In written justification for launching the *New Mexico Historical Review* in 1926, original co-editor Lansing B. Bloom cited reasons which are equally applicable for initiating the current reprint program - the importance of the field, the source material available, and the interest on the part of research students. Things have changed little: The *New Mexico Historical Review* (NMHR) continues to thrive because these motives still exist. The importance of now out-of-print volumes has motivated the New Mexico State Legislature to support this program of reprinting the unavailable numbers of yesteryear as a contribution to regional history. In 1926 a strong interest in the uniqueness of our tri-cultural heritage and the availability of untapped resources combined to bring forth a journal dedicated to providing glimpses into our historic past in the form of articles of lasting interest. Scholars and teachers have made great use of the NMHR as an outlet for publication, as an informed source of instructional materials, and as a research tool.

Many historians of national stature have contributed to the *Review*, while other researchers have been assisted in gaining prominence through publication opportunities made possible by the journal. The entire first volume manifests the enthusiasm of New Mexico for its colorful history at a time when enjoyment of the past was unfettered by needless sophistication. There were many stories to be told and the fledgling quarterly was ready to begin an exciting adventure in making New Mexico known at home and elsewhere. A negative result of the unbounded eagerness is apparent in various typographical errors which have been left uncorrected as a result of the facsimile nature of these reprinted volumes.

Of particular interest was a series of articles detailing New Mexico involvement and contribution to national efforts during World War I. With these wartime events not yet blurred by excessive passage of time, it was possible to capture early appreciation of regional participation in what was felt to be the war to end all war.

Some early NMHR authors were at the beginning of distinguished careers. Others contributed long years of service to the *Review*. Some were scholars in mid-passage. Others, for a variety of reasons, would never be heard from again.

The largest contribution was the four issue serially produced study of the founder of New Mexico, Juan de Oñate, by George P. Hammond, which occupied nearly 30% of the first volume. The author was a recently-hatched Ph.D. (1924) who after two years at University of North Dakota moved to University of Arizona where he was serving as assistant professor. His subsequent
career included a period at University of Southern California, 1927-35. From there, Hammond came to UNM as associate professor, and was subsequently professor, head of the department, and dean of the graduate school. In 1946 he left the Land of Enchantment to return to his native state as Professor of History and Director of the Bancroft Library of the University of California. He retired from those posts in 1965.

Hammond is a prolific writer, editor and organizer of publication programs. His early NMHR articles were some of the first fruits of a long and productive career by a distinguished American historian who at age 85 is still a frequent contributor to this field. He is the sole survivor of the authors published in Volume 1 of the New Mexico Historical Review.

Hammond's "Don Juan de Onate and the Founding of New Mexico," in Volume 1, was the subject of his doctoral dissertation done at University of California under Herbert E. Bolton. In later years Hammond was a regular contributor to the NMHR on various Spanish Borderlands themes.

John Lloyd Mecham, who had received his Ph.D. under Bolton at Berkeley in 1922, was author of "The Second Spanish Expedition into New Mexico." It was the result of research on his M.A. thesis of 1917 at Berkeley entitled "The Rodriguez Expedition into New Mexico, 1581-1582."

Mecham spent a long academic career at University of Texas as Professor of Government. Among his best known subsequent works were Francisco de Ibarra and Nueva Vizcaya (Duke University Press, 1927) and Church and State in Latin America (University of North Carolina Press, 1934). Though Mecham was a constant contributor to historical publications, he never again appeared in the pages of the NMHR. His interest shifted toward Latin American politics.

Most famous 1926 contributor was Anthropologist Frederick Webb Hodge, a frequent early author. He was for 13 years on the staff of the Museum of the American Indian and after 1932 Director of the Southwest Museum in Los Angeles. He is well-known for his Handbook of American Indians North of Mexico, his History of Hawikuh, New Mexico, and his long service as editor of the American Anthropologist.

Volume 1 had an article by Francis T. Cheetham who served the Review as an associate from 1926 until 1945. He was a politician, lawyer, and officer of the state historical society. In addition to this early article, he authored "El Camino Militar," in Vol. 15. His service to the NMHR was cut short by his death in January of 1946.

Fayette S. Curtis, Jr. contributed to both Vol. 1 and 2, though the latter was a posthumous article. A Yale graduate and a semi-
invalid, Curtis had come west almost a decade earlier to serve as Head Master of Los Alamos Ranch School. An obituary for Curtis appeared in Vol. 2 of the NMHR on pp. 98-100.

Benjamin M. Read was a distinguished senior lawyer with an untrained but vigorous interest in history. Born into a bicultural, bilingual family of Las Cruces, Read became a legislator, governmental official, translator, and zealous contributor to regional study. His death in 1927, almost simultaneously with Curtis, truncated a promising association with the NMHR.

Frank H. H. Roberts was an educator of note in regional circles. His interest had always been centered on public education and on service organizations to which he gave a great deal of time. He never again appeared in the Review after Vol. 1. In contrast, Professor Percy M. Baldwin of Las Cruces was a frequent contributor of both articles and service on the editorial board for 37 years.

Lansing B. Bloom, former Presbyterian missionary and minister turned historian in 1917, was early associated with the School of American Research and with the Museum of New Mexico in Santa Fe. He served as co-editor from the beginning of publication until 1945. In 1929 he joined the staff of UNM's history department as associate professor. He made frequent trips to Mexico and several times invaded the Spanish archives in quest of New Mexico materials. A frequent author in subsequent numbers, his first publication came in Vol. 1. Shortly after his death in 1946, the NMHR produced a bibliography of Bloom's published writings in Vol. 21, pp. 114-17.

Bloom’s co-editor, Paul A.F. Walter, served for 37 years as one of the two editors of the NMHR. He reviewed dozens of books and authored articles in some of the early issues. His early association with publishing, his political orientation, and his presidency of the Historical Society of New Mexico were assets which he placed at the Review’s disposal. His increasingly greater involvement with the First National Bank of Santa Fe reduced his day to day participation in Review affairs, and for the final 20 years he was co-editor more in name than in function.

It is with pleasure that we make available once more the writings of such a varied group of scholars who more than a half century ago enriched local history.

Donald C. Cutter
Chairman, Editorial Board, NMHR
June 2, 1981

Dear Reader:

The recitation of the history of one's State can be a stirring thing. For students of American History it is an essential ingredient in the accumulation of knowledge; but it is also an exciting thing to learn about those who walked on this land before us. For the casual reader it may also be exciting to learn of things that happened in past years in the very places we inhabit today.

Time passes, and change is inevitable. Engraved at the entrance to the National Archives in Washington is the statement "What Is Past Is Prologue." It is for this reason, aside from the mere inquisitive nature of man, that the study of history is so important. We grow from our roots; it is progress that makes us what we are today. But we must never forget our origins, or the struggles our forebears experienced to make this land a place of which we can be proud today.

New Mexico is rich in history. This land provides evidence of some of the earliest inhabitants of this world. Fossils of long-extinct animals vie for importance with discoveries of the remains of the early pleistocene-period man in Folsom, New Mexico. Descendants of early native Americans — the Anasazi — are today an important part of our population and are a significant link with the past. The glories of Spanish conquest, the advance of European civilizations and influence, the great Western movement in response to Horace Greeley's admonition "Go West, young man, go West" are all here — basic parts of the tradition of this great State. The arts and cultures that are world renowned are the product of this historical development from early Spanish and Mexican times, through the lusty, brawling territorial days, to the present influence of sixty-nine years of Statehood.

Mrs. King and I, and our families, are proud to be citizens of this State. We hope that all New Mexicans who read and study this document will find equal cause to be proud. Our multi-cultural growth and development is not over. Every New Mexican contributes to the ongoing changes that will some day become an addition to the history of this State. Just as we proudly recognize the legacy from our forebears, we must also leave our descendants a legacy and a heritage of which they can be equally proud.

We commend this New Mexico Historical Review to the reader. Let it be but a prologue to future progress for all of our people.

Sincerely,

BRUCE KING
Governor

ALICE KING
First Lady
The Historical Society of New Mexico

(INCORPORATED)

ORGANIZED DEC. 26, 1859; ADJOURNED SINE DIE SEPT. 23, 1863; RE-ESTABLISHED DEC. 27, 1880

PAST PRESIDENTS

Hon. Kirby Benedict                        Hon. Frank W. Clancy
                                      Col. Ralph Emerson Twitchell

OFFICERS, 1926-27

P. A. F. Walter, president                L. B. Bloom, cor. sec'y-treas.
F. T. Cheetham, vice-pres.                  Mrs. Reed Holloman, rec. sec'y
Col. J. D. Sena, vice-pres.                 Henry Woodruff, museum curator

FELLOWS

Bieber, Ralph P.                           Hewett, Edgar L.
Bloom, Lansing B.                          Hodge, Frederick W.
Bolton, Herbert E.                         Kidder, A. V.
Espinosa, Aurelio M.                       Read, Benjamin M.
Hackett, Charles K.                        Walter, Paul A. F.

CONSTITUTION

OF THE

HISTORICAL SOCIETY OF NEW MEXICO

(as amended - Dec. 15, 1925)

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

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

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

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

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

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

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

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

Officers shall qualify on January 1st following their election, and shall hold office for the term of two years and until their successors shall have been elected and qualified.

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

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

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

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

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

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

The Society meets in its rooms, Palace of the Governors, Santa Fe, on the third Tuesday evening each month.

Bulletins, as published, are mailed to members; at present, subscription to the REVIEW is additional.

Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Mr. Lansing B. Bloom, Santa Fe, New Mexico.
THE MUSEUM BUILDINGS
NEW MEXICO IN THE GREAT WAR

I. The Breaking of the Storm

The winter months of 1916-1917 marked the lull before that storm which was to involve the United States in its violence and destructiveness.

No part of the United States was farther removed from the storm center than was the State of New Mexico. A great inland commonwealth on the watershed of the continent, the isolation of three centuries still obtained in various respects, a protecting isolation to which to cling, in the opinion of some perhaps; certainly an isolation to be overcome if New Mexico was to share on a par with her sister states in carrying the Great War to a finish and in making the world safe for democracy.

What New Mexico did to help meet the storm, in mobilizing all her resources and in sending forth her sons to battle, is to be set forth in subsequent chapters, and it may safely be left to the judgment of the reader to say whether New Mexico did her part adequately and generously.

But before any consideration of the civilian and military activities of New Mexico, it will be well to glance briefly at the situation which had developed in Europe by the winter of 1916-1917 and to review the events which had, by then, strained our relations with Germany to the breaking-point. And we shall also see that when the break came, New Mexico, inland state though she was, responded to the president’s call as promptly as any part of the Union.
In Europe, after two and a half years of ebb and flow in the fortunes of war a casting-up of the whole situation seemed to indicate a virtual deadlock between the central powers and the entente allies. As winter settled down, Falkenhayn and Mackensen with their armies of Huns were continuing their devastation of Roumania northwards toward the Danube River, but on all other fronts the gains and losses were relatively insignificant and appeared to have in them no promise of anything better than a stand-off. To those who appreciated the principles of justice and freedom which were at issue, to those who pondered on the awful toll of blood and sorrow already exacted from crucified peoples and a suffering world, such a conclusion of the war was intolerable even in thought. Yet at this time apparently the only alternative from a continuance of the terrible struggle was a peace which would have left Germany dominant in central Europe, a menace to the whole liberty-loving world.

That Germany would, at this time, gladly have welcomed such a settlement became apparent on December 12, 1916, when the German kaiser proposed to the hostile powers that they enter on "a peace conference." Chancellor von Bethmann-Hollweg, in a speech before the reichstag announcing this action of the kaiser, boasted of "the glorious deeds" of German arms and in a thinly veiled threat gave warning of what would follow in case the German proposal to confer were not acceded to. Said he: "If our enemies decline to end the war, if they wish to take upon themselves the world's heavy burden of all these terrors which hereafter will follow, then even in the least and smallest homes every German heart will burn in sacred wrath (sic) against our enemies who are unwilling to stop human slaughter, in order that their plans of conquest and annihilation may continue." Many and more explicit warnings reached the United States government that if the German peace move proved abortive, the submarines were to be unleashed for unrestricted and ruthless war upon all commerce.
It is well to remember that, coincident with this peace move, Germany was issuing her apology in defense of her wholesale deportation of Belgian workmen, an outrage which had raised to a new pitch the wrath of the allied world and protest against which had been formally registered by the United States government.

But what aroused the United States most directly was Germany's use of her submarines. As Germany violated repeatedly all accepted principles of international law, the position of our nation as a neutral power had become increasingly difficult. From the sinking of the Lusitania on May 7, 1915, our controversy over this matter had grown more and more acute, and up to the issuing of Germany's peace note nearly 200 American lives had been sacrificed by the German submarines. Nor were outrages of this character mitigated by the papers of Wolf von Igel, seized in New York by secret service men on April 26, 1916, which revealed German machinations within the United States and explained numerous outrages which had occurred throughout the country, outrages in which the German embassy itself was found to be directly implicated.

In view of these facts, it is not strange that public opinion in this country, as well as in the allied countries, realized that such a peace as Germany proposed would leave the world in for worse situation than when the war began and that it would in effect be a German victory. The allied world had good reason to become utterly sceptical of German honor and consequently of any German overtures, and they were therefore determined to see the war through, to a settlement which should carry with it "adequate reparation for the past and adequate security for the future."

Nor is it strange that the new premier of Great Britain, David Lloyd-George, announced on December 19th to the house of commons that the first act of his administration had been to reject the proposal of the central powers for "a peace
conference." He announced that the allies separately had concluded to reject it, although they had exchange views informally and would within a few days present a joint reply. A comment on Lloyd-George's speech appeared in the Kreuz Zeitung which indicated the alternative which Germany had in mind, even while holding out her blood-stained olive branch: "We have learned that our enemies do not want peace but war to the knife, so we must abandon all considerations and grasp all the means of war at our disposal."

Such in brief was the situation as reported in the dispatches of December 20, 1916. On the following day the world was startled by the news that President Wilson had issued an appeal to all the belligerents that they discuss terms of peace and that each nation announce openly just what it was fighting for. The president had done this on his own initiative, independently of the various suggestions which had emanated from Berlin or from any other quarter, and he asked that his request be considered entirely on its own merits. His note was in effect an invitation to the hostile powers to compare their views as to the terms fundamental to any peace settlement and it was issued in the hope that such an interchange of views would clear the way at least for conference by giving definiteness to the announced aims and demands of the respective nations. His request seemed a reasonable one because of the similarity in some respects in the demands of the hostile powers, in so far as these had been declared.

Our federal administration evidently realized that our nation might be compelled to give up its attitude of careful neutrality and to take an active part in reestablishing peace in the world. As President Wilson said at Topeka on February 2, 1916, "We are not going to invade any nation's right. But suppose, my fellowcountrymen, some nation should invade our rights. What then?... I have come here to tell you that the difficulties of our foreign policy...daily increase in number and intricacy and in danger, and I should be derelict to my duty to you if I did not deal with you in these matters
with the utmost candor, and tell you what it may be necessary to use the force of the United States to do."

On May 25, 1916, before the League to Enforce Peace the president outlined the main principles on which a stable peace must rest, principles which, if accepted, meant that the United States must assume the responsibilities of a world power. It was a new and significant note in our foreign policy which he sounded. "So sincerely do we believe these things that I am sure that I speak the mind and wish of the people of America when I say that the United States is willing to become a partner in any feasible association of nations formed in order to realize these objects and make them secure against violation." The Sussex outrage had occurred just two months before this address; the von Igel papers had been seized in April. These and other recent events had shown up Germany in such a way that President Wilson's views, as set forth in this address, were very generally and emphatically endorsed throughout the nation.

The concessions yielded by the German government after the Sussex affair seemed for some months to have been made in good faith, but in October eight Americans were lost in the sinking of the Marina, and on December 14th the Russian was sunk with the loss of seventeen of our citizens. In view of all the evidence which had been accumulating on the criminal activities and intrigues of Germany against the United States, a statement given out by Secretary Lansing on December 21st, explanatory of the president's note, is interesting:

"The reasons for sending of the note were as follows:

'It isn't our material interest we had in mind when the note was sent but more and more our own rights are becoming involved by the belligerents on both sides so that the situation is becoming increasingly critical.

'I mean by that, that we are drawing nearer the verge of war ourselves and, therefore, we are entitled to know exactly what each belligerent seeks in order that we may regulate our conduct in the future."
"No nation has been sounded. No consideration of the German overtures or of the speech of Lloyd-George was taken into account in the formulation of the document. The only thing the overtures did was to delay it a few days. It was not decided to send it until Monday. Of course, the difficulties that face the president were that it might be construed as a movement toward peace and in aid of the German overtures. He specifically denies that that was the fact in the document itself."

