 1881 the settlers had their own post office, the job of postmaster passing around among such merchants as John B. Hall, Charles Paxton, and Charles Flynn.<sup>29</sup> The trains also gave quick access to the outside world, as did their accompanying telegraph line. But the hazards of this improved transportation became apparent as early as December 1881, when a smallpox epidemic, spreading quickly along the railroad, struck little Coolidge and ravaged it for eight months.<sup>30</sup> But Dr. E. M. Burke was on hand to tend the sick—though he proved to be the only physician to settle there.<sup>31</sup>

From the early days the citizens were interested in all manner of diversions. In December 1882 "the renowned John Kelly and estimable wife" presented "the first real musical treat" in the town to a full house. Dancing proved popular, and the "young people" rarely missed an opportunity to "heel and toe it, spin and whirl" at "social hops." The Kelly's concert, indeed, was spoiled for some when Mrs. Reilly "refused to perform on the organ for those who wished to dance after the show was over."<sup>32</sup> The disreputable element present in those days caused some concern. Guests at a dance given by "the people in high life in Coolidge" had to show "proper credentials as to their moral standing" (whatever these might be). This procedure appeared "as it should be, as such an example will doubtless cause a good reform in Coolidge circles."<sup>33</sup> While parties were of "fre-

28. "In the Early Days at Coolidge," *loc cit.*, II, 400.

29. National Archives, Records of Post Office Department, Records of Appointment of Postmasters, XLVIII, 692; LVIII, 264, 320.

30. Ft. Wingate, Medical History, 154; *Albuquerque Morning Journal*, August 19, 1882.

31. Anderson, *op. cit.*, II, 839; *Albuquerque Morning Journal*, November 8, 1882.

32. *Albuquerque Morning Journal*, December 15, 1882.

33. *Albuquerque Daily Journal*, December 24, 1882.

quent occurrence," many men indulged in more virile pleasures. John Keegan assumed the responsibilities of president of the Coolidge Gun Club in 1889, and the railroad crews organized an "aggregation of sluggers . . . to play ball" that same year.<sup>34</sup>

The settlement was never large enough to justify legal organization as a town, but almost from the start it formed a part of Precinct No. 23 in Valencia County, regularly electing a justice of the peace and constable. Apparently the voters did not always choose wisely, for Constable John D. Ellis skipped town with the public funds less than two months after the polling in November 1882.<sup>35</sup> Officials on the Rio Grande evidently cared little about the geography of this distant region which actually lay in Bernalillo County. In 1886 the postal authorities changed their records. Two years later Coolidge requested recognition as a Bernalillo County precinct, but nothing came of this although county boundaries remained unchanged until 1900.<sup>36</sup>

Coolidge showed every promise of a prosperous future now that it was a well developed community, but its fate was sealed in 1889, when a Santa Fe engine made a run four times the usual hundred-odd miles.<sup>37</sup> Gallup had long looked with envious eyes at its neighbor's prosperity and hoped "for the removal of division headquarters . . . from Coolidge to this place" to diversify the coal town's economy.<sup>38</sup> In February 1890 the change occurred, and Coolidge fell victim to technological progress.

"What was Coolidge's loss is Gallup's gain, and here we are, only the old stone roundhouse and a few of the best of us left . . .," lamented one who remained behind that May. The town died in a blaze of glory one week later when all the

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34. *Gallup Gleaner*, May 22, 1889; September 28, 1889.

35. Proceedings of Valencia County Commissioners, A-2, *passim*. Absence from the county court house of the first volume, covering the years to 1889, makes it impossible to know when the precinct was set up—probably in 1881.

36. Records of Postmasters, LVIII, 320; *Albuquerque Daily Citizen*, April 10, 1888; Charles F. Coan, "The County Boundaries of New Mexico," *The Southwestern Political Science Quarterly*, III (1922-23), 260-69.

37. *Gallup Gleaner*, May 1, 1889.

38. *Albuquerque Daily Citizen*, January 10, 1888.

buildings but the depot and Harvey House burned down.<sup>39</sup> The latter did not follow the freight division offices to Gallup until October 1895, but most of the trainmen shifted in 1890.<sup>40</sup> With them came the merchants, and Gallup now took over as supply center for the ranchers.<sup>41</sup> Discontinuance of its night telegraph office in 1892 merely emphasized Coolidge's diminishing importance.<sup>42</sup> In April 1890 Uncle Billy Crane had assumed the duties of postmaster, and by 1896 even the name of Coolidge disappeared when the Post Office Department reverted to Cranes.<sup>43</sup> By that time the Atlantic & Pacific valued its buildings there at little more than \$11,000, but one fourth of Gallup's collection and one tenth of Winslow's.<sup>44</sup>

The rest of the story is soon told. Uncle Billy Crane continued to live at his ranch, served as justice of the peace in 1903, and died in December 1904 at the age of eighty.<sup>45</sup> The railroad remembered the hero of Manila Bay in 1898 by renaming their station Dewey but changed to Guam two years later. Two Indian traders opened a store there in 1899, re-establishing the post office which passed through many hands until it was discontinued in 1919.<sup>46</sup> The trading store, under changing ownership, not only dealt with the Navahos in the vicinity but with the small ranchers and farmers on the neighboring mountains. Finally it moved away in 1913, and Guam presented "a rather deserted appearance . . . but a memory of the once busy city which existed here during the early eighties."<sup>47</sup> In 1926 Berton I. Staples settled nearby to build up a business in Navaho crafts and, good Republican that he was, named the new post office Coolidge "in honor of

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39. Gallup *Elk*, May 17, 1890; Albuquerque *Daily Citizen*, May 24, 1890.

40. Gallup *Gleaner*, October 26, 1895; Gallup *Elk*, March 1, 1890.

41. Interview with Palmer Ketner.

42. Gallup *Gleaner*, April 16, 1892.

43. Records of Postmasters, LVIII, 264; XC, 289.

44. F. B. Baldwin to author.

45. McKinley County *Republican*, January 17, 1903; December 15, 1904.

46. F. B. Baldwin to author; Records of Postmasters, XC, 289, 291, 407; McKinley County *Republican*, November 23, 1901.

47. McKinley County *Republican*, January 22, 1903; September 1912 Special Supplement, 23-24; June 6, 1913.



the president." Gallup's editor, aware that the name was not new in the area, confessed, "We do not know for whom the first Coolidge was named."<sup>48</sup> *Sic transit gloria mundi.*

Settlement at Thoreau resulted from the timber on the Zuñi Mountains—acres and acres of tall yellow pine. Several small operators had long worked this resource to supply railroad ties, but the most spectacular of the lumbermen were Austin W. and William W. Mitchell, brothers from Cadillac, Michigan. They bought a small kingdom of 314,668 acres from the Atlantic & Pacific in June 1890 at two dollars an acre.<sup>49</sup> When the brothers inspected their enterprise in June 1891, they found two dozen engineers running lines for rails into the forest while others were laying out a townsite and reservoir.<sup>50</sup> The plant was to be "on a much more extensive scale than any other in this part of the country, and with a sufficient capacity to make lumber enough to supply the whole southwest." That November contractors came from Colorado to build the reservoir south of the new town of Mitchell, which was already "a flag station a few miles west of Chaves."<sup>51</sup>

The next year (1892) saw the company hit its stride. The Mitchells concluded an agreement with the Santa Fe Railroad to ship twelve million feet of lumber annually in return for "favorable rates over the entire . . . system" and the purchase of "all their ties and lumber supply from the Mitchell Bros. for their entire southwestern system of road."<sup>52</sup> By April melting snows were filling the reservoir when a carload of machinery arrived.<sup>53</sup> A cog-gearred, narrow-gauge mountain engine appeared in May, and "as the mill machinery is nearly all in place, business will begin

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48. *Gallup Herald*, November 19, 1926; Records of Postmasters, XC, 357.

49. McKinley County Records, Book E, 219.

50. *Gallup Elk*, June 10, 1891; June 24, 1891.

51. Albuquerque *Daily Citizen*, October 5, 1891; November 5, 1891.

52. *Gallup Gleaner*, January 2, 1892.

53. Albuquerque *Daily Citizen*, April 13, 1892; April 26, 1892.

here in real earnest soon."<sup>54</sup> By mid-summer the sawmill was running with a capacity of thirty million feet a year, and the planing mill was "in course of construction."<sup>55</sup>

This new community scarcely made a good start before it died. The flag-station of November 1891 was a booming settlement six months later. The camp then contained about 150 people whose needs brought optimistic merchants to the scene. F. W. Heyn, "well know ex-Albuquerque furniture man," opened a general merchandise business, "building a commodious store room, on what is to be one of the most prominent street corners in the new town." The first wholesale liquor dealer from Albuquerque "could only pass his best sample bottle," in the absence of saloons, but a "dead line" dive" was ready for customers just east of the camp, and another was soon to compete on the west.<sup>56</sup> By June a restaurant, the Mitchell House, and a "chop house on the short order plan" were feeding the hungry, while "Mr. Heyn, the merchant," prepared to erect his two-story structure. Even "a young physician" had arrived in May. Two more business places were going up in August as well as several residences.<sup>57</sup>

The Atlantic & Pacific entered into the spirit, moving their station in the spring of 1892 from Chaves, four miles to the east. They were prepared to rob Coolidge of its "dining station" also, "had the lumber business been a success."<sup>58</sup> Chaves, an early and none too savory whistlestop serving cattlemen, had acquired a post office in 1886 which was expected to follow the depot "as soon as government permission shall have been obtained," but the lumber kings quit too soon. Mitchell did not enjoy its own mail service until 1898.<sup>59</sup> County authorities proved equally wary. Enthusiasm led "67 of the inhabitants of the new town of Mitchell" to petition for a new precinct in July 1892, but the county commission-

54. *Gallup Gleaner*, May 28, 1892.

55. L. B. Prince, *Report of the Governor of New Mexico to the Secretary of the Interior. 1892* (Washington, 1892), 24.

56. *Albuquerque Daily Citizen*, April 26, 1892; May 12, 1892.

57. *Ibid.*, May 24, 1892; June 21, 1892; August 10, 1892.

58. *Ibid.*, May 12, 1892; Dougherty, *op. cit.*, 13.

59. *Ibid.*, May 12, 1892; Records of Postmaster, LVIII, 320; XC, 291.

ers felt the move premature. Not until March 1899 could fifty "residents of Mitchell and vicinity" thus organize themselves.<sup>60</sup>

In mid-September 1892 the Mitchells abruptly closed the works and returned to Michigan, leaving word that "they expect to resume work . . . probably some time next spring."<sup>61</sup> Although two springs came and went, the saw-mill remained silent. As an Atlantic & Pacific inspector reported, "The Company did not operate beyond three months, when they got disgusted and shut down."<sup>62</sup> The land reverted to the railroad in February 1893, and six years later the once-promising region was "an ocean of 'departed greatness.'" The *Daily Citizen* explained that, having made a

total investment of several hundred thousand dollars, which they soon found the home market would not support, and railroads would not give rates to make shipments possible, they retreated in good order and now all that is left is a shack or two, and their lands, the timber of which there is yet no demand for. . . .<sup>63</sup>

The Southwest apparently could not absorb lumber on such a scale, and the railroad's parlous financial condition (approaching bankruptcy) did not permit granting special rates.

After the Mitchells, this area passed several years in comparative quiet. The Hyde Exploring Expedition, organized by the wealthy, Harvard-trained Hyde brothers in 1896 to uncover the Pueblo Bonito ruins, contributed a new name, replacing the memory of the lumbermen with that of a Massachusetts philosopher—Thoreau. Until 1902 the Hydies' large business in Indian products required three warehouses and a store in Thoreau.<sup>64</sup> In 1903 the American Lumber Com-

60. Bernalillo County Commissioners, Journal "B," 258; "C," 253.

61. Albuquerque *Daily Citizen*, September 23, 1892.

62. Dougherty, *op. cit.*, 13.

63. Albuquerque *Daily Citizen*, December 23, 1899.

64. Records of Postmasters, XC, 291; Albuquerque *Daily Citizen*, December 23, 1899. On the Hyde Expedition see: Clark Wissler, "Pueblo Bonito as Made Known by the Hyde Expedition," *Natural History*, XXII (1922), 343-54; Frances Gillmor and Louisa W. Wetherill, *Traders to the Navajos* (Boston, 1934), 49; Joseph Schmedding,

pany, of Albuquerque, acquired the Mitchell holdings. This new market persuaded A. B. McGaffey to move from Albuquerque to take over the Hydes' old store. He, too, went into lumbering, so Thoreau experienced a rebirth.<sup>65</sup> Based on trade with ranchers, lumberjacks, and Navahos, the little community grew slowly during the first three decades of the twentieth century.<sup>66</sup> A hotel, movie theater, and soda fountain, when added to the two garages, two filling stations, and two general stores, gave the place a prosperous air.<sup>67</sup> But Gallup had been the recognized hub of the eastern Navaho country since the end of the nineteenth century, thanks to its position as a coal town, railroad headquarters (temporarily), wholesale center for the Indian trade, and county seat (after 1901). Gallup proved able to survive the great depression of the 'thirties, while Thoreau could not with its essentially small shopkeeper economy.

West central New Mexico was a frontier land of opportunity opened up by the railroad—for those who could best guess the coming course of events. Professor Schlesinger has pointed out that on earlier American frontiers "every cluster of log huts dreamed of . . . eminence."<sup>68</sup> So, too, along the Atlantic & Pacific tracks, settlers gambled on the future greatness of their communities. Alas, not all these high hopes were realized. The new villages seemed at first to have equal chances for importance. Winslow was, like Coolidge, a division point. Holbrook served as distribution and shipping center for a more extensive region than did Coolidge but lacked the latter's railroad facilities. Gallup

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*Cowboy and Indian Trader* (Caldwell, Idaho, 1951), 111-12, 180-81; *McKinley County Republican*, August 17, 1901.

The Sage of Waldon Pond, in his scorn for this world's glory, might have been amused to learn that New Mexicans found his name an "unpronounceable foreign appendage" and today call it "Therew." *Albuquerque Daily Citizen*, December 23, 1899.

65. *McKinley County Republican*, April 16, 1903; July 20, 1903; October 8, 1903.

66. *Ibid.*, April 7, 1906; September 1912 Special Supplement; *Gallup Independent*, November 6, 1925.

67. See Note 3 and *Gallup Independent*, April 15, 1927; April 29, 1927; *Gallup Herald*, June 27, 1929; interview with Eugene Lambson. McGaffey sold his store in Thoreau about 1926.

68. Arthur M. Schlesinger, *Paths to the Present* (New York, 1949), 217.

provided commercial and entertainment services for the nearby coal miners, just as Mitchell's merchants hoped to do for the lumbermen. Each town catered to the needs of men engaged in a particular activity upon which the citizens therefore depended for their prosperity (later, Thoreau performed a similar function but for too small a market to assure an important growth). But decisions by distant railroad executives or the state of lumber and coal markets might spell prosperity or doom for these places—as the fates of Coolidge and Mitchell showed all too clearly. This ominous possibility beyond local control tinged all plans with insecurity and lay behind the vigorous boosterism and rivalries. Only when a place like Gallup developed a more diversified economic life and served a wider region of more varied activities did the uncertainty begin to disappear.

BIBLIOGRAPHY OF PUBLISHED BIBLIOGRAPHIES  
ON THE HISTORY OF THE ELEVEN WESTERN  
STATES, 1941—1947:

A Partial Supplement to the  
*Writings on American History*

Compiled by  
WILLIAM S. WALLACE \*

The American Historical Association's series of *Writings on American History* do not cover the years 1941 through 1947. Therefore, it is hoped the present compilation will serve to help fill in the hiatus insofar as bibliographies dealing with the eleven western states are concerned. The compiler has, within technical limitations, followed the entry form and abbreviations as used in the 1948 *Writings* [q. v.] and included published bibliographies of value to researchers in the history of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

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  - 18 CAMPBELL, EMMA MELLON. Literature of the Southwest. *Educational Forum*, 11: 423-427 (May, 1947).
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## Notes and Documents

*Las Vegas Daily Gazette*—Dec. Wed. 29, 1880

—The Historical Society of New Mexico, was reorganized in Santa Fe, Monday afternoon, Gen. H. M. Atkinson, president.

The constitution of the old society, organized just twenty-one years ago was read by the Secretary and submitted to the meeting for adoption as the constitution of the society in the future. After a few slight alterations it was adopted and signed by H. M. Atkinson, Louis Felsenthal, David J. Miller, Samuel Ellison, W. G. Ritch, Sol Spiegelberg, L. Bradford Prince, H. O. Ladd and C. Woodruff.

The society re-organized under very good circumstances and its work may prove of great service to the Territory.

[Item submitted for publication by William S. Wallace, Librarian, Highlands University, Las Vegas, N. M.]

### THE CHARLES BENT PAPERS

Charles Bent was a native of Virginia, a graduate of the United States Military Academy at West Point, and a pioneer merchant of New Mexico. He resigned from the army and entered business in St. Louis. In 1832, he and his brother William established the famous Fort Bent in the Arkansas valley of present-day Colorado. Charles formed a partnership with Colonel Cerán St. Vrain, operating in Santa Fe and Taos. After the American occupation of New Mexico, Charles was appointed civil governor of the territory. In a native uprising at Taos on January 19, 1847, he lost his life.

The correspondence below is part of the Benjamin M. Read collection, housed in the library of the Historical Society of New Mexico, Santa Fe. A microfilm copy is in the library of the University of New Mexico. The papers have been used often by scholars, and are printed here primarily for the general reader. Since there are many obscure allusions to persons and events, explanatory notes have been added to heighten the reader's interest, although I could not identify all of them. Those who use the papers critically are responsible for their own annotations. The letters have



been transcribed literally. At times they are hard to read and some errors may have crept into the printing.

In the annotations, the title *Old Santa Fe* refers to a book by R. E. Twitchell and also to a magazine. I think that the distinction will be clear to the reader.—F. D. R.

Taos, December 10th 1837

Mr Alvaras  
Sir

It is the request of the Foreigners residing here, that you will present the accompanying petition to the Governor<sup>1</sup> and impress upon him the necessity of having William Langford tried for the murder [of] Lemon Nash immediately, his crime is one of the most outrageous acts, and one that could not have been committed by any other than a hardened villain destitute of all feeling of humanity; he thus far has not the least remorse of conscience for the violent outrage he has committed. We believe he is a man capable (if permitted to escape) of again committing murder merely to satisfy his insatiable thirst for blood; he has long since threatened the lives of several persons here, and has[,] since been in confinement[,] repeated these threats: he [is] a man destitute of all principal and moral honesty and capable of committing the most flagrant acts of violence and outrage without provocation.

You will confer a favor on us by attending to our petition and requesting the Governor to give us a prompt and decisive answer.

Yours  
C Bent

over

P. S. If consistent with the functions of the Governor we would solicit the appointment of a special court for the trial of William Langford. CB

Taos November 11th 1839

Mr M Alvaras  
Sir

I wish you to make enquire of the Governor whether mules & Horses stolen from us by Indians, and afterwards purchased by citizens of this country, (or others), whether we can claim and take such animals where we find them by the laws of this country. My object is to ascertain positively, as some animals that were stolen last summer from our forte, have been brought in here, and I am told that the

1. Manuel Armijo became governor of New Mexico after suppressing the uprising of 1837 that resulted in the death of Governor Perez.

perfecto<sup>2</sup> says they cannot be reclaimed, he did not tell me so I have not seen him. It will be better for you to address a few lines to the Governor on this subject so as to have his decision in writing, which if you get you will please send up to me by first opportunity

Yours Obt. Servant  
Chas Bent

Recibido por Desiderio Garcia (Soldado con la alta) el 4 de Diciembre 1839.<sup>3</sup>

[This letter in Spanish is written on the inside page of the letter of November 11, 1839]

Santa Fe 4 de Diciembre de 1839

Senor,

Por encargo que he recibido hoy del propietario del fuerte de comercio al otro lado sobre el rio Arkansas, D<sup>n</sup> Carlos Bent, vengo a suplicar a U. S. le sirva informar al Exmo Sr. Gobernador que Expresado Bent desea que S. E. se lo juzgare consistente, tenga la bondad de indicarle la ley, y sino la hubiere de determinar si *Mulas y Caballos robados por indios Nomades y despues comprados de ellos por C. de este pais a otros se puedan reclamar donde hayan oportunidad*. El objeto que asigna el Sr. Bent para hacer esta investigacion es que en el verano ultimo pasado le fueron robados animales de su fuerte de los cuales algunos han sido introducidos a este departamento, por cuyo motivo desea tener conocimiento positivo de su derecho para su gobierno en este particular.

Suplico a U. S. tenga la bondad de participarme cuanto antes lo que S. E. determine para que yo puede hacerlo en primera ocasion al Sr. Bent.

Soy respetivamente Su Obediente  
Servidor

Al Sr. D. Guadalupe Miranda Secret<sup>o</sup>. de Gobierno del Departamento del N. Mejico.

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2. Perfect: should be spelled *Prefect*. As of 1840 Juan Andres Archuleta was Prefect of the First District, succeeding Ramón Abreu who had been murdered in the uprising of 1837. The office of sub-Prefect, held by Ignacio Martin of Taos, was abolished December 21, 1840, due to lack of funds. Bent probably refers to Martin. See L. B. Bloom in *Old Santa Fe*, 2:136 note, and *passim*. Herbert O. Brayer, *William Blackmore, Entrepreneur*, I:208. (Denver: Bradford-Robinson Printing Co. 1949).

3. For a translation of the endorsement in Spanish, I am indebted to Professor Robert M. Duncan, Department of Modern and Classical Languages, University of New Mexico. It reads as follows: Received by Desiderio Garcia (Enlisted soldier) the 4th of December, 1839.

Taos November 15 1840

Mr M Alvarass

Sir

Youres of the forth came duly to hand I should have answered it sooner, but I expected to have been able to visit Santafe myself bussiness requires my attention here for the present.

In answer to your request respecting the animals taken by the Shawnies, from some thieves, all I can say is this. Last spring I had an order from Don Juan Andres Archulet to take Juan Nicolas Messtes, Jose Deloris Sandobal (alias el Rano)<sup>4</sup> and an other person, who had stolen some animals from the neighborhood of Albique,<sup>5</sup> the order was to take them, but if they made resistance to kill them, this order I received by Bonaventure Lovato<sup>6</sup> of a few days before I left this place, for the United States. I had written at the request of the Perfecto to the fort some time previous to have these thieves taken, but had given no orders to have them killed, as I had received none such at the time. When this order of mine reached our fort on the Platt, the most of our people had left there with our peltries for the Arkansas, in consequence of which we were very short of men at that time, the person in charge of the fort at the time the order was received there felt himself authorized from my order, to tell the Shawnies and other free men that were in the vicinity of the fort, to follow and take the thieves, they done so, Juan Nicolas Messtes so soon as he was discovered, and no other alternative left him of escape he dismounted from his animal and presented his Gun whereupon one of the Shawnies shot him; the other two, Jose Deloris and the other surrendered and were brought back to the fort from whence they made there escape a few days after. The animals were demanded of the captors by our agent, but they objected to give them up they contended that they should have them for their Trouble and risque. One or two of the animals were payed to us for debts due by the Shawnies, which were delivered to the owner a few days after we had received them, this owner, Martean followed on a few days after I left this place and overtook me at the fort on the Arkansas. I gave him a letter to our agent on the platt [river] which he reached a few days after the return of the Shawnies and had he at the time offered to pay the Shawnies a trifle they would no doubt have delivered him all the animals in their possession, but no sir he wished us to act for him as

4. I have no information on Juan Nicolas Mestas or Jose Dalores Sandoval. The word Rano may be Kano for *cano*, meaning grey beard.