The suggestion carried by this statement that the United States might shortly be drawn into war caused consternation in diplomatic circles and an attempt was made, with partial success, to modify its effect by a second statement issued the next morning; but as one looks back with a knowledge of later developments he realizes that our federal administration was, in a sense, clearing the decks for action, should "action" prove necessary. The note was a step consistent with the president's policy to keep the United States out of the war if this could be done with honor, yet it was a step consciously taken towards "the verge of war."

Germany's reply to the note was evasive, for it declined to state her terms for peace; and in view of the refusal of the allies to discuss the subject unless the central powers would first disclose the terms on which they would end the war, any prospect of peace was thus made impossible. As Lloyd-George put it, they did not propose to put their neck in a noose of which Germany held the rope-end. Germany wanted an old-style "conference", and this the allies would not agree to without first having a "complete guarantee against Prussian militarism again disturbing the peace of Europe" and such guarantee must be more binding than a treaty which might be cast aside as a mere "scrap of paper."

The allies considered Germany's peace note as insincere and not a peace offer so much as a war maneuver, and on December 30th their formal reply so stated. Their answer reviewed the Belgian invasion, admitted by the German chancellor on
August 4, 1914, to have been "an injustice contrary to the law of nations", and remarked that "at this very moment, while Germany is proclaiming peace and humanity to the world, she is deporting Belgian citizens by thousands and reducing them to slavery."

Thus the year 1916 drew to a close, with all prospect of peace receding into the unknown future beyond many a blood-drenched battlefield. Along that path alone lay any surety of genuine peace and therefore in that path the allies would keep their feet. As the Albuquerque Morning Journal of January 1, 1917, well said, "It was easy for Berlin to launch a war on the first day of August, 1914---but making peace at the end of 29 months of desperate bloodshed was quite a different matter. Russia, France and Great Britain had to go to war, but the time has not come when they have to make peace."

With the opening of the year 1917, the situation for the United States drew rapidly to the breaking-point. The dispatches which came out of Germany by "wireless to the Associated Press, via Sayville" showed that government deliberately preparing to put her threats into operation. Ludendorff's universal service law was in force; stupendous quantities of ammunitions were being assembled; many thousands of guns were being turned out every week. In a word, the German government was resolved to drive to a finish the storm of destruction which it had loosed, and now the storm was to smite the United States and other neutral counties as well as the avowed enemies of Germany.

That the United States was awake to the impending crisis was evident in the deliberations and enactments of congress during the winter session. Congress had hardly convened after the holiday recess when Senator Lodge created a sensation by openly referring to the German ambassador, von Bernstorff, when attacking him for giving out an interview on the president's peace note. The $800,000,000 military budget for 1918, the matter of oil lands for the navy, machine-guns, motorcycles, armored tanks, and other national defense
measures were subjects which had a generous share of congressional attention. Much time was given to hearings on, and discussion of, the federalized national guard and considerable support developed for universal military training. The Army Act which later embodied this principle was not passed until May 18th, during the first session of the War Congress, but the exhaustive consideration given to the matter during the winter session was preparatory to the later action and the time was by no means lost.

Such in brief survey were the crowding events which heralded to the people of the United States the approaching storm. Citizens of New Mexico who read the daily dispatches had a fair knowledge of the trend of affairs, but it can hardly be said that the people as a whole realized that war with Germany was almost upon us. For the present, therefore, state affairs loomed larger for New Mexico than did any world crisis.

This New Year’s Day in New Mexico marked the beginning of a new state administration. The governor-elect to succeed Governor MacDonald was Ezequiel Cabeza de Baca, descendant of the famous Spanish explorer of four centuries before. De Baca had served as lieutenant-governor from the beginning of statehood and, as presiding officer of the state senate through three sessions, had set a record for dignified, able, and impartial administration.

But Mr. De Baca was destined never to enter the executive office nor even to step inside the executive mansion as governor of the state. Assailed by a serious malady, premonitions of which were recognized even at the time of the fall campaign, Mr. De Baca put up a brave fight and increased the high esteem in which he was already held throughout the state. He had gone in November to a hospital in Los Angeles and great anxiety had been felt lest he could not return for the inauguration. But he made the journey with an attendant nurse and, in a room at St. Vincent’s Sanitarium, took the oath of office on New Year’s Day in the presence of a few officials and close friends.
Washington E. Lindsey, who had been elected to the office of lieutenant-governor, expressed the regard which Governor de Baca had won for himself by his brave fight against disease when, on this occasion, he grasped de Baca's hand and said: "My name is Lindsey. I want to assure you of my heartiest cooperation and assistance in the discharge of the duties of your high office." With equal warmth Governor de Baca replied, "Thank you, governor. You also will have my cordial support in your own office."

The message which Governor de Baca sent to the legislature on January 9th was commendable for the matters on which he asked action. Among these were an inheritance tax, a tax on mining properties, a budget system, a new election law providing for secret ballot, and a better jury system. In dignified, conservative, sincere, and business-like manner he invited the cooperation of the legislature in the program which he outlined. Bills along the lines indicated were introduced but none of the measures were carried through until after his death.

One incident occurred, however, during de Baca's brief tenure of office which may well be recorded as marking the first formal expression from New Mexico relating to the war. It was occasioned by the crisis which was at last reached when the German government informed our administration on January 31st that from the following day the submarines would attack all ships sailing for allied ports. To such a challenge only one course was possible. On February 3rd the German ambassador was handed his passports and President Wilson announced to congress the complete severance of our relations with Germany. It was on the same day, in answer to inquiries sent out by the New York World, that Governor de Baca sent the following wire:

"Santa Fe, New Mexico, Feb. 3, 1917

"The World, New York, N. Y.

"New Mexico will stand loyally behind the president and hold up his hands. We endorse the action already taken. We
believe the avenues of trade on the high seas should be kept open to neutral commerce in accordance with the law of nations and that the armed force of the United States should be used for that purpose, if necessary.

E. C. de Baca, governor of New Mexico

With the death of Ezequiel C. de Baca on February 18th, Washington E. Lindsey succeeded to the office of governor, and as his tenure was practically coterminus with the active period of the war, he may well be styled "the war executive."

Just a week after his inauguration, the Laconia was sunk with the loss of eight American lives, and President Wilson asked Congress to take the next step towards open conflict by authorizing "armed neutrality." It was characteristic of Senator A. B. Fall of New Mexico, and to his credit and that of his state, that he immediately introduced a resolution authorizing the president to use all the armed forces of the country in protecting its right.

In his inaugural address a few days later, President Wilson declared that there could now be no turning back from the tragic events of the last thirty months which had brought upon Americans a new responsibility as citizens of the world. He declared anew that America must stand for peace, for the stability and self-government of free peoples, and that the seas must be free to all.

Nevertheless, there was some opposition to "armed neutrality" until the federal administration gave out the text of a German note dated January 19th and addressed by the foreign minister Zimmermann to the German minister in Mexico. This note, instigating an attack by Mexico upon the United States even while conducting peace negotiations with us, revealed such treachery as to be convincing proof that sooner or later we must have a definite settlement with this criminal among nations. Accordingly, on March 12th, after Ambassador Gerard had safely reached home and reported, our government issued orders to place armed guards on our
merchant ships. Then at intervals of a few days each, came in reports of other sinkings: On March 16th the Vigilancia went down with the loss of 5 Americans; two days later, the City of Memphis and the Illinois, with a loss of 17; the Healdton was sunk on the 21st and 7 Americans perished; and on April 1st the Aztec went down with 28 more. As officially stated, "In all, up to our declaration of war, 226 Americans, many of them women and children, had lost their lives by the action of German submarines, and in most instances without the faintest color of international right."

The winter session of the New Mexico legislature had ended on the 10th of March, before the federal administration had decided upon "armed neutrality"; but our citizens showed in various ways that the national situation was being watched with keen interest and with that cordial sympathy which Governor de Baca had voiced. On March 10th, the Santa Fe chamber of commerce affirmed its patriotic support of the president in a set of emphatic resolutions, and similar action was taken by other organizations over the state. By the middle of March, the Red Cross was energetically engaged in recruiting new members, and war-gardening was already well under way. Not the least interesting display of patriotism was the voting of a gold medal by the state legislature to General Pershing in appreciation of his services to the state, and its bestowal by Governor Lindsey at El Paso on March 19th.

Just as the national guard on the border was being mustered out of federal service came the first call from Washington for navy and army volunteers and recruiting stations were promptly opened in New Mexico. It was already recognized very generally, however, that some method of selective service must be formulated and put into operation, and it is therefore interesting to recall that, as early as March 26th, Governor Lindsey sent a wire to New York City in which he strongly favored action by the war congress, call-
ed to convene on April 2nd, which should provide for universal military training.

“Good Friday”, 1917, will be a day long remembered in New Mexico, for on that day at last came the formal declaration of war on the German government. April 6, 1917, summoned New Mexico to the field of combat, both at the home-base and overseas, and nobly did she rise to the occasion and take up the gauge of battle, equally with her sister states. A special session of the state legislature was promptly called by Governor Lindsey and in the brief space of eight days measures were passed which were necessary to the proper carrying on of our part in the war.

Aside from appropriating the small sum of $7,440 to cover the expenses of the special session, the legislature enacted and Governor Lindsey signed, five measures which were very largely to shape and guide the activities of New Mexico during the period of the war.

The Public Defense act appropriated $750,000 for preparedness and defense, the money to be raised by the issuance and sale of certificates of indebtedness, and expended and disbursed solely under the direction of the governor. It created a state council of defense of nine members. It authorized a special county levy of not to exceed one mill in 1917 and 1918 for the repair and construction of highways. It empowered the governor to equip any portion of the national guard reserve up to a battalion as mounted infantry in case of emergency. It authorized the state treasurer to invest the permanent state funds in the certificates of indebtedness issued, and gave the governor authority to sell certificates to the federal reserve banks or to negotiate loans through them on the certificates as security.

Another act of the legislature accepted the provisions of the National Defense act and arranged for the drafting of men for the national guard.

A Third enactment provided for the further extension of
cooperative agricultural work and made possible the employment of an agricultural agent in every county.

A fourth bill passed accepted the provisions of the Smith-Hughes act for vocational education and appropriated $15,000 annually for two years to meet a like appropriation from the federal government.

One other important measure was enacted which empowered the governor, for the purpose of giving aid to the national government or providing for public health, welfare, and safety in the state, to organize and employ all the resources of the state, whether of men, property, or instrumentalities.

Thus unreservedly, promptly, and wholeheartedly did the people of New Mexico, through their chosen representatives, throw themselves and all their resources into the Great War. The Sunshine State fears no storm.

Lansing B. Bloom.

II The War Executive

In every state the "War Governor" is of special interest—his administration is more generally studied than those of other men of equal ability and success. There is no question but that the War Governor of New Mexico will be of special interest to the future historian. His ability and his fidelity to the interests of the State and Nation will rank him among the outstanding governors.

Every biography is of interest to two classes—the young and the experienced. Childhood and youth and their formative influences appeal to the young, while opinions and acts hold the attention of the mature.

The youth of Lincoln or of Garfield contained no more interesting elements of privation and no more evidence of surmounting difficulty than can be found in the life of Washington Ellsworth Lindsey, who was born December 20, 1862, in Belmont County, Ohio, on Capitana Creek, of a sturdy Scotch parentage.
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Robert Lindsey, the founder of the family in America, was a horseshoer in Washington's Army, having enlisted from Maryland. His son Robert L. Lindsey emigrated from Virginia to Ohio, crossing the Alleghany Mountains in a wagon with a water tight bed which was used as a boat when the Ohio River was crossed. He settled on a branch of the Capitana Creek where he established a settlement that soon grew to a village. He was the owner of the saw mill, the flour mill, the blacksmith and the carpenter shops, and a general store. His son, Robert Washington Lindsey (father of the subject of this sketch) after he reached his maturity enlisted for the Mexican War, but peace was declared before he was ready for service. In the Civil War he was a recruiting officer. Throughout its entire history the family has been noted for its loyalty and its sturdy pioneer qualities.

Washington E. Lindsey was never away from the home community until twelve years of age, when he went to a nearby railway station to meet his father who had been at the county seat serving on the jury. He and the horses had never seen a train. The wagon road crossed a railroad a short distance from a tunnel. As the boy and horses approached the crossing a locomotive in all its grandeur and awe inspiring power emerged from the tunnel both boy and horses ran away. This was the beginning of his education in outside experiences.

He began his school career when seven years old in an eight cornered brick building. There were sixty pupils and the future governor was permitted to recite once a week. He attended this school for three or four months every year until he was seventeen when he entered Scio College, where the "One Study System" as in vogue. The student devoted himself exclusively to the study of mathematics until he had complete the required amount, then he took up the study of grammar and so on, until the course was finished. Professor Smith, by his close personal friendship, inspired the young country boy to continue his education until he was
NEW MEXICO IN THE GREAT WAR

graduated by the University of Michigan in the class of 1891 with the degree LL. B. He did post-graduate work under Henry Coates Adams in history and government. He was a student under John Dewey and a classmate of James R. Angell, now of Chicago University.

Upon graduation he opened a law office in Chicago, where he continued the practice of law until he came to New Mexico in 1900. After a brief stay in Roswell he settled in Portales June 20, 1900.

His first endeavor for community building was in writing a bill to create Roosevelt County and securing its passage through the territorial legislature. He was aided by Albert Bacon Fall, then a member of the council. The bill was introduced, passed through both houses of the legislature and signed by the governor in a single legislative day. He was appointed probate clerk of the new county by Governor Otero and from that time on, he has been a prominent factor in local and state interests. Although a republican, he was elected a member of the constitutional convention of 1910 by a constituency that was overwhelmingly democratic. He served as a member and as president of the board of education of Portales from 1913 to 1917.

Mr. Lindsey offered his services to his country during the Spanish-American War and was commissioned captain of Company L of a provisional division in Illinois, but the armistice was signed before his regiment was inducted into service.

At the republican convention of 1916 Mr. Lindsey was nominated as candidate for the office of lieutenant governor and at the November election he received a majority of the votes. He was sworn into office January 1, 1917, and presided over the senate from January 9th to February 19th, on which day he took the oath of office as governor to succeed E. C. de Baca who died in office.

Shortly after the adjournment of the regular session of the legislature came the declaration of war, and Governor
Lindsey called a special session of the members of the third legislature to meet on May 1, 1917. He read his message to both houses, in which he asked for wider powers and for the appointment of a war committee to aid in the recruiting of soldiers and in the production of additional food stuffs. He closed his message with the following words: "Let me therefore, in conclusion, urge that in this great crisis, in this even tragic time, we shall all, forgetting self and political bias, labor earnestly to serve most efficiently our state and our nation. This it seems to me, is our supreme privilege, as, no less, it is our supreme duty."

Governor Lindsey is justly proud of the services that he has rendered the state. His acts as "War Governor", his friendship to the movements in education, and his connection with state-wide Prohibition are his claims to a place in the history of the state. He issued various addresses and proclamations to the citizens of the state, among which "A First Lesson on the War", "Why the United States Entered the War", "An Educational Proclamation" (under date of Sixteenth Day of August), "Our Flag", "The Pinto Bean", are outstanding in patriotism and wisdom. "Our Flag" is the best product of his pen, having attracted wide attention, and it is worthy of a permanent place in this book.

Our Flag

" 'Tis the star spangled banner, oh, long may it wave
O'er the land of the free and the home of the brave."

A flag may be described as a strip of cloth of a light fabric, varying in form and color, frequently bearing some emblematic design, and ordinarily displayed, affixed by one end to a staff, pole or rope. The most common use of flags is as emblems of nations.

The use of flags is of great antiquity. In the book, NUMBERS, of the Bible, we read, "Every man of the Children of Israel shall pitch by his own standard, with the ensign of their fathers' house."
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Standards, ensigns, flags are what peoples and nations make them from generation to generation, from age to age.

The Totem of the North American Indian has no vital significance to us, but to him it is Standard, Ensign, Flag, Religion, History and Government.

The Star Spangled Banner--flag of the Republic of North America--OUR FLAG, had origin in a resolution of the Continental Congress, June 14th, 1777, and is the oldest National flag in existence. Its Union was declared as "thirteen stars, white in a field of blue, representing a new constellation, and thirteen bars, alternate red and white". The stars in OUR FLAG stand for the states of the Union. They were thirteen in the Revolution, thirty-five in the Civil War, forty-five in the war with Spain, and are now forty-eight.

Those stars, white in a field of blue, those bars, alternate red and white, are to you and to me, no more than what we make them. OUR FLAG is an affront to the traitor in the Nation. The seditious mock it, and cowards flee from it, but to the loyal citizen who knows our history and is acquainted with the heroic deeds of our fathers, OUR FLAG is the symbol of the power, the honor, the glory, the thought and the purpose of our people.

In the American Revolution, LIBERTY rocked in its cradle beneath the flaunting folds of OUR FLAG, and from then until now, that flag has waved in majestic silence over a Nation of conquerors--conquerors, not for conquest, not for subjugation, not even for indemnity -- but conquerors for justice, righteousness and truth. With those ideals emblazoned upon its folds, OUR FLAG ha never yet been furled in defeat, nor trailed in the dust. Nor will it ever be.