5. Abiquiú: A mid-18th century settlement in the Chama valley about twenty-five miles northwest of Española along present-day Highway 285.

6. Buenaventura Lobato participated in killing of Governor Bent in 1847. Twitchell, *Old Santa Fe*, p. 288. Captain Ventura Lobato was defeated in a skirmish with the Texan force under command of Colonel Snively on June 19, 1843. Twitchell, *Leading Facts of New Mexican History*, 2:85; L. B. Bloom in *Old Santa Fe*, 2:155.

an alcadi would have done heare prove his brand take his animels, this we could not doe we alwayes have large quantities of animels at our fortes, which the Shawnies would have stollen had we of used force to compell them to delliver the animels, we done all we could to have the animels delivered to the oner, and had he of had a little Liberality about him, he could have got them. I told him heare in the presence of Juan Andres Archulet that he should take a barrel or two of whisky and follow the thieves to the Aripihoe village, and by making the prinsipal men a present of it he mite get back his animals or a part of them, but no this was too much expense whare upon I offered to give him one barrel and the Perfect an other and at the same time advised him to get two more, he said he had no mules to pack it aut on, the amount of it was this he was too damd stingy to incur any expence to get back his animals, he wanted the Government to doe it, the Perfect answered him shortely and verry aproppriately I think on this subject, at the time.

With respect to the beaver you have for sale I should like to purchase it. I have requested Mr. Bobean<sup>7</sup> to se it and let me know the quality, If you want the money imeadiately I have it not at present but I may possibly have it shortely. I should like to let you have goodes for the whole or a part of the amount, or I will give a Draft on the United States provided it will sute. I know of no person going to Missouri this winter altho thare may possibly be some person going. We shall I think start an express in verry early in the Spring of which I will give you notice, If it will sute you,

Youres Respectfully  
Chas Bent

Taos December 1st 1840

Mr M Alvaras

Sir

I had intended to have written you some dayes passed respecting, the murdr of an american citizen some time passed neare the de Mara,<sup>8</sup> from the best infermation I have bean able to get, thare is no doubt in my minde but that he was murdered. we are all equally interested in having theas murderers punished this is the fourth merder that

7. Charles Beaubien: a resident of Taos and a well known person in the history of New Mexico. For a first-hand picture see Albert Deane Richardson, *Beyond the Mississippi, 1856-1867*, p. 270. (Hartford: American Publishing Co., 1867). Also, L. H. Garrard, *Wah-To-Yah and the Taos Trail*, p. 176 *passim*. (Oklahoma City: Harlow Publishing Co., 1927. Reprint), edited by Walter S. Campbell (Stanley Vestal). A sketch and bibliography in James Josiah Webb, *Adventures in the Santa Fé Trade, 1844-1847*, edited by Ralph P. Bieber, p. 67 note (Vol. I, Southwest Historical Series. Glendale, Calif.: The Arthur H. Clark Co., 1931).

8. Probably a reference to Mora creek in the Mora valley to the northward of present-day Las Vegas, New Mexico. See note 105.

has been comitted on American citizens within the last fue yeares, and as yet neather of the murderers have bean punished. Theas people think that it is too much to put to death two or more men for the murder of one heritic, I say if thare be twenty conserved in the murder of one of uss let uss insist upon the whole being punished, and with nothing short of death. It is the duty of the authorities to have the murderers punished with death, and all expences should be defrayed by this government. And should the diseased have any property it is your bussiness to take possession of the same and convert into Cash, and should you be able to finde any relatives of his to pay the same over to them, nothing of his should be taken to defray the expences of bringing the murderers to punishment. Altho I doubt much wether you will be able to preserve any thing of his property, theas people have such an infernal dispositian to appropriate an others property to thare one [own] use. But it is youre duty to make a full statement of the whole case and proceadings to our minister<sup>9</sup> in mexico, and if you doe not suceade in geting Justice done he will be able possibly through the the heades of the governments, to compell the authorities heare to doe justice, and if he fales in this I presume he will represent the case to our government, our minister in mexico is a man that will not be trifled with, he is not easily put of[f] the track by promises he is verry prompt and dessesive when he takes a stand and I have no doubt but that he will sustaine you in anything you doe in behalf of American citezens in this province, he is not a fellow that can be scared from doing his duty as aure late minister Butler<sup>10</sup> was he is well acquainted with the character of the mexicans. One of the murderers (Armeho)<sup>11</sup> I think I know, if it is the same he is a grate scoundrel we had to have him whiped at the fort about a yeare since. push every point to have theas murderers punished and any assistence I can give, you may frealy comand

Youres Respectfully  
Chas Bent

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9. The United States minister to Mexico in 1840 was Powhatan Ellis.

10. Anthony Butler, minister to Mexico, 1829-1836.

11. The correct spelling is Armijo. Several members of this family were prominent in New Mexican affairs, but I have no idea who this person could have been.

## Book Reviews

*Tlaxcala in the Sixteenth Century.* By Charles Gibson. New Haven: Yale University Press, 1952. Pp. xvi, 300. \$6.00.

At long last the Tlaxcalans have their critical historian. Thadeo de Niza, Torquemada, and Munoz Camargo will not be forgotten, but it is Professor Gibson who writes the sixteenth-century history of these great people in accordance with the best canons of historical scholarship.

In reality the book is a case study in acculturation, with an undertone of Toynbee's "challenge and response." In six closely written and well-documented chapters, Professor Gibson presents his story under the headings of "The Pre-conquest Province and the Conquest," "Religious History," "Spanish Government," "Indian Government," "Tlaxcalan Society," and "Privileges, Tributes, and Colonies."

Gibson begins his history with a succinct narrative of the four Tlaxcalan *cabeceras*. He demonstrates that Tlaxcala was confined to a much smaller area than has been commonly believed, and sheds some additional light upon the famous Spanish-Tlaxcalan military alliances. For example, the Spaniards permitted the Indians to continue their idolatry until the late 1520's in return for military assistance. This may be a partial explanation of Tlaxcalan indifference to Christianity. Although the zealous twelve Franciscan "Apostles," who began their work among these people in 1524, were quite successful, their successors were less fortunate.

Regarding Spanish governmental practices in the area, the first ten years were marked mainly by irregular and corrupt methods of taxation, and it was not until 1531 that something like a system was given to the administrative plans for Tlaxcala. In that year the jurisdiction of the *corregidor* of Puebla was extended to Tlaxcala, an arrangement which was continued until 1545, when Tlaxcala was set aside as an independent *corregimiento*. The *corregidores* who thereafter appeared in the region were, on the whole, well-

intentioned individuals, but such was not the case with the Spanish farmers and stock raisers who invaded the land. Nor were the *corregidores* able to protect their charges from the cupidity of these invaders, which leads Gibson to write that "Probably no other single sequence of events contributed so directly to the loss of Indian prosperity and prestige in the late sixteenth century as did the steady infiltration of white colonists." (p. 79) Moreover the natives themselves, anxious for ready cash, contributed their share to the encouragement of white intrusion by selling their lands to Spaniards at ridiculously low prices.

Professor Gibson now turns to a detailed discussion of Indian government by unraveling a tangled story of native dynasties, governors, cabildos, and the administration of justice. Dynastic successions in the four *cabeceras* are carefully worked out, a difficult task in view of the fact that baptismal names seldom resembled native names. And for the student of political acculturation, Gibson's account of the Indian cabildo is profitable reading. "At no time," he writes, "did political Hispanization penetrate to the lowest levels," (p. 122) which supports the thesis that the hard core of culture complexes lies in the habits and thinking processes of the masses of mankind.

Nor are the broader aspects of Tlaxcalan society neglected. A short description of the physical appearance of the city of Tlaxcala as it probably was in the mid-sixteenth century is presented. And the main currents of economic and social developments within provincial boundaries and *cabecera* divisions are dealt with in considerable detail. Professor Gibson thus reconstructs a picture of Tlaxcalan life, where native aristocrats were no more considerate of the common Indian than were the Spaniards.

Gibson finishes his history with an account of privileges, tributes, and colonies. He shows rather clearly that Cortes did not make the lavish promises to the Tlaxcalans for military aid as some have said. Yet the Indians, after the middle of the sixteenth century, maintained that Cortes had promised the Indians exemption from tribute as well as giving

them towns in return for such aid. Although Spanish authorities generally accepted the Indian position on this matter, Gibson says they were in error. "The view commonly held that Tlaxcalan military service during the conquest resulted in total exemption is of course far from the truth." (p. 170) For tribute in kind, in money, and in personal service was practiced as widely in the land of the Tlaxcalans as in the less favored Indian communities. But were the tributes excessive? The natives were convinced that they were; Spanish authorities maintained that they were not. For lack of evidence, Gibson admits that this is still in the realm of conjectures. But perhaps there is a clue to the answer in the fact that during the closing years of the sixteenth century it became steadily more difficult for the Indians to pay their tribute, a development which Gibson is careful to make clear to the reader. Though the Indians may have been unhappy with the requirement of paying tribute, they had little to complain about when the crown or viceroy extended them special considerations in other areas of life. *Fueros*, usually granted to the Tlaxcalans as the result of personal petitions, were many and generous.

Tlaxcalans were noted colonists, but, according to Gibson, they usually chose to stay in their native land except during periods of economic depression. When they did consent to remove themselves and their families to distant points, they demanded, and received, special privileges, such as freedom from tribute and personal service, and were usually granted food supplies for a period of two years.

Professor Gibson's book is a "must" for the serious student of sixteenth-century New Spain. His consummate ability to separate fact from fiction out of a maze of documentary material, together with a superb skill of organization, will give his book a permanent place in the handful of real contributions to the historiography of Spanish-Indian relations of the sixteenth century.

RUSSELL C. EWINGS

University of Arizona



*La Conquistadora, the Autobiography of an Ancient Statue.*

By Fray Angelico Chavez. Paterson, New Jersey: St. Anthony Guild Press, 1954. Pp. 144. Illus. \$2.00.

Fra Angelico Chavez has a unique gift for presenting New Mexico history through the lives of simple people facing a hard life in a hard land, and the faith that sustained them. He has never been more successful than in this book which treats of the little image of the Virgin which is carried each June from the Lady Chapel in Santa Fe's Cathedral to the Chapel of El Rosario. The chapel stands on the spot where De Vargas camped when he recaptured Santa Fe from the Indians in 1693, so it has been popularly believed that De Vargas first brought the statue to New Mexico. But Fra Angelico has proved from contemporary records that Father Alonso Benavides originally brought it in 1625; De Vargas only restored it to Santa Fe after bitter years in El Paso following the Indian uprising of 1680.

The book is thus the work of a sound historian, but it is enlivened by Fra Angelico's gifts as poet, painter, and storyteller and by the priest's humorous but tender awareness of human frailties. Its most individual charm stems from the fact that the statue's long history has repeatedly touched the lives of the author's own ancestors. He dedicates it to "the memory of these and scores of other 'Conquistadora' progenitors and their consorts." "These" are Fray Angelico's own ancestors beginning with Captain Francisco Gómez and Ana Robledo who accompanied Father Benavides to New Mexico in 1625. The twelfth in line of descent, through several name changes, is Fray Angelico Chavez, son of Fabián Chávez and Nicolasa Roybal.

The tale is told by the statue, speaking "as the unworthy proxy of heaven's own Queen," but also as a woman loving beautiful vestments and fine jewels and repudiating scornfully any likeness to a villager's "santo." This statue was carved in Spain of flawless willow wood and represented "a beautiful woman on a graceful pedestal." The costume was "not the classic gown and mantle usually seen on pic-

tures and statues of the Virgin, but rather the costume of Moorish princesses who once brightened the halls and courts of the Alhambra—truly, the dress also of a Lady of Palestine.”

During the seventeenth and eighteenth centuries the statue was cherished and cared for by a devout confraternity, but not always with taste. Once the original garments of rich gold and arabesque painted on the wood were covered over by garments of Spain's sixteenth century queens—a style still used. The statue itself was all but destroyed. Its arms were hacked off and replaced by jointed elbows like a puppet's; one knee and the cherubs on the pedestal were cut away to make a box fit; even the face was scrubbed and repainted almost beyond recognition. Some of these changes may be followed in the book's excellent illustrations, including Laura Gilpin's lovely full color photograph of La Conquistadora with her amanuensis.

As amanuensis Fray Angelico has done well with materials and styles. As historian he has shown how the statue's history, through captains and governors who were its guardians, has often touched New Mexico history. So he has sketched in bits of the wars against the predatory tribes, the distant echoes of Mexico's revolution, the United States occupation, and finally ended with “the atomic city against the blue mountain flank, a thin white blur that turns into a necklace of lights as darkness falls.” Here is New Mexico's history told from a fresh point of view and washed in as clear and soft a light as one of Fra Angelico's own murals. It is delightful reading.

ERNA FERGUSSON

Berkeley, California

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Ref

# New Mexico Historical Review



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**GRACE ALLEN**  
TO THE  
**BILLY THE KID**  
**REWARD**  
\$5000

GRACE ALLEN, the woman who was the first to see the man known as Billy the Kid, has been identified by the authorities as the woman who was the first to see the man known as Billy the Kid. She is now being held in custody by the authorities.

# NEW MEXICO HISTORICAL REVIEW

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## A NEW MEXICO PIONEER OF THE 1880's

*By* LILLIE GERHARDT ANDERSON \*

**M**Y FATHER, Frederick Gerhardt, became a New Mexico pioneer in April of 1882. And, as other New Mexico pioneers, who in their strivings for a livelihood, contributed to the building of our glorious State, so my father also contributed his bit.

He was born in Friesenheim, Baden, Germany on November 11, 1835, the youngest of twenty children—ten half brothers, seven real brothers, and two sisters.

It was inevitable that in such a large family some of the members would scarcely know one another, but the amazing fact was, that of his seventeen brothers, his oldest half-brother, George Gerhardt, was the brother whom he knew best.

George also made his home in Friesenheim, where he held an important office in the Dukedom of Baden; and the youngest of his three sons, Alfried, was my father's pal and University classmate.

Becoming dissatisfied with the many government restrictions of his native land, Frederick decided to embark for the "Land of the Free" and landed in New York City in 1852.

Educated at the University of Karlsruhe, Germany, where he had studied the supplementary languages French and Latin, he was now in the United States unable to speak his new country's language. His knowledge of Latin, how-

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\* Mrs. Anderson resides at 413 South First Street, Tucumcari, New Mexico.

ever, proved of great value to him in this dire dilemma. He had brought with him a Latin Bible, so he now procured an English copy and, by comparing the two, made his initial venture into the intricacies of the English tongue.

After gaining sufficient mastery of the new language to enable him to obtain employment, he got work in a silk factory; later he went to Massachusetts, and then to New Jersey, continuing all the while to work in textile factories.

When wanderlust again seized him, it carried him to Texas. This was about the year 1860. And it was while clerking in a store in San Antonio, that he first met his future wife, Sophie Louisa Duelm, also a native of Germany, and the youngest of eight children, who had come with her family from Hagen, Waldeck, Germany when she was but nine years old. The family had landed in Galveston, Texas in 1855, and had settled in San Antonio.

Soon Civil War clouds began to loom ominously in the sky. Frederick's sympathies were with the Union, but he was rejected as a soldier on account of an eye injury to his right eye, sustained when he was but three years old while he and another small boy, having found some live caps, were innocently exploding them by striking them with stones.

Rejected for the army, Frederick decided to remain in the South. In making this decision, he did not foresee that he would eventually be conscripted by the Confederacy and forced to drive supply teams, bringing supplies from Mexico.

Later, he traveled with General Robert E. Lee's army, cooking for the General and his staff officers.

This close association with General Lee developed into a warm friendship, so that when four decades later he was requested to suggest a name for a new grandson, he replied without hesitation, "Lee." Thus it came about that the grandson of a loyal hearted Northerner bears the name of a famous Southern general.

Immediately following the close of the Civil War, Frederick Gerhardt was united in marriage with Sophie Louisa Duelm in San Antonio, Texas, on March 4, 1865. Destiny



had performed her miracle of bringing these two across oceans from their native country, to meet and unite in their adopted land.

For many years after his marriage, father held various city and county offices. He taught school in a German settlement for two years, and for a time owned and operated a farm.

In the spring of 1882, he came with his family to New Mexico, after learning from his mother, Mary, in Germany that his brother John was living out here. (His mother's lovely German letters came but once a year, as the postage on a single letter was 50 cents).

At that time the nearest railroad from Texas came around through Kansas City, and terminated at Las Vegas, from which city the family traveled by wagon to the Pecos River, about twenty miles northwest of Fort Sumner.

Here adjoining his brother's ranch, father filed his homestead of 160 acres—all the government land allowed at that time. His claim had a natural spring, providing water for house use, and river front with public domain for raising stock.

To make an immediate beginning in the sheep industry, he took a flock on shares from his brother, John, thereby earning at the end of a year a certain percentage of the sheep in payment for their care.

John had come to America with Frederick in 1852, but they had separated in New York City, and had not in the thirty years elapsed seen or heard of each other.

Two other brothers had come to America during the intervening years, but both had remained in the East: Jacob in New York, and Joseph in Massachusetts.

Another brother bore the name Ludwig; but there were three brothers whose names I do not know. The sisters were Carolina and Anna Mari. (As all brothers do, father spoke oftener of his sisters than of his brothers).

It was Anna Mari who, when their mother became too feeble to write, wrote the yearly German letter to father. Father had saved all the letters from his mother and sister,

but years later, while his desk was in storage, vandals broke in and scattered his papers and letters. When the depredation was discovered, only three letters were legible. These were from his sister, and had not been written in consecutive years.

About the middle 1880's, some of father's friends living in Las Vegas re-visited Germany, and went to see father's half-brother, George, who was then in his 90th year. After he was well past 91 years, a letter came for father, informing him of George's passing.

John had enlisted in the United States Army in New York, and had been sent to New Mexico in 1860, during the Indian conflict. Subsequently, he served as a male nurse, with the Army Medical Corps, for the duration of the Civil War, in New Mexico.

John's home stood about a mile distant from father's new home. His land had many good springs, and he grew a nice fruit orchard, and always raised a good vegetable garden, of which he was proud. He enjoyed his home, which he had named Cedar Springs, for the natural springs, and the dwarf cedar trees that dotted his land. At this time he had a family of six children. He was engaged in the sheep industry, and also had a small herd of cattle.

(The ranch has now long been owned and operated by strangers. Of the large family, only two are living in New Mexico).

A short distance up the Pecos River, Pablo (Paul) Beaubien, son of the famous Carlos Beaubien of frontier days, and land grant fame, was operating John's irrigated farm, and raising sheep. He later moved to Fort Sumner.

About four miles to the southeast, on the Alamogordo (stout Cottonwood) Creek, Captain J. C. Clancy, a retired English sea captain, was engaged in sheep raising. He had come to New Mexico about 1870. His first sheep had been the long haired Old Mexico breed, which he had not liked, and which he finally drove to California and traded there for sheep with good wool; these he again drove back, consuming two years in the long journey to and from California.

His home, patterned after an old English castle, and which visitors to the Territory marveled about, and some mistook for an Indian fortress on account of its towers, was not built until 1886. (My father knew when the captain had it built. Before this time he had, as many other pioneers, lived in a dugout). Until the 1880's it had been almost impossible to obtain building materials.

Captain Clancy was a most delightful conversationalist. While captain of his ship, he had touched at almost every important world seaport. This enabled him to bring information of the wide world to the early settlers.

A few miles north of the Clancy ranch, lived the Jasper De Graffenried family, with their three sons and two daughters. They raised both cattle and sheep. Their strange cattle brand X, was named for its counterpart, Camp Stool.

Yes, there was a little schoolhouse—not red, but of gray sandstone—in which a certain Mrs. Mitchell held despotic sway.

In father's family, an older sister held daily school for the younger children. She taught German, reading and writing, along with the English lessons.

After living for seven years on the Pecos River, father moved with his family in 1889 to the Las Truchas Creek, about twenty miles northeast of Fort Sumner. Here he filed what at that time was known as pre-emption.

In that day of free grazing land, the large cattle companies dug wells and erected windmills at strategic watering places for their stock. The Fort Sumner Cattle Company had such a well, mill, and a one-roomed adobe building to house a maintenance man where my father filed his claim.

The Cattle Company had not owned the land, and had relinquished the improvements, which were very convenient for use by the two Gerhardt sons, Herman and Carl, in building the new home. Until it was ready for occupancy, the other members of the family stayed in the home of the only close neighbor, Joe De Oliveira, who lived three miles north in the same valley.

With Spanish helpers, who understood the making of

adobes, a Spanish-Indian styled house soon took form. Herman did all necessary carpenter work.

This home stood near the center of an ample valley, traversed from northeast to southwest by the Las Truchas (trout) Creek, and rimmed on the north and east by the breaks of the Plains.

The family learned, soon after moving to the creek, that "Truchas" was a misnomer. After several weeks of observation, the supposed trout were discovered growing legs, feet and tails. Their bodies were slender; they were not tadpoles, but were salamanders in their aquatic larval state. Soon after they began to disappear from the water, black, yellow-spotted adult salamanders were found in the damp soil of shady places. Evidently the creek had been named by explorers who had not remained long enough to observe the development of their trout.

Neighbors were fewer here, and lived at greater distances, than they had on the Pecos. There was no school house, either red or gray. Sister Paulina continued her daily classes in our home. I was still too small for studies, but enjoyed slipping into the schoolroom to observe the others at their lessons. If a lesson in geography happened to be in progress, for my benefit I'd soon hear, "Name the capital of Arkansas." My hand would "go up" and I'd answer delightedly, "Little Rock." Then, having exhausted the extent of my knowledge, I'd slip out again to play.

On the new ranch, with the help of his two sons, father continued in the sheep raising industry. The vast Llano Estacado (Staked Plains) afforded lush summer grazing for the sheep, while their foothills and canyons provided good winter shelter. Grass grew two feet high. In the valley, it was harvested in the fall for winter hay for the horses and the milk cows, but on the plains it sometimes produced devastating prairie fires, from a carelessly tossed burning match. These fires could be seen from a distance of a hundred miles. The terrible grass fire of December, 1894, which started on the New Mexico plains, and raced with the wind into the

Texas Panhandle, where it burned the southern half of the vast XIT Ranch, was an awesome and frightening spectacle.

In dealing with Spanish sheep herders, father had found it necessary to add Spanish to his list of acquired languages. Both sons, also, learned to speak Spanish, and the older girls acquired enough of the tongue to understand what supplies were needed when the camp cook came in to replenish his larder, or to receive the freight brought by Spanish freighters when father and the boys happened to be away from home.

The wool and pelts from the sheep were sent by freight wagons to Las Vegas, where they were sold to the large wholesale stores, Gross, Blackwell, and Ilfeld, and supplies loaded for the ranch, for the return trip of 120 miles, which often required two weeks, as most of the Spanish freighters drove burro teams, or poorly fed horses.

The sheep for market were sold on the premises to sheep buyers who, after acquiring a large herd, drove them to Dodge City, or Wichita, Kansas, from which points they were shipped to Kansas City.

Through the years, father had continued his subscription to his Texas newspaper. Each issue carried, in addition to the news, several chapters of a serial German love story, which father read aloud to mother in the evenings while she was occupied in hand sewing for the family. It was for the heroine of one of these novels that I was named. To this incident, I have always attributed my romantic nature.

Father and mother always spoke German at home when there were no English speaking visitors present.

We had few German visitors. Some of the early storekeepers at Fort Sumner were Germans, and sometimes visited in our home. And I always delighted in hearing Mr. Albert Strauss speaking German with mother. He was the founder of the © (called Circle S) Ranch, about thirty miles southwest of the present town of Tucumcari, and was the brother of the elder Mrs. Kohn, early New Mexico pioneer. He was an interesting talker, and as he traveled a great deal

over the state, could give us news of some of our other friends.

Ours was a reading family. In those early days, the *Ladies' Home Journal* was a masterpiece of information and inspiration. Before I was four years old, sister Paulina read aloud to us from its inspirational columns. I recall vividly, thinking to myself, "Oh! If I could only write like that!"

There was usually one of Ella Wheeler Wilcox's beautiful poems in each copy, which our sister also read to us. In addition, the boys read *The Youth's Companion*.

When I was about seven years old, this precious sister read aloud to us in the evenings from Charles Dicken's works. I enjoyed his stories immensely, and wept for dear little Oliver Twist.

This custom of reading aloud was continued during our summer vacations at home, even after we began going away to school. At least three of us would change about reading several chapters from a good book during the afternoon rest hour. In this way we read Cervantes' *Don Quixote*. It was triple fun with three to laugh about his idiotical adventures.

In the winter of 1895, father and mother re-visited their old home in Texas, where mother's relatives, and many former friends of both, welcomed them. Before this time, the Fort Worth and Denver railroad had built through Amarillo, Texas, enabling them to board the train there, and giving them a much more direct route than when they came to New Mexico, thirteen years earlier.

Politically, father was a staunch Republican, as were most of the early day ranchers, who realized the necessity of a firm tariff on wool, pelts, and hides, if they were to survive in business. The chief political issues of that day were a high tariff, or free trade.

The sheepmen suffered real hardships during Grover Cleveland's free trade administration in the early 90's, when the country became flooded with cheap Australian wool, and the home product dropped to 3 cts. a lb. This caused a great drop in the price of sheep, also.

Father had been a member of the Lutheran Church in Germany where, with his trained tenor voice, he sang in the church choir. In Texas, he again affiliated with the Lutheran Church, where mother was also a member.

After coming to New Mexico, on the few occasions when he was in Las Vegas over a Sunday, his clear voice, to the delight of his friends, would be heard coming from a back pew of the First Presbyterian Church, singing Martin Luther's *Ein Feste Burg* (Fortress) and other hymns in German.

By the middle 90's, the elder son Herman had married Emma Whitmore, daughter of the very early (1849) New Mexico pioneer, James Whitmore, and had started his own sheep ranch in the lower part of the valley.

In 1898, father purchased a herd of good grade cattle, and his son, Carl, assisted him in managing the ranch, gradually selling the sheep and buying more cattle; thus finally changing the valley into a cattle ranch.

Father's first cattle brand was TK (called TK bar). Later he had this brand cancelled and used XTK.

Many people have been deeply impressed by the marvel of our country's "Four Corners" where four of our states join at their corners; but we experienced no less a marvel in our Las Truchas, New Mexico, home, where we lived in four counties without moving; first in San Miguel County, then Guadalupe, then Leonard Wood, and lastly in Quay.

Leonard Wood County was short-lived. It had been created to get the court house and county seat for Santa Rosa from Puerto de Luna, where they had been before Santa Rosa came into existence. This accomplished, the name was again changed to Guadalupe.

With the completion of the Santa Fe Railroad's "Belen Cut-off" in 1907, and the consequent flocking in of dry land farmers, who filed every available 160 acres of land, a "death blow" was dealt to free grazing and stock raising as it had existed up to that time.

When my father told the first comers that they couldn't possibly make a living on one fourth section of land, and that

many of them wouldn't be able to get wells of drinking water on their dry claims, they still felt that they could do both. They said to him, "Since the country has just been opened for settlement, we want a piece of free land too."

They couldn't believe my father when he told them that the country had been open for settlement for fifty years. They were so firmly convinced in their belief that they began re-naming hills and valleys that had been named for decades. Our Lone Mesa became Mt. Alice, for Alice Roosevelt, Teddy Roosevelt's daughter, and the Las Truchas Valley became Gerhardt Valley. The mesa reverted to its earlier name, after drought forced most of the new settlers to abandon their claims, but the valley retained the new name, because the Gerhardt family had lived there for so many years. It is now recognized over most of the State as Gerhardt Valley.

Father's prophecy of a dearth of water proved true. When the new settlers came to live on their homesteads, they soon began coming in wagons loaded with empty barrels to haul drinking water from our well.

We had a good well, but the added drain was too great. Soon there was not enough water for our cattle and garden. Scarcity of water and the limited grazing room soon forced Carl to lease pasture near Santa Rosa for the cattle.

The family continued to live on the ranch, where father now spent most of his time raising a good garden.

Carl finally sold the cattle and bought irrigated land at Fort Sumner, which he developed into alfalfa farms and a nice fruit orchard.

Herman had read the "Handwriting on the Wall," so when the first locaters began to bring people from the railroad, at Taiban and Fort Sumner, to locate claims for them, he sold his sheep and moved to Tucumcari, where he went into the abstract business, in the fall of 1908.

For a time he served as County Road Superintendent. Eventually, he was elected County Treasurer for Quay County for four years. He also served for a number of years as City Treasurer of Tucumcari.

By the time the Federal Government in Washington,



D. C., came to a realization of the plight of the dry farmers trying to eke out a living on their pocket-handkerchief sized parcels of land, and passed the 320 acre homestead law, most of the farmers were gone.

The few who remained were those who had been able to get water wells. The families stayed on the land, with a milk cow, chickens, and a small garden plot, while the husbands, or sons went away to earn wages. These now filed abandoned claims, adjoining their original filing, or bought relinquishments. In time they acquired sufficient land to become stockmen-farmers, and now own modern homes and cars.

Carl had not used his filing right, nor had sister Clara, who had been teaching school, so both now filed 320 acres of abandoned and relinquished land adjoining the home ranch. Eventually, Carl fenced all the family owned land, and leased it for pasture.

By 1909, we were receiving our mail addressed to Harris, New Mexico. A combination Post Office and country store had been established about two miles northeast of our home. The mail service came overland from Tucumcari, servicing several country Post Offices on the Plains.

A pavilion, with a cedar brush covering, had been erected midway between Harris and our home, where Sunday School and Church services were held. The pavilion was also used for group singing.

By the middle of June 1914, the family began getting mail at Taft, four miles west of our home, where in addition to a Post Office and store a school house had been erected. The Harris Post Office was discontinued.

After a few terms of school, buses began taking the children to school in Fort Sumner, and the new school building was left vacant. The Post Office too was discontinued after a few years. The sparse settlers, now owning cars, drove to Fort Sumner for their mail.

The many members of father's large family, although they occasionally visited other states, made their permanent homes in New Mexico. The eldest daughter moved to California, when the youngest of her family begged her to make

a home for her in Los Angeles while she attended the University. She remained in California for a few years after her daughter's graduation, but eventually returned to New Mexico, and again made her home in Tucumcari; so that her stay in California became merely an interlude.

Some of the grandchildren are scattered far from the home state, while many still reside in the Land of Enchantment.

The grandchildren of the Gerhardt name—Herman's children—are represented by Alvin W., a mining engineer in Arizona, Earl A., part owner and manager of a silk hose factory in Virginia, Herbert J., architect, and Herman F., automobile salesman, both of California, and Emma Gerhardt Rorick, a former high school commercial teacher, a Lieut. Wave in World War II, and now a Government worker at China Lake, California.

Carl was married in 1917 to Nettie Catherine Brown, of Fort Sumner, daughter of a Methodist minister. They had one child, Nettie Bernice Gerhardt, a former Tucumcari junior high school teacher, now Mrs. Neal C. Koll, who owns and operates the home ranch in Gerhardt Valley.

The other grandchildren, all successful in their respective work, live in Tucumcari, Clovis, ranch near Taiban, Albuquerque, Santa Rosa, Topeka, Kansas, and in Amarillo and El Paso, Texas.

One grandson (our son, T/Sgt. Felix Lorin) was sent to Hahn, Germany, with a Bomber Group last August. That is not far from my father's old home. He works in a supply department now, and is overseas for a three year term. His wife and little son went to Germany by ship from New York City to join him in November.

This is our son's second stay in Germany. In World War II, he was an aerial gunner on a B-24 Liberator Bomber, which was shot down near Bordeaux, France. Seconds before the bomber crashed in flames, the ten crew members parachuted, but seven of them had been wounded. Except for a tiny splinter of shrapnel that penetrated his eyelid and blinded his eye for a week, Felix was unhurt, but his para-

chute landed him in a tree from which he could not extricate himself. Frenchmen, alert for our flyers, watched him parachute, and came to his rescue. They also gave him clothes. His electrified flying suit was in shreds.

In trying to get back to his Base in England, Felix was captured by the Nazis and held for sixteen months in six different prison camps. He spent the first winter in Stalag Luft VI., built on the narrow neck of East Prussia, on the Baltic Sea. When he was liberated by Patton's 3d Army, on April 29, 1945, he was in a prisoner of war camp near Munich. He got home on July 12, 1945. In spite of months of hospitalization, and more months in prisoner of war camps (with the unceasing prayers of their families at home), all of Felix's fellow crewmen, except one, returned after the war.

Felix was stationed for eight months on Okinawa in 1947, and in 1950 he spent eight months on an Air Base in England. He saw most of the United States while in training, before being sent overseas on a bomber in the fall of 1943.

With the newer, faster transportation facilities, the grandchildren have traveled widely in the United States, and some have seen parts of Canada, Mexico, and Cuba. Thus they have shown their heritage of father's adventurous spirit.

Father was a kindly man who brought friendliness and melody to the silent prairies. He sang as he drove about the ranch, usually in the company of some of the children. Mother was sometimes along too.

At Christmas time, father lead the family in singing beautiful German hymns, as they gathered about the Christmas tree—always a huge cedar that almost touched the ceiling. He also lead in appropriate hymns at Easter, and at Thanksgiving time.

He had a deep appreciation of Nature, and was especially awed by the magnificent star constellations. He would pour forth his admiration in song on lovely starlit nights.

He delighted in Halley's Comet, when it made its reappearance in 1910, and watched it every night as long as it

was visible. It had been seen while he was a baby, and he'd been told about it.

He sang his farewell to Earth in the beautiful German hymn *Die Heimat Der Seele* (The Home of the Soul) two days before his death, which occurred on October 21, 1914, at the age of 79 years, at his ranch home, where he lies at rest in the family cemetery.

## REVOLT OF THE NAVAHO, 1913

By DAVIDSON B. MCKIBBIN\*

AUTUMN in New Mexico of 1913 began in its usual inauspicious manner. The summer rains had stopped; there were not the deluges of rain from the heavy clouds, with quick run-offs, immediate sunshine, followed by almost instant evaporation. The citizens of San Juan County, located in the northwestern part of the state, had started to get ready for winter. Aside from the hard manual labor involved in harvesting their limited crops, they scanned the newspapers with interest to find out what might be happening to their neighbor in the south. The continuing Mexican Revolution and the ousting of General Victoriano Huerta from the Presidency of Mexico was at that moment of primary importance, if not interest, to all readers in the United States. The Carranza-Villa forces were attacking and beating the *federales* of Huerta; Ciudad Juárez was seized by Villa's irregulars with a ringside view of the battle visible to spectators from the American side of the frontier; and the United States Army had thousands of soldiers guarding the Mexican border.

Other sections noted the bloodletting in Mexico but also read about the general strike in Indianapolis that tied up all transportation. In Berlin it was reported that the Kaiser had given his *ex cathedra* opinion on the tango and the turkey trot, barring it from Germany as being unsuitable to the dignified Teutonic race, and at the same time keeping one eye on the European chancelleries. In the American press editorials were being written for and against the possibility that the same tango and turkey trot might be danced at the White House. Some sensational murders were reported, especially well covered by the Hearst press, and a complete though seasonal fanfare was devoted to football wins and losses. Russia made its contribution to the news with a spectacular trial of a Jew accused of murdering a Russian Christian. The accused was later acquitted. New York policemen

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were in the headlines for accepting graft, and resignations by the wholesale were being accepted. The main emphasis, the front page news in the American press, was, however, devoted to the Mexican situation.

However, the abstract discussion of current affairs on worldly problems changed almost overnight in northwest New Mexico. In early November the state newspapers began their coverage of an event that was to unfold and embrace and touch numerous governmental agencies, ranchers, church missions, soldiers, and the Navaho Indians. The initial report began with an account of a threatened revolt of the Navahos at Shiprock, New Mexico, with the blame being placed on plural wives, liquor, and medicine men.<sup>1</sup>

It might be noted, however, that this early report by the press had its background years before in the subjugation of the Navahos in 1905. A chain of events involving a localized Navaho incident that had been settled was magnified to such proportions that troops were employed to overawe seven Indians who were subsequently sent to the federal penitentiary at Alcatraz. Two years later another Superintendent, W. T. Shelton, enlisted the aid of federal troops to capture for arrest one Byalille, who had effectively resisted the advances of the white men to change the Indian customs. Resistance by the Indian ultimately resulted in the shooting and death of two Navahos. The name of Superintendent Shelton, as a protector of the Indians, did not improve.<sup>2</sup>

In 1913 Shelton was involved in still another episode

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1. *Santa Fe New Mexican*, L (November 7, 1913), p. 1.

2. Robert L. Wilken, O.F.M., "Father Anselm Weber, O.F.M., Missionary to the Navajo, 1898-1921," Ph.D. Dissertation, Department of History, University of New Mexico, 1953, pp. 256-257. The Byalille affair, as portrayed by Wilken, presents a one-sided story of Weber's participation in, and opinion of, the matter. A subsequent investigation which, according to Wilken, was a mere whitewash for government officials does not indicate that Wilken was entirely correct. For example, one of the main antagonists to Shelton and the army was the Reverend Howard R. Antes, missionary at Aneth, Utah (incorrectly named Andrew [*sic*] Antes by Wilken), who later according to official records retracted his accusations and apologized. For the official government investigation of the Byalille incident, see: U. S. Congress, Senate, *Report on Employment of United States soldiers in arresting By-a-lil-le and other Navajo Indians*, Senate Report 5269, Doc. #517, 60th Cong., 1st Sess., May 22, 1908. (Washington: Government Printing Office, 1908), pp. 1-41; U. S. Congress, Senate, *Testimony Regarding Trouble on Navajo Reservation*, Senate Report 5409, Doc. #757, 60th Cong., 2d Sess., February 19, 1909. (Washington: Government Printing Office, 1909), pp. 1-56.

which reacted unfavorably against the Indians at the time, but eventually placed the Superintendent in a very uncomfortable position.

According to Shelton, who had been appointed Superintendent of the Shiprock Agency in 1903, an Indian reported on August 26, 1913, that his wife had been killed by a medicine man. This accusation, Shelton declared, was false, and was based on superstition. There was no proof that the medicine man had injured the Indian woman, but during the investigation it was discovered that another Navaho had brought whiskey onto the reservation and that he was living with three wives. These charges were common to the times, but Shelton felt that he should have a talk with the man and his wives. Ordering an agency policeman, a Navaho, to bring in the four for questioning, he found himself with three wives but no husband. The policeman couldn't locate the husband, but the man's father came into Shiprock and told Shelton that he would bring in his son for questioning.<sup>3</sup>

The morning of September 17th, while Shelton was in Durango, Colorado, on a horse-stealing case involving Indians of his reservation, eleven Indians, including the husband of the three wives, rode into the agency armed with revolvers and rifles. They threatened the Indian policemen, located the wives, thrust aside school employees who tried to talk to them and drew their weapons in a threatening manner, frightening women and children. One Indian policeman was hit on the head with a quirt. They then galloped to a nearby trading post, where the white traders talked them out of further violence. After hanging around the post throughout the night they departed and headed for the mountains.<sup>4</sup>

In his letter to Burkhart Shelton insists that the other peaceful Indians of the reservation wanted an example made

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3. *Records of the Bureau of Indian Affairs*, Record Group 75, Classified Files, Doc. nos. 120395-13-121, 146247-13-123, San Juan. Letter, W. T. Shelton to Somers Burkhart [U. S. District Attorney], September 20, 1913, pp. 1-2. (Unless otherwise identified all letters, telegrams, memoranda, and reports hereinafter cited will be understood to have come from Record Group 75, Doc. nos. 120395-13-121, 146247-13-123, National Archives, Washington, D. C.)

4. *Ibid.*, p. 3. Shelton's original statement to Burkhart is naturally prejudiced in his favor. He has pictured the Indians as desperados, violent men, and totally incapable of reason.

of the unruly ones. Shelton himself wanted immediate arrest and punishment. He meticulously listed those Navahos involved in the action and included the names of four who would serve as witnesses against them. He requested that warrants be sworn out for their arrest and asked Burkhart to send the summons for the witnesses to him as he could then contact them and accompany them to Santa Fe. He mentioned that it would be impossible to appear in the capital city before the seventh of the month as the Indian fair would occupy his time between the first and fourth (of October).<sup>5</sup>

Such was the first official correspondence on the affair of the purported Navaho Indian revolt. Two weeks later he wrote to the Commissioner of Indian Affairs, in which he enclosed a copy of his original letter to Burkhart. To Commissioner Cato Sells he mentioned that the Indians were armed and would not submit to arrest. He re-emphasized his earlier opinion that other reservation Indians were not in accord with the steps taken by the rebellious Navahos, and passed on the rumor that the Indians had reported to him that the eleven had stolen horses from them. Shelton had received subpoenas from the United States clerk at Santa Fe for himself and five witnesses to appear before the grand jury on the eighth of October. The Superintendent reported that he would keep the Commissioner posted as to the action taken by the grand jury.<sup>6</sup>

The Commissioner of Indian Affairs was sufficiently concerned to wire the agent regarding action taken and Shelton's recommendations for the future. The Shiprock agent wired back the same day with the information requested. He reported that the U. S. Attorney had prepared warrants for twelve men: eleven for riot, two for horse stealing, two for deadly assault, one for stealing a government revolver, and one for flourishing fire arms in the settlement. Two had already surrendered, but the other nine threatened to fight and he (Shelton) requested that a U. S. Marshal be sent to arrest

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5. *Ibid.*, pp. 5-6.

6. Letter, Shelton to Cato Sells [Commissioner of Indian Affairs], October 4, 1913.



the Indians. Shelton doubted that they would surrender without force being used to take them.<sup>7</sup>

Through channels the red-tape began to unravel itself. Assistant Secretary of Indian Affairs, Lewis C. Laylin, wrote a letter to the Attorney General requesting that the Justice Department, under its jurisdiction and control, have a U. S. Marshal serve warrants on the Indians. Correspondence between Shelton and Burkhart was enclosed.<sup>8</sup>

On October 16, Commissioner Sells wired Shelton of his request for the Department of Justice to send a U. S. Marshal to make the necessary arrests. He warned his representative to "proceed with care and good judgment. . . , to use sufficient force but to avoid unnecessary violence."<sup>9</sup> From the telegram it was obvious that the Commissioner did not wish the matter to get out of hand.

From Gallup, New Mexico, near to the scene of the disorder, Supervisor of Indian Affairs, William R. Rosenkrans, wired Sells that he expected the accused Indians to be at St. Michaels on Saturday and at Ft. Defiance on Sunday for a conference. Rosenkrans hoped that the Indians would give themselves up to the U. S. Marshal.<sup>10</sup>

On the 29th of October Rosenkrans wrote a two page letter to the Commissioner of Indian Affairs expressing his opinion in a frank manner. He stated that the Indians had not appeared because they had heard that both Shelton and Hudspeth (U. S. Marshal) would be there. The Indians wanted to discuss the matter with Father Weber. Rosenkrans felt that both Paquette, who was Superintendent at Ft. Defiance, and Shelton, did not appreciate the efforts being made by a field man (Rosenkrans), but in spite of their dislike for his presence felt that Shelton was doing his best to draw the matter to a successful conclusion "with credit to the service." Having disposed of the immediate evasion of the Indians he

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7. Telegram, Sells to Shelton; telegram, Shelton to Sells, October 14, 1913.

8. Letter, Laylin to Attorney General [James C. McReynolds], October 15, 1913.

9. Telegram, Sells to Shelton, October 16, 1913.

10. Telegram, William R. Rosenkrans [Supervisor, U. S. Indian Service] to Indian Office, October 24, 1913.

dealt with the cause of Indian unrest. "In the matter of cause . . .," he wrote, "I must make it a matter of record that, . . . I question the propriety of the arrest of the three women." Notwithstanding the initial failure to cope with the situation Rosenkrans felt that the Indians should not have used force to secure their women.<sup>11</sup>

Meanwhile Shelton continued his dispatches to Commissioner Sells. From Farmington he sent a telegram dated November 3rd advising Sells that although the U. S. Marshal had been there a week and had worked through prominent Indians and traders, and through Superintendent Paquette, the Indians had failed to appear or surrender. However, Shelton hoped that the Indians would surrender on the 12th and Hudspeth (U. S. Marshal) or his deputy would be back on that date. The agent was optimistic and believed that all of the remaining Indians would be brought to trial without force.<sup>12</sup>

Four days later the Farmington *Enterprise* published the first account of the trouble and the headline was quickly picked up by the various news services throughout the country. The *Santa Fe New Mexican* placed its account of the matter on page one with a banner headline "Indians at Shiprock Threaten Revolt." The press denied that the National Guard would be necessary but indicated that the regular army might be necessary as there were 30,000 Indians on the reservation.<sup>13</sup> Shelton himself, although trying to be calm and accurate in his reporting, aided in the confusion. He described a message he had received from Superintendent Paquette of Fort Defiance who had passed on a rumor that the leader of the Navahos, one Be-sho-she, was on his way to Shiprock to ask for a complete pardon from the Commissioner. If no pardon was to be granted, Shelton wired, the Indians would injure the Superintendent. Shelton then asked that he be permitted to employ sufficient force to hold the situation.<sup>14</sup>

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11. Letter, Rosenkrans to Commissioner of Indian Affairs, October 29, 1913.