For the sixth significant time, OUR FLAG is being proudly born aloft in battle line on earth and sea, and, for the first time, high above the earth and deep beneath the sea. The ground and reach of all our other wars have been "sectional and prescribed, but in this war, they are world wide, reaching up to heaven and down to hell. For us, they are the
glorification of liberty and the triumph of the power of right. For our enemies, they are the perpetuation of servitude and the enthronement of the power of might.

Rightly we glorify our fathers, who for justice and the preservation of the Union, have died beneath the folds of OUR FLAG from Lexington to Yorktown, from Balls' Bluff to Appomattox, but higher glory is reserved for us, if, in this world war, we prove worthy sons of noble sires by carrying OUR FLAG to the battlements of Berlin, there to uncerown the Hohenzollern and hamstring the Beast.

"And the star spangled banner in triumph shall wave
While the land of the free is the home of the brave."

W. E. Lindsey.

In a statement made by Governor Lindsey summing up his administration, the important events are so clearly set forth that it is deemed wise to let him speak for himself.

The illness of Governor E. C. de Baca hung like a pall over the members of the Third Legislature and little was accomplished during the early days of the Session. After his death the Legislature, realizing in spite of the general grief of the state, that the purpose for which they met must be accomplished, took up their work. "In the remaining twenty day period of the regular session, resolutions were adopted and laws enacted which went far to consummate the desires and hopes of the forward and upward looking people of the state.

"Among those, conspicuous for notation and remark, was that submitting to the will of the franchise of the state, Article XXIII, of the Constitution, prohibiting the manufacture and importation of alcoholic liquors for sale, barter, or gift, from and after October 1st, 1918. The timeliness and wisdom of this action were conclusively established at the November, 1917, election in its adoption by a vote of approximately three for to one against.

"Other acts of that legislative session of far reaching consequence to the people of our state are that providing for a
secret ballot; a state budget; workmen's compensation; the consolidation of rural schools; the determination and investment of the state's permanent public lands fund, an act relating to public highways and bridges, and others.

"From the very hour when the congress of the government at Washington declared that the imperial German was carrying on war against the government of the United States of America, every available resource of power, both legislative and executive, in the state of New Mexico, has been freely and enthusiastically contributed to aid in the accomplishment of the will to win the war for the preservation of the nation and the rights of free governments and free peoples. The orders of the President as commander in chief of the army and navy of the United States, in their application to this state, have been faithfully executed and the requirements of the general government, from the people of this state, have been more than met in every instance.

"Twenty-four days after the declaration of war, the legislature of the state assembled in special session and, in the brief period of eight days, enacted laws that enabled our people to pass at once from a status of profound industrial peace promotion to a status of universal war promotion. By Chapter Three of that session acts, the authority and exercise of plenary power, was not only freely conferred upon the state executive, but all necessary and required exercise thereof was demanded of him. By Chapter Four of that session acts, provisions for arming the state in its self defense were enacted; and Chapter Five thereof created the council of defense for the state and put at the disposal of the executive, war credit to the amount of $750,000."

Immediately after the adjournment of the special session of the legislature, the Council of Defense was organized. The governor was in constant touch with all its splendid labors for the increase of foodstuffs, for the rapid and effective mobilization of men, for the encouragement of all the Liberty Loan and War Fund Drives.
Near the close of Governor Lindsey's administration it was reported that various soldiers at Camp Kearney and at Camp Cody were being discriminated against. At the bottom of this discrimination was the ignorance of the officers higher up of the officers who did come in contact with the splendid men from this state. Governor Lindsey went to Camp Kearney and protested that every man from New Mexico should receive proper treatment, no matter how inadequate his knowledge of the English language might be. After investigating the situation, Major General Strong wrote Governor Lindsey as follows: "I am glad to say that the Spanish Americans are now happily situated. When we began to arrange for transfers, much to our surprise and delight we found that commanding officers did not want to give them up... I shall take a personal interest in looking after these men, who, from the fact that they cannot speak English, are at a disadvantage." One result of this visit was that schools of instruction in the English language were formed for those who could not speak the language. A similar change was effected by Governor Lindsey's visit to Camp Cody, in improving the condition of the volunteers and draftees who were being discriminated against because they could not speak the English language.

The last official act of Governor Lindsey which was of special importance was his trip to Washington for the purpose of securing compensation from the government for expenditures at the College of Agriculture and Mechanic Arts and at the University for the training of soldiers in the Students' Army Training Corps, and also to interest the government in the reclamation of the Rio Grande Valley.

Governor Lindsey's administration was clean, patriotic, effective, and worthy of the great state of New Mexico.

Frank H. H. Roberts.
THE FIRST TERM OF THE AMERICAN COURT
IN TAOS, NEW MEXICO.

Francis T. Cheetham

Hubert Howe Bancroft, in his monumental work on the History of the Western States, devotes two volumes to Popular Tribunals. He might have used the term "Vigilante Justice." He shows that in nearly all the western states, it took some years before the courts began to properly function. Judges and District Attorneys were chosen, took oaths of office and drew their salaries; but criminals went unpunished. The invariable rule is that when those, whose duty it is to enforce the law, utterly fail to do their duty for any considerable length of time and lawless men are permitted to disregard the law as a means of money gathering, the common people, when the breaking point is reached, rise up, take the law into their own hands and administer attempted justice without law. This is the experience of the ages.

An examination of the record of the First Term of the Circuit and District Courts for the Northern District of New Mexico, which convened at Taos, April 5, 1847, a copy of which record is hereto appended, discloses a remarkable achievement. And, while it took from two to ten years for the courts to begin to function properly in the other western commonwealths, this court established a record, probably never excelled in the history of the world, for the dispatch and sound discretion exercised in the transaction of the business then before the court.

As to the personnel of this Court, it will readily be seen that it was a Trader’s and Trapper’s Court. Don Carlos Beaubien, the presiding judge, was a native of Canada of French extraction, who came to New Mexico in 1823, and settled in Taos; and while what he did not know about the law would fill volumes, yet he was a man of intelligence and
action. That his reasoning faculties were good is well shown in the argument he advanced against Padre Martinez in his answer to the learned padre's protest against Beaubien's petition for the land grant, since known as the Maxwell Land Grant. Joab Houghton was a native of New York, a college man and a civil engineer by profession. He came to New Mexico in November, 1843, and located in Santa Fe. He had succeeded Manuel Alvarez as U. S. Consul at Santa Fe before the Mexican War. When Gen. Kearney organized the courts of the provisional Territory, he appointed Houghton, an American, Chief justice, and Charles Beaubien, a Frenchman, and Antonio J. Otero, of Spanish blood, as associate justices. Frank P. Blair, the United States attorney was probably the only lawyer present and he had just lately been admitted to practice in his native state. On account of ill health he had come west and stopped for some months at Bent's Fort on the Arkansas, and when the Mexican War started he came in with the army. Of the nineteen men who composed the grand jury, four were Americans. George Bent the foreman was a brother of the slain governor. James S. Barry and Joseph M. Graham were sturdy mountain-men and Elliott Lee was a relative of Stephen Louis Lee, late Sheriff of the County. The venire of the petit jury contains some interesting names indeed. On this list we find such men as Lucien Maxwell, who had been one of Fremont's men of the first and second expeditions of the Pathfinder. Joseph Paulding was a noted trapper who had migrated to California in 1832 and had constructed the first billiard table on the coast. Bautiste Charleyfoe had trapped all the way from the Saskatchewan to the Gila and came near losing his scalp in the Snake country. Charles Town was likewise one of Fremont's men and was well known from the Sweetwater to the Gila. Sir William Stuart knew him on Lewis' Fork and says he wrote a song, the last two lines of which ran:—

"The rock rushed down with a mighty din,
And broke a gun and a Frenchman's shin."
Antonio Leroux was a noted scout and guide. Benjamin Day was one of Ewing Young's trappers back in the 'twenties and had accompanied the latter to California in 1831. Asa Estes was probably of the family of Geo. H. Estes, who, with others had petitioned in 1884 for a grant on the Sapello, where Ft. Union was afterwards established. Charles Roubidoux was also a noted scout and guide to General Kearney and others, and afterwards led the Sitgreaves Expedition. He belonged to that noted family of our traders who founded St. Joseph, Mo., and Riverside, Cal., and who maintained two forts in the mountain country. A number of the jurors of Spanish blood had long been trappers. Their contempt for the ordinary type of Missouri Volunteer is well shown in the following lines taken from Louis H. Garrard's book entitled "Wash-to-yah, or the Taos Trail," published in 1850,—if a digression may be indulged, for it throws an interesting side light on the scene. Garrard visited the Taos "carcel" or prison on April 9th, 1847, the day of the first judicial hanging. In part he says:

"Entering a portal, with a nod to the sentinal on duty, we found ourselves in a court. In a room fronting this, was a ragged, ill-looking pelado, conversing with a miserably-dressed old woman—his mother—and discussing greenish-blue tortillas, and chile colorado, under the espionage of a slouching attired, long-haired, dirty and awkward volunteer, who to judge by his outward show, was no credit to his corps, or silver-gilt eagle buttons. He leaned in a most unsoldierlike position against the doorframe, and on our near approach, drew his feet somewhat closer to perpendicular, accosting us with—'Well, strangers! how are ye?'

'Quite well, thank you,' replied one of us.

"Them's great briches of yourn,’ broke in he, abruptly, after eyeing my fringed buckskins for some moments, 'Whar'd they riginate—SantyFee? Beats linsey-woolsey all holler, down to Galaway county.'
'Santa Fé,' replied Hatcher, disgusted with the fellow's simplicity, 'Why hoss, them's Californy!'

'Californy! My oh! let's look at them, stranger. Californy! way over yonder!' half way soliloquising, and staring me doubtingly, with a side twist to his head, and a knowing squint from his porcine eyes, 'now you don't mean to say, you was in them briches when they was in Californy?'

'Him?' interrupted Hatcher, wishing to astonish the man, 'that boy's been everywhar. He's stole more mule flesh from the Spaniards, and raised more Injun hal' than you could tuck in your belt in a week,'

'How raise Injun hair? like we raise corn and hemp to Callaway County or jest like we raise hogs and y'oxens.'

'Oh! you darned fool,' retorted Louy Simonds, 'a long ways the greenest Ned we see yet, No!' rejoined he imperatively, 'when an Injun's a gone beaver we take a knife like this,' pulling out his long scalp blade, which motion caused the man to open his eyes, 'ketch hold of the top knot and rip skin and all rite off, quicker an' a goat could jump.'

'What's a gone beaver, stranger?' again spoke up our verdant querist.

'Why, whar was you brung up, not to know the meanin' of sich terms-we'd show you round fur a curiosity up in the mountains- let's go, fellers.'

We started to another part of the jail, but were stopped by a final question from our brave volunteer to Hatcher-

'Stranger! what mout your name be, ef I mout be so free-like?'

'Well, hos!' returned the questioned, 'my name mout be Bill Williams, or it mout be Rube Herring, or it mout be John Smith, or it mout be Jim Beckwith, but this buffler's called John L. Hatcher, to rendezoo. Wagh!''

Garrard left behind the most complete narrative of the proceedings of this court, outside its own record. He revolted at the idea of the hanging of a man for high treason. No doubt he was right, but the mountainmen evidently thought
that Polo Salazar deserved hanging on general principles, for they did not hesitate to acquit the next man charged with the same offense. Garrard, at the time, was a mere boy scarcely eighteen years of age and he had not learned the code of the mountainmen, which required an eye for an eye and a tooth for tooth. Moreover he allows his poetic inclination to lead him into some errors, as to the facts, as will appear from the court record; but as a whole his narrative is reliable and intensely interesting and as a literary effort, it is a classic.

This Court was in session fifteen working days, during which time seventeen men were indicted for murder, fifteen of whom were found guilty and two not guilty, by the jury. Five men were indicted for high treason, one of whom was convicted, one acquitted by the jury and three went out on a nolle. Seventeen were indicted for larceny of whom six were convicted, three found not guilty, seven discharged by a nolle prosque and one case appears to have been continued for the term. In no instance was a plea of guilty entered. Every man "put himself on the country;" there was no talk about the law's delays here, for this court convicted a man of murder, for each and every working day of the term. Appeals were not much in favor in this court, for each homicide convict was hanged before a transcript could have been written. Before this Court did its work, the Taos country had been a hotbed of revolution. Practically every insurrection in Northern Mexico had had its inception at this place. But since the fifth of April, 1847, revolution has not been popular in the Valley of Taos.

The record of the Court is as follows:—

Be it remembered that on this Fifth day of April in the year of our Lord Eighteen hundred forty seven. The Honorable District Court of the Territory of New Mexico, convened in pursuance to an order from the Judge thereof, at Don Fernandez de Taos, in said Territory. The Honorable Charles Beaubien presiding Judge assisted by the Honorable Joab Houghton, Judge of the Central District.
The Marshall proclaimed the Court opened in due form and ready for the transaction of business, the Marshall returned the venire for the Grand Jury, with the names, George Bent, James S. Barry, Joseph M. Graham, Antonio Ortiz, Jose Gregory Martinez, Miguel Sanchez, Elliot Lee, Mariano Martin, Matias Vigil, Gabriel Vigil, Santiago Martinez, Ventura Martinez, Jose Cordoval, Felipe Romero, Ramonde Cordoval, Antonio Medina, Jose Angel Vigil, Antonio Jose Bingo, Jean Bennette Valdez.

The Court organized the grand jury by appointing George Bent as foreman, who took the necessary obligation, and the others took the oath of Grand Jurors, when the Court charged the said Grand Jury in relation to the duties involved upon them as Grand Jurors as aforesaid, after which they retired, when the Court adjourned until tomorrow morning at nine O'clock, previous to which Mr. Theodore Wheaton presented his Commission from the acting Governor of the Territory of his appointment as Circuit Attorney for the Northern District of the Territory of New Mexico, the Court received said commission and ordered it to be filed.

Robert Carey
Approved
Clerk

Don Fernando de Taos, April 6, 1847.

"The Court opened pursuant to adjournment. The Grand Jury appeared and all answered to their names, when they presented several Bills of Indictment, among whom were the, Territory of New Mexico vs Jose Manuel Garcia.

And now on this day P. P. Blair, Esq., appears on behalf of said Territory and is prepared for trial. The Council for the defendant not being ready ask the Court to adjourn until the afternoon. Whereupon the Court grants said request and adjourns accordingly. The Court meets, the parties appearing, when the defendant pleads not guilty to the charge, whereupon a jury is called and sworn consisting George Long, Lucian Maxwell, Joseph Play, Charles Ortibus, Antonio Dewitt, Peter Joseph, Benjamin Day, Joseph Paulding, Edmond Chadwick Charles Town, Bautiste Charleyfoe and Henry Katz, the evidence being submitted to them they return the following verdict.
We the Jury find the defendant Guilty as charged in the Indictment. It is therefore considered and adjudged by the Court that the said defendant is guilty as charged, and that he be taken to the jail, from whence he came and there remain until the sentence of death be passed upon him the said defendant after which the Court adjourned until tomorrow morning at 9 O'clock.

Robert Carey
Clerk.

Don Fernandez de Taos, April 7, 1847.

The Court met pursuant to adjournment, the Grand Jury appeared and answered to their names, the Prisoner Jose Manuel Garcia who had on the previous day been convicted of Murder was brought into Court, when the sentence of death was passed upon him, to-wit:

That on Friday next the 9th Inst. he be taken from the Jail of said County to the place of execution and between the hours of ten O'clock in the forenoon and two o'clock in the afternoon and hang him said Jose Manuel Garcia by the neck until he is dead.

Territory of New Mexico
vs
Indictment for Murder.
Pedro Lucero, Manuel Romero,
Juan Ramon Trujillo, Isidor Romero.

And now on this day the parties appear and are ready for trial, the said defendants plead not Guilty to the Charges as set forth in said Indictment, whereupon a jury is called, empaneled and sworn, to-wit: Juan Miguel Baca, Julian Lucero, William LeBlanc, Henry Katz, Bautiste Charleyfoe, Robert Fisher, Manuel Lafore, Charles Ortibus, Elijah Ness, Peter Joseph, C. L. Courrier, Jose Maria Valdez. The Council for the defendants submit a plea to quash said Indictment, the Court after due consideration overrules said plea and the trial proceeded, the Evidence having been submitted the jury returned the following verdict: We the Jury find named defendants Guilty as Charged in the Indictment.

It is therefore considered and adjudged by the Court that the said Defendants be taken from the place of their confinement, on Friday next the 9th Inst. to the place of Execution and between the hours of ten o'clock of the forenoon
and two o'clock of the afternoon hang them by the neck until they are dead.

Aprove:  
Charles Beaubien.

Don Fernandez de Taos, April 7th 1847.

The United States District Court open in the regular form, the same Judge presiding. The Grand Jury appeared and answered to their names and presented a Bill of Indictment.