12. Telegram, Shelton to Commissioner of Indian Affairs, November 3, 1913.

13. L (November 7, 1913), p. 1.

14. Telegram, Shelton to Commissioner of Indian Affairs, November 7, 1913.

The *Albuquerque Morning Journal* picked up that report and featured it as "Navajos Threaten Raid on Shiprock Indian Agency." The daily embellished the original headline with the statement that the eleven outlaws threatened to kill all the agency force unless the offenders were pardoned.<sup>15</sup> The same day found the *Santa Fe New Mexican* preparing the people of northwestern New Mexico for the worst. The *New Mexican* announced that "San Juan farmers sound the call to arms against hostile Indians." According to their report there had been no word from Agent Shelton for some time although he had been given instructions to use force for self protection only if his life depended upon it. Also noted was the announcement that a Major McLaughlin, veteran inspector for the Indian Service, would be sent to Shiprock to use his personal services to ease the tension.<sup>16</sup> In a Washington, D. C., newspaper of the same day, with its dispatch dated Albuquerque, November 7th, the paper wrote of threatened massacre of the entire agency and stated that there had already been raids against settlers, some homes had been burned, pillaging had taken place with stock being driven off, and white women and children abused.<sup>17</sup> In a telegram sent from Farmington, Shelton kept his superior informed of the current situation. There was no improvement, but three had surrendered. The others were expected to fight to the finish.<sup>18</sup>

The myriad communications to and from the government agencies on November 8th left no doubt as to the intent to nullify any Indian attempt at open rebellion. Secretary of the Interior Franklin Knight Lane ordered McLaughlin to Shiprock.<sup>19</sup> Cato Sells wired Superintendent Paquette of the Ft. Defiance Agency to keep in touch with Shelton and to aid him. Paquette was also advised to inform the home office of

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15. CXXXX (November 8, 1913), p. 1.

16. L (November 8, 1913), p. 1.

17. *Washington Herald*, (November 8, 1913), n. p.

18. Telegram, Shelton to Commissioner of Indian Affairs, November 9, 1913.

19. Telegram, Lane [Secretary of the Interior] to Giegoldt, November 8, 1913. John F. Giegoldt was Superintendent of the Leech Lake Indian Reservation at Walker, Minnesota, where Major McLaughlin had been stationed. James McLaughlin had been prominent in Indian affairs since 1871, mostly with the Sioux, and was generally stationed in the Dakotas and in Missouri.

the location of the Indians.<sup>20</sup> Shelton was authorized via telegram from Sells to employ force for protection until a U. S. Marshal arrived. The Commissioner also told Shelton to expect McLaughlin as the department's personal representative and warned him again to be extremely careful in the use of force.<sup>21</sup> Preparing for any eventuality, an unsigned memo from the Office of Indian Affairs the same day described the routes to reach the Indians from El Paso with the decision to travel via Gallup rather than Farmington.<sup>22</sup> The War Department informed the Commissioner of Indian Affairs that it had three troops of cavalry and a battery of field artillery in El Paso for use against the Indians if necessary.<sup>23</sup> McLaughlin wired the Secretary of the Interior that he had received his orders and was on his way to Shiprock.<sup>24</sup>

The one calming counter-proposal to the chain reaction of hysteria came from Father Anselm Weber of St. Michaels. Father Weber had lived in the Navaho region for fifteen years and was sympathetic toward the Indians and their problems. The Franciscan padre wired the Reverend William Ketcham from Gallup telling him that it was untrue that the Indians were threatening to raid the agency. He asked Ketcham to contact the Indian Department and then have them wire Shelton and the Justice Department to hold off the U. S. Marshal for the present. Weber said that he was to see both Shelton and the Indians on the following day.<sup>25</sup> However, the sobering effect of the on-the-spot missionary, Father Weber, was continually offset by the action taken by the government and the newspapers. With a dateline of

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20. Telegram, Sells to Peter Paquette [Superintendent of Ft. Defiance Agency] November 8, 1913.

21. Telegram, Sells to Shelton, November 8, 1913.

22. Memorandum, Office of Indian Affairs, November 8, 1913.

23. Memorandum, Acting Secretary of War [Henry Breckenridge] to Commissioner of Indian Affairs, November 8, 1913.

24. Telegram, McLaughlin to Secretary of the Interior, November 8, 1913.

25. Telegram, Weber to Ketcham, November 8, 1913. The Rev. William Ketcham was the Director of the Bureau of Catholic Indian Missions, and also served as a member of the Board of Indian Commissioners for the Department of the Interior. Cf. Memorandum, Sells to the Auditor for the Interior Department, August 29, 1914, pp. 1-2. Sells noted that he had requested Ketcham to ask Weber to serve because ". . . from experience and ability he would be best able to handle the situation." Sells also wrote that Father Weber was ". . . well known and respected by them [Navahos]."

Santa Fe, the *Albuquerque Morning Journal* left its readers more confused than previously. The emphasis of the daily ran along the same lines: Hudspeth and his deputy Galusha anticipate trouble as the Indians are in an ugly mood, stern measures should be taken to repress the Indians, posses in Aztec and Farmington awaiting call from Shelton, and Chief Black Horse Be-sho-she and his band of renegades insisted that they would not submit to arrest, but that they would fight.<sup>26</sup> The facts as related by Father Weber do not appear to bear out the inaccurate reporting of the newspapers, nor for that matter, the multitude of dispatches sent by Shelton to his superiors. The agelong fear of the Indians played upon the imaginations of the old time settlers. They envisioned raids, scalpings, the running off of livestock, homes burned—all the old fears of past times were relived in the present. But to explain the events exactly as they happened, without glossing over or placing improper emphasis on trivial details, was a task for which Father Weber was ably qualified. He had resided in the Navaho area for years and, most important, the Indians trusted him. His version of the events as they unfolded is therefore of major importance.

According to Weber, the Indians admitted going to Shiprock and taking back the wives that had been "stolen" from them. They even admitted roughing up one of the Indian policemen who tried to stop them. Disliking Shelton intensely they did not feel that they should go to Santa Fe to stand trial, as it would cost them money in fines. Besides, they had done nothing wrong. They had merely taken back the wives that belonged to them. They were willing to talk the matter over with Weber and other trusted whites, but not with Shelton or any U. S. Marshal. And they would never surrender to Shelton.<sup>27</sup>

From Farmington Shelton continued his deluge of telegrams to Cato Sells. He informed the Commissioner that the situation had eased off a bit, but that the Indians still refused to surrender. There was, he noted at that time, no danger of

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26. CXXXX (November 9, 1913), p. 2.

27. Wilken, *op. cit.*, p. 261.

personal violence. In a later telegram dated the same day (November 10th) he informed Sells that three Indians had been arrested and that Father Weber and two traders were still trying to get the others to surrender.<sup>28</sup> Shelton's second telegram for the day implied that action had been taken to arrest the three Navahos who, in fact, had come in and given themselves up.

However, the newspapers did not allow the people to forget that less than a dozen Navahos were still holding out. The possibility of bloodshed was always in the background. Such words and phrases as "bloodshed," "local citizens ready," "Indians buying ammunition," "number of *guilty* increases,"—all these journalistic cliches kept the reading public so alarmed and upset to permit them to view the circumstances dispassionately.<sup>29</sup>

By the middle of November the authorities appeared to have enough Indian "experts" on hand to advise them from the scene of trouble. Major McLaughlin wired on the fifteenth that Hudspeth had left with three Navahos for Santa Fe, but that the others were encamped thirty-five miles south of Shiprock. The inspector agreed with Shelton that bloodshed was to be avoided at all costs, but recommended "sufficient force to overawe" the Indians.<sup>30</sup> The same day Shelton notified Commissioner Sells that Weber had arrived at Farmington and that the Franciscan and McLaughlin had talked to the Indians with, as the Superintendent opined, "no results."<sup>31</sup>

Secretary of the Interior Lane, finally certain of his source of information because his trusted inspector Major James McLaughlin was near the Navahos, sent him a telegram asking specific questions. Lane wanted to know whether the Indians might be surrounded and starved out;

28. Telegram, Shelton to Commissioner of Indian Affairs, November 10, 1913.

29. *Albuquerque Morning Journal*, CXXXX (November 11, 1913), p. 1; *Santa Fe New Mexican*, L (November 11, 1913), pp. 1-2.

30. Telegram, McLaughlin to Secretary of the Interior, November 15, 1913. Interesting to note is the omission in McLaughlin's book of any reference to his participation in the trouble at Shiprock in 1913. See, James McLaughlin, *My Friend the Indian* (Cambridge: Houghton Mifflin Co., 1926). This book was published after McLaughlin's death in 1923.

31. Telegram, Shelton to Commissioner of Indian Affairs, November 15, 1913.

he wanted no fighting and regretted that he might be forced to employ troops to dislodge them, but suggested that no citizens posses, or enthusiastic deputies be used. He felt strongly that this type of aroused citizenry would not react favorably to discipline and due to chance carelessness the situation might quickly get out of hand. He asked for McLaughlin's comments to his questions.<sup>32</sup>

McLaughlin's reply answered all of his questions explicitly. He wired that the Indians had been out of hand since September 17th, and that repeated talks with them by influential Indians, traders, and Father Weber, were to no avail. The Navahos were camped in their usual winter quarters. They had plenty of food, livestock, and water. It would take at least five hundred men to surround them, and the Indians had plenty of modern firearms and ammunition. McLaughlin suggested that one battalion of troops might be sufficient, and the government might possibly employ citizens or deputy marshals, but in no case should friendly Indians be used.<sup>33</sup>

This stalemate between the stubborn Navahos and the government was taken up by the newspapers, which, with a curious and perverted sense of civic responsibility, played a part in inflaming the populace and distorting the news. Not that the numerous newspapers throughout the country had any other choice. They received their information from sources close to the government. One of their key leads came from either Farmington or Shiprock, usually indirectly through Superintendent Shelton. Their other point of information was Gallup, but again, the side of the Indians was not given. Father Weber did not seem to be available to the correspondents; he was often off in the interior talking with the Navahos. On the 18th of the month one newspaper reported in its headline that fifteen hundred Navahos were defying the government. The following story gave the usual one-sided picture of the events to that date, but did break the news that it was expected that troops from the Mexican border would soon be on the way.<sup>34</sup> The *New Mexican* gave what

32. Telegram, Lane to McLaughlin, November 16, 1913.

33. Telegram, McLaughlin to Lane, November 17, 1913.

34. *Albuquerque Morning Journal*, CXXXX (November 18, 1913), p. 1.

it considered more authentic and up-to-date coverage of the troop movement. It stated that the troops, total number not mentioned, would be sent out by Brigadier-General Tasker H. Bliss, Commander of the Border Patrol, with Headquarters in San Antonio, Texas. They failed to give the source of their latest information.<sup>35</sup> The *New York Times* picked up the item from its Washington bureau and stated that Major General Carter of the Border Patrol had been asked for troops to quell the rioting. Previously, as early as November 9th, the *Times* had run a brief account of rumored Indian troubles in New Mexico, but the report of the 18th was their first recognition that the government was unable to cope with the situation without the use of troops.<sup>36</sup> In the midwest, the *Indianapolis News*, with a dateline Santa Fe, reported that the medicine men were working fifteen hundred Indians into a frenzy.<sup>37</sup>

The contagion spread slowly through at least two governmental offices in Washington, resulting in a letter being sent from Lane to the Secretary of War requesting that "sufficiently large forces" be sent to New Mexico to avoid bloodshed. He advised the War Department that Major McLaughlin would remain in the vicinity to aid the troops. Lane also notified McLaughlin of his request for troops and told him to stay and advise and aid the military authorities.<sup>38</sup> Upon receipt of Lane's wire the Major replied that the troops should be sent via Gallup, and that he would await them either at Noel's Store or at another trading post run by Wilson.<sup>39</sup>

Agent Shelton then contributed his share to the already confused Indian situation. He wired Cato Sells that the negotiations had taken a turn for the worse, that the Indians wouldn't surrender, and that one Navaho had gone back to the "outlaws." The matter had become so serious, Shelton noted, that some of the Indians were arming themselves for

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35. L (November 18, 1913), p. 1.

36. LXIII (November 18, 1913), p. 10. Cf. *Ibid.*, (November 9, 1913), p. 5.

37. XLIV (November 18, 1913), p. 1.

38. Letter, Lane to Secretary of War [Lindley M. Garrison], November 18, 1913; telegram, Lane to McLaughlin, November 18, 1913.

39. Telegram, McLaughlin to Lane, November 18, 1913.



protection of their families and livestock.<sup>40</sup> Later the same day he again wired the Commissioner and informed Sells that he (Shelton) had ordered nearby sawmill employees to come into Farmington for protection, and for trader Wilson to close up his post and gather together residing whites and get them off the reservation. He said he hadn't taken any action to close down Noel's Store as he felt it might arouse suspicion among the outlaw Navahos. Shelton then asked permission to employ extra night guards to protect life and property. Sells promptly cabled back his authorization for the employment of extra guards.<sup>41</sup>

On November 19th it was announced from Washington that the War Department had ordered Brigadier-General Hugh L. Scott to proceed from Ft. Bliss to Gallup to aid in the discussions with the Navahos. General Scott was the Commanding Officer of the 2nd Cavalry Brigade, and had been at El Paso since April 30, 1913.<sup>42</sup> At the same time official word was released to the effect that no troops would be released from the Mexican border, but instead the 12th Cavalry, in compliance with Special Order No. 113, Fort Robinson, November 19, 1913, would march to Nelson's Store, New Mexico.<sup>43</sup> The *New Mexican* reported that the Bliss orders had been "countermanded," when in reality there had never been any official word that troops would be sent

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40. Telegram, Shelton to Commissioner of Indian Affairs, November 18, 1913.

41. Telegram, Shelton to Commissioner of Indian Affairs, November 18, 1913. In Sells' immediate answer to Shelton's request, the Commissioner granted the permission by wire, then ordered the Superintendent to "Submit request on regular form immediately." Telegram, Sells to Shelton, November 19, 1913; memorandum, Sells to Finance [Interior Department], November 20, 1913.

42. *New York Times*, LXIII (November 19, 1913), p. 1; *Albuquerque Morning Journal*, CXXXX (November 19, 1913), p. 1; *Santa Fe New Mexican*, L (November 19, 1913), p. 1; "Report of the Southern Department," *War Department Annual Reports* (1913), III, (Washington: Government Printing Office, 1914), p. 37; Hugh Lennox Scott, *Some Memories of a Soldier* (New York: The Century Company, 1928), p. 487. General Scott related that he was actually at Ft. Huachuca, Arizona, when he received his orders to go to Gallup and there meet the 12th Cavalry.

43. Richard G. Wood [Chief, Army Section, General Services Administration, National Archives and Records Service, Washington, D. C.] to D. B. McKibbin, October 12, 1953. Wood wrote: "A search of the records of the War Department in the National Archives show that Troops A, B, C, and D left Fort Robinson, Nebraska on November 19, 1913 in compliance with Special Order No. 113, Fort Robinson, November 19, 1913 and marched to Nelson's Store, N. M."

from the Mexican frontier.<sup>44</sup> The cavalry unit, composed of four troops, totaling well over three hundred enlisted men and officers,<sup>45</sup> departed from Ft. Robinson on the 19th, via the Chicago and Northwestern Railroad to Denver, where they were to change to the Santa Fe Railway as far as Gallup. It was estimated that the trip would take about seventy-two hours. Also noted, even though incorrect, was an item dealing with General Scott's proficiency with the Navaho language. All the news services picked up the idea that Scott was a linguist and that in his parleys with the Navahos he would be able to resort to direct negotiation and not be required to employ an interpreter.<sup>46</sup>

Between the 19th of November when Scott and the 12th Cavalry were ordered to Gallup, and the 27th, which was Thanksgiving Day and the first time that Scott actually talked with the recalcitrant Navahos, both the Indians and the government forces slowly drew toward a showdown. Scott was expected to be in Gallup the 20th, but was still in Albuquerque the 21st. The troops encountered no difficulties, but did delay in Denver for one day to rest their mounts. In Albuquerque one car of the train broke down on the 23rd, and on the 24th the soldiers were still in town, although they left in time to detrain in Gallup the same day. Scott so in-

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44. L (November 19, 1913), p. 1.

45. Estimates as to the true number of cavalymen involved in the pacification of the Navahos vary greatly depending upon the source. Wilken, *op. cit.*, fails to mention the unit composition of the troops; three New Mexican newspapers give two different totals (324 officers and men in two cases, and 380 in another); and a copy of the Interior Department's *Annual Report* (1913) from R. G. 75, Doc. #Ed.-Law & Order, 120395-13, FRA, dated July 11, 1914, states that one squadron of the 12th Cavalry was called. According to the *U. S. Statutes at Large*, the composition and breakdown of a cavalry regiment, squadron, and troop, was as follows. One squadron composed of four troops, was, according to the T. O. [Table of Organization], made up of two hundred and seventy-two officers and men. The other additions were possibly made up of auxiliaries from Quartermaster, Ordnance, and Veterinarians. *Santa Fe New Mexican*, L (November 19, 1913), p. 1; *El Eco del Norte* (Mora), VI (December 1, 1913), p. 8; *Albuquerque Morning Journal*, CXXXX (November 24, 1913), p. 8; and *U. S. Statutes at Large*, XXX (1899), ch. 352, sec. 2, p. 977. See also *Santa Fe New Mexican*, L (November 22, 1913), p. 1; *Albuquerque Morning Journal*, CXXXX (November 29, 1913), p. 6 for further details on officers of the 12th Cavalry Regiment, and *Albuquerque Morning Journal*, CXXXX (November 28, 1913), p. 1 for reference to an additional Troop "F."

46. *Santa Fe New Mexican*, L (November 19, 1913), p. 1; Wilken, *op. cit.*, p. 265. Scott, *op. cit.*, pp. 492-494, makes no mention of his talking Navaho. He wrote that he used Chee Dodge during the conference.

formed the War Department that the troops had arrived and were unloading in Gallup in the mud. He explained that the situation was still serious and promised to use "patience to utmost" to get them to surrender without bloodshed.<sup>47</sup>

On Scott's arrival in Gallup, well ahead of the troops, he immediately set up headquarters in a local hotel, where he was soon contacted by numerous parties interested in localizing the incident. The superintendent of Ft. Wingate, Peter Paquette; Chee Dodge, prominent Indian mediator; and the two Franciscan friars from St. Michaels, Fathers Weber and Gottbrath, all spoke to the general of the importance of using tact and patience. They warned him of a possible outbreak of hostilities if the cavalry were used improperly, but General Scott on his part informed them that the troops would be employed merely to point out to the Navahos the intent of the government. Scott intended no trouble, but wanted the Indians who had refused to surrender to note that the government meant business. Scott was certain that once the Indians saw the seriousness of the problem that they would back down and surrender to the proper authorities.<sup>48</sup>

Scott also asked that Chee Dodge, who was much respected by the Navahos, and Father Weber contact the Indians hiding out and ask them to meet with the general at Noel's Post. The two men agreed to do what they could to arrange a meeting.<sup>49</sup>

The newspapers, usually a day behind the actual happenings, kept the public well informed of the government's part in the campaign. Father Weber, through his contacts with the Bureau of Catholic Indian Missions, and a member of the Board of Indian Commissioners, William Ketcham, prob-

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47. Telegram, Scott to War Department (copy to Secretary of the Interior to Staffwar), November 24, 1913.

48. Wilken, *op. cit.*, pp. 263-264; Scott, relying on his memory, has noted that he spoke in Gallup to Weber and Chee Dodge, but fails to mention the others. Scott, *op. cit.*, pp. 488-489.

49. Scott, *op. cit.*, perhaps depending upon his memory, is extremely hazy about the details of getting the Navahos in for a conference. He failed to mention asking Weber and Chee Dodge to contact the Indians, but noted in an off-hand fashion that "A courier was sent out to the hostiles the next day for them to come in to the store for a conference." p. 491. Wilken, on the other hand, depending almost wholly on Weber's notes on the episode, gives, with some notable omissions, the best picture of the situation at the time.

ably presented the only picture of the Indian side of the matter. Ketcham, in turn, relayed his information to the Commissioner of Indian Affairs, Cato Sells.<sup>50</sup>

However, the die had been cast as far as the government was concerned. The initial letter to U. S. Attorney Somers Burkhart from Shelton had released a chain of events that could not be stopped, even by a representative of the Roman Catholic Church. The machinery of the governmental agencies ground out the telegrams, orders, memorandums, and minutiae in such large quantities that the individuals caught in the vortex were powerless to resist. An error in judgment became technically a minor military campaign. The stage had been set for the seizure of the stubborn Indians either through persuasion, threat of force, or direct military action.

Newspaper coverage of the unfolding events may perhaps be portrayed by noting some of the lurid headlines. One New Mexican daily reported that . . . "Navajos to Fight; Renegade Chief Issues Defy to Envoys, . . . Be Sho She . . . Rejects Proposals . . . Agent W. T. Shelton makes final and unsuccessful effort to pacify infuriated Red men."<sup>51</sup> Further down in the column, beneath the eye-catching upper case letters, was a small item describing in brief the action taken by Judge William Pope in the U. S. District Court in Santa Fe. The three Navahos who had surrendered to Shelton and Hudspeth had been taken to Santa Fe for trial. In an informal hearing the judge freed all three. The Indians claimed that they only had one wife apiece, and that they had been drawn into the disorder against their will, and in the case of two of the accused, they were not within two hundred yards of the incident when it took place. The three were sent back to the reservation with high praise for Judge Pope.<sup>52</sup> This in complete contrast to the fury and intensity of the newspaper's banner headlines.

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50. Wilken, *op. cit.*, p. 258 and p. 262. Father Weber, due to his close connection with the Navahos for over fifteen years, was the logical white man to be used as intermediary. Weber understood the Indians and they in turn viewed him with affection. Ketcham served a dual purpose: he was a member of the Board of Indian Commissioners, and was the Director of the Bureau of Catholic Indian Missions.

51. *Albuquerque Morning Journal*, CXXXX (November 20, 1913), p. 1.

52. *Ibid.*

The newspapers continued their happenstance policy of delusion, misinformation, and actual incorrect reporting. To be sure, they made it all sound interesting and exciting, but at no time did they indicate that the Indians themselves might have a reason for resisting the attentions of Superintendent Shelton. By the newspapers own words, the Navahos who had resisted proper authority were prejudged guilty as charged. One northern New Mexico weekly, *El Eco del Norte*, a little over a week behind the actual events, informed its subscribers . . . "Los Navajoes en su ultima danza en N. Mex." It then quoted Be-Sho-She, the chief who had resisted the government as saying "No nos rendiremos. Pelearemos." The announcement of Be-Sho-She's intention to fight, the newspaper said, was conveyed to the agency under a flag of truce.<sup>53</sup> These, and other similar accounts by the newspapers kept the people completely baffled as to what actually was taking place. In the majority of the cases there was no sense of civic responsibility, even though, albeit, the coverage was sensational and heart warming.