United States
vs
Indictment for High Treason
Polo Salizar.

And on this day Comes the U. S. District Attorney, F. P. Blair, Esq. and the Defendant with his Council, who pleads Not Guilty to the Charge as set forth in the Indictment. Whereupon a Jury is called empaneled and sworn, to-wit: Juan Miguel Baca, William Le Blac, Henry Katz, Baptiste Charleyfoe, Robert Fisher, Manuel Lafore, Charles Ortibus, Elijah Ness, Peter Joseph, C. L. Corrier and Jose Manuel Valdez.

The evidence being submitted to the Jury, they returned the following verdict: we the Jury find the Defendant Guilty as charged in the Indictment. Robert Fisher, Foreman. Whereupon it-Considered and Adjudged by the Court that the said Defendant - the penalties of law and that he be taken to the Jail and there remain until the sentence of Death be passed upon him after which the Court adjourned to tomorrow Morning at nine o'clock.

Aprove
Charles Beaubien.

Don Fernandez de Taos, April 8th 1847.

The Circuit Court met pursuant to adjournment, the Grand Jury appeared and answered to their names. The Prisoner Polo Salazar who was convicted of High Treason was brought into Court, when the Sentence of Death was passed upon him to-wit: That on Friday next the 9th Inst he be taken from the Jail of the County of Taos, to the place of Execution and there between the hours of Ten o'clock of the forenoon and
Two o'clock of the afternoon he the said Polo Salizar be hung by the neck until he is dead. Francisco Naranjo, Jose Gabriel Somoro, Juan Domingo Matins Juan Antonio Lucero and El Curero has been indicted by the Grand Jury.

Territory of New Mexico,

vs

Indictment for Murder,

Francisco Naranjo, Jose Gabriel Somoro, Juan Domingo Martins, Juan Antonio Lucero and El Cuero.

And now on this day comes the Circuit Attorney, and the said defendants with their counsel, and pleads not guilty as charged, Whereupon a jury is called, empaneled and sworn to wit: Manuel Lafore, Edmund Chadwick, Benj. Davy, Charles Town, C. L. Corrier, Elijah Ness, Lewis Simmonds, Basal Le-Rew, Baptiste Charleyfoe, Jos. Paulding, Thomas Whitlo and John L. Hatcher, during the pendency of the case the Court adjourned to two o'clock in the afternoon, when the Court met and the trial proceeded, the evidence having been given to the jury and a brief argument by the counsel the matter was submitted, they returned the following verdict. We the Jury find the above named defendants Guilty as charged in the Indictment.

Whereupon the Court considered and adjudged that the said Defendants suffer the penalties of the law in such cases and that the defendants aforesaid be sent back to the Prison and there remain until the sentence of death be passed upon them after which the Court adjourned until Friday the 9th Inst at nine o'clock.

Robert Cary,

Clerk

Don Fernandez de Taos, Apl, 9, 1847.

The Court met pursuant to adjournment, Manuel Miera, Manuel Sandoval, Rafael Tafoya and Juan Pacheco who had been Indicted for Murder and Francisco Rivole charged with High Treason who all plead not Guilty as charged. The counsel for Francisco Rivole moved the postponment of said trial until Monday. The Court considers said motion and
grants said request, after which the Court adjourned until Saturday the 10th Inst.

Approve
Charles Beaubien.

Don Fernandez de Taos, Apl 10-47.

The Court met pursuant to Adjournment; Mr. Allen Counsel for the Five Indians who were convicted of Murder on the 8th Inst, Submitted a Motion to the Court to Set the Verdict aside and order a new trial; the Court after duly considering said Motion it was overruled, and the Sentence of Death was passed upon said Prisoners, to-wit, That on Friday the 30th Inst they be taken from the jail to the place of Execution and between the hours of Ten O'clock of the forenoon and Two O'clock of the afternoon, of said day they be hung by the neck until they are dead.

Territory of New Mexico

vs

Indictment for Murder.

Manuel Miera, Manuel Sandoval
Rafael Tafoya, Juan Pacheco.

And now on this day comes the Circuit Attorney, and the said Defendants with their counsel and being ready for trial a Jury is called, empaneled and sworn to-wit: Horace Long, Joseph Pley, Manuel Lafore, Peter Joseph, Benjamin Day, Joseph Paulding, Edmund Chadwick, Asa Estes, John S. Hatcher, Louis Simmons, Thos. Whitlo and Baptiste Charleyfoe. The evidence being Submitted to the Jury they returned the following verdict. We the Jury find the above named defendants Guilty as charged in the Indictment. It is therefore Considered and adjudged by the Court that the said defendants suffer the penalties of the law in such cases made and provided, and that on Friday the 30th day of April next they the said defendants be taken from the Jail of their confinement to the place of execution and between the hours of Ten O'clock of the forenoon and Two O'clock of the afternoon of said day they be hung by the neck until they are dead, after which the Court adjourned until Morning at Nine O'clock.

Approve,
Charles Beaubien.

Robert Cary
Clerk
Don Fernandez de Taos, Apl 12' 1847.

The Court met pursuant to Adjournment. Grand Jury called and answered to their names and presented a True Bill.

Territory of New Mexico

vs

Indictment for Murder.

Asencio.

And now this day comes the Circuit Attorney and the said defendant with his counsel and said defendant pleaded not Guilty as charged. Whereupon a Jury is called, empaneled and sworn to-wit: Horace Long, Lucian Maxwell, Antonio Dutt, Peter Joseph, Benj. Day, Asa Estes, Charles Town, Elijah Ness, Manuel Lefore, Baptiste Charleyfoe, Berall LeReW and Rovert Fisher. The Evidence having been given to the Jury they returned the following verdict: We the Jury find the Defendant Not Guilty as charged in the Indictment, Benj. Day, Foreman. It is therefore considered and adjudged by the Court that said defendant be discharged from the custody of the law and that he go his way, after which the Court adjourned.

Aprove,
Charles Beaubien.

Robert Cary,
Clerk

Don Fernandez de Taos, Apl, 12, 1847.

The U. States District Court met. Grand Jury called and answered to their names.

United States

vs

Indictment for High Treason.

Francisco Revali.

And now on this day the U. S. Attorney appeared and the defendant with his counsel. A Jury was called, empaneled and sworn, to-wit: Horace Long, Peter Joseph, Benj. Day, Jos. Paulding, Chas. Town, Antonio Duet, Basil LeReW, Jose Ignacio Valdez, Edmund Chadwick, Pedro Valdez, Asa Estes and Rafael de Serna. the evidence being submitted the jury return the following verdict, We the jury find the defendant not guilty as charged in the Indictment. Edmund Chadwick, Foreman. It is therefore adjudged and considered by the Court that the said defendant be discharged from the custody of the law and that he depart without day.
Indictment for Murder.

Territory of New Mexico vs Juan Antonio Avile.

The Circuit Attorney appears and the defendant with his counsel and are ready for trial when the court adjourned until tomorrow at Nine O'clock.

Approved.

Charles Beaubien.

Don Fernandez de Taos, Apr 12, 1847.

The court met pursuant to adjournment and the case of the Territory of New Mexico vs Francisco Revali.

Continued. A jury was called, empaneled and sworn, to-wit: Horace Long, Peter Joseph, Benj. Day, Jos. Paulding, Charles Town, Antonio Duet, Basil Le Rew, Jose Ignacio Valdez, Edmund Chadwick, Pedro Valdez, Asa Estes and Rafael de Luna, the matter being submitted the jury return the following verdict. We the jury find the defendant not guilty as charged in the indictment. It is therefore adjudged and considered, by the court that the defendant be discharged from the custody of the law and that he go his way. Being entered by the court as an attorney, was enrolled accordingly after which the court adjourned.

Charles Beaubien.

Don Fernandez de Taos, April 13, 1847.

The court met pursuant to adjournment.

Territory of New Mexico v Juan Antonio Avila

Indictment for Murder.

And now on this day comes the Circuit Attorney and the defendant with his counsel and being prepared for trial a jury is empaneled and sworn to-wit: Robert Fisher, Antonio Deitt, Peter Joseph, Joseph Paulding, Edmund Chadwick, C. L. Corrier, Pedro Valdez, Vidal Trujillo, Asa Estes, Jose Ignacio Valdez, Rafael de Luna and Benjamin Day. The evidence having been given to the jury, they returned the following verdict. We the jury find the defendant Guilty as charged in the indictment. It is therefore adjudged and
considered, by the Court that the defendant suffer the penalties of the law and that on Friday the seventh day of May next he be taken from the jail of the County to the place of execution and between the hours of Ten O'Clock of the forenoon and two o'clock of the afternoon of said day he the said Antonio Avila be hung by the neck until he is dead. The U. S. District Attorney entered a nol prosque in the case of the United States vs Varua Tafoya, Felipe Tafoya, Pablo Guerrera, charged with High Treason and are accordingly dismissed.

Don Fernandez de Taos, Apr 14, 1847.

The Court met pursuant to adjournment.
Martinez v Romero, Suit dismissed at the cost of the Plain-tiff.
Lee v Trujillo, Suit renewed
Lee v Martinez, Suit renewed
Town v Wife, Suit dismissed at the Cost of Plff.
Day v Truly, Suit dismissed at the Cost of Plff.
Joseph v Montaño, Suit renewed.

Territory of New Mexico
v
Indictment for Larceny,
Jesus Silva.

And on this day the said defendant is brought into and pleads not guilty as charged, he asks the Court through his counsel to postpone the case until the 15th, the Court grants the request and continues the case.

Territory of New Mexico
v
Indictment for Larceny.
Miguel Volina, Farel Peralta, Soledad Sandoval.

The defendants appears and pleads not guilty as charged, when the Court adjourned to cases until tomorrow the 15th Inst. After which the Court adjourned until tomorrow morning 8 O'clock.

Robert Cary
Aprove
Charles Beaubien.

Don Fernandez de Taos, Apr 15, 1847.

The Court met pursuant to adjournment.
Territory of New Mexico v Jesus Silva, Continued to Monday the 19th Inst.
Territory of New Mexico

vs

Indictment for Horse Stealing.

Miguel Molina.

And now on this day the defendant is brought into Court and pleads not guilty. Whereupon a Jury is called, empaneled and sworn, to-wit: Peter Joseph, Charles Town, C. L. Corrier, Basil Le Rew, Thos. Whitlo, Blass Trujillo, Inline Lucero, Jose Ignacio Valdez, Edmund Chadwick, Momingue LeGrand, Jose Tafoya and Rafael Sanchez, the evidence being given, the Jury found the following verdict. We the Jury find the Defendant guilty as charged and assess his punishment at Fifty lashes, on his bare back, well laid on. Edmund Chadwick Foreman. It is therefore considered by the Court, that the said defendant suffer the penalties as set forth in the verdict, to-wit: that in Fifteen minutes after the said sentence he the said defendant receive twenty-five lashes tomorrow morning at 8 o’clock he receive twenty five and be further remanded to Prison until the Costs in this behalf are paid, and the said defendant was indicted by the Grand Jury, charged with Horse Stealing, and the Circuit Attorney entered a nol pros. que and discharged from the second Indictment, after which the Court adjourned until 2 o’clock.

Rafael Teralto.

And now on this day comes the Circuit Attorney and the defendant with his counsel and pleads Not Guilty as charged, a Jury is called, empaneled and sworn, to-wit: Robert Fisher, Manuel Lefore, Charles Town, Elijah Ness, Jose Ignacio Valdez Jose Tafoya, Juan Miguel Baca, Blass Trujillo, Thos. Whitto, Chas. Roseleecheuf, Rafael Sanchez and Julian Lucero, the Jury after hearing the evidence returned the following verdict. We the Jury find the Defendant Not Guilty, Chas. Town, Foreman. It is therefore considered by the Court, that the said defendant be discharged from the custody of the law and that he go without day- after which the Court adj. until tomorrow at 9 O’clock.  

Aprove,

Charles Beaubien.
Don Fernandez de Taos, April 16th 1847.

The Court met pursuant to adjournment.
Territory of New Mexico, vs
Indictment for Horse Stealing.
Jose Fabian Baca.

The defendant appears with his counsel and pleads not guilty. Whereupon a Jury is called, empaneled sworn, to-wit: Jos Play, Louis Sheets, Chas. Roubideaux, C. L. Corrier, Jos. Paulding, Benj. Day, Peter Joseph and Blass Trujillo. The evidence being submitted to the Jury the return the following verdict. We the Jury find Jose Fabian Baca Guilty as charged and condemn him to receive twenty five lashes on his bare back, Edmund Chadwick Foreman. It is therefore considered by the Court that the said defendant be punished in accordance with the verdict, and that at Six of the afternoon of this day he receive upon his bare back and that said defendant satisfy the costs in this behalf expended.

Territory of New Mexico v Soledad Sandoval, Case continued.

Territory of New Mexico, v
Indictment for Larceny.
Jesus Silva.

And now on this day the defendant appears with his counsel who plead not guilty as charged, whereupon a Jury is called, empaneled and sworn, to-wit: Antonio Duett, Basil Lerue, Robert Fisher, Lewis Sheets, Elijah Ness, Horace Long, Benj. Day, Lucian Maxwell Charles Town, Peter Rushford, Pablo Archuleta and Jose Ignacio Valdez. The evidence being they returned the following verdict. We the Jury find the defendant Not Guilty, Lewis Sheets, Foreman. It is therefore considered and adjudged by the Court, that the said defendant be discharged from the consideration of said Indictment, but the Court ordered the said defendant back to Prison, and there to await the trial of another Indictment of a similar character after which the Court adjourned until tomorrow morning at 9 o’clock.

Aprove
Charles Beaubien.


The Court met pursuant to adjournment, and being no
business prepared, the Court adjourned until 2 o'clock of
the afternoon, at which time the Court met and still no busi-
ness to be brought forward the Court adjourned until Mon-
day Morning at 9.

Robert Cary
Clerk

Aprove
Charles Beaubien.

Don Fernandez de Taos, April 20, 1847.

The Court met pursuant to adjournment.

Territory of New Mexico, vs

Jose Mariana Samora.

Indictment for Mule Stealing.

And on this the parties appeared the defendant pleads
not guilty as charged whereupon a Jury is called to-wit: A.
B. Robans, Peter Joseph, Thos. Whitlo, Chas. Town, Elijah
Ness, Basil Lerew, Juan Tafoya, C. L. Carrier, Vicente Carde-
ñas, Juan Trujillo and Jesus Tafoya who being duly sworn
to try the cause, and hearing the evidence they return the
following verdict. We the Jury find the above named de-
fendant Guilty, and assess the punishment to twenty five
lash on his bare back. It is thereupon considered and
adjudged, by the Court, that said defendant receive the pun-
ishment as set forth in said verdict and that on this afternoon
at Six o'clock, the said defendant receive twenty five lashes
on his bare back.

Territory of New Mexico vs Archuleta, by agreement of coun-
" sel a nol pros entered. Same v Nicolas de Herrera and Jesus
Mondracon were discharged by paying costs. Court adjourn-
ed until 2 o'clock.

Don Fernandez de Taos, Apl. 20-47.

The Court met pursuant to adjournment, the Grand Jury
appeared before the Court and prayed that the Court would
discharge said Grand Jury from further consideration of the
duties, for which they had been called together as they had
finished the business as enjoined upon them by the Court.
The Court hearing said prayer from said Grand Jury and ac-
cordingly they were discharged.

Territory of New Mexico, vs

Indictment for

Jesus Baca.
And now on this day the Circuit Attorney and counsel for defendant by their agreement, a nol Pros que was entered and said defendant was released from the penalty of the law and the cost in this behalf expended be rendered against said defendant after which the Court adjourned to 2 o'clock.

Don Fernandez de Taos, April 20th 1847.

The Court met pursuant to adjournment.

Territory of New Mexico

vs

Indictment for Larceny.

Lugarde Cortez and Guadelupe Montoya.

And now on this day the Circuit Attorney appears and also the said defendants with their counsel and pleads not guilty, whereupon a Jury is called, empaneled and sworn, to-wit: Wm. Rutherford, Elijah Ness, Peter Joseph, Jose Tafoya, Juan Miguel Baca, Juan Trujillo, Jesus Romero, Pedro Valdez, Julian Martinez, Vicente Cardenas and Juan Cristobal Tafoya; the Evidence being given to the Jury, they returned the following verdict. We the jury find the above named Defendants Guilty and assess the punishment to Lugarde Cortez one year imprisonment at hard labor and Guadelupe Montoya a fine of Ten Dollars. C. L. Corrier Foreman. It is therefore considered and adjudged by the Court that said defendants be punished as set forth in said verdict and that the costs in this behalf expended be rendered against them.

Territory of New Mexico

v

Indictment for receiving stolen goods.

Jose Maria Bent.