In one case the press even played up the "human interest" angle. The cavalry soldiers, as protectors of the frontier against the savage red men, were given the typical attention soldiers always receive in times of stress. One Albuquerque paper wrote that, "Soldiers equipped by experience in pictures, men relied on to Dislodge Navajos from Beautiful Mt. have seen active service with the Movies." Troops of the 12th Cavalry, it announced,

. . . had spent the past month at Pine Ridge, South Dakota, reproducing for the motion pictures some of the famous Indian battles of the early days under the supervision of Col. William F. Cody (Buffalo Bill). In the course of taking these pictures the soldiers were instructed by the chief of the Sioux as to the best way to 'get' an Indian in battle, and it is expected that this experience will be valuable to them in the campaign which they have before them.<sup>54</sup>

53. *El Eco del Norte* (Mora), VI (December 1, 1913), p. 3. Cf. *Ibid.*, November 24, 1913, p. 1. Translated freely, the Spanish reads: "The Navahos [are] in their last dance." "We will not surrender ourselves. We will fight."

54. *Albuquerque Morning Journal*, CXXXX (November 29, 1913) p. 6. Unknown to the press at the time, and a point that would have drawn extreme adverse pub-

But back at Gallup, with the unseasonal fifteen day deluge of rain, the maneuvering continued toward its conclusion. On the 25th of November Weber, Chee Dodge, Beshlagai, Charlie Mitchel, and Father Norbert Gottbrath were to leave for the Indian camp to arrange a meeting with General Scott for Wednesday night (the 26th) at Noel's Store.<sup>55</sup>

According to Wilken, the entire party did not try to reach the Indians, but most of them remained at Ft. Defiance, with only Weber, Father Norbert Gottbrath, and Chee Dodge making the horseback trip across the Chuska range and back to Noel's Store, arriving there late Wednesday.<sup>56</sup> While the general and his party were on the way to Noel's Store to await the Indians, Shelton with his entire police force intercepted this group, and requested that an immediate attack be made on the Indian camp.

Again, depending upon Wilken's use of Father Weber's notes, it was reported that General Scott refused, "and even forbade Shelton or his police to accompany him to the store."<sup>57</sup> Once at Noel's Store, Indians of the same clan as the leader of the hiding Navahos were sent out requesting the Navahos to meet with General Scott at the trading post. They had already spoken with Major James McLaughlin and Father

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licity from citizens in the southwest, was the official record on the 12th Cavalry from the AGO. According to the *War Department Annual Report* (1913), the 12th Cavalry Regiment had the second highest percentage of all desertions in regiments of the United States Army, and the highest for a cavalry unit. This was perhaps caused by boredom, interior guard duty under adverse conditions, poor morale because of inaction when other units were on the Mexican border, or general inefficiency of officer personnel. "Report of the Adjutant General," *War Department Annual Report* (1913), I, (Washington: Government Printing Office, 1914), p. 161.

55. Telegram, Weber to Charles H. Lusk, November 25, 1913. Charles H. Lusk was secretary to William H. Ketcham, Director of the Bureau of Catholic Indian Missions.

56. Wilken, *op. cit.*, p. 264.

57. *Ibid.* Wilken refers to Weber's Beautiful Mountain Journal for January, 1914, as well as conversations held between Frank Walker and Weber on details not witnessed by the Franciscan friar. Walker was General Scott's official interpreter. In Shelton's "Report on Indian Trouble," to the Commissioner of Indian Affairs, he noted that he met Scott with seven Indian policemen and five older school boys to be used as interpreters. The Superintendent makes no mention of Scott's refusal to permit him to accompany him further. W. T. Shelton, "Report on Indian Trouble," dated San Juan School, Shiprock, New Mexico, December 15, 1913, p. 13; Scott, *op. cit.*, pp. 490-491, makes no mention of forbidding Shelton and Major McLaughlin from going with him to meet the Indians. Scott did write that he would not go after the Indians with soldiers, but wanted to talk first.

Weber, but it was hoped that Scott might be more persuasive in inducing them to give themselves up. Moreover, the troops were plodding steadily through the mud toward the Indian hideout.<sup>58</sup> The Navahos had everything to win, and even if they lost they hoped that some sort of a compromise might save them a long-term imprisonment. They had had ample precedent to note how Shelton would react. In the Byalille troubles of October, 1907, Shelton had demanded ten years for the arrested Indians. If he had his way, or were permitted in the conference, then the Navaho chances for justice were nullified. However, Scott had promised that he alone would deal with the Indians. Obviously believing the words of Chee Dodge and Father Weber, the Navahos decided to come in and see what the army officer had to offer.

On Thanksgiving morning there were between seventy-five and a hundred armed Navahos milling around the trading post. They had come, not to fight, as their armed appearance might have indicated, but to offer themselves as substitutes in case the accused Indians did not show up for the meeting. The assembled Navahos had no desire to have the armed soldiers wage a battle against any Indians.

In the afternoon, indicating that they felt that a meeting could be very worthwhile to them, all but two of the accused Navahos came to Noel's Store. Be-Sho-She had brought his wife and two daughters, as well as four other Indians, but told the waiting general, through the interpreter, Frank Walker, that the other two had been hunting in the mountains and they had been unable to notify them in time. General Scott, the host for the conference, served the chief and his followers mutton. The entire group ate their fill in typical Thanksgiving over-abundance, then inside of the store began to talk. During the actual conference, Chee Dodge acted as Scott's interpreter.<sup>59</sup>

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58. *Albuquerque Morning Journal*, CXXXX (November 28, 1913), p. 1.

59. Wilken, *op. cit.*, pp. 265-266. This account gives the best description of the issues discussed, far over-shadowing the meager summation in the newspapers or, for that matter, the concise results as reported in the official communications. Scott, *op. cit.*, pp. 492-494, does indicate that he felt that the seventy-five armed Navahos in and outside Noel's Store were actually on the hostiles' side of the argument. On this point he differs from Wilken.

The talks began late Thursday afternoon with Chee Dodge, with his unusual oratorical abilities, explaining the general's points to the Navahos. He told them that in no case were they to take the law into their own hands, and even though Superintendent Shelton might be in the wrong, they still had to abide by the laws of the United States. They had ignored Shelton and his choice that they should go to court, and the general explained firmly that he had been sent with the soldiers to make certain that they would go to the court in Santa Fe. He regretted that he might have to use the troops, as they would never be able to distinguish one Indian from another, and would not be able to discriminate between men and women from a distance. The general was very much concerned that further resistance would result in bloodshed, which he hoped to avoid. Chief Be-Sho-She was convinced, and that evening talked to Chee Dodge, but insisted that his son was extremely stubborn. Chee Dodge then spoke to the son and convinced him that further resistance would result in hostilities and, after much talk, the son agreed. With the two most fervent opponents convinced, the other men agreed to surrender and arrangements were made that Thanksgiving night for a final council on Friday afternoon.

On the next afternoon, with all convinced of the folly to resist further, the Navahos involved in the matter shook the general's hand, which indicated to the assembled Navahos outside the store that the conference had resulted in a peaceful solution to the problem at hand. To the waiting Indians outside it seemed a victory and they were overjoyed and congratulated Scott, Weber, Chee Dodge, and the surrendering Navahos.<sup>60</sup>

The terms of the surrender of the Navahos were as magnanimous as Scott could permit. He allowed them to return to the mountains to get their affairs in order and to find and bring in the two others who had been hunting. Late

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60. *Ibid.*; Scott, *op. cit.*, seems to have taken the surrender as a matter of course. He does say (p. 494) that he rode the entire ninety miles from Noel's Store back to Gallup holding a blanket around the shoulders of Be-Sho-She, who he was afraid would catch pneumonia.



in the afternoon Scott notified the War Department that the fracas had ended and peace had been restored.<sup>61</sup> Scott and his party then waited at Noel's Store for the Indians.

On Sunday the Navahos returned and officially surrendered to General Scott. They exacted promises from Chee Dodge and Father Weber to accompany them to Santa Fe, and according to Scott and Shelton apologized to the Superintendent of the Shiprock Agency. Wilken, in his excellent summary of the conference, has by omission failed to record the apology. Scott, in a letter to Cato Sells said that the Indians never would have given up without the troops being present. In this letter he mentions that all the accused apologized to McLaughlin and Shelton for their conduct. He ended his letter by stating that the threat to the San Juan Valley had disappeared.<sup>62</sup>

The announcement in Washington of the surrender of the Indians concluded the news blackout that had existed during the conference at Noel's Store. New Mexican newspapers went back to their inaccurate reporting of the event, even going so far in one case as having the Navahos surrender to Shelton at Toadlena trading post.<sup>63</sup> Thursday and Friday while the meeting was taking place the press had contented themselves with small statements to the effect that Scott was treating with the Navahos. Two newspapers told inaccurately of Scott's trip on horseback to the top of Beautiful Mountain where he conferred with the outlaws.<sup>64</sup> The *Santa Fe New Mexican* reported that all but two had surrendered and that the soldiers were searching the mountains for the remaining two.<sup>65</sup> One other inconsistency was the failure to report the actual number of Navahos who initially came to

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61. Memorandum, Scott to Adjutant General's Office, War Department, November 28, 1913. This was sent in the form of a telegram and was delivered at 09:20 a.m., Saturday morning in Washington. The official announcement was given out to the press soon after. Cf. Telegram, Breckenridge [Acting Secretary of War] to Secretary of Interior Lane, November 29, 1913.

62. Letter, Scott to Sells, December 2, 1913, pp. 1-2; Shelton, "Report on Indian Trouble," December 15, 1913, p. 14; Scott, in his *Some Memories of a Soldier*, mentions nothing about the apology.

63. *Albuquerque Morning Journal*, CXXXX (November 29, 1913), p. 1.

64. *New York Times*, LXIII (November 28, 1913), p. 1; *Albuquerque Morning Journal*, CXXXX (November 29, 1913), p. 1.

65. L (November 29, 1913), p. 1.

Noel's Store to talk with the general. Some newspapers gave varying numbers, listing six one time and seven in a later edition. All press releases did agree that two were out hunting, but the accuracy of their statements throughout the coverage of the episode left much room for improvement.

Monday morning, the 1st of December, Scott and his prisoners began the trek back toward Gallup, where the prisoners would be placed on a train bound for Santa Fe. After embracing General Scott the Navahos were placed in an army ambulance, a horse-drawn wagon, and driven to the station in Gallup. The troops packed up their field equipment and gradually, in easy stages, were transported to El Paso for assignment with the Border Patrol.<sup>66</sup>

Enroute by Train #19 the captives were viewed in Albuquerque and reported as "sullen and quiet,"<sup>67</sup> but once in Santa Fe they did not suffer a long confinement prior to appearing in court. On Wednesday, December 3rd, Federal Judge William H. Pope opened hearings in the U. S. District Court. General Scott had sent a report addressed to the judge, and Chee Dodge and Father Weber were employed as witnesses for the Navahos. Francis C. Wilson had been appointed by the court as Special Indian Attorney to protect and advise the Indians as to their rights in court. Scott's report recommended clemency, and Chee Dodge and Father Weber pleaded to Judge Pope that the Navahos did not understand the laws as applied to them, nor did they appreciate the penalties under the law if they disobeyed. Special Indian Attorney Wilson stated that Shelton's Indian policemen had misrepresented the seriousness of the case and urged that the judge take into consideration the total misunderstanding between the Navahos and the laws of the United States.<sup>68</sup> He also brought out the point that the

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66. *Albuquerque Morning Journal*, CXXXX (December 3, 1913), p. 3; *Ibid.*, (December 4, 1913), p. 8; Shelton, "Report on Indian Trouble," *op. cit.*, p. 14; Wilken, *op. cit.*, pp. 266-267.

67. *Albuquerque Morning Journal*, CXXXX (December 4, 1913), p. 8.

68. Wilken, *op. cit.*, p. 267; *Albuquerque Morning Journal*, CXXXX (December 5, 1913), p. 6. Scott, *op. cit.*, p. 494, noted: "I sent a letter to the judge by Father Weber, saying he would probably find the four Navahos had been as much sinned against as sinning, if not more so;" and to sentence them, if Judge Pope had to, to the jail in Gallup. In 1916, Scott asked Be-Sho-She to serve him as his mediator and

inflammatory publicity accorded the incident had been magnified quite beyond its actual purported danger.

The next morning when court was called into session, with the room filled to overflowing with interested participants, Pope scolded the Navahos in a fatherly manner and passed judgment on the eight subdued prisoners.

By their very leniency the sentences imposed on the "infuriated Redmen" were anti-climactic. Be-Sho-She and one other received thirty days, five stood up and heard the scholarly jurist give them ten days, and one Indian was freed outright. The eight Navahos, the Judge intoned, were to serve their terms in the Gallup jail, near to their homes and relatives.<sup>69</sup> After sentencing, the joyful Navahos personally thanked the judge and promised to obey the laws. They were remanded to Deputy Marshal Baca, and together with Chee Dodge and Father Weber, embarked on Santa Fe Train #7 for Gallup. There they were confined for the period of their sentences, causing no trouble whatsoever. The "revolt" had been quashed and the "guilty" sentenced, but the snowball that had gradually gathered force throughout the previous weeks would not stop rolling.

Although the newspapers had prejudged the Navahos long before they were willing to surrender, and had labeled them "savages," "rebels," "renegades," and other highly uncomplimentary terms, certain persons were not through with the episode. Citizens of Gallup wanted Ft. Wingate re-garrisoned. They admitted their delight that the troops had been called from Ft. Robinson, Nebraska, but insisted that the

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go-between in the disturbance of the Paiutes in Utah. Be-Sho-She, despite his age and the distance involved, trusted Scott sufficiently to do his bidding. Scott, *op. cit.*, p. 534.

69. This is but another example of the confused reporting on the case. Wilken, quoting from the *Albuquerque Morning Journal*, CXXXX (December 5, 1913), p. 6, and using the newspaper's figures for the term of sentence for the Navahos in the Gallup jail, has stated that ". . . Jail sentences ranged from ten to thirty days detention," when the press actually reported the figure as *fifteen* days for five Indians, thirty for two, and one freed. Wilken, *op. cit.*, p. 267. In a telegram, located in R. G. 75, National Archives, Weber to W. H. Ketcham, sent from Santa Fe on December 4, 1913, Weber reported the results of the trial: one freed, two received thirty days Gallup jail, and five sentenced to ten days. Shelton results, about which he was also very much concerned, corresponded with the numbers of Weber; Tom Dale released, two sentenced to thirty days, and five to ten days. Wilken has erred in the figure of his source, but has actually given the correct number.

dispatch of soldiers from one area of the country to another was too slow a process. In case of a future disorder the Indians could raid and run and be gone before any military forces could take the field against them. Armed with the righteousness of a just cause they circulated petitions throughout Gallup requesting the re-establishment of Ft. Wingate by the War Department.<sup>70</sup> The petition was turned down by the Washington authorities.

In the nation's capital there was unfinished business in the Office of Indian Affairs. Cato Sells, or his secretary, had had numerous offers from well-intended personages who were willing to function as mediators in the Navaho disorders. They all professed great knowledge of the American Indian, having served in North Dakota, the Hudson Bay region of Canada, or in the Pacific Northwest. The Commissioner wrote them polite regrets that their services would not be required, and thanked them formally for their patriotic interest in the matter.<sup>71</sup>

There was also the responsibility of the Department of the Interior to properly thank those officials involved in subduing the Navahos. There were inter-office and inter-departmental memoranda that when scanned in bulk seemed like a mutual admiration society. Each official thanked every other official, regardless of rank or the part played in the closing of the campaign.<sup>72</sup>

With congratulations being offered it would have been quite expected to find one addressed to Father Weber and Chee Dodge, who did quite as much in getting the Navahos

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70. *Albuquerque Morning Journal*, CXXXX (December 1, 1913) p. 4. After March 19, 1913, Fort Wingate had not been occupied by military personnel. One caretaker was employed to turn away vandals and to keep the buildings in good repair. "Report of the Southern Department," *War Department Annual Report* (1913), III, (Washington: Government Printing Office, 1914), p. 58.

71. Letter, Sidney B. Wood to Commissioner of Indian Affairs, November 19, 1913; letter, Sells to Wood, New York City, November 24, 1913; letter F. H. M. V. Allierlepleby to Commissioner of Indian Affairs, November 20, 1913; letter, Sells to Allierlepleby, Tacoma, Washington, December 5, 1913.

72. Telegram, Sells to Scott, December 2, 1913; telegram, Sells to McLaughlin, December 6, 1913; Shelton, "Report on Indian Trouble," December 15, 1913, p. 19; *Albuquerque Morning Journal*, CXXXX (December 4, 1913), p. 8; letter, Woodrow Wilson to Scott, December 16, 1913, Scott, *op. cit.*, p. 633.

to the council with General Scott as any other two men. There appears to be, however, no official recognition for their services, and, according to Wilken, who concentrated on the activities of Father Weber, none was offered. It is known that the Indians themselves offered their thanks to the Franciscan and to Chee Dodge. It is certain that General Scott and Major McLaughlin felt extreme gratitude for Weber's services, but strangely enough, there are no telegrams or letters from the Department of Interior, Bureau of Indian Affairs, attesting to his participation in the conclusion of the fiasco. In the Interior Department's *Annual Report*, in the section devoted to San Juan, there is but brief mention of the incident. The story was condensed to the use of forces under Brigadier-General Scott, who persuaded the Navahos to surrender, conveyed them for trial to Santa Fe, and concluded the orders successfully by the avoidance of bloodshed.<sup>73</sup> According to Wilken, William Ketcham was very upset when no official credit was given Father Weber for the active part played by the Franciscan in the trouble. He was further miffed when a nominal claim was submitted to the government for expenses incurred while traveling for the Indian Service,<sup>74</sup> and the funds were not made available until ten months after the episode had been concluded.

Both Fathers Ketcham and Weber should have been close enough in dealing with governmental officials to understand the extreme caution and exceptional slowness in the processing of a financial claim against the government, even though authorized. Channelizing claim #255892 through the various agencies, with all the *proper* endorsements, called for patience and an understanding of the bureaucratic procedures so dear to all members of a huge government agency. In the case of Weber's claim, the original forms were *not* properly executed. There is a memorandum from the Treasury Department, dated August 6, 1914, that Weber's claim wasn't certified by an Indian agent. The Department of the Treas-

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73. *Annual Report* (1913), from R. G. 75, Doc. #Ed.-Law & Order, 120395-13, FRA, dated July 11, 1914, pp. 1-2.

74. Wilken, *op. cit.*, p. 268.

ury therefore needed further details (from the Department of the Interior) before going ahead with the matter.<sup>75</sup>

This Treasury Department memorandum was duly processed through the proper channels until it finally came to the attention of the Commissioner of Indian Affairs, Cato Sells. In a memorandum to the Auditor for the Interior Department he reviewed Weber's claim #255892 and expressed the official opinion that the claim should be paid by the government. In neither the Treasury Department's memo to Sells nor Sells' official approval of the claim is there any mention of the sum. The actual figure is supplied by Father Wilken as totaling \$46.20, "which covered only the expenses for the first trip to Beautiful Mountain."<sup>76</sup> A point to be noted, which obviously was not considered by the unworldly Father Weber, and should have been attended to by the member of the Board of Indian Commissioners, and Director of the Bureau of Catholic Indian Missions, Father William Ketcham, a claim should have been submitted for the entire amount. Father Ketcham should have been sufficiently wise due to his one connection with a governmental agency to understand such procedures. Yet Wilken petulantly criticizes the niggardly response of the United States Government to the great services contributed by Father Anselm Weber.<sup>77</sup>

The position of Superintendent Shelton as a key figure in the Indian disorder was extremely controversial. The Farmington *Enterprise* was against the agent, as were certain other individuals. There is one testimonial in the form of a letter from Howard and Eva Antes, written to Miss Floretta C. Manual, from the Navaho Faith Mission at Aneth, Utah. Howard Antes berates Shelton for causing him to be driven away from his home on the reservation. An accusation, backed up he said by Acting Commissioner of Indian Affairs, F. H. Abbott, was for "trespassing," and in Mr. Abbott's judgment "a detriment to the peace and welfare of the Indians." Antes, he admitted himself, did not have a

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75. Memorandum, Treasury Department to Commissioner of Indian Affairs, August 6, 1914.

76. Memorandum, Sells to the Auditor for the Interior Department, August 29, 1914, p. 12; Wilken, *op. cit.*, p. 268.

77. Wilken, *op. cit.*, p. 268.

permit to buy sheep, and was hailed into Federal Court in Salt Lake City to answer the charges. Shelton didn't appear as a witness, so the trial was postponed. Antes also charged Shelton with brutal treatment of the Indians, and said he had heard that he beat the Indian boys and girls. He was also very much concerned about a small Indian boy that he had taken into his home, without, he concurred, proper adoption papers. Shelton caused him to leave the boy on the reservation, causing Antes and his wife great mental anguish. Antes did mention, but only in passing, that Shelton's policemen had carried off three polygamous wives and that the Indians had rescued them.<sup>78</sup>

Flora Warren Seymour, in describing Major McLaughlin's brief tour of duty in New Mexico, notes rather briefly that ". . . a Navajo agent, overly zealous in the suppression of polygamy, got into some trouble with his charges."<sup>79</sup> This statement does not presuppose that the author knew or understood the exact details of the case in question, but does give the general impression, found in other secondary works, that Shelton failed to use good judgment.

On the other hand, there is other "proof" that Shelton's over-all actions as Superintendent of the Shiprock Agency were not viewed with alarm. The Indian Rights Association stated that "Mr. Shelton's success at Shiprock is a matter of pride to all the superintendents in that section of the country, . . . for he has the gifts of comradeship as well as dauntless courage and great ability."<sup>80</sup> This praise was given to Shelton following the conclusion of the troubles at Shiprock, and in spite of the fact that in 1907 the Indian Rights Association had opposed Shelton's participation in the Byalille affair.

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78. Letter, Howard R. and Eva S. Antes to Miss Floretta S. Manaul, Navaho Faith Mission, Aneth, Utah, October 14, 1913, pp. 1-6. Antes, as previously noted, had accused Shelton in 1907, but retracted his charges. Cf. *Report on Employment of United States soldiers in arresting By-a-lil-le and other Navajo Indians*, *op. cit.*, p. 4. The previous trouble between Antes and Shelton may account for the obvious dislike felt for Shelton and expressed in the letter to Miss Manaul.

79. Flora Warren Seymour, *Indian Agents of the Old Frontier* (New York: D. Appleton-Century Co., 1941), p. 316. Cf. Clyde Kluckhohn and Dorothea Leighton, *The Navajo* (Cambridge: Harvard University Press, 1947), p. 101.

80. *The Thirty-first Annual Report of the Executive Committee of the Indian Rights Association, for the Year Ending Dec. 10, 1913*. (Philadelphia: Office of the Indian Rights Association, 1914), p. 15.