And now on this day appears the Circuit Attorney and the said defendant with his counsel and pleads not guilty as charged. Whereupon a jury is called, empaneled and sworn, to-wit: A. B. Robann, Thos. Whitlo, Elijah Ness, C. L. Corrier, Basil LeRew, Jose Tafoya, Jose Maria Sandoval, Pedro Valdez, Juan Miguel Baca, Juan Trujillo, Jesus Romero and Juan Tafoya, the Jury after hearing the evidence returned the following verdict: We the Jury find the defendant not guilty, C. L. Corrier, Foreman. It is therefore adjudged and considered, by the Court, that the said defendant be discharged from the custody of the law and that he go without day; the sentence of Jose Maria Samora was postponed by the
Court until Thursday the 23rd Inst. at 8 o'clock of the forenoon.

Aprove

Charles Beaubien.

Don Fernandez de Taos April 23d 1847.

The Court met Pursuant.

Territory of New Mexico

vs

Indictment for receiving stolen goods.

Rafael Lucero.

And now on this day the Circuit Attorney appears and the defendant with counsel and pleads not Guilty as charged. Whereupon a Jury is Called, Empained and sworn to-wit: Chas. Town, Wm Rutherford, Elijah Ness, Lucian Maxwell, Basil LeRew, Antoine Duett, Peter Joseph, Tomas Romero, Antonio Martinez, Rafael de Luna, Juan Rafael de Serna and Vicente Martinez, who hearing the evidence, the Circuit Attorney entered a noll pros in the case. Whereupon the Court discharged the said Defendant from the custody of the law.

Territory of New Mexico.

vs

Indictment for receiving stolen goods.

Mariano Martin.

And on this day the parties appear and the defendant pleads not guilty as charged. Whereupon a Jury is called to-wit: Peter Joseph, William Rutherford, Elijah Ness, Antonio Duett, Lucian Maxwell, Basil Lereu, Chas. Town, Rafael de Luna, Tomas Lucero Juan Rafael de Luna, Vicente Cardenas and Antonio Lucero, who being duly sworn to try the case and after the evidence being submitted, the Circuit Attorney entered a Noll pros in the case, and the Court discharged said defendant when the Court adjourned till 2 o'clock of the afternoon.

Aprove,

Charles Beaubien.

Don Fernandez de Taos, April 23d 1847.

The Court met pursuant to adjournment.

Territory of New Mexico,

v

Jesus Silva.
And now on this day comes the Circuit Attorney and the defendant with his counsel and pleads not guilty to the charge. Whereupon a Jury was called, to-wit: A. B. Robans, Lewis D. Sheets, Wm Rutherford, Antonio Duett, Thos. Whitlo, Peter Joseph, Henry White, Basil Lerew, Chas. Town, Juan Tafoya, C. L. Corrier and Elijah Ness, who being duly sworn to try the case, the Evidence having been submitted they returned the following verdict. We the Jury find the Defendant Guilty and assess the punishment at twenty five lashes, A. B. Robans Foreman. It is therefore considered by the Court, that the said defendant receive on his bare back, Twenty Five lashes, on the 24th Inst at a quarter past one of the afternoon, after which the Court adjourned to 9 o'clock tomorrow morning.

Aprove

Charles Beaubien.

Don Fernandez de Taos, Apl 24 1847.

The Court met pursuant to adjournment and there being no further business for the consideration of the Court, an adjournment was ordered until the next regular term there­of. (On the margin is written the word "void.")

The Circuit Attorney appears and also the counsel for Jose Maria Samora and prays the Court to remit the punishment of said defendant and to impose a fine of one hundred Dollars and costs, the Court duly considers said prayer and or­ders the Sheriff to remit the punishment for which said de­fendant was found guilty, and the execution be issued for One Hundred Dollars. The after which the Court duly ex­amined the records from the commencement and finds them correct, signs them as approved, there being no further busi­ness for the consideration of the Court, order an adjourn­ment until the next regular term.

Aprove

Charles Beaubien.
DON JUAN DE ONATE AND THE FOUNDING OF NEW MEXICO.

A NEW INVESTIGATION INTO THE EARLY HISTORY OF NEW MEXICO IN THE LIGHT OF A MASS OF NEW MATERIALS RECENTLY OBTAINED FROM THE ARCHIVO GENERAL DE INDIAS, SEVILLE, SPAIN.

By
George P. Hammond, Ph. D.

Chapter I.
The Early Expeditions Into New Mexico.

Cabeza de Vaca. The northern frontier of New Spain soon became famed as a land of mystery. After Cortés had completed the conquest of Tenochtitlán the adventurous Spanish conquistadores began to seek for other Mexicos to subjugate. A hasty exploration of the surrounding territory soon revealed the fact that such riches were not to be found near at hand. But when Cabeza de Vaca in 1536 straggled into Culiacán from Florida after an eight years jaunt through a "no man's land" his stories, retold by hungry fortune seekers, were sufficiently astounding to provide anyone with material for dreams of great conquests in the interior. When he went to Spain and told the wonderful tale of his experiences it added greatly to the enthusiasm in the De Soto expedition then preparing. In New Spain, where Antonio de Mendoza had but recently taken up his duties as first viceroy, Vaca's accounts stirred his ambition to acquire those fabled regions. Of course, the intrepid Cabeza did not visit New Mexico. But "the effective part of his statement was the report, obtained from the Indians, of populous towns with large houses and plenty of turquoises and emeralds, situated
to the north of his route." He was thus the first European to approach and hear of New Mexico, and his hearsay reports were the incentive which led to its discovery and exploration.

Fray Marcos de Niza. Mendoza's immediate plans for northern exploration failed to materialize. Nevertheless his interest did not abate, and when Coronado became the governor of Nueva Galicia he had instructions for carrying on certain preliminary discoveries with a view to bigger things should there be any excuse therefor. The expedition of Fray Marcos de Niza, a Franciscan missionary, was one of these tours. It was arranged by Viceroy Mendoza through his lieutenant Coronado.

Early in March, 1539, Fray Marcos set out from Culiacán on a reconnoitering expedition. He was accompanied by some guides and the negro Stephen, one of Vaca's companions, whom the viceroy had taken into his pay. Proceeding into Sonora Fray Marcos sent the negro on ahead to learn what he could. He soon sent back notice that the missionary should follow immediately, great news had been obtained. It was the Seven Cities, called Cibola, of which he had heard, and whose wealth was nothing short of marvelous.

Inland were the Seven Cities, situated on a great height. Their doors were studded with turquoises, as if feathers from the wings of the blue sky had dropped and clung there. Within those jeweled cities were whole streets of goldsmiths, so great was the store of shining metal to be worked.

Beyond these Seven Cities were other rich provinces, each of which was greater than any of the famous Seven.

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2. The standard books on the expeditions into New Mexico are: Bolton, H. E. "The Spanish Borderlands; Spanish Exploration in the Southwest, 1542-1706"; Bancroft, "Arizona and New Mexico;" Lowery, W. "The Spanish Settlements within the present Limits of the United States, 1513-1581;" Winship, George Parker, The Coronado Expedition; Twitchell, R. E. "Leading Facts of New Mexican History." The quotations are from the "Spanish Borderlands."
So, as ever in these tales, the splendor within reach was already dimmed by the splendor beyond! To Cibola, therefore, the friar set out on the second day after Easter.

Continuing northward to the Gila he heard of Stephen, accompanied by a band of three hundred Indians, farther on ahead toward the northeast. Fray Marcos followed in his wake, but soon learned bad news. A fleeing Indian told of Stephen’s capture at Cibola, where his party was met by a shower of arrows. It was stated by some that he fell during the attack. Undaunted by the news the friar continued forward, going far enough to get a glimpse of the Seven Cities of Cibola from a plateau. There he took possession in the name of the king and then hurried back fearful of being attacked, but reached Nueva Galicia in safety.

In the city of Mexico the descriptions of Fray Marcos of the great city, as he believed he had seen it with his very eyes, caused a tumult. Another Mexico had at last been found! The discovery was proudly proclaimed from every pulpit. It passed from mouth to mouth among the cavalier adventurers, dicing and dueling away their time and impatient for richer hazards and hotter work for their swords.

Coronado. Soon everybody wanted to go to Cibola, and in a short time the viceroy had enlisted three hundred Spaniards and eight hundred Indian allies to undertake the subjugation of the Seven Cities and other wealthy provinces beyond. Coronado was made their leader. The assembly took place at Compostela in February, 1540, whither the viceroy came to give his final blessing upon the venture. Two months later Coronado was on his way to the kingdom of fabled wealth.

Coronado’s plan was to hasten forward with a picked body of men, including the missionaries headed by Fray Marcos. Early in July he came within sight of Cibola. Bitter was the disillusion. Instead of great cities glimmering in wealth the conquerors saw a crowded village which at once showed fight. The Indians were soon driven within the walls, however, but
not till Coronado had been knocked from his horse by a rock and received an arrow wound in the foot. The defeated natives then deserted their stronghold. This satisfied the Spaniards as it was well stocked with food. It was Hawikuh which had been won, the ruins of which are to be seen about fifteen miles southwest of Zuñi, Coronado renamed it Granada, and there he remained till November, 1540.

Fray Marcos soon realized that Cibola was no place for him. It is not recorded that he was treated with violence by the disgusted soldiers, his cloak protected him, but it did not shield him from the terrible imprecations hurled at his head. His gross exaggeration was represented as falsehood, and he soon went south to escape the torment of his companions.

The Grand Canyon. While Coronado was resting, his lieutenants were sent to explore other provinces, which were now reported to contain the wealth not found at Cibola. Captain Tovar was sent to Tuzayán, the present Moqui towns in Arizona. After a short encounter with the Indians they sued for peace and became vassals of the king of Spain. They, too, had stories to tell and spoke of a great river several days' journey distant, flowing far down between red mountain walls. Captain Cárdenas was sent to verify the report, and thus became the first white man to view the Grand Canyon of the Colorado. His men made futile attempts to descend the gorge. On one occasion three of them spent a day in trying, but only succeeded in going one third of the distance.

The Buffalo Country. During the absence of Cárdenas visitors from the buffalo country came to call on Coronado. They were led by Bigotes, their be-whiskered chief, and sought the friendship of the Spaniards. They told of numerous "humpbacked cows" near their country and brought a picture of one on a piece of hide. Alvarado with twenty men was sent to accompany them on the return. Going by way of Acuco and Tiguex, in other words, by way of Acoma and the Tiguex villages on the Rio Grande, he reached Cicuye on the Upper Pecos on the border of the plains in fifteen days. Here he was not only well received but picked up a find, a
really good story-teller whom he called El Turco from his appearance. Before returning a trip was made to the buffalo plains with the new friend as guide. Once back at Tiguex, near present Bernalillo, he found Cárdenas preparing winter quarters for the army, and here he awaited Coronado's arrival. The latter had remained at Cibola till the main army came up. After a short rest it also set out to join Cárdenas and Alvarado.

El Turco's Tales. El Turco delighted the hungry fortune seekers with tales of a new El Dorado called Quivira. It was his own home, situated far to the east.

The chief of that country took his afternoon nap under a tall spreading tree decorated with an infinitude of little golden bells on which gentle zephyrs played his lullaby. Even the common folk there had their ordinary dishes made of 'wrought plate'; and the pitchers and bowls were of solid gold.

This cheering news made the army more hopeful and enthusiastic. But nothing could be done till spring. In the meantime trouble occurred with the natives. Chief Bigotes was put in chains when his tribe failed to produce some golden bracelets said to have been stolen from El Turco. Coronado next demanded three hundred blankets from the Tiguas. When these were not produced the natives were stripped of their garments. They rebelled and a battle followed. Soon the Indians begged for peace by making symbols and the Spaniards responded in like manner. But the conqueror was faithless. About two hundred were seized, many were burned, while the others broke away or died in the attempt. Never again did this people listen to proposals of peace from a race which could not be trusted.

The Expedition to Quivira. April 23, 1541, Coronado set out for Quivira under the guidance of El Turco. By June he was in western Texas where the main part of the army was ordered back to Tiguex. With a chosen body of men he continued, now veering to the north. In five weeks time the home of the Wichita Indians in Kansas had been reached.
There were no sparkling sails floated like petals on the clear surface of an immeasurable stream. No lordly chief drowsed to the murmur of innumerable bells. The water pitchers on the low entrances of their grassthatched huts, were not golden. "Neither gold nor silver nor any trace of either was found among these people."

El Turco confessed that he had been telling lies, but insisted that it was at the instigation of the people of Cieuyé, who desired that the Spaniards might perish on the plains or come back in such weakened condition that they could easily be overcome. After El Turco had been put to death for his perfidy Coronado returned to Tiguex. Here exploring parties were sent up and down the river, north to Taos, and as far south as Socorro.

The Return to Mexico. When winter came a great deal of suffering and discontent came with it. Next spring further explorations were planned, but then Coronado suffered a dangerous fall during a tournament. It was a long time before his recovery, and by that time he had given up all plans of conquest.

Hungry and tattered, and harassed by Indians, Coronado and his army painfully made their way back towards New Galicia. The soldiers were in open revolt; they dropped out by the score and went on pillaging forays at their pleasure. With barely a hundred followers, Coronado presented himself before Mendoza, bringing with him nothing more precious than the goldplated armor in which he had set out two years before. He had enriched neither himself nor his king, so his end is soon told: "he lost his reputation, and shortly thereafter the government of New Galicia."

A remnant of the wrecked expedition remained in New Mexico. Some Mexican Indians, whom we shall meet again, two soldiers, whose fate is unknown, and two missionaries and a lay brother, who suffered martyrdom in all probability, made up this group.

The Rodríguez Expedition. During the four decades which now elapsed before New Mexico again came into prominence the frontier of Spanish occupation had blazed new trails to-
ward the north. The discovery of mines was ever an important factor in expansion, and when these were discovered in the San Bartolomé valley it rapidly became the center of a thriving settlement. There were Santa Bárbara in southern Chihuahua, (frequently written Santa Bárbara in the early records), San Gerónimo, San Bartolomé and Todos Santos forming a group of towns in that vicinity. Here was stationed Fray Augustín Rodríguez, a Franciscan lay brother, who had heard of a great country to the north. His imagination was stirred by the report and he applied to the viceroy for permission to enter the land. The request was granted, but the soldiers who were to accompany him were limited to twenty. At the same time the latter were allowed to barter with the Indians, which made the expedition much more attractive.

With Rodríguez went Fray Francisco López, Fray Juan de Santa María, nineteen Indian servants, and nine soldier-traders. The soldiers were led by Francisco Chamuscado, "the Signed." They were equipped with ninety horses, coats of mail for horse and rider, and six hundred cattle, besides sheep, goats and hogs. For barter with the natives they carried merchandise. While the primary purpose of the stock was to provide food on the way, the friars were prepared to remain in New Mexico if conditions were propitious.

Leaving Santa Bárbara June 5, 1581, they descended the Conchos to the Rio Grande and then followed the latter to New Mexico, visiting most of the pueblo groups along the way, the Piros, Tiguas, and Tanos. At that point Father Santa María determined to return for the purpose of giving an account of the land. There was much opposition among his companions, but he went nevertheless. There days later the Indians took his life. The rest of the party meanwhile continued northward to Taos, and then visited the buffalo plains, east of Pecos. Returning the party went west to Acoma and Zuñi, where they found four Mexican Indians who had remained there from Coronado's time. Practically
the entire pueblo region had been seen and they now returned to Santa Bárbara, though Fathers Rodriguez and López remained at Puaray to establish a mission. January 31, 1582, the soldiers departed from Puaray. They could not march rapidly as their leader, Chamuscado, was ill. He died before they reached Santa Bárbara two and one-half months later.

Espejo’s Relief Expedition. Reports were now made to the viceroy on the prospects of the land. It was considered especially desirable to succor the two priests and investigate the mining possibilities reported by the soldiers. But before the slow moving machinery in Mexico or Spain could be set in motion a private enterprise had been organized to rescue the friars. The Franciscans were particularly anxious about their brethren, and Fray Bernardino Beltrán was eager to accompany another “entrada.” At the same time there chanced to be visiting at Santa Bárbara Don Antonio Espejo, a rich merchant of Mexico, who was willing to act as leader and pay the expenses of a relief expedition. Accordingly a party of fifteen soldiers was organized and a license secured from the “alcalde mayor” of Cuatro Ciénegas. On November 10, 1582, the party set out from San Bartolomé equipped with one hundred and fifteen horses and mules.

Like the Rodríguez expedition Espejo’s group went down the Conchos to the junction and up the Rio Grande. Above the junction the soldiers passed through Jumano villages, and after passing two other tribes entered the pueblo region. They were soon at Puaray where the death of the two missionaries, Rodríguez and López, was verified. With the purpose of the journey completed they might have returned, but for this Espejo was not ready. His desire for exploration was approved by Father Beltrán, and off they went to the vicinity of the buffalo plains. They soon returned and spent some time visiting most of the pueblos on the Rio Grande and its branches, the Queres, Sfa and Jemez. Then their path went westward to Acoma and Zuñi where they conversed with the
Indians left by Coronado. A part of the expedition, including Father Beltrán, was now ready to return to Nueva Vizcaya. But the rest with Espejo were bent on finding a lake of gold which had been reported toward the northwest. The mythical lake eluded their grasp, but at Moqui a gift of four thousand cotton blankets was heaped upon them. These Espejo sent back to Zuñi with five soldiers, while the remaining four accompanied him to the region of rich ores farther west. This was in the western part of Arizona, in the region of Bill Williams Fork.