The *Dictionary of American Biography* gives Secretary of the Interior Lane a clean bill of health, which might permit one to draw the conclusion that the Office of Indian Affairs was operating in a sane and humane manner. The writer stated that "the objective of his (Lane's) Indian Policy was the release of every Indian from the guardianship of the government as soon as he gave evidence of his ability to care for his own affairs." There was also the comment that Lane had firsthand information on Indian affairs as he himself visited many of the reservations.<sup>81</sup>

Eleven days after Judge Pope sentenced the seven Navahos in Santa Fe to the Gallup jail, Superintendent Shelton submitted his own report to the Commissioner of Indian Affairs. It was dated San Juan School, Shiprock, New Mexico, December 15, 1913. It ran a full nineteen typewritten pages and from his point of view gave ample justification for the attitude and actions taken by him in reducing the Indians to proper authority. In contrast to snap judgments, or indications that he was overly concerned about polygamy among his charges, Shelton wrote that instead of forcing the Indians to give up all wives but one, he had permitted those that had more than one wife to keep them, but no Navahos were to take additional ones.<sup>82</sup>

The agent went into the history of the agency, and explained to a commissioner who should have been aware of the conditions, that in 1903 he found many Indians living with two, three and even four wives. They often married widows, then took over the widow's daughters. In case of outright assaults or rape the Indian family to whom the guilty was related then took up a collection of livestock or gifts, and paid off the injured girl's family.<sup>83</sup>

On page three Shelton wrote that he found the agency

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81. Oliver McKee, Jr., "Franklin Knight Lane," *Dictionary of American Biography* (21 vols. New York: Charles Scribners' Sons, 1928-1944), X (1933), p. 573.

82. Shelton, "Report on Indian Trouble," *op. cit.*, p. 2.

83. *Ibid.* It was interference on the part of Superintendent Reuben Perry of the Ft. Defiance Agency that ultimately resulted in the sentencing of seven Navahos to serve from one to two years at hard labor in the federal prison at Alcatraz. Later removed to Ft. Huachuca, Arizona, because of ill health, they were pardoned. The "trial" of the Indians was conducted by Perry and the sentence was approved by the Secretary of the Interior, James Rudolph Garfield.



rife with bootlegging, whiskey and gambling in every trading post and in the hogans. He claimed that he had taken over two bushels of cards away from the Navahos in two years time. The report went on in the theme of righteous indignation. He related the punishments for drunkenness, and gradually worked into the difficulties he had had with certain Navahos. One of them, Be-sho-she, was opposed to dipping his sheep and ran counter to Shelton in sending his children to the agency school, to which, Shelton claimed, he did not object. Pages seven and eight of the report deal with the actual incident at the agency when the eleven Navahos came and retrieved the three Indian wives. Pages nine to fourteen describe the action taken by Shelton and others to induce the accused Navahos to surrender to proper authority.

It is, however, the last five pages of the report that indicate the actual distaste Shelton felt for the whole affair. He was frankly disgusted with the way the trial had turned out, and equally outspoken in regard to the earlier three who had first surrendered. All of them, he claimed, were or should have been under indictment for horse stealing or other crimes. Shelton described, almost in anguish, how several of the Navahos were let off in Santa Fe without any witnesses being called on other charges. He mentioned two Indians, who had been among the original three discharged in Santa Fe, as being involved in horse stealing and rape. These two, and none of the others, were never brought to court for their crimes, although he insisted there were sufficient witnesses to prosecute. Shelton thought that the publicized trial in Santa Fe was no trial at all, and nothing but a farce. He felt strongly that the agent's authority would suffer, and that conditions would be worse, not better.<sup>84</sup>

The Superintendent again made a request that the number of Navaho policemen be reduced from twelve to eight, but that he be permitted to choose the very best eight for employment. The initial request had been filed August 17, 1911, but at that time the request had been denied. He also

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84. Shelton, "Report on Indian Trouble," *op. cit.*, pp. 14-19.

asked that the eight, if the permission was granted, be permitted higher salaries.<sup>85</sup>

Shelton concluded his report by praising Major James McLaughlin and suggesting that the commissioner discuss the report with McLaughlin. He stated that he had always done the best he could for the Indians, but that he needed the support of the Office.<sup>86</sup> What he intended to write, but was unable to do so, was to say that he needed *more* support and backing.

Interesting, but perhaps not conclusive, are several trends that make themselves known through the letters, telegrams, newspapers, memoranda and other materials relative to the abortive Navaho revolt. Once the incident of the freeing of the wives had taken place, and Shelton had called for aid through representatives of the United States Department of Justice in Santa Fe, the events that followed were beyond recall. Shelton, to all effects, may in all certainty be charged as lacking in good judgment, but when one considers the righteous nature of the agent it is not (when viewed in retrospect) unforeseen that he should have acted as he did. This may account for his hasty action in the case of the Navahos abusing the authority of Shelton's Indian police. It may also have been the tiny straw that broke the camel's back, in the latter case, Shelton's. Although the pressures may have caused him to call for total submission of the accused Navahos, they do not excuse the means employed.

Also noted is the devious presentation of the government's case against the accused. Except for Father Anselm Weber, who indirectly through the Bureau of Catholic Indian Missions in Washington tried to give a different picture of the crisis, there was no publisher who sought out the Indian side. Wire service to the newspapers came from localities that received their information, limited as it may have been, from representatives of the government.

The original information, whether distorted at the source, was, when printed in the newspapers, almost totally inaccurate. It is doubtful that one could go through each

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85. *Ibid.*, p. 18.

86. *Ibid.*, p. 19.

individual case where the newspapers falsified the facts and accuse them of actual intent, but the results of the printing of lurid, inciting, and one-sided reporting served the same purpose. Confusion worst confounded was the order of the day, and this inaccuracy of detail regarding the 1913 "rebellion" has persisted to the present day. In a short article published in 1935, one magazine gave its version of the episode. Entitled "Indian Rebellion," with italics by the present author to indicate the major errors of fact, the article reads as follows:

The last organized Indian rebellion occurred in *November, 1913*, in the Beautiful Mountain country of the Navajo reservation. Conditions got so bad that the government ordered the late General Hugh L. Scott to Beautiful Mountain with a *regiment from Fort Bliss*. All efforts to arrest the ring leaders had been unsuccessful, and *1,000 tribesmen defied the officers to come and get them*.

General Scott prosecuted his campaign with subtle strategy. He asked for a pow-wow, and arranged to have it located within sight of the great military field camp. The general was exceedingly friendly and *left the purpose of his visit for later discussion*.

Finally succumbing to the general's hospitality the *chiefs became interested in the equipment, especially the field cannon. That was all the general needed. He offered to give them a demonstration and even allowed the head men to pick out the targets,—and the crack marksmen did the rest.*

*The demonstration was so convincing that when the general finally got around to the subject of their giving up the fugitives who were wanted by the government they agreed and signed a new treaty of peace.*

Among the leaders of the rebellion who were arrested was a *100-year old leader who had been through many wars, Be-Sho-She.*<sup>87</sup>

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87. "Indian Rebellion," *New Mexico*, XIII (February 1935), p. 51.

# THE MORMON COLONIES IN CHIHUAHUA AFTER THE 1912 EXODUS

By ELIZABETH H. MILLS

(Concluded)

## *The Colonies and the Punitive Expedition*

From 1912 until the arrival of the United States troops in Colonia Dublán in March, 1916, the Mormon colonists had been subjected to the demands and requisitions of revolutionary bands and Red Flaggers who frequented the region, for the settlements of the thrifty Mormons were a convenient source of supply. There was no established government in the region to which the colonists could appeal for justice or protection. The country was controlled by changing revolutionary leaders to whom taxes were paid and upon whom the Mormons had to rely for a doubtful protection. Thus the presence of the United States troops promised a peace and security unknown in the colonies since the days of Díaz.

On March 15, 1916, when Pershing and his troops crossed the border into Mexico south of Columbus, New Mexico, in pursuit of Villa, several Mormons who had lived in the Mexican colonies were acting as guides.<sup>1</sup> At Pershing's request Mr. P. H. Hurst, the Mormon Bishop in El Paso, had recommended as scouts seven Mormons who knew northern Mexico and were familiar with the Mexican people and the Spanish language. Two of these men, Lemuel Spillsbury and Dave Brown, were later cited for their ability and bravery in their service with the American Punitive Expedition.

On his arrival at Dublán on March 18, Pershing was greeted by Bishop Call, who presented him with eggs, cheese and ham from the Mormon farms to supplement the army rations; and together they called on the commander of the Carranza garrison at Nuevo Casas Grandes. Joseph C. Bentley, president of the Mormon colonies, expressed to Pershing the gratitude of the Mormon colonists as well as that of

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1. *New York Times*, March 16, 1916.

Joseph F. Smith, president of the Mormon Church in Salt Lake City. However, when Pershing asked for more Mormon scouts to guide his columns, Bishop Call at first hesitated, fearing that the Mexicans might resent such action, but the pressing need of scouts who knew the country and who spoke Spanish overcame his objections.<sup>2</sup>

The camp of the United States Punitive Expedition, situated on both sides of the Casas Grandes River just north of Colonia Dublán, became the permanent base for the ten thousand troops<sup>3</sup> sent into Mexico to capture Villa. The tents of the soldiers, which were easily blown down by the wind storms of the region, were soon replaced by brush houses or by cooler and more substantial huts made of adobe brick which the Mormons made and sold to the troops. Food and merchandise were sold to the soldiers and Mormons secured licenses to set up stores within the camp. There was a period of prosperity in the colonies, for the Mormons were well paid for their produce. Although liquor was sold to the soldiers, there were no Mormons connected with the traffic. In fact the Mormons were shocked at the behavior of the American troops over whose morals little control was exercised in the first weeks. Conditions improved, however, when a section was set aside for camp followers and medical inspections were required.<sup>4</sup> Bishop Call expressed the anxiety of the Mormons over the behavior of the American troops when he said:

We who expect to remain in Mexico after the troops are out are watching this movement and its results. If the American troops leave a good impression on the minds of the Mexicans, we can remain with safety after the soldiers go. We are watching for what we hope they will not do with almost as much interest as things they are accomplishing.

We hope for example that they will not laugh at the Mexicans whom they may see. If they laugh at the Mexicans, especially the Mexican soldiers, we Americans who remain in Mexico will sooner or later in some manner pay for this injury to national pride.

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2. R. J. Reed, *The Mormons in Chihuahua*, p. 25-30.

3. *War Department Annual Report*, 1916, Vol. I, p. 31.

4. Reed, *op. cit.*, pp. 31-33.

Some of the Mexican soldiers are small boys. I know of one from here who was only 11 years old. Sometimes these boys do not cut a very good military figure on account of their youth and bare feet. But they do not like to be laughed at by American soldiers, and their commanders object to having fun poked at their men. If the American troops going through Mexico treat the Mexicans with consideration in the small things the first big step will have been made toward establishing cordial relations between the Mexicans and Americans. Without this care for little things our expedition runs the risk of not accomplishing much.

The army officers are trying to get the soldiers to show the Mexicans the consideration which will go so far toward establishing friendly relations in this country. The Americans must also pay their way as they go, which they are doing. An army which pays as it goes will make a deep impression for good on this country. The Mexicans have been accustomed to receiving payment in depreciated money, sometimes no payment at all. When they are paid in American dollars and when they discover the value of such money, they are bound to wish for American money to come back into their country after the army leaves, and that will furnish the American commercial opportunity.

Business men can come into this country after the troops are out if they have left a good impression, as they are trying to do, and will be welcome. The Mexicans will try to seek that market which pays them in the same dollar they received from the American army.<sup>5</sup>

The Mormons of *Dublán* and *Juárez*, besides selling their limited produce, found employment with the United States Army, for there was much construction work to be done in establishing the camp while the soldiers were occupied with their training. In addition to the Mormons who were living in the colonies, many who had left in 1912 and were living near the border in New Mexico, Arizona and Texas returned to the colonies to work for the army. Others who returned to the colonies at this time were engaged in repair work on the houses and buildings in the Mormon settlements, for rumors that the United States might take over northern Mexico brought renewed interest in the fu-

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5. *The New York Times*, March 26, 1916.

ture of the Mormon colonies.<sup>6</sup> As the Carranza government refused to allow the United States army to use the Mexican Northwestern Railroad to ship supplies,<sup>7</sup> all food and equipment for the expeditionary forces had to be trucked into Dublán from Columbus, New Mexico, over more than one hundred miles of rough, sandy road which required constant repair to keep it in condition. In places the road was six feet below the level of the surrounding country, where it had been cut deeper as chuck holes developed, but north of Dublán several miles of the road was improved with a caliche surfacing. Over the washes were constructed wooden bridges which the Mexicans tore out for firewood after the United States troops left.<sup>8</sup> Although the United States army was not officially allowed to use the Mexican Northwestern Railroad, Carranza suggested that supplies be shipped to civilian consignees for the army.<sup>9</sup> Acting as consignees for the United States troops was a profitable business for the Mormon merchants who took advantage of the opportunity.<sup>10</sup> Warehouses were erected to store supplies for the army, corrals were constructed for the horses of the cavalry, and even a bull ring was built for the recreation of the American soldiers, who, however, were not enthusiastic about the sport. In all these construction, trucking and road building activities the Mormon men were employed while their families attended to the farming.<sup>11</sup>

As the United States troops penetrated farther south in pursuit of Villa, the hostility of the Mexicans of both the Villa and the Carranza factions became more pronounced. There were clashes between the United States troops and the Mexicans, in which casualties on both sides were re-

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6. Statement by Mr. E. Abegg, personal interview, June, 1950 (at Tucson) and *Tucson Citizen*, Dec. 24, 1915, Jan. 26, 1916.

7. *Foreign Relations*, 1916, p. 512. Some use of the railroad was made when the United States troops first moved from Colonia Dublán, Major E. L. N. Glass, ed., *1866—History of the 10th Cavalry—1916*, p. 70 (Tucson, Arizona: Acme Printing Co., 1931).

8. Statement by Mr. Eli Abegg, personal interview, June, 1950.

9. *Foreign Relations*, 1916, pp. 503-4.

10. Statement by Mr. Eli Abegg, personal interview, June, 1950.

11. Reed, *op. cit.*, pp. 31-32.

ported, while the Carranza government requested the withdrawal of American troops.<sup>12</sup> In April United States troops were fired upon at Parral, and a few days later the column led by Major Howze, for whom Dave Brown, a Mormon, acted as scout and interpreter, was warned not to enter the town as anti-American feeling was strong.<sup>13</sup> In June a Negro soldier of the United States forces at Dublán was captured and held prisoner for several hours by the Carranza garrison at Casas Grandes until Pershing threatened to attack the town if the prisoner were not released.<sup>14</sup> While Carranza representatives at the conference at New London, Connecticut, were demanding the withdrawal of United States troops from Mexico, the unfriendly attitude of the Casas Grandes garrison of Carranza troops alarmed the Mormon colonists.<sup>15</sup>

Anti-American sentiment was increased by the battle at Carrizal in which the Mormon scout, Lemuel Spillsbury, played a leading part. Although Pershing had been warned by the Mexicans to move his troops only to the north, a column of colored troops was sent east toward Villa Ahumada under the command of Lieutenant Charles T. Boyd with the Mormon, Lemuel Spillsbury, as guide and interpreter. At Carrizal on June 21, the Carranza officer in charge of the garrison informed Boyd that he had orders not to allow American troops to go through the town. Boyd insisted on marching through the town although Spillsbury advised him that the Mexicans would fight and that it would be just as easy to go around the town. When the Americans were drawn up in battle formation, the Mexican troops opened fire. Two of the three American officers, including Boyd and his second in command and seven enlisted men were killed; the third officer with the expedition was seriously wounded. Spillsbury, who then took command, continued toward the town until his men were outflanked, when he order a retreat to the horses; but, as the horses had been

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12. *Foreign Relations*, 1916, pp. 503-4.

13. *Ibid.*, pp. 513-14.

14. *New York Times*, June 21, 1916.

15. Reed, *op. cit.*, p. 36.



stampeded and the troopers guarding them had fled, Spillsbury surrendered with his remaining forces. He was able to convince the Mexican commander that he and his men should not be shot, but taken as prisoners. On June 29, 1916, they were released from prison in Chihuahua City where they had been held and sent out to El Paso.<sup>16</sup> From Mexico City came the report of a statement in which Spillsbury criticized the American position, for he was reported to have said that the trouble at Carrizal was due to Boyd's failure to retire as he had been requested to do. Spillsbury was also quoted as having said that he had accepted employment with Pershing to help catch Villa, but when he saw that the Americans were likely to cause trouble with the Mexicans, among whom he had many friends, he tried to leave, but Pershing refused to release him.<sup>17</sup>

During the months that the American soldiers remained at *Dublán*, relations were cordial between the troops and the Mormon colonists. On Christmas Day, 1916, despite a blinding wind and sand storm, several Mormons from *Dublán* attended the holiday festivities at the American Headquarters.<sup>18</sup> When the American troops left *Dublán* the last of January, 1917, Pershing remained until the last refugees had departed, for Villa was reported to be in the neighborhood ready to advance on Casas Grandes and *Dublán*, and it was thought that the troops sent by General Obregon to augment the garrison at Casas Grandes would not be able to hold out against attacks from Villa.<sup>19</sup> Fear that the Mexican Northwestern Railroad might be set upon between *Dublán* and Ciudad Juárez by *Villista* bands prevented many Mormon refugees from fleeing by train; instead they joined the column following the United States Army north to Columbus, New Mexico.<sup>20</sup> Besides the Mormon settlers and other Americans, Mexicans and Chinese, on foot, on horse-

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16. *Ibid.*, pp. 66-70 and *War Department Annual Report*, 1916, Vol. I, p. 279.

17. *New York Times*, June 29, 1916.

18. Reed, *op. cit.*, pp. 33-34.

19. *Deming Headlight*, Vol. 35, Feb. 21, 1917; and *The Arizona Daily Star*, Jan. 27, 1917.

20. *The Tucson Citizen*, Jan. 31, 1917.

back or muleback, in cars, in trucks, and in covered wagons formed the line of refugees accompanying the army.<sup>21</sup> By February 5, 1917, the last troops of the Punitive Expedition had left Mexico, but regardless of rumors of the proximity of bands of *Villistas*, a few of the Mormons who had lived in the colonies during the preceding revolutionary period decided to remain; eight stayed in Colonia Juárez and three in Colonia Dublán.<sup>22</sup> Family difficulties and separations complicated by earlier Mormon plural marriages occurred at this time; some branches of families remained in Mexico while others migrated to the United States, for though polygamy as an institution had been abolished by the Mormons in Mexico in 1904,<sup>23</sup> the family relationships which resulted had of necessity continued.<sup>24</sup>

### *The Colonies After 1917*

For almost a year the Mormon colonists had enjoyed a period of peace and prosperity under the protection of the United States troops stationed at Colonia Dublán, but the failure of the Punitive Expedition to capture Villa, in part due to the hostile attitude of the Carranza government, and the prospect of United States participation in the European war led to the recall of the Expedition from Mexico. Again the Mormon colonists were to rely on their own ability to remain at peace with the bands of *Villistas* who were active in the region.

After the United States troops had withdrawn from Colonia Dublán and northern Mexican, *Villista* bands were reported to have occupied both Colonia Juárez and Colonia Dublán, but no damage was done in the colonies.<sup>1</sup> A week later near Hachita, New Mexico, three Mormon cowboys, who had left the Mexican colonies in 1912 and were working

21. *The Arizona Daily Star*, Jan. 30, 1917.

22. Statement by Mr. C. Bowman, letter August 8, 1950 (of Colonia Dublán).

23. Moisés T. de la Peña, "Extranjeros y Tarahumares en Chihuahua," in Miguel Othon de Mendizabal, *Obras Completas*, Vol. I, p. 228 (Mexico, D. F.: Los Talleres Gráficos de la Nación, Tolso y Enrico Martínez, 1947).

24. Reed, *op. cit.*, p. 37.

1. *The Arizona Daily Star*, Feb. 9, 1917 and statement of Mr. C. Bowman, letter, August 8, 1950 (of Colonia Dublán).

near the border, were taken from their ranch into Mexico where they were shot by the Mexican raiders.<sup>2</sup> On February 24, federal troops under General José Carlos Murguía were sent to reinforce the Casas Grandes garrison when *Villistas* raided and looted the town of Pearson a few miles south of Colonia Juárez.<sup>3</sup> However, by September of 1917, the Mormons in Dublán felt that rebel and bandit activities had subsided enough to permit the men to go to García, one of the mountain colonies, to put in the fall crops. But in 1918, Villa was again on the move and making requisitions on the colonists.

Most people feel the pincers of the tax collector once a year but the Mormon colonists in Chihuahua, Mexico, not only pay the federal government the regular tax, but hand over any available surplus to Villa and his band of expert and lawless collectors now and then. When Villa needs more money he swoops down on the defenseless colonists and takes it. If the money is not forthcoming he kidnaps some wealthy and influential citizen and holds him for ransom. If the amount is not secured in time, he kills the citizen by way of warning for the future.<sup>4</sup>

Though no Mormons were killed by Villa bands, in October 1918 two Mormon colonists were taken prisoners near Villa Ahumada and held one week for ransom.<sup>5</sup> In 1919 the United States Department of State requested the Mexican government to rescue two Mormons who had been captured by *Villistas*.<sup>6</sup>

As dissatisfaction with Carranza's policies throughout Mexico increased, rebels and *Villistas* became more active in Chihuahua. In June of 1919 the federal commander at Casas Grandes advised the withdrawal of the six hundred and thirty Mormons in the district until federal troops could be sent to protect them, but the Mormons did not consider the danger great enough to force them to leave their homes.<sup>7</sup>

2. *New York Times*, Feb. 16, 1917.

3. *Tucson Citizen*, Feb. 24, 1917.

4. T. C. Romney, *Mormon Colonies in Mexico*, p. 246.

5. *Foreign Relations*, 1919, Vol. II, p. 566.

6. *New York Times*, March 19, 1919.

7. *New York Times*, June 22, 1919.

At the request of the United States Department of State additional federal troops were sent to Casas Grandes to insure the protection of the Mormon colonists.<sup>8</sup> However, with the election of Obregon to the presidency in 1920 and Villa's retirement from banditry to become an *hacendado*, peace and prosperity returned to Chihuahua and the Mormon colonies, although Colonia Díaz had been permanently abandoned. In 1921, the five colonies of Chuichupa, García, Pacheco, Juárez, and Dublán with a total population of eight hundred and sixteen Mormons were again prospering, crops were good and the colonists were hopeful for the future. In 1924 the first cheese factory was established in Colonia Dublán, and the apple crop was becoming increasingly important.<sup>9</sup>

In 1929 the Escobar revolution, allied with the *Cristero* movement,<sup>10</sup> had little effect on the Mormon colonies, although General José Escobar's army, defeated at Jiménez, retreated northward through Casas Grandes and Pulpito Pass to Sonora, pursued by General Jesús M. Almazán and his federal troops.<sup>11</sup> Near the Dublán a minor engagement took place at Mal Pais, but no damage was done in the colonies.<sup>12</sup> However, an award of twenty thousand dollars was made to Jesse J. Simpson, a ranch owner near Casas Grandes and Dublán, by the American Claims Commission for horses and livestock destroyed or carried away by federal forces.<sup>13</sup>

The depression of the early 1930's did not adversely affect the Mormon colonists, who were largely self-sufficient, for, as one colonist remarked, times had always been hard in the Mormon colonies.<sup>14</sup> In 1938 the colonies were enjoying a period of prosperity as Romney indicates.

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8. *Foreign Relations*, 1919, Vol. II, p. 571.

9. Romney, *op. cit.*, pp. 250-55.

10. The Escobar revolution was an unsuccessful attempt by discontented generals to contest the election of Pascual Ortiz Rubio as president. *Cristero* support was gained by promising repeal of Calles' religious laws. Nathaniel and Sylvia Weyl, *The Reconquest of Mexico*, pp. 87-94 (London, New York, Toronto: Oxford University Press, 1939).

11. *Foreign Relations*, 1929, Vol. III, p. 423.

12. Statement by Mr. C. Bowman, letter, August, 1950.

13. *American Mexican Claims Commission*, pp. 553-5.

14. Statement by Mr. M. I. Turley, personal interview, April, 1950 (of Pacheco, at Chihuahua).

At the present time the colonies are at peace and the people abiding there are enjoying a period of prosperity perhaps not excelled since the evacuation in 1912. Five of the original colonies in Chihuahua have been re-occupied. . . . The total population of all the settlements amounts to slightly few over twelve hundred. The principal sources for a livelihood are to be found in the soil and the livestock, though some manufacturing is carried on, such as lumber and shingles, cannery and leather goods and cheese. Several splendid mercantile establishments are owned and operated by efficient business men of the several colonies.<sup>15</sup>

With the coming of World War II, the younger Mormons who were American citizens returned to the United States to register for the draft. Seventy young men served in the United States forces,<sup>16</sup> while others with families worked in essential industries. After the war some families returned to the colonies, but more remained in the United States, largely due to economic conditions, with the result that the number of colonists declined from the one thousand reported in 1945 to an estimated six hundred and fifty in 1950.<sup>17</sup> The population of the colonies fluctuates as colonists come to the United States to work for a year or two on highway or construction projects, and return to the colonies when the project is finished. Others who have land planted in orchards which are not yet bearing, find employment in the United States until such time as their land will support them.<sup>18</sup> In practically every family more of the second generation are living in the United States than in the colonies, so that there is a preponderance of older people who own most of the property and control the affairs of the colonies. The Mormon colonies today resemble small American communities of retired farmers, in which a few of the younger generation have remained to carry on the farm work or the small trade of the community.<sup>19</sup>

Since 1920, the history of the Mormon colonies in Mexico

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15. Romney, *op. cit.*, p. 257.

16. Henry A. Smith, "Visiting About with the Church Editor," *The Church News*, Vol. 3, No. 24 (June 16, 1945) p. 8.

17. T. C. Romney, "Latter-day Saint Colonization in Mexico," *The Instructor*, Vol. 83, No. 12 (Dec. 1948) pp. 571-3, 594.

18. Statement by Mr. J. Farnsworth, personal interview, August, 1950.

19. *Ibid.*

has been largely one of adaptation to the changes in Mexico resulting from the provisions of the Querétaro Constitution of 1917 and from the laws passed to implement it. Changes have been necessary in both the church and the school organization of the Mormon colonies.

The campaign against Church interference in the political affairs of Mexico waged by the Calles regime was obviously a blow aimed at the dominance of the Catholic Church in Mexico. Legislative enactment, however, as applied to clergymen, Church schools, etc., must react upon all churches alike. . . .

The law of August 21, 1926, requiring all religious teachers to be native born, was meticulously complied with by the Latter-day Saints in Mexico, as set forth in the report of President Joseph C. Bentley to the Presiding Bishopric of the Church. To meet the requirements of the law it became necessary to supplant the older existing bishops in the various colonies with young men born in Mexico, in the conduct of all religious meetings. . . .

The schools of the Latter-day Saints in the State of Chihuahua were closed for one day under the order of government officials, but following an explanation submitted by President Anthony W. Ivins, President Calles ordered their re-opening. The explanation made by President Ivins was in effect that anyone may send his children to the Latter-day Saint's schools in Mexico by paying a tuition fee. The Mormon schools are not religious schools in the meaning of the Mexican constitution and therefore do not come under the category of the schools which the Mexican officials are attempting to close. From that time to the present there has been perfect accord between the Mormons in Mexico and the officials of that Government with respect to these religious matters.<sup>20</sup>

Economically the colonists have also had to adapt themselves to the changed conditions brought about by the Constitution of 1917, to the agrarian laws regulating ownership of land, to government regulation of irrigation systems and of industry, and to new conservation policies. However, as the Mormons are known for the development, not the exploitation of land and natural resources, and as coöperative undertakings are a part of their way of life, compliance with

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20. Romney, *op. cit.*, p. 256.

the principles of the Mexican Constitution has not proved difficult.

### *Claims and Property*

The settlement of claims for damages sustained by the Mormon colonists in Mexico during the Revolutionary period was prolonged until 1938 by negotiations between the United States government and the Mexican government. To the Special Claims Commission, created by the Special Claims Convention between the United States Government and the Mexican Government in September, 1923, were referred the Mormon claims which were classified as those

which arose during the revolution and the disturbed conditions which existed in Mexico covering the period from November 20, 1910, to May 31, 1920, inclusive, and were due to any act by the following forces:

- (1) By forces of a Government *de jure* or *de facto*.
- (2) By revolutionary forces as a result of the triumph of whose cause governments *de facto* or *de jure* have been established, or by revolutionary forces opposed to them.
- (3) By forces arising from the disjunction of the forces mentioned in the next preceding paragraph up to the time when the government *de jure* established itself as a result of a particular revolution.
- (4) By federal forces that were disbanded, and
- (5) By mutinies or mobs, or insurrectionary forces other than those referred to under subdivisions (2), (3) and (4) above, or by bandits, provided in any case it be established that the appropriate authorities omitted to take reasonable measures to suppress insurrectionists, mobs, or bandits, or treated them with lenity or were in fault in other particulars.

Within two years from the date of the first meeting, all claims were to be filed with the Commission composed of three members: one American, one Mexican and one neutral. The commission was allowed five years in which to decide all claims.<sup>1</sup> However, in the period between 1923 and 1931 only eighteen cases were decided, none of which was al-

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1. *Special Mexican Claims Commission*, pp. 693-696. Report to the Secretary of State (Washington: Government Printing Office, 1940).

lowed.<sup>2</sup> Nothing further was accomplished until 1934 when, largely due to the efforts of J. Reuben Clark, Jr.,<sup>3</sup> a prominent Mormon and the United States Ambassador to Mexico from 1930 to 1933, a convention was signed between the United States and Mexico providing for the en bloc settlement of the claims which had been presented by the Government of the United States to the Special Claims Commission. According to the Convention signed in 1934, the United States government was to be paid proportionally the same amount as the total sum for similar claims agreed upon during the years 1924-1930 between Mexico and the governments of Belgium, France, Germany, Great Britain, Italy and Spain. The sum agreed upon, \$5,448,020.14, representing 2.6 per cent of the total amount claimed by the United States, was to be paid in dollars of the United States at the rate of \$500,000.00 per year beginning on January 1, 1935.<sup>4</sup> An Act of Congress on April 10, 1935, established the Special Mexican Claims Commission of three members which in a period of three years was to review and decide upon all the Special Claims filed against the Mexican Government and to distribute among the claimants the funds agreed upon in the Convention of 1934.<sup>5</sup> In August of 1937 a Joint Resolution of Congress extended the life of the Commission for one year and amended the Act of 1935 to make available to the claimants the full sum of \$5,448,020.14, regardless of additional claims which might later be classified as Special Claims.<sup>6</sup>

In accordance with the regulation established by the Special Mexican Claims Commission the Mormon claims were reviewed as a group as stated in the report of the Commission, dated May 31, 1938.

In connection with the above-mentioned rapid survey of claims it was found that one large group of 390 claims pre-

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2. *American Mexican Claims Commission*, p. 72. Report to the Secretary of State (Washington: Government Printing Office, 1948).

3. *Foreign Relations*, 1932, Vol. V, p. 756.

4. *Special Mexican Claims Commission*, pp. 697-99.

5. *Ibid.*, pp. 688-692.

6. *Ibid.*, pp. 685-87.



sented questions which were considered to be particularly appropriate for independent investigation. . . . The claims in this group originated in 10 neighboring colonies in the States of Chihuahua and Sonora. It was clear from the historical data in the possession of the Commission, as well as from the evidence submitted by the claimants, that members of these colonies had suffered considerable loss and damage through depredations of armed forces. The records were not clear, however, as to the title to lands in the colonies, the respective rights of individuals in community pastures and other common lands, and the value of real and personal property. The sources of information on these matters being concentrated in Salt Lake City and the vicinity, the expenditure of time and money incident to an independent investigation was relatively small. The Commission, therefore, authorized one of its members to conduct such an investigation, and it was made with the assistance of one of the attorneys of the Commission. It was confined to general matters such as those suggested, and no effort was made either to establish or to disprove the merits of any of the individual claims. Similar investigations were made later in Mexico, by two members of the Commission, assisted by three members of the staff, in connection with several groups of claims as to which there were questions of fact not susceptible of satisfactory determination on the basis of the existing records. Numerous files were made available to the Commission by the Mexican Foreign Office. A special research assistant was, moreover, appointed for a period of two months to examine and report on certain pertinent files in the possession of former Senator Fall of New Mexico. The total cost of the independent investigations of the Commission, including the compensation of the special research assistant, was \$3,628.50. The Commission believes that these investigations contributed materially to the just and equitable determination of the claims affected by them.<sup>7</sup>

Of the 382 Mormon claims reviewed by the Special Claims Commission, 309 were allowed while 73 were disallowed because of "failure to prove citizenship, ownership of personal property, the right to the use and enjoyment of realty, or actual loss." Of the total amount of \$4,657,567.99 claimed, \$620,148.03 was awarded to the individual claimants. As explained in their report, the bases on which the

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7. *Ibid.*, pp. 8-9.

Commission made the awards were the loss of use of property and the forced absence of the colonists for one-half of the 1912-1920 period.

In arriving at a proper measure of damages, the Commission has given due weight to the consideration that, after having been obliged to leave their homes because of the acts of forces, colonists should have mitigated the damages flowing from their actual or constructive eviction by returning to their homes and continuing their normal pursuits as soon as conditions would allow. Accordingly, the conditions existing in the vicinity from 1912 to 1920 have been examined with a view to determining for what period those conditions were such as to make it unreasonable to expect claimants to return to their homes. The conclusion reached by the Commission is that the absence of the claimants from the colonies for approximately one-half of the period of eight years between the date of the abandonment and May 31, 1920, can be properly attributed to acts of forces creating Mexican liability under the Convention.

The claims insofar as they relate to real estate, are essentially claims for the loss of use of property as distinguished from the loss of property. In each case involving claim for the loss of use of realty the Commission has evaluated such property upon the basis of written evidence in the various files, and upon the basis of testimony received as a result of the Commission's own investigation. Awards have been made on the basis of the loss of the use of such property for a period of four years.<sup>8</sup>

Two other claims agreements which related to the Mormon colonies were the agreement of 1938 covering agrarian claims filed before July 1, 1939, and the Claims Convention of 1941 by which Mexico agreed to pay to the United States Government forty million dollars in full settlement of all claims of American citizens up to October 7, 1940. By an Act of Congress in 1942, the American Mexican Claims Commission composed of three members was established to review the claims covered by the 1941 Convention.<sup>9</sup> Among these claims were several relating to Mormon colonists in Mexico. To the widow and eight of the children of Joshua Stevens,

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8. *Ibid.*, pp. 37-42.

9. *American Mexican Claims Commission*, pp. 72-73.

killed in Pacheco in 1912, the sum of \$12,000.00 was awarded.<sup>10</sup> However, two claims based on the loss of the use of property in Colonia Díaz due to the failure of the Mexican government to provide protection from squatters on the land were disallowed as no proceedings had been instituted in Mexican courts by the claimants to evict the squatters.<sup>11</sup> In a case involving the Escobar revolution of 1929, approximately one-half of the amount claimed was awarded on the basis that the proportion of loss had been caused by federal troops.<sup>12</sup>

Payments on the claims were made to the colonists whose claims were allowed by the Special Mexican Claims Commission by the United States Treasury in installments as the moneys were received from the Mexican Government, according to the provisions of the Act of Congress approved April 10, 1935.<sup>13</sup> By 1950 all claims filed with and allowed by the Special Mexican Claims Commission had been paid to the claimants, but, as one recipient stated, only two and one-half per cent of the amount claimed was paid, and of that twenty-five per cent went to lawyer's fees.<sup>14</sup>

Many of the colonists who did not return to Mexico sustained losses of property because of their failure to pay the taxes on the land. All former colonists possessing lands in Mexico were urged "to pay the delinquent taxes lest the owners lose unoccupied lands in the Mexican colonies."<sup>15</sup> Colonia Díaz, situated within the 100 kilometer frontier zone in which the direct ownership of lands by foreigners was prohibited by the Mexican Constitution of 1917, reverted to the Mexican government and later became an *ejido*.<sup>16</sup> Indications of the former prosperity of the Mormon

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10. *Ibid.*, pp. 348-49.

11. *American Mexican Claims Commission*, pp. 556 and 622.

12. *Ibid.*, pp. 553-55.

13. *Special Mexican Claims Commission*, pp. 681-84.

14. Statement by Mrs. J. W. Huish, personal interview, July, 1950 (at Douglas, Arizona).

15. T. C. Romney, *Mormon Colonies in Mexico*, p. 288.

16. Francisco R. Almada, *Geografía del Estado de Chihuahua*, p. 326 (Chihuahua, Chihuahua, Mexico: La Impresa Ruiz Sandoval, 1945).

colony were noted by the American Punitive Expedition in 1916.

Colonia Díaz stood out in the midst of desert, fifty miles from the border—although abandoned for some years, it was a veritable oasis. Houses in good repair stretched along streets lined with magnificent shade trees. The houses were surrounded by green fields and flowers in profusion.<sup>17</sup>

Colonia Chuichupa, which became an *ejido* in 1931 and was renamed La Nortena in 1941,<sup>18</sup> also made an impression on the invading Americans who were caught in a snowstorm on the 23rd of March while they were camped in the neighborhood.

Chuichupa, the word meaning smoke in Yaqui Indian language, proved to be an old American Mormon settlement, at one time probably having 500 to 600 inhabitants but now abandoned, since five years ago it was sacked by the "Red Flaggers" as the revolutionists are called who sprang up all over the country when the iron grip of Díaz began to relax. The town is located on a rolling fertile plain surrounded by pine forests in which wild turkey and deer abound. The inhabitants were evidently thrifty farmers and cattle men. Their homes were well built of frame, brick and adobe in the American fashion, which is always a pleasing contrast to the squat adobe or log houses which the Mexicans affect. Now the houses and fences are falling down, acequias, gardens and fruit trees gone to ruin.<sup>19</sup>

Romney points out that the Mexican government encouraged the return of the colonists in the statement made

by the President of Casas Grandes to citizen Joel H. Martineau of Colonia Pacheco that, "all lands that have been for years abandoned may be settled on by any American citizen. If the owner comes back later and pays all back taxes and expenses we will let him have his property back."<sup>20</sup>

Likewise one of the leading Mormons in the colonies, Joseph C. Bentley, who represented the colonists in their property

17. Col. F. Tompkins, *Chasing Villa*, p. 253 (Harrisburg, Pa.: Military Service Publishing Co., 1934).

18. Almada, *op. cit.*, p. 522. Mr. C. Bowman stated that no Mormon lands were included in the *ejido*. Letter, August, 1950 (of Colonia Dublán).

19. Tompkins, *op. cit.*, p. 104-5.

20. Romney, *op. cit.*, p. 288.

interests in northern Mexico, in an article dated October 3, 1921 stated that

the Mexican government was willing that Mexicans should cultivate unoccupied lands of the colonists, that they would cultivate the land for three years without rent, but that they could receive no title and if, after three years they continued to use the land, they must settle with the owners for rental.<sup>21</sup>

There were also Mormon colonists who failed to return to their homes in Mexico because they felt that conditions there did not offer sufficient security to warrant their return. Others became discouraged waiting for conditions to improve and found homes elsewhere. Their attitude is explained by Romney.

Notwithstanding the favorable attitude of the Government for the return of lands to the colonists, but few have availed themselves of the opportunity to re-possess them. Several factors have entered in to create this lack of desire. In the first place, the disturbed conditions in Mexico were of such extended duration that many of the refugees, in the meantime, had purchased homes and other property in various localities of the United States, and an attachment had grown up for their relatively new environment that held them fast. Then, there were others who still had a longing to return to Mexico, even after a lapse of many years, but who were fearful to return lest another political upheaval should send them scurrying from the country again. Some there were whose properties had so depreciated in value through the permanent withdrawal of the population from the regions where located as to render them almost valueless and, finally, there were a number of instances in which the older members of the family had a desire to return but the younger members thereof had no such desire, they having been born since the exodus or being too immature at the time of the exodus to retain any fond memories of the land of their birth.<sup>22</sup>

Many of these former refugees sold their property in Mexico to the colonists who had remained for a fraction of its value, with the result that some of the colonists have become very well-to-do. Moisés T. de la Peña points out that

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21. *Ibid.*, p. 288.

22. *Ibid.*, p. 289.

in place of the former Arcadia with neither rich nor poor, which the Mormon colonies had represented, some of the colonists have become rich and own much land while others are poor and have little land. The prosperous colonists of Dublán he classes as small *latifundistas* because of the fact that six hundred and twenty-three hectares of irrigated land are owned by twenty-five people.<sup>23</sup> Romney attributes the resultant inequity to individual initiative.

A few of the Mormons who have returned to the colonies have fared well financially at the expense of those who, for various reasons, refuse to return to their homes. These adventurous spirits endowed with unusual business acumen have monopolized for the most part the orchards and farm lands as well as the industrial facilities of certain of the colonies. This was made possible by the inordinate eagerness of many of the refugees to dispose of their holdings if for nothing more than a mere pittance. Others of the returned exiles have benefited by having the free use of range and irrigable lands whose titles are held by those indifferent to the uses being made of them.<sup>24</sup>

According to the Mexican Constitution of 1917, the right to own land and to acquire concessions to exploit the natural resources of the country are limited to native born or to naturalized citizens, who, however, must obey the laws of the country regulating the ownership of land and the exploitation of its resources.<sup>25</sup> The same property rights are granted to foreigners who agree before the Mexican Department of Foreign Affairs "to be considered Mexicans in respect to the same, under penalty, in case of breach, of forfeiture to the Nation of property so acquired."<sup>26</sup> The Constitution further states that private property shall not be expropriated except for reasons of public utility and by means of indemnification. Thus both the Mormons who became naturalized Mexican citizens and those who retained their United States citizenship but conformed to all the constitutional and legal re-

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23. Moisés T. de la Peña, "Extranjeros y Tarahumares en Chihuahua," in *Obras Completas*, M. O. de Mendizabal, p. 226.

24. Romney, *op. cit.*, p. 291.

25. Almada, *op. cit.*, p. 153.

26. *Constitution of the U. S. of Mexico* (1926) p. 7.

quirements for foreign property owners were protected by the Mexican Constitution and the laws of the country as regards the ownership and the expropriation of property. The Constitution also forbids the direct ownership by foreigners of any land within a one hundred kilometer zone of the frontier; thus land owned by American Mormons within the frontier zone can be held only indirectly through Mexican corporations or companies.<sup>27</sup>

The right to the use of water of streams for irrigation is also regulated by Article 27 of the Mexican Constitution which states:

Any other stream of water not comprised within the foregoing enumeration shall be considered as an integral part of the private property through which it flows; but the development of the waters when they pass from one landed property to another shall be considered of public utility and shall be subject to the provisions prescribed by the States.<sup>28</sup>

As the agricultural economy of the Mormon colonies is dependent upon irrigation, they are directly affected by this provision. In the Casas Grandes Valley the state of Chihuahua has as yet no official plan for the use of the water of the river according to Señor Almada, who further states that in the Casas Grandes region only the Mormons of Colonia Dublán have regulated the use of the waters by means of storage basins or lakes.<sup>29</sup>

When the Mormons first came to settle Dublán in 1888, they noted the remains of an ancient irrigation system, visible in traces of a canal leading from the Casas Grandes River to several large depressions, apparently ancient reservoirs, near the foothills in the eastern part of the valley.<sup>30</sup> Very probably this irrigation system was a part of the ancient civilization which occupied the Casas Grandes Valley, the ruins of which near the village of Casas Grandes are thought by some to be the third abode of the Aztec peoples

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27. *Ibid.*, p. 7.

28. *Ibid.*, p. 7.

29. Almada, *op. cit.*, p. 270.

30. Romney, *op. cit.*, p. 64.

in their migration from Asatlan, their place of origin, to the Valley of Mexico.<sup>31</sup> The Mormons, taking advantage of the ancient system, dug a canal from the Casas Grandes River some ten miles across the valley to the natural depressions near the foothills to form two lakes known as the Dublán Lakes. Here the water which comes from the mountains in the rainy season is stored and later used to irrigate the crops as needed.<sup>32</sup> In recent years in conformance with the Mexican agrarian policy and to assure an equitable distribution of water for irrigation, the Mormons have shared their irrigation systems and water with the Mexicans who have acquired farms in the neighborhood of the colonies. In Colonia Dublán the Mormons signed a contract with the Mexican *ejidatarios* whereby one of the Dublán Lakes, known as Long Lake, was given to the *ejidatarios* who in return agreed to enlarge the canal from the Casas Grandes River and to add to the cement dam in the river in order to increase the capacity of the lakes. However, only a part of the work agreed upon has been done.<sup>33</sup> In Colonia Juárez, the waters of the Piedras Verdes River, after watering the Mormon fields upstream, are utilized in the power plant to generate electricity, and at night irrigate the fields of the Cuauhtemoc *ejidatarios*.<sup>34</sup>

Thus as a result of the Mexican revolution some Mormon lands in the colonies, lost mainly through failure of the Mormon owners to pay delinquent taxes, have been acquired by individual Mexicans or by *ejidos*, and water from the irrigation systems built by the Mormons has been shared with the Mexican farmers. However, the right of the Mormons to own and inherit property as regulated by the constitution and the law of the land, and the titles to their lands on which taxes have continued to be paid have not been questioned.

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31. Almada, *op. cit.*, p. 94.