Back at Zuñi, where Espejo now proceeded, he found Father Beltrán still waiting. But the latter was tired of waiting and now returned to San Bartolomé, while Espejo continued to search for riches. Going east once more Espejo visited the Queres, the Ubates, where mineral prospects were found, and the Tanos. Then, because of the smallness of his following, he determined to return. Going down the Pecos one hundred and twenty leagues the Jumanos conducted him to the Conchós. He reached San Bartolomé September 20, 1583, a short time later than Father Beltrán.

Results of these Entradas. Either of the expeditions of Rodriguez and Espejo, small as they were, accomplished almost as much as the great army which Coronado had led. In practical results they were vastly more important. Coronado's entrada had demonstrated that the Seven Cities were a hollow phantom. His exploits were well nigh forgotten. But the glowing accounts of Rodriguez and Espejo stimulated new interest in the country as a field of great opportunity. A lake of gold and mining possibilities had been reported. The frontier was aglow with enthusiasm.

The Conquest of New Mexico Authorized. Meanwhile the viceroy made a report to the king regarding the Rodriguez expedition. In response came a royal cédula, April 19, 1583, instructing him to make a contract for the settlement of the new region. The royal treasury could not be drawn upon for this purpose, and the Council of the Indies had to approve whatever plans might be arranged.
The Applicants. Numerous applicants soon appeared to take advantage of this order. The first was Cristobal Martin, of Mexico, who made extravagant demands. After him came Espejo, who negotiated directly with the crown. Francisco Díaz de Vargas, an official of Puebla, also sought the distinction. Each of these was ready to spend large sums of money on the enterprise.

Several years had now elapsed and nothing had been accomplished. Before the Marquis of Villamanrique was sent to New Spain as viceroy the problem of choosing a suitable candidate was thoroughly considered in a "junta" which he attended. The inference is that none of those who had till then sought the privilege were judged worthy. In order that there might be no further delay Villamanrique was reminded of the importance of choosing a qualified leader at once. He was given full power, except that the project had to be made without royal support.

Juan Bautista de Lomas y Colmenares, famed as the wealthiest man in Nueva Galicia, was the first one of whom we have any record to petition Villamanrique for the conquest of New Mexico. Though Lomas was very exacting in his demands the viceroy approved the proposal March 11, 1589, and it was then forwarded to Spain only to be entirely disregarded.

Castaño's Illegal March. In the next year occurred an unlooked-for entrada which put a stop to the immediate plans for the conquest of New Mexico. It was made by Gaspar Castaño de Sosa, lieutenant governor of Nueva Leon, who effected an unlicensed entrance. From the town of Alamadén, now Monclova, established in 1590, he started on July 27, with more than one hundred and seventy persons, including women and children. About August 21 messengers had been sent to Mexico, and in September the expedition halted at the Bravo for three weeks awaiting their return. They had probably been sent to secure the viceroy's approval for

entering New Mexico. They did not come back. Meantime the viceroy informed the king of what had occurred, for on April 9, 1591, it was decreed that neither Carabajal's lieutenant, nor anyone else, might conquer New Mexico without the viceroy's order. Moreover the king ordered that no one named by Carabajal should be chosen to carry out the conquest. Meanwhile Castaño, unaware of what was coming, led his expedition to the Pecos after overcoming numerous hardships. Late in December the first pueblo was sighted, perhaps Pecos. In the exploration that followed he may have gone as far north as Taos, down to the Querés, and "to the province where the padres were said to have been killed years before." On returning from the tour to the latter place he was informed by the Indians that another body of Spaniards had arrived. It proved to be Captain Juan Morlete, who had come with fifty men to arrest him by order of the viceroy "for having made an entrada of New Mexico and enslaved some Indians without order or license." Castaño's entire force accordingly left New Mexico by way of the Rio Grande in the summer of 1591.

Leyva and Humaña. About 1593 another unauthorized expedition was made to New Mexico by Leyva de Bonilla and Antonio Gutierrez de Humaña. They started from Nueva Vizcaya and spent about a year among the pueblos, making San Ildefonso their headquarters. They went east to the buffalo country and finally made an excursion to Kansas. On the way Humaña killed Leyva, but was in turn destroyed a little later with most of his followers.

After the first of these interruptions had passed away renewed efforts were made by wealthy individuals to win the right to settle New Mexico. Velasco was now viceroy, and to him Lomas in 1592 repeated his earlier petition. Nothing

5. Bancroft, Arizona and New Mexico, 106.
came of his offer since the terms were considered exorbitant by the king. Then appeared Francisco de Urdiñola, lieutenant governor of Nueva Vizcaya, and a contract was made with him for the conquest. However he was shortly accused of poisoning his wife and thus lost the opportunity. Lomas made a third fruitless attempt in 1595, the last application before that of Don Juan de Oñate of Zacatecas.

Chapter II.

The Controversy over Oñate's Contract

Oñate's Qualifications. It was not till 1595 that the conquest of New Mexico was finally awarded to the man who was destined to fulfill the mission. At that time Don Juan de Oñate, the descendant of a family distinguished in the annals of New Spain, was given the contract. The conditions under which the agreement had been arranged seemed favorable. The viceroy, Don Luis de Velasco, was his intimate friend, and had accordingly shown great generosity in placing his sanction on the enterprise. There appeared to be no question of Don Juan's fitness for the task, even if we consider certain stringent qualities, which, according to an earlier decision of the viceroy, a competent adelantado must possess. On January 30, 1595, shortly after Francisco de Urdinola had been arrested and before Oñate had considered going to New Mexico, Velasco lamented the fact that he knew of no one in the kingdom capable of managing such a great undertaking, "for the service of God and your majesty and the good of the natives." As a faithful servant of the king it was his conviction that the conqueror must continue the work of converting the heathen even though gold or silver mines might not be discovered. There was the danger. The possibility of finding precious metals was a prime

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9. "Petition to the viceroy, Don Luis de Velasco, for the journey of exploration .... and capitulations of the viceroy with Don Juan de Oñate, Mexico, September 21, 1595," in Hackett, C. W. "Historical Documents relating to New Mexico, Nueva Vizcaya, and Approaches Thereto, to 1773," 225-255. Hereafter cited as Oñate's contract.
12. Letter of Viceroy Velasco to the king, Mexico, January 30, 1595, in ibid., 221.
motive in any discovery, and Velasco regretted that ordinarily the explorers would desert as soon as the dearth of such wealth was realized. The proposed pacification and conversion would thereby be completely defeated, the baptized Indians would at once relapse into barbarism, and the deserting soldiers and colonists commit outrages and assaults on the Indians, which must invariably make the very name of Christians contemptible and odious among the heathen. The viceroy realized these facts and confessed that such had been the experience in other explorations. 13

Velasco’s discouragement over Uriñola’s fate, as evidenced by the above letter, was forgotten when Oñate came forward and sought to lead an expedition to the “otro” Mexico. 14 Various motives entered into Don Juan’s determination to risk his fortune and reputation in this venture, chief of which, perhaps, was the hope of glory and material gain. These considerations always played a part in any conquest undertaken by the Spaniards. 15 Nor can we overlook the religious reason which was ever prominent in these entradas. But a different incentive also appears. Oñate had just suffered the loss of his wife, and like the famous Simon Bolivar of South America determined to conquer his grief by dedicating himself in a greater way than before to the service of his majesty. 16

The first negotiations seemed destined to bear fruit. In the summer of 1595 he had petitioned the viceroy for the honor and privilege of undertaking this conquest, which had been awaiting the beckon of some enterprising character since the days when Espejo reexplored the land and reported it good. To Velasco the new conquistador seemed the man for the job. Reporting to his sovereign the circumst-

13. Letter of Velasco to the king, January 30, 1595, in ibid.
16. “Relacion que hizo Don Luis de Velasco …… del estado en que hallo y dexo aquel reyno quando le promevieron al virreynta del Peru, 1595,” A. G. L., 2-2-4-4.
ances of the contract made with Oñate, he stated that Don Juan was better qualified to conquer this "new" Mexico than any of those who had formerly sought the honor.\textsuperscript{17} Moreover before Velasco had actually accepted Oñate for this conquest some correspondence had taken place between the two in which the viceroy acknowledged the great services of Don Juan's ancestors as well as his own merits, and only regretted that things were in such a condition that he could not then open negotiations.\textsuperscript{18} If additional proof of Oñate's standing is necessary it may be observed that Martín, Lomas, and Uriñola were all men of wealth and achievement,\textsuperscript{19} and when the viceroy stated that Don Juan de Oñate was better qualified than these it is evident that he was highly appreciated by his contemporaries.\textsuperscript{20}

Family Ties. Don Juan's reputation was naturally enhanced by the standing of his father, Don Cristobal, for after arriving in Mexico in 1524, the latter soon became engaged in exploring and conquering on the frontier of Nueva Galicia.\textsuperscript{21} Here he proved himself equal to the dangers and responsibilities of the frontier. In 1538, on the death of the governor of Nueva Galicia, Don Cristobal held that office a short time, and when Francisco Vázquez Coronado was named governor in 1539, he became lieutenant governor. Heavy responsibilities soon devolved on him, for during the absence of Coronado in New Mexico the Indians of Nueva Galicia revolted, and it became his duty to quell the uprising. In doing so he distinguished himself by his prudence, justice and military skill.\textsuperscript{22} After the Mixton war, as this revolt is

\textsuperscript{17} Velasco to the king, Mexico, October 14, 1596, in Hackett, "Hist. Docs."
\textsuperscript{257.}

\textsuperscript{18} Villagra, "Historia," I, 27.

\textsuperscript{19} See Bancroft, "Arizona and New Mexico," 94-100.

\textsuperscript{20} Santiago del Riego to the king, Mexico, November 10, 1596, in Hackett, "Hist. Docs."
369 ff. Riego gave Don Juan a remarkable send-off in this letter; whether it was nobility of character, material resources, or the support of wealthy friends and relatives, he possessed them all.

\textsuperscript{21} Cornish, op. cit., 454.

\textsuperscript{22} Bancroft, "History of Mexico," II, 464-465: 490.
termed, was over, Don Cristobal continued his exploring activities. In fact, he is reported to have conquered and settled the major part of Nueva Galicia at his own expense. In 1548 we find him, in company with three notable Spanish officers, exploring and pacifying the Indians in the vicinity of Zacatecas. From the natives rumors of rich silver lodes in the neighborhood reached them and these they soon discovered. So abundant were these veins that they became the four wealthiest men in America at that time.

Not much is known of Don Juan de Oñate before the year 1595. He appears to have been born in Mexico, but neither his native town nor the date of his birth has been preserved. Our knowledge of his youth is equally meager. It seems that he entered the service of the king early in life. In his petition to Velasco in 1595, he stated that for more than twenty years he had been engaged in fighting and pacifying the Chichimecas, Guachichiles, and other Indians of Nueva Galicia and Nueva Vizcaya at his own expense.

Influential Friends. The meritorious experiences of Oñate’s youth may, indeed, not have been different from those of many another frontier captain. However the distinguished services and great wealth of his father were a marked asset in obtaining preferment in the royal service. Furthermore the Oñate family was blessed with a host of friends among the best families of New Spain and Nueva Galicia. Don Juan had married into one of the famous colonial families. His wife was Isabel Tolosa Cortés Montezuma, great granddaughter of Montezuma, granddaughter of Cortés, daughter of Juan de Tolosa and Leonor Cortés de Montezuma.

Juan's four brothers, Don Fernando, Don Cristobal, Luis Nuñez Pérez, and Don Alonso, were all wealthy and rendered valuable assistance in the conquest of New Mexico. Of these the first three and Maria de Galarsa, their only sister, married successfully. Don Alonso seems to have remained single.

Don Juan also had the support of four famous nephews, the Zaldivar brothers, Cristobal, Francisco, Juan and Vincente, who achieved distinction in the service of the king. In addition he had the support of Diego Fernández de Velasco, governor of Nueva Vizcaya, with whom he had conferred in regard to the contract of Rodrigo del Rio de Losa, who had been instrumental in opening up mines in Nueva Vizcaya, a man who possessed enormous cattle ranches there and had at one time been governor of the same province of Santiago del Riego, an "oidor" of the audiencia of Mexico, who in 1596 had spent thirty-three years in audiencia service; of Maldonado, likewise of the audiencia; of Don Antonio de Figueroa; Ruy Diaz de Mendoza; and Juan Cortés, great grandson of Cortés. These are the names of some of the influential men who encouraged Oñate and supported him in the proposed conquest. Moreover Velasco the viceroy always dealt liberally with him and recommended him.

29. Cornish, op cit., 461-462. Mrs. Cornish states that Luis Nuñez was unmarried, which is an error. He was married to a daughter of Vicente de Zaldivar. "Memoria de cargos y capítulos que se averiguaran contra el Doctor Valderrama . . . . . . . . Mexico, 1610.
A. G. I., Camara, no 273.
30. Cornish, op. cit., 463. There has been some argument as to whether the Zaldivar brothers were Oñate's cousins or nephews. In the documents they are always referred to as "sobrinos," never as cousins. Cf. Bancroft "Arizona and New Mexico," 117 note 9.
34. Villagra, "Historia," I., 28-29. Villagra states that the greater number of these men were descendants of Juan de Tolosa, founder of Zacatecas, and of the illustrious Salas, its first alcalde.
to the king for the bestowal of greater favors, so long as these demands did not exceed or controvert the royal ordinances of 1573, regulating new discoveries. Velasco was a very popular ruler, intelligent and learned. He had resided in the country many years and had occupied various important positions. As viceroy he was accordingly beloved by his people. This fact helps us to understand his generous attitude toward Don Juan de Oñate.

The Petition and Contract. The lengthy document in which Don Juan presented his petition for the conquest of New Mexico was read before the viceroy on September 21, 1595. He examined the petition and contract, and gave a detailed opinion on every proposal in the form of extensive marginal notes. Most of the proposals were accepted without change; some were modified; and others rejected outright. Several copies of the contract have recently come to light as the result of investigations in the Archivo General de Indias, Seville, Spain, proving abundantly that it is the document by which Oñate was awarded the discovery and conquest of New Mexico.

The only writer who has seen or made any use of this contract is Josiah Gregg. He obtained a copy of the document from the Secretary of State at Santa Fé, and gave a brief resume thereof in his "Commerce of the Prairies." He accurately stated the proposals made by Oñate, but gave no indication as to what demands were granted or rejected by the viceroy in his marginal decrees. Gregg merely satisfied himself with the generalization that "although these exorbitant demands were not all conceded, they go to demonstrate by what incentives of pecuniary interest, as well of honors, the

36. Bancroft, "Mexico." II. 758; Riva Palacio, "Mexico a través de los siglos." II. 449.
37. Oñate's contract, in Hackett, "Hist. Docs." 225-255. According to Villagra, the poet and historian of the expedition, the viceroy made a contract with Oñate on August 24, 1595. There is no evidence to support this statement.
38. Two copies of the contract are in A. G. I., 1-1-3—22; another in 58-3-15; another in 58-3-12; another 58-3-14.
Spanish monarch sought the 'descubrimiento, pacificacion y conversion,' as they modestly termed it, of the poor aborigines of America.'39 Nor does Gregg have any information of the delays and changes that occurred with the coming of the new viceroy, the Count of Monterey. Bancroft was unable to find a copy of this document so he followed Gregg in his narrative.40

Terms of the Contract. According to the terms of the contract which Oñate had entered into he was obliged to recruit a minimum of 200 men, fully equipped with the necessary supplies and provisions. This was to be done entirely at his own cost, though he was permitted to enlist soldiers defraying their own expenses. The royal treasury was not to be called upon to provide salaries for any part of the army whatever. Don Juan offered, among other things, to take 1000 head of cattle, 3000 sheep for wool, another 1000 for mutton, 1000 goats, 100 head of black cattle, 150 colts, 150 mares, quantities of flour, corn, jerked beef, and sowing wheat. There were also numerous minor articles including horseshoe iron and nails, footwear, medicine, bellows iron tools of various kinds, gifts to the Indians, cloth and paper. These supplies were to be held in reserve till the new settlements should be reached, but in case of extreme necessity could be used while on the march. For this latter purpose additional supplies were to be furnished by Oñate.41

Don Juan realized the necessity of providing regally for his own needs on this great expedition. His wardrobe was therefore carefully selected. As part of his personal equipment he agreed to take twenty-five horses, a like number of mules with mules, six light cavalry saddles, six trooper's saddles, six harness, two coaches with mules, two iron-tired carts with leather shields, six lances, twelve halberds, six coats of mail, six cuishes, six helmets with beavers, six sets of horse armor.

six harquebuses, six swords and daggers, two complete corselets, two stands of arms, and six buckskin jackets. These things Oñate promised to have in readiness at Santa Bárbara by the end of March, 1596, but with this the viceroy was not satisfied and required him to be ready two months earlier.42

Onate’s Titles. Oñate was granted the titles of governor and captain-general for two generations on condition that he fulfill his part of the contract. The viceroy promised to supplicate the king to extend this period an equal length of time. He was also to have the title of adelantado on taking possession of the land. This honor was to endure as long as the governorship, and Velasco agreed to seek a similar extension of the office.43

Aid Furnished by the Crown. To minister unto the Spaniards and convert the natives Oñate was granted five priests and a lay brother, with all necessary equipment, at royal expense. To aid in maintaining peace in the province he was allowed three field pieces, thirty quintals of powder, one hundred quintals of lead and one dozen coats of mail, though he had to pay for the latter item.44 Oñate also secured a six year loan of 6000 pesos:45 much more had been requested. In addition he might requisition the carts and wagons needed.46

An eagerly sought privilege granted Oñate was the right of “encomienda” for three generations. Land was to be given the settlers, and they were to be ennobled and to become hidalgos with the right to enjoy “all the honors and privileges —that all noblemen and knights of the kingdom of Castile—enjoy.”47  

42. Oñate’s contract, ibid. 229.
44. Oñate’s contract, ibid., 231.
45. Oñate’s contract, ibid., 237. Many accounts state that Oñate received 10,000 pesos, of which 4,000 were a gift. See Torquemada, “Monarchia Indiana,” I, 670; Rivera Cambas, “Los gobernantes de Mexico,” I, 70; Vetancurt, “Cronica,” 95; Calle, “Memorial y Noticias Sacras,” 102; Cav, “Los tres siglos de Mexico,” I, 226.
47. Oñate’s contract, ibid., 237-239.
Furthermore Oñate was to receive a salary of 6000 ducats, to name the officials of the expedition, appoint and remove alguaciles, set up a royal treasury and name its officials, exploit mines though paying only a tenth instead of the usual fifth, erect forts, suppress rebellion, make laws and divide the land into governmental districts. These powers were not absolute, but usually limited to approval by the crown.