32. Romney, *op. cit.*, p. 97.

33. Letter from Mr. C. Bowman, Colonia Dublán, August 8, 1950.

34. Statement by Mr. J. Farnsworth, personal interview, August, 1950.



## Notes and Documents

### CHARLES BENT PAPERS

(Continued)

Toas January 16th 1841

Mr Alvaras  
Sir

As Mr Robertson goes to day to Santafe I concluded to wright you a fue lines, altho I have nothing of interest to comunicate. We have bean engaged heare trying to arange the bussiness of the late firm of Branch & Lee,<sup>12</sup> but what we thare countramen ware doing and had done for the interest of booth partys has bean undone by Lee & his attorney Juan Vigil,<sup>13</sup> that is to say by J. Vigil, as Lee is a mear sypher in the bussiness. He is eaven more ignorant of his one interest than I suposed him, but J. Vigil has got his hand in his pocket and I think when he takes it out thare will be but litle left. I also believe that V. is paid on the other side to act against Lee underhandedly, this is mear surmize, but that Vigil will skin booth sides if he can I have no doubt. Report says Lee payes him five hundred Dollars. I have heard a report that the five or six Americans that left Santafe sometime since intended to wait and waylay Chavusses party<sup>14</sup> on thare way to the U. States for the purpos of Robbing them, I have heard that they had increased thare number to 18 men including some Shawnies I have no certain information of this, report only. You can aprize theas Gentlemen of this if you see proper. The Aripihoe Indians have made some threats against this place, provided thare people that ware taken prisoners by the, Eutaws are detained by the Mexicans as slaves. It would be well for theas people to consiliate theas Indians before they doe comence

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12. Lee: probably Stephen Luis Lee, sheriff at Taos, killed in the uprising of 1847. Garrard, *Wah-To-Yah* . . . , p. 182. The signature of Luis Lee is on a document in the *Manuel Alvarez Papers*, November 9, 1839. Historical Society of New Mexico, Santa Fe. See also, W. M. Boggs, "Manuscript," edited by LeRoy Hafen. *The Colorado Magazine*, 7:59 (March, 1930).

Elliott Lee is listed as a member of the Grand Jury that indicted the participants in the uprising of 1847. *NEW MEXICO HISTORICAL REVIEW*, 1:28.

Sabin tries to identify this Lee in his *Kit Carson Days, 1809-1868*, note 199. New York: The Press of the Pioneers, Inc., 1935.

The only reference I have to a Branch family is the marriage of Cerán St. Vrain to Louisa Branch of Mora. Laumbach in *NEW MEXICO HISTORICAL REVIEW*, 8:259.

13. Juan Vigil, brother of Donaciano Vigil, is mentioned in Twitchell, *Military Occupation*, p. 208.

14. Antonio José Chavez, prominent New Mexican citizen and trader, en-route to the United States in April, 1843, was waylaid and killed by a band of ruffians. The story can be found in standard history books on New Mexico. It was reported in *Niles National Register*, May 27, and June 10, 1843.

hostilities There will be on the Arkansas early next spring near 1500 Lodges of Indians including Aripihoes, Chyans, & Siouxs, and if the Cumanchies meete them thare as they have agreed thare will be nearly double that number of Lodges. It will require but verry little exertion on the part of the Aripihoes to induce the, Chyans & Siouxs to Joine them against the Mexicans. The object of gane of its self is a suffittient inducement to an Indian at all times. And they have one or two Mexicans with them which will serve for guides,

I presume before this you have heard of my house and Bobeans having bean searched for contraband goodes by Sarifino Ramereze.<sup>15</sup> the Scoundril agreed to give uss the names of the denouncers before he left heare, which he did not doe he took good cair to leave unbenone to uss. I believe that Rose, Cambell<sup>16</sup> was the person that gave him his information, at all events he is a damd Lyer, he has forfeited his word given in presance of the Alcaldi, Captain, and some twenty other persons. he is a great lyar. Pleas let us know by the first opportunity what report this Rameareze has made at Santafe and also what the Govenor says on the subject. we have many reportes heare about this transaction. Pleas let uss know the nuse from the interior thare are several reportes respecting Texas<sup>17</sup> heare, I should like to know the truth if you have any authentic nuse from the interior respecting Texas.

Youres Respectfully  
Chas Bent

P. S. I sent word verbally by Lee to Mr. Giddings<sup>18</sup> that I had no fixed time to take LaRoux's<sup>19</sup> deposition. You will pleas say to him

15. Serafin Ramirez: mentioned as "first official of the treasury" in Miranda to Alvarez, September 23, 1841, Benjamin M. Read, *Illustrated History of New Mexico*, p. 402. Santa Fe, 1912. In Citizens' "Report," September 26, 1846, NEW MEXICO HISTORICAL REVIEW, 26:75.

16. "At Tuerto, Mr. Campbell an American, had been engaged in working a 'Plassara,' [placer] in which he found a piece of gold weighing fifty ounces." *Guadal P'a: The Journal of Lieutenant J. W. Abert, from Bent's Fort to St. Louis in 1845*, edited by H. Bailey Carroll, p. 35. The Panhandle-Plains Historical Society, Canyon, Texas, 1941.

Maybe Richard Campbell, Probate Judge for Doña Ana County, New Mexico, in the 1850's—an elderly man at that time. See Edward D. Tittmann, "By Order of Richard Campbell," NEW MEXICO HISTORICAL REVIEW, 3:390 (1928).

17. Probably a reference to the pending Texas-Santa Fe expedition launched by Texas in 1841 to take possession of New Mexico.

18. Alberto Giddings signed an address to Secretary of State, Daniel Webster, dated Santa Fe, September 16, 1841, requesting protection against the pending Texan invasion of New Mexico. Read, *Illustrated History . . .*, p. 399.

James M. Giddings was in business at Santa Fe from 1840 to 1853. Webb, *Adventures . . .*, p. 97 note, for sketch and bibliography.

19. Basal Lerew (or La Roux, as above, or Leroux) listed as a trial juror in Taos in 1847. NEW MEXICO HISTORICAL REVIEW, 1:31. Or Antoine Leroux, well-known mountain man and sometimes resident of Taos, New Mexico. See Sabin, *Kit Carson Days . . .*, *passim*.

I have not yet taken it nor shall not untill I heare from him, if he advises me by the first opportunity.

CB

N'ayant rien de plus à vous ecrire que ce que Mr. Bent vous dit, je me restrains à vous presenter mes compliments et vous souhaiter du bonheur, reservant à une autrefois, vous ennuyer à mon tour

Charles Beaubien

[Having nothing more to write to you except what Mr. Bent tells you, kindly accept my compliments and my wishes for happiness, reserving for another time an opportunity to bore you in return]<sup>20</sup>

Taos January 20th 1841

Mr Manuel Alvarass

Sir

I was called on yesterday Justice for my letter of Security from the Mexican Government. I have not got it. I have miss layed one I procured from our minister Butler some yeares passed.

This is to request you to procure one for me. Posibly the Govenor Don Manuel Armijo may be impoured by the general government to grant leters of security to American Citizens in this province

At all events endeavor to procure me one eather in Santafe or from Mexico.

Yours Respectfully

Chas Bent

Taos January 30th 1841

Mr M Alvaras

Sir

Inclosed pleas find a list of American Citizens resident in this place. I have not as yet bean able to assertain, the name of the mexican that left the Arkansas in company of the morman that was murdered near the De Mora but I shall make every enquiry, and should I assertain you shall be aprised.

You ask me for local nuse of this place, I shall endeavor to give you such as has come to my hearing. The greate Literry Marteanes<sup>21</sup> since his returne has bean the all interesting topic. he has bean cept constantly employed since he got home detailling to his greedy admirers and hearers, the greate respect and attention that was bestoed on

20. Translation by Professor Hubert G. Alexander, Chairman of the Department of Philosophy, University of New Mexico.

21. Referring to Fr. José Antonio Martínez, a well-known, talented priest and politician in those years. He is discussed in standard history books on New Mexico. See also Pedro Sanchez, *Memorias sobre vida del Presbitero Don Antonio José Martínez*, Santa Fe, New Mexico, 1903.

him in his last trip to Durango, he says that he is considered by all whoe he had an opportunity of conversing with, as one of the greatest men of the age, as a Literary, an ecclesiastic, a Jurist, and a philanthropist, and more over as he has resided in one of the most remote sections of this province intirely dependent on his one [own] resorses for such an emence knolidg as he has acquired it is astonishing to think how a man could posibly make himself so eminent, in almost every branch of knollidge, that can only be acquired by other men of ordinary capasitys in the most enlightined partes of the world, but as he has extraordinary abillities, he has been able to make himself master of all this knolledge by studing nature in her nudest gize, he is a prodigy, and his greate name deserves to be written in letters of gold in all high places that this gaping and ignorant multitude might fall down and worship it, that he has and doze condisend to remain amongst, and instruct such a people, It is certainly a greate blessing to have such a man amongst uss, theas people canot help but find favor in this and the other world in consiquence of having such a man to leade and direct them; If the days of miricals had not gon by I should expect that God would bestow some great blessing on theas people, through this greate man. And posibly whenever the wise Rulers of this land heare of the greate fame of this man they will no doubt doe something for theas people in consideration for thare greate care of this more than Salaman.

Ignatio Marteanz is heare taking depositions respecting the animals that ware stollen from him last season by Juan Nicolas Messtes and party, and ware afterwarde captured by some Shawne Indians, his object I am told is to try and prove that the animals ware purchased by me and my people for the purpos of making me pay for said animals. I am also told that the greate Martenize is making him a representation to the Govonor on this subject, how true I canot say. If you have an opportunity to mention this subject to the Govonor I wish you to request him to call on me and such witnesss as I can produce to contradict Ignatio Marteanz Statement, but let it be understood that if the said Martean dare not substantiate his statement he must pay all my expences and those of my witnesss, and If it is to the contrary make me responsible for expenses.

The Cheafs of the Aripihoes have made a formal demand through us of the Mexicans for thare prisoners taken by the Eutaws, they offer one horse for each prisoner, and if this is not accepted they thretin to retaliate on theas people. I have aprised the Justice of this place of thare demand and threat, wether any notice will be taken of this I am unable to say, but if they should not heade theas indians, they may repent when too late, thare are residing with the Aripihoes one or two mexicans that are redy and anctious to leade them to any part of this province.

I had almost neglected to mention that the greate Marteans has said that the Texians have bean beaten in Cauhilla and California wonderful how did the Texians get thare, and what ware they doing thare ; ; he deserves to be created Pope for his Geagrafical knollidge.

I think I and Workman<sup>22</sup> will visit Santafe next week

Yours Respectffully  
Chas Bent

Taos February 19th 1841

Mr M Alvaras  
Sir

I arived heare last eavening without any axident to day about mid day Workman and myself called on Juan B Vigil. I presented the copy of the representation he made against uss. I asked him after he red it if that was a copy of the one he had made to the Govenor he said it was. I then asked him how he dare make such false representations against uss he denied them being false. The word was hardely out of his mouth, when Workman struk him with his whip, after whipping him a while with this he droped it and beate him with his fist untill I thought he had given him enough, wharepon I pulled him off. he [Vigil] run for life. he has bean expecting this ever since last eavening, for he said this morning, he had provided himself with a Baui Knife for any person that dare attack him, and suting the word to the action drue his knife to exhibit, I supose he forgot his knife in time of neade.

I called on Mr Lee this morning respecting what he had said against uss in Santafe he denied the whole, and made many aknoledgments He is a man you canot pin up he is a non combatant. I presume you will have a presentation of the whole affair from the other party shortely. You will pleas give me the earlest notice wether you procure the traps or not. I have the offer of some heare. I doubt wether you will be able to reade this I am much agitated, and am at this time called to the Alcalde's I presume at the instance of Juan Vigil.

Yours Respectffully  
C Bent

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22. William Workman emigrated from New Mexico to California due to the disturbed political conditions in New Mexico during the period of the Texan-St. Fe Expedition. He was suspected of being implicated in the movement to introduce Texan control over New Mexico. *The Life and Adventures of George Nidever*, edited by William Henry Ellison, p. 21, p. 116 note 141 (University of California Press, 1937). There is a master of arts thesis on George Nidever by Virginia Thomson, University of California, 1952.

(This letter's date should be I judge from its tenor the 20th to 25th of Febr. 1841—B. M. Read)

Mr Alvaras

Sir

I mentioned to you in a letter of the 19th that Juan B. Vigil had been whipped: that same afternoon I was called before the Justice, after a grea[t]deal of talk and a good many threats of Vigil, against the Justice and myself, he perticularly thretened to raise his relations and friendes if the Justice did not doe him Justice, according to his will, I was ordered to jail. I reasoned the case with the judge and convinced him that as yet thare was no proof against me, except the say-so of Juan Vigil, and eaven he did not accuse me of any violance on his person, the Justice then requested me to make Beaubeans house my prison for the present, this I objected to on the same groundes as before. he eventually ordered me to my one house, and I was to consider that my prison untill further orders. I remained confined 48 howers. I was then taken out and required to give security for my apperence whenever called on, I have not sean or heard, of any of the charges against me. I believe the law requires that the, head of the process should be made, and declirations taken within the 48 howers. All that I have heard was the virble statement of Vigil on the 19th. I conseave myself much agreaved, but Vigil has tryed to scare the Justice to act with violence and in part he has suxceeded. The Justice told me he had suspended farther proceadings in the Case untill he could consult the perfect or Govenor. Vigil I have understood goes to Santafe tomorow or next day how true I cannot say, I am in hopes of a favorable answer from the Govenor to the Justices presentation. I think he the Govenor is not a man entirely destitute of honorable feelings he well knowes thare are cases that the satisfaction the law gives, amounts to nothing. I had rather have the satisfaction of whipping a man that has wronged me than to have him punished ten times by the law, the law to me for a personal offence is no satisfaction whatever, but Cowardes and wimen must take this satisfaction. I could posibly have had Vigil araned for trial for Slander but what satisfaction would this have bean to me to have had him fined, and moreover I think he has nothing to pay a fine with he is a vagabond that lives by flichting his neighbor

If you think that you can doe anything with the Govenor for uss you will pleas doe so. You will recollect the promises I told you that had bean made to me in Santafe. now they will be tested. The law requires that I should be araigned for t[r]ial within 48 howers, this has not bean done, I have not sean a scrach of a pen on that subject. the law requires that all should have bean concluded and sentenced within 72 howers nothing definitive has bean done.

There is some talk of the creditors of Branch & Lee Living on the property, to secure themselves how they will suceade I am not able to say, but I think that Juan Vigil will exert himself to prevent the property from falling into the handes of the creditors, for a while yet. he well knowes that the longer Lee ceapes possession the better chance he has of filling his one [own] pocket.

I left my leather Belt on your shelf you will please send it up to me by the first oppportunity.

The Indians from the Arkansas still continue to thretten theas people, and no doubt will comit depridations on the first they fall in with. They have driven from thare village Jose Deloris [Sandobal] (the Rano) and party, they have gon towards the Cumanchies. This fellow had a good many friendes in the Aripihoes village but the ex-itement was too grate for him to remain amongst them in safty. he may verry likely try and raise a party (if he suceades in falling in with the Cumanchies) to attack the present company from Santafe to Missouri. he no doubt is aware that the company will leave this spring. he and Leblend<sup>s</sup><sup>23</sup> party no doubt had some comunication on that subject.

You will pleas say to the Govenor I have not as yet suceaded in geting Coffee for him, but I will try and procure it and send it down by the first oppportunity also If I can I shall borrow and send at the same time if posible the Powder I promised him.

Yours Respectffully  
Chas Bent

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The picture of Billy the Kid, used as a frontispiece in this issue, was provided by Mrs. William F. Neal, Box 1012, Jackson, California.

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23. William Le Blanc is listed as a trial juror in Taos in 1847. NEW MEXICO HISTORICAL REVIEW, 1:29. He lived at Arroyo Hondo, operating a flour mill and a distillery. "Micajah McGehee's Account of Fremont's Disastrous Fourth Exploring Expedition, 1848-1849," *The Journal of Mississippi History*, 14:91-118 (April, 1952). Also published in *The Century Magazine*, March, 1891.

## Book Reviews

*Kiva Mural Decorations at Awatovi and Kawaika-a, with a Survey of Other Wall Paintings in the Pueblo Southwest.* Papers of the Peabody Museum of American Archaeology and Ethnology, Vol. XXXVII, Cambridge: Peabody Museum, 1952. Pp. 348. 64 collotype figures, 9 color plates, and 28 illustrations in the text. \$7.50 (paper); \$10.00 (cloth).

The Peabody Museum Awatovi Expedition of 1935-1939 has afforded a fortuitous opportunity to study and observe a 1200-year thread of culture in the pueblo Southwest. Archaeologist and ethnologist have joined forces to investigate the cultural current of Hopi Country in a study of the prehistoric ruins, the 17th-century Spanish remains, and the modern Hopi settlements. Watson Smith's study of kiva mural decorations at Awatovi and Kawaika-a reports a specialized phase of the expedition's research—the story of kiva wall paintings.

In a general discussion, pueblo life is sketched and the plan and the purpose of the study is outlined. A most welcome section on terminology brings reader and author to complete understanding on how words are to be used. This care in definition of terms which continues throughout the book, together with Smith's lucid style of presentation, makes the study more than a technical report.

After a description of painted walls and the material and methods of construction, a section follows on field methods of excavation, preservation, and reproduction of mural painting which is deserving of special commendation. The occurrence of successive plaster layers on the kiva walls (as many as twenty-seven painted layers) presented a series of problems in field technique. The copying, recording, removal by stripping, remounting of stripped paintings and their preservation, required an untold amount of study and experimentation. Final methods employed as well as data on numerous partially successful experiments are recorded



for other investigators faced with similar problems. Here, as throughout the report, the cooperation and advice of co-workers and specialized technicians is credited and acknowledged.

Turning to a study of kiva mural painting, Smith first studies them in the light of their existence and distribution in the Pueblo area, noting likewise the chronological sequence of their occurrence. This is followed by a classification of the murals into four layout groupings based on the relative presence or absence of certain motives and the manner of representing such motives. The single features, anthropomorphic, zoomorphic, botanical, and diverse objects, are analyzed and identified.

Following the essentially descriptive part of the book is a large section on the analysis and ceremonial significance of the murals. In this discussion of the ceremonial significance of the particular design elements, Dr. Smith surveys with thoroughness the voluminous literature bearing upon Southwestern culture and suggests analogies with present-day ceremonial practices. The specialist in the field may suggest alternative analogies as to the meaning and cultural significance of some design elements; yet he will readily acknowledge the fairness and scholastic caution of the analogies. A small section here on representation and symbolism can be read and re-read with profit by those interested in art and writing.

The nine serigraph plates by the Santa Fe Artist, Louie Ewing, are a wise choice of media for presenting the color values of kiva paintings.

In the final section, the murals are placed chronologically and related to their cultural context. Dr. Smith, a specialist in the field, has given the reviewer, a non-specialist, a fuller understanding of a single feature in a pre-historic culture. Kiva mural paintings are placed in their ceremonial patterns and related to the religious life of the Pueblo Southwest. In reproduction, description, and interpretation, life has been imparted to pigment and mortar.

CHARLES E. DIBBLE

University of Utah

*Old Spanish Trail: Santa Fe to Los Angeles; with extracts from contemporary records and including diaries of Antonio Armijo and Orville Pratt.* By LeRoy R. and Ann W. Hafen. Glendale, Calif.: The Arthur H. Clark Co., 1954. Pp. 377. \$9.50. (Far West and the Rockies Historical Series, 1820-1875, Vol. I)

Written in collaboration with his wife, Ann W. Hafen, a well-known student of the West in her own right, this latest Hafen volume has been designated Vol. 1 of Arthur H. Clark Co's new series *The Far West and the Rockies Historical Series, 1820-1875*. LeRoy Hafen, for more than twenty-five years Colorado's State Historian, retired in July, 1954, and, with his wife, will devote all of his time to producing the remaining fourteen volumes of the series.

Drawing from many published and unpublished sources, the Hafens have compiled a volume of virtually every item of historical fact known about the Old Spanish Trail. Almost encyclopedic in nature, it will become a useful reference work on the area covered by the Trail. The daily-kept journal of Orville C. Pratt, who covered the Trail in 1848, is included along with "Choteau's Log and Description of the Trail," and Antonio Armijo's diary. These three items will be of great interest to historians of the areas involved.

In a sense, to describe the Spanish route from Santa Fe to Los Angeles as a "trail" is a misnomer. Though a long and colorful story, the history of the Spanish in California is not within the scope of the history of the Spanish at the Santa Fe end of the "trail." The northern movement of the Spanish and Mexicans into the Intermontane Corridor (or Santa Fe end of the "trail") required two hundred and twenty-five years before reaching as far north as the Gunnison River in western Colorado. And it was probably not until the winter of 1830-31 that a party actually traveled the entire trail from Santa Fe to California, thus linking the old established pathways between Santa Fe, in western Colorado, and eastern Utah with other pathways in use in California. Using the eventual continuity of the trail as a point of departure, the

Hafens have given us the historical development of segments of the trail. No longer should maps indicating the "Old Spanish Trail" show it as a lopsided croquet wicket anchored at Los Angeles and Santa Fe. It now becomes a significant term covering the Spanish, Mexican, and American penetration of a vast area.

The section entitled "Slave Catchers" (there are no chapters but unnumbered and titled sections) leaves the most to be desired of the entire work. The ethnology of the native population of the area taken in by the Trail is the most complex in the West. The term "Digger" alone is a confusing term in the area. By custom the white man referred to any Indian in a miserable condition as a "Digger" or "Root Digger" who lived in the area. Most generally, however, the term applied only to Shoshonis, who were without horses. The essence of this entire chapter, to this reviewer, seems to suggest that with the coming of the Spanish into what is now southern Utah and western Colorado also came slavery. Actually a good case can be made to show that slavery existed as an institution in this area previous to the arrival of the white man. In the section entitled "Path Makers" (p. 302) Capt. Gunnison is cited as "one of four" parties sent out by Jefferson Davis on the Pacific-Railroad Survey. Actually, Davis put six parties in the field—Gunnison, Stevens, Whipple, Williamson, Pope, and Parke.

In the section "Fur Hunters" the segment of trail described (p. 100-101) between the San Luis Valley and the Colorado River via the Gunnison loses much of its significance for the reader when it is not noted that on this section at the junction of the Uncompahgre and Gunnison rivers was located Antoine Robidoux' first post. The only mention of this post is in a section near the end of the book ("Path Makers," p. 304) dealing with Capt. Gunnison's expedition which passed it after it had long since been abandoned.

The interpretation of Antoine Robidoux' inscription near Westwater, Utah, is brilliant in its simplicity. Many researchers have been led astray by this inscription; in some cases causing serious errors in recording the history of the days of the Mountain Man in this region. For the present, a

satisfactory interpretation seems to have been achieved by the Hafens. Robidoux' fort on the Uinta is correctly given as "Uintah" when first cited, but later it is carried as "Uinta." By custom the fort is spelled "Uintah."

The section entitled "Padres" is a well executed condensation of essentials on the movements of Coronado, Rivera, Escalante, and DeAnza in the Trail region.

Roscoe P. Conkling has supplied an excellent folding map at the end of the volume. Though very short, the index will be broadened when an analytical index to the entire series is published.

It is interesting to note that the Hafens have fittingly dedicated their volume to one of their few peers in Western American historical scholarship.

LeRoy and Ann Hafen's *Old Spanish Trail* will rank as a work of permanent importance on the history of the West. They have maintained the best canons of historical scholarship.

WILLIAM SWILLING WALLACE

New Mexico Highlands University

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.

# The Historical Society of New Mexico

*Organized December 26, 1859*

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