Two articles of Oñate’s contract were of special significance. In the first place he was made directly subject to the Council of the Indies. Under this arrangement neither the viceroys of New Spain nor neighboring audiencias could interfere in the administration of his government. This provision was considered of prime importance by Oñate. It meant that he would, to all intents and purposes, be entirely independent. He would not be subject to any petty interference from officials in Mexico. Only to the Council of the Indies in Spain would he be required to render account of his actions. From New Mexico Seville would indeed be far, far away.

In the second place Oñate might recruit men in any part of the kingdom of Spain. This was in a manner corollary to the above privilege. When in need of reinforcements, which must inevitably be secured in New Spain or Nueva Galicia, it would not be necessary to ask permission from the viceroy or audiencia. Such subservience involved the possibility of refusal, and, at a critical time, might mean the difference between success and failure to the conquerors of New Mexico. The fact that Velasco approved Oñate’s request for these favors is not startling, for it was done by authority of the royal ordinances of 1573 regulating new conquests.

48. Ibid., 241.
49. Ibid., 239.
50. Ibid., 243.
51. Ibid., 245.
53. Oñate’s contract, in Hackett, “Hist. Docs.,” 247. In 1673 was issued a set of ordinances governing new discoveries, conquest, and pacifications. They were intended to govern and control all exploration and settlement
Some additional points in Oñate's agreement with the viceroy deserve mention. Practical freedom was given him in levying tribute; neighboring officials were to give all possible assistance in the enterprise; Oñate might annually bring two ships duty free to his province; provisions for the colony were exempt for ten years and supplies for Oñate's household for twenty years, while excise taxes were not to be paid for twenty years. In each case an extension of these privileges was sought.54

Some of the outstanding requests refused by the viceroy included the giving of encomiendas to Oñate's brothers in Mexico55 and the right of the adelantado to appoint a substitute that he might leave the province.56

On his part Don Juan obligated himself to execute the conquest "in all peace, friendship and Christianity." At the same time he asked that instructions be given him for his guidance in settling the problems that would arise in New Mexico. This was promised, and they were issued a short time later.57

In order to insure success Oñate requested that his patent of discovery and exploration should take precedence over that of any other person who might conceivably come from Spain with another capitulation signed by the king. To this Velasco replied that he was making the contract "by commission and order of his majesty", and that it should take effect from the day on which it was signed and sealed.58 In case another should come from Spain with prior rights he was reserved the

undertaken in the colonies, and were addressed to the vicerroys, presidents, audiencias, governors, and all other persons whom they might in any manner concern. See "Ordenanzas de su magestad hechas para los nuevos descubrimientos, conquistas y pacificaciones. - Julio de 1573," in "Col Doc. Ined.," XVI. 142-187.
55. Ibid., 245.
56. Ibid., 249.
57. Ibid., 233. They were issued on October 21, 1595.
58. Ibid., 251. There is no documentary evidence that this was not on September 21, 1595. Torquemada and Calle state the capitulations were finished on September 30. Torquemada, "Monarchia Indiana," I, 670; Calle, "Noticias," 102. I believe it perfectly certain from the contract that the former date is the correct one.
privilege to collect from the intruder any expenses that might already have been incurred for the expedition. Finally the viceroy pledged in the name of the king to carry out the agreement in full and to petition for the many additional favors and privileges sought by the Zacatecas applicant.

In this manner the Spanish conquerors enumerated their own obligations and the concessions which the king must grant them before they would risk their lives and fortunes in seeking wealth and glory in new conquests. Oñate's contract was in no wise extraordinary. It was typical of the capitulations made by all the conquerors from the earliest time. It illustrates the devious paths a man must follow if he desired to win glory in subjugating new lands and rescuing the souls of the aborigines.

A Change of Viceroy. It was unfortunate for the hero of our story that a change of viceroy should be made at the very time when the contract was under consideration. Such however was the case. On September 18, 1595, the fleet from Spain arrived at San Juan de Ulloa, bringing Don Gaspar de Zuñiga y Acevedo, the Count of Monterey, who was to serve as viceroy of New Spain. At the same time the incumbent, Don Luis de Velasco, was promoted to the viceroyalty of Peru. The Count thus arrived to take charge of his new province three days before Velasco accepted Oñate as the conqueror of New Mexico and concluded a contract with him for that purpose.

The Oculma Conference. The arrival of a new viceroy called for ceremonies and formalities. These took place at the village of Oculma, six leagues from the city of Mexico, whither Velasco proceeded to welcome the new official. Amid the

59. Ibid., 251-253. Professor Hackett's statement that if "a person should come from Spain with a similar contract signed by the king, this was not to annul his contract, but on the other hand he was to be permitted to execute it notwithstanding," is not in accord with the documents which he edits. Ibid., 196. The viceroy approved the contract, and sent it to the king for final confirmation, reserving to Oñate the right to collect from his rival should one be sent by the king in the meantime.

60. Velasco's commission was signed June 5, 1595. Bancroft, "Mexico," II, 766.

festivities of the occasion the two viceroys conferred on the problems that the Count would at once be called upon to face.62 These dealt with Vizcaino's expedition to the Californias; the sending of the annual supply ships to the Philippines, providing the retiring viceroy with some means of going to his new charge in Peru; and the Oñate expedition for the exploration and pacification of New Mexico. With so many big undertakings to deal with at once the Count's equanimity was somewhat ruffled.63 But he went to work with a will and secured from his predecessor an idea of the things that must be done.64

Up till the present time little or nothing has been known of the Ocalma conference which took place sometime between October 14 and November 5, the date on which Monterey entered the city of Mexico.65 In a letter to the king written in Mexico on October 14 Velasco mentioned the arrival of Monterey at San Juan de Ulloa on September 18, but said nothing of having seen him. On the contrary he wrote "In the few days that remain from now until the Count will enter this city, I will hasten to do, as I ought what your majesty orders me by it; and what I am not able to do I will communicate to the Count so that he may carry it out...."66

From the above it is clear that the two officials did not meet before October 14. That they met directly thereafter seems equally certain. Writing in 1619, Martin Lopez de Gauna, then "escribano mayor," stated that on October 21, 1595, Viceroy Monterey chose Don Juan de Oñate as gover-

64. "Relación que hizo Velasco, 1595. The document is not signed nor is the specific date given. However it was written before Christmas, 1595. All the letters that went by that dispatch boat were dated between December 16 and 23. The next batch of letters were sent by the second dispatch boat and were written on February 28, 1596.
Furthermore it was on October 21 that Velasco issued the instructions to Oñate which he was to observe in New Mexico and on the way thither. The fact that these instructions were released on the same date confirms Gauna's testimony. Velasco's action in issuing them was clearly the result of Monterey's provisional approval as given at Oculma on October 21.

The Contract Approved Conditionally. In regard to what actually occurred at Oculma we have brief accounts by both of the principal actors. The retiring viceroy, it is clear, laid the entire subject of the Oñate expedition before the Count. This was in accord with Oñate's wish, for he did not want to go ahead with his preparations until assured that the new viceroy would approve the contract which Velasco had made. At the time of their meeting affairs had progressed to such an extent that it required but a nod of assent from Monterey to make the contract a legal document. The Count would then have been unable to make any changes should he later have deemed it expedient, without proceeding against Oñate in the courts. Monterey hesitated but finally refused to give the requisite approval till he could examine Don Juan's qualifications for the task and the provisions of the contract with care, and he contended that this could not be done without going to Mexico city.

Realizing that the fortunes of his friend were in serious

70. Martín López de Gauna to Cristobal de Oñate and Luis Nuñez Pizrez, A. G. I., 58-3-15; "relación que hizo Velasco," 1595; carta del Conde de Monterey a S. M., February 28, 1596.
jeopardy Velasco now proposed that Don Juan should be given his patents and commissions, and he even went so far in his anxiety for Oñate's welfare that he agreed to assume the responsibility for his choice as leader of the enterprise. Villagrá says that Velasco gave Monterey such abundant and convincing proof of the reputation and standing of Don Juan and his family that no one in New Spain could rival him as the right choice for the leadership of the expedition. Under such circumstances Monterey felt obliged to permit the issuance of Oñate's warrants on October 21, 1595. Nevertheless this sanction was merely provisional. In regard to the actual provisions of the contract, no final decision was reached. It was agreed, because Velasco insisted upon it, if we are to believe Monterey, that he was to study the contract somewhat at his leisure. Should he deem it desirable that any alterations be made he was to be at liberty to do so. This is the Count's version of the affair at any rate.

According to Villagrá Oñate's diplomatic procedure at this particular time in securing the provisional permission to continue the expedition was of significance. He dispatched a courteous letter to the new viceroy congratulating him on his arrival in New Spain, and the Count made a gracious reply in which he expressed regret that Velasco had not concluded negotiations with Oñate, as he was an official of great prudence and distinction.

Judging from the above it is at least clear that the two viceroys were not in complete accord. Velasco, the retiring official, who did not sail for Peru till February, 1596, cont-

73. "Carta del Conde de Monterey a S. M.," February 28, 1596.
75. "Carta del Conde de Monterey a S. M.," February 28, 1596.
76. Villagra, "Historia," I, 32, 34. These letters are not extant. Oñate states that he welcomed the viceroy on his arrival. Oñate to Monterey, September 13, 1596, in Hackett, "Hist. Docs.," 363. Villagra goes on to say that the Count of Monterey approved all that had been discussed between Oñate and Velasco without changing anything whatsoever, and that he did this by ordering Oñate to depart without delay and wishing both divine and viceregal blessings on the enterprise. Villagra, "Historia," I, 32.
continued to follow the Oñate expedition closely. On December 23, in a short letter to the king regarding this matter, he gave an explanation of what had occurred. He said the pacification of New Mexico was still in Oñate’s hands, but on certain conditions. From the letter it does not appear what these provisos were, but it probably refers to the provisional sanction given by Monterey at Oculma.78

That the contract was merely given provisional approval by the Count is confirmed by Oñate also. He states that he received a letter from the new viceroy, dated at Oculma, in which Monterey “not only approved and confirmed what Velasco had done, but... ordered me to gather my provisions and ammunition in the shortest time possible for the said expedition, promising in the same letter to examine the articles of the agreement and send them to me, after correcting in them anything that seemed to need it...”79

It is clear that the outcome of the first tilt with Monterey did not seem unfavorable, and Oñate expected to receive his final papers soon. But it took the Count a long time before he found the opportunity or the desire to review these negotiations. He complained it was because of the large amount of business on hand.80 As we shall soon see Villagrá gave a very different explanation and ascribed the delay to the machinations of Oñate’s enemies.81 Whatever the cause may have been Oñate had to wait two months before anything was done by Monterey in this matter.

Meanwhile Oñate’s brothers, Cristobal and Luis Nuñez

78. “Copla de un capítulo de carta que el virrey Don Luis de Velasco escribió a su magestad.” December 23, 1595, A. G. I., 58-3-15. Bancroft accepts the view that Monterey had requested Velasco to delay matters, “Arizona and New Mexico,” 118.
80. “Copla de un capítulo de carta que el virrey Don Luis de Velasco escribió a su magestad.” December 23, 1595. Bancroft’s argument is that Monterey opposed Oñate’s capitulation because he favored Don Pedro Ponce de Leon, “Arizona and New Mexico,” 118. There is nothing to support this view. Ponce was backed by the Council of the Indies.
Pérez,82 represented him in Mexico with the power of attorney which had been given them at Zacatecas on October 19, 1595.83 On December 15 they appeared before Martín López de Gauna, the "secretario de gobernacion" in Mexico, and accepted the capitulations made by Velasco with Don Juan for the conquest of New Mexico. They bound him to fulfill his duties in every respect and promised that he would not deviate one iota from the instructions which the viceroy had promulgated for his guidance on October 21.

Oñate's Instructions. It is of interest to note the nature of the instructions which the viceroy had issued to Oñate to guide his conduct in the conquest of New Mexico.84 They illustrate how thoroughly conquering expeditions were clothed in missionary disguise. According to the law it was the chief desire of the crown to Christianize and civilize the natives. As a matter of fact conquerors undertaking to pacify new regions were usually bent on individual profit and glory.

First of all, Oñate was instructed to take oath and render homage to Vicente de Zaldivar, the king's "teniente de capitán general de Chichimecas." He was reminded that the chief purpose of the expedition was to serve God our Lord, to extend the holy Catholic faith, and to conquer and pacify the natives of the provinces of New Mexico. To this end the utmost efforts should be exerted without violating his own self-respect or oath of fealty. He was to fulfill, in every regard, the royal ordinances of 1573 regulating new conquests, and the contract made with him in accordance with those laws; to

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82. Villagra is therefore mistaken when he says:
   "Y luego embo poder a don Fernando,
   A don Christoval, y a Luys Nuñez Perez,
   Tambien a don Alonso sus hermanos, . . .
   Estos capitularon la jornada, . . . ."

83. "Acceptacion de las capitulaciones," December 15, 1595, A. G. I., 58-3-12, "Parecieron el thesorero Luys Nuñez Perez y Don Xpoual de Oñate . . . y dixeran que en virtud del poder que tienen de Don Juan de Oñate que passo ante pedro venegas scrivano rl de minas y registros de la ciudad de nuestra senora de las cacatecas . . . ."

carry out the march with great care and discipline, informing
the settlers and soldiers that in every case they must treat the
Indians with such kindness as to insure peace.

Disorders must not be allowed. The missionaries were to
be treated with consideration, for how otherwise would the
natives obey the padres? Only honorable means were to be
used in converting the Indians, and interpreters should be pro­
cured, if possible.

In view of the belief in a mythical Strait of Anian which
connected the Atlantic and the Pacific, Oñate was instruc­
ted to inform the viceroy of New Spain of his discoveries in the
"North Sea" without delay. Careful reports were to be made
on the coastline. Harbors were not to be used till proper
regulations could be made, for the great secret must not be en­
dangered. If an enemy learned of these things it would per­
haps rob the Spaniards of the fruits of their discovery.

The Indians were to be persuaded to serve the white man,
forced labor being prohibited. This applied to mining as well
as to other occupations. Success in handling the Indians would
eliminate the necessity of bringing in negros, which alway­
complicated the problem of government.

All of these things Oñate was to observe with the diligence
and care appropriate in order that the conquest might redound
to the service of God, the growth of the holy Catholic faith,
and of the royal crown.

Monterey's Delays. Between the time of the issuance of
these instructions and the coming of Monterey Don Juan was
busy preparing his expedition. Seemingly he did not think
of obstructions being thrown in his way. But many were in
store for him, due to the arrival of a new viceroy. It is true
that Monterey was reputed to be a very excellent man, but he
was otherwise unknown. He soon proved to be a very cautious

85. Bancroft gives a description of the current Spanish ideas of the
86. "Copia de Ia Instruccin a Oñate."
official deliberating policies fully. This caution on his part with the resultant delay gave rise to most of Oñate’s difficulties, and to the judgment which contemporaries formed of Monterey. Torquemada could only call him a well intentioned man! He lacked the vision of a good ruler.

Considering these characteristics of the new viceroy it is easier to follow his course of action in regard to the projected conquest of New Mexico, which had been postponed until he could familiarize himself with the whole affair. On December 20, 1595, he wrote a short letter to the king, stating that he had not yet reached any conclusion regarding the appropriateness of Oñate’s contract. He therefore asked the king to await additional information before approving the contract, for he feared that efforts were being made on Don Juan’s part to secure final confirmation directly from the king.

Oñate Appeals to the Crown. Oñate had been growing impatient while this long drawn out delay was slowly wearing itself away. Unable to secure the expected confirmation from the viceroy, he had, as Monterey feared, appealed directly to the king. Oñate recalled the distinguished services of his.

89. Torquemada, “Monarchia Indiana,” I, 671; Rivera Cambas, op. cit.
90. “Carta del Conde de Monterey a S. M., February 28, 1596.
91. Monterey to the king, December 20, 1595, in Hackett, “Hist. Docs.”
257-259. This is apparently a contradiction, for Oñate’s letter of December 16, 1595, mentions one specific limitation made by Monterey, namely, in regard to ordinance 69, which provided that he should be directly subject to the Council of the Indies.
92. Monterey to the king, December 20, 1595, in Hackett, “Hist. Docs.”
259. Villugra says that the Count was doing this secretly:
“Y con esto escrito también a España,
Con notable secreto y gran recato,
A vuestra Real Consejo que si fuessen,
De parte de don Juan a que aprouasesen,
Aqueste asiento y causa ya tratada,
Se suspendiese todo y dilatase,
Hasta que el de otra cosa dyesse auiso.”
See his “Historia,” I. 30.
father in the conquest of Nueva Galicia and his own determination to spend life and fortune in a similar cause. His contract had been accepted by Velasco. Excessive delays which had intervened were damaging the expedition materially, and he humbly sought a favorable decree from the king in a cause which was so important to the royal service. Oñate emphasized the fact that he had not contracted for anything besides what was granted in the ordinances of 1573, due to the fact that Lomas and Urdinola had failed in the same cause since their demands had been deemed exorbitant.94 But he did make one urgent request. He desired to be directly subject to the Council of the Indies, in accordance with the law, which would make him independent of the viceroy of New Spain and the audiencias.95 This had been granted by Velasco but vetoed by Monterey.96

No relief followed this petition. The Count’s report of December 20, and Oñate’s appeal of December 16, were evidently received by the Council of the Indies at the same time and the viceroy’s acted upon first.97 Oñate’s message was considered on March 11, 1595.98 The Council heartily encour-

94. The statement Oñate here makes is bombastic if Monterey spoke the truth when he said that he modified Oñate’s contract to make it similar to Urdinola’s. Five out of the eight articles modified were fashioned after that model. It seems to be true however that Lomas’ contract was very extravagant. Bancroft, “Arizona and New Mexico,” 99-100.


96. See below.

97. This is inferred from the decree of the Council in regard to Oñate’s request, which read, “que esta bien como se a respondido al virey.” Decree in “Carta de don Juan de Oñate a S. M.” December 16, 1595. The reply here referred to is unquestionably the decree which appears on Velasco’s letter of October 14, 1595, informing the king of the contract made with Oñate. It was acted upon by the Council on March 4, 1596. The decree reads: “Al Conde de Monterey se escrivia con esta relacion encargandole que entendido el estado en que dexa don Luys la guerra a esta pacificacion lo procure favorecer para que se continue como cosa que se ha deseado y noporta, y abise de todo la que se hiziere. Hay una rubrica.” Decree in “Carta de don Luis de Velasco a S. M., October 14, 1595, A. G. I., 58-3-12.

98. See “Carta de don Juan de Oñate a S. M.,” December 16, 1595. “Vista en XI de Marco, 1596.”
aged Don Juan but aside from that simply asked the viceroy and audiencia of New Spain to make further reports in this matter. Meanwhile no changes were to be made.99

Monterey's Decision. The Count of Monterey seems to have been somewhat inconsistent. At the time that he asked the king not to approve Oñate's pretensions he had already come to a decision in regard to at least one point. He had rejected the article permitting the governor of New Mexico to be immediately subject to the Council of the Indies.100 All other doubts were cleared up immediately after the sending of the letter of December 20. In his next report to the crown the Count stated that he had come to a decision in regard to Oñate's contract during the Christmas holidays.101 On that occasion his capitulations were carefully compared with those formerly made with Lomas and Urdiñolla; likewise for the conquest of New Mexico, and his conclusion was to limit some of the articles granted by Velasco even though they might be sanctioned by the laws of 1573. Monterey professed to have many reasons for acting in such a manner, the gist of which was that if Oñate merited reward it could be given in the future.

Reasons for his Action. The viceroy went on to explain his treatment of Oñate at some length. Ogaño's expedition to the Philippines, in which it seems he was particularly interested, and Vizcaino's expedition to the Californias were being recruited at the same time. He desired to speed up the former, and therefore had not allowed Oñate more than one recruiting squad although he thereby delayed the organization of his army. His reason for this was practical enough as he feared that so many simultaneous efforts to fill the requisite quotas would lead to serious trouble with the Indians. In former years there had been much difficulty in recruiting the necessary men for the Philippine service. While the troops were

99. Ibid. "Informen cerca de said virey y audiencia y en el entretanto no se haga nobedad."
100. "Carta de don Juan de Oñate a S. M., December 16, 1595.
101. "Carta del Conde de Monterey a S. M., February 28, 1596."
being enlisted the city of Mexico would be in a state of turmoil, since compulsion was frequently resorted to in order to get the desired number. Accordingly Monterey wanted to send off the more difficult sea expedition, fearing that everybody would flock to Oñate's standard as he would go by land. The results were as expected. Ogaño had no difficulty filling his quota, and thus at the time Monterey was writing, February 28, 1596, he had already permitted Oñate the privilege of sending out additional recruiting squads both in Mexico and in Nueva Galicia. Monterey's caution in regard to arousing the Indians was in accord with his general policy as viceroy. He was determined to settle the Indian problem of New Spain which his predecessor had not accomplished. For that reason he did not wish to incur the hatred of the natives before attempting to carry out the plans of his administration.

In addition the new viceroy was opposed to some parts of Oñate's contract, and he requested that these be not granted. He had conferred with his advisers in New Spain who were better informed in such matters, and they supported him. Oñate's independence of the viceroy of New Spain was not allowed. Monterey felt that there was too great danger in giving him such freedom. The king's subject in New Spain should have recourse to the crown there, and not only in distant Spain. He considered it even less tolerable that there should be no appeal to the audiencias, as was provided in Oñate's contract. The audiencia served as a check on the viceroy; was it fitting that a mere governor should be completely unrestricted? Moreover doubts were cast on Oñate's fitness for the position of governor of New Mexico. He lacked property and funds, and was burdened with debts, so it was said. These aspersions came at a critical moment. Previously, on December 20, 1595, Monterey advised delay. Now,

102. Ibid.
104. See below.
two months later, he not only recommended reservations but actually cast serious reflections on Oñate's ability to carry out the conquest. These statements were duly considered by the Council of the Indies. They came at the time when Don Pedro Ponce de León was seeking the Council's permission to replace Oñate as governor of New Mexico.

The Modifications. The limitations made by Monterey in Oñate's contract were finally made known at Christmas time, 1595. Notice of what the viceroy had decided upon was sent to Luis Nuñez Pérez and Cristobal, Oñate's brothers who represented him in Mexico. The modifications follow.106

First, the right to enlist soldiers and colonists was limited to the expedition then being prepared by Oñate. If reinforcements were needed a special order must be sought from the viceroy. The appointment of the commissioned officers was limited in the same way.

Second, Oñate's right to appoint royal officials with suitable salaries was limited so that their pay should not exceed that of the officials in Mexico.

Third, instead of being independent of the viceroy and audiencia in Mexico, Oñate was made responsible to the viceroy in all matters of war and finance, and to the audiencia of Mexico in judicial and administrative affairs.

Fourth, Oñate had been permitted to send some ships to the "North Sea" which he was about to discover. This privilege was withdrawn.

Fifth, the Indians were to be persuaded, if possible, to pay tribute voluntarily. The governor might determine the amount, but he was required to seek the advice of the royal officials and of the prelates of the religious orders.

Sixth, all encomiendas of Indians granted by Oñate must be reported to the king and confirmation secured within three years.

106. Martín López de Gauna to Cristobal de Oñate and Luis Nuñez Pérez (December, 1595?) A. G. I., 58-3-15.
Seventh, the honor of becoming hidalgo with the same privileges as nobility of that rank enjoyed in Spain, was limited to those who persevered in the conquest for five years.

Eighth, Oñate was ordered to pay for the thirty quintals of powder and one hundred quintals of lead which the king was to provide.

Acceptance of the Modifications. Cristobal de Oñate had been informed of these limitations of his brother’s capitulations by Martin López de Gauna, the “secretario de gobernación,” without delay, it seems. But in view of the fact that Don Juan’s privileges had been so severely curtailed Cristobal protested. In assuming this conquest it was his brother’s principal motive, as well as his own, to continue to serve the king as their family had hitherto done. It was in that manner they hoped to win reward, rather than by seeking the fulfillment of those provisions in the contract which Monterey had limited. For that reason he consented to the modification of Oñate’s contract, as the Count had stipulated, in order that the expedition might go on. Obviously that was the only course open to him. Cristobal made one reservation, however. He retained the privilege of appealing to the king for the restoration of the limitations which he had just assented to, and also made a special request of the viceroy. He asked that Don Juan be freed from the obligation of paying for the powder, lead and artillery as Monterey had required. Cristobal stated that it had been granted in order that Leyba and Humaña and their companions, who were thought to be in New Mexico, might be apprehended. The Count however was


108. Letter of Cristobal de Oñate, (January, 1596) A. G. L., 58-3-15. Cristobal’s reply was written in the margin of Gauna’s letter containing the limitations made by Monterey. No date is given for either one, but it is evident that this correspondence took place between the Christmas Holidays of 1595 and January 13, 1596. The Count said he made the modifications at the former time. On the latter date the viceroy issued a decree acknowledging receipt of Don Cristobal’s letter wherein he agreed to the limitation of the contract in the name of his brother. This decree finally permitted Oñate to go ahead with the expedition.
adamant. No concession would be made. But he did agree to investigate the particular reasons advanced and promised that if these proved sufficient to warrant the expense to give attention to the request. 109

The Expedition Authorized. On the acceptance of Cristobal de Oñate's letter the Count immediately dispatched a decree, giving Don Juan permission to use the contract which Velasco had made with him, provided the above limitations were added.110 He was thus finally given an unrestricted right to proceed with the conquest and to enjoy all the privileges previously granted, with the exception of the restrictions just noted. For Oñate the clouds of trouble at last seemed to have rolled away, but in the meantime a plot was hatching on the other side of the Atlantic. So we shall now leave Oñate to enjoy his temporary good fortune while we observe the development of events in Spain. For a time these affairs, centering about Don Pedro Ponce de Leon, threatened to upset Don Juan's hopes and to give an entirely different turn to the story of the conquest of New Mexico.


(To be continued.)
RALPH EMERSON TWITCHELL

AFTER long illness and intense suffering, death came to Colonel Ralph Emerson Twitchell, the seventh president of the Historical Society of New Mexico, at sunrise, August 26, 1925, at the Cara Barton Hospital, Los Angeles. Burial took place in Fairview Cemetery, Santa Fe, on the Sunday following, after services in the Church of the Holy Faith (Episcopal) conducted by the pastor, Rev. Walter Trowbridge. The Masonic ritual at the grave concluded the obsequies.

Ralph Emerson Twitchell was born at Ann Arbor, Michigan, November 29, 1859. His parents were Daniel Sawin and Delia Scott Twitchell, both of distinguished New England ancestry whose lines have been traced back to feudal days in England. Early in life, he gave evidence of a flare for research and scholarship. At the age of 23, he graduated from the University of Michigan with the degree LL.B., although the University of Kansas had been his earlier alma mater.

As a Lawyer

Having chosen the law for his profession young Twitchell entered the law offices of Judge Henry L. Waldo, solicitor for the A. T. and S. F. Railway Company, which had just extended its line to Santa Fe, the City that had given the system its name. The friendship of the two men continued for three decades, closed only by Judge Waldo’s death. The latter had trained his younger associate to be his successor but somehow this wish of the able jurist failed to reach fulfillment, although Colonel Twitchell to the end maintained his connection with the legal department of the railway system. Even after he had been pensioned, he was called in on intricate cases and proved his value to the railroad company in important damage suits. As a tribute to his standing in the legal profession, he was elected to the presidency of the New Mexico Bar Association. During the stormy administration of Governor
Lionel Sheldon, he was judge advocate of the Militia. From 1889 to 1892 he was district attorney for the First Judicial district. Of late years he was a special assistant to the attorney general of the United States being assigned the duty of examining into Pueblo land titles. He prepared an exhaustive monograph on the history and status of the Pueblo land grants which has not yet been published by the federal government.

**In Political Life**

From the law to politics was a natural sequence. Colonel Twitchell, a Republican, threw himself with characteristic energy into the political turmoil of the then Territory. He was delegate to political conventions in city, county and state. He was in demand for campaign speaking and held various party positions culminating with the chairmanship of the Republican Territorial Central Committee in 1902 and 1903. He was appointed to territorial and state boards by successive governors, those he prized most highly being membership in the governing board of the Museum of New Mexico and the chairmanship of the Panama California Exposition Board.

**Organizer and Publicist**

Colonel Twitchell loved the spectacular and the light of publicity. He was a born advertiser and showman, and one of his early triumphs in these fields was at the session of the National Irrigation Congress held in Albuquerque in 1908. In making the arrangements for this convention, he compiled his first big volume on the resources of New Mexico. As first vice-president of the Congress, he contributed to the formulating of the reclamation policy adopted by the Nation. As president of the Santa Fe chamber of commerce, he was a factor in making the Santa Fe Fiesta a nationally known event. It was in the New Mexico exhibit at the San Diego Exposition, however, that his genius for creating spectacular effects and for obtaining publicity, reached its apogee. At his suggestion, New Mexico reproduced for its building the Franciscan Mis-
sion of Acoma. He was among the first to use motion pictures to advertise a state's attractions and resources. Later the Exposition building was perpetuated in more substantial and elaborate form in the Art Museum at Santa Fe, in the construction of which he was deeply interested. Several volumes of clippings from newspapers and magazines, tell the story of achievements by New Mexico at San Diego, the effects of which are still beneficially felt ten and more years later throughout the entire Southwest. It was for this exposition that Colonel Twitchell compiled his second voluminous New Mexico publicity volume. The fine publicity given Santa Fe for years by the A. T. and S. F. Railway Company in the way of beautifully illustrated pamphlets and folders, had its origin and impetus through Colonel Twitchell. One of his last pamphlets was for publicity purposes of the Chamber of Commerce.

**Orator and Lecturer**

As an orator and lecturer, Colonel Twitchell was much sought. His lectures, "The Man and His Book" and "When Women Built the Temples" were repeatedly given to large audiences. A handsome presence, a sonorous voice and a gift for emphasizing the human interest in history, assured him rapt attention and applause whenever he spoke in public. He illustrated his lectures often with photographs he himself had taken or with pictorial material furnished by the Museum of New Mexico and from his books.

**As Historian and Writer**

It is as a historian, a writer and a builder, that Colonel Twitchell made his most lasting contribution and by which he will be longest remembered. Quoting from a tribute paid him by Lansing Bloom, Secretary of the Historical Society of New Mexico, at a memorial meeting held in the Palace of the Governors:

"It is a significant fact to know that Colonel Twitchell's first interest in the history of the Southwest grew out of as-
association with Adolf Bandelier. . . . In the midst of Bandelier’s research in the Southwest, Colonel Twitchell arrived in New Mexico and it was the work on the archives especially, which caught his interest and very possibly it is owing to this fact that we now have these archives at all. In his ‘Leading Facts’ Twitchell states simply: ‘On the 12th of May, 1892, the Capitol Building was destroyed by fire and many public documents were lost. The collection of ancient papers known as the ‘Santa Fe Archives’ was saved.’ The fact (as related by Colonel Twitchell in personal conversation) is that he and one or two others knew exactly where these papers were, went directly there at the time of the fire and carried them to safety . . . From 1917 down to date, eleven bulletins of the Society have been published and of these eight came from his pen. And other papers, including the catalogs of our collections, which were largely the result of his labor up to the time of his passing, are either ready for the press or nearly so . . . In 1909 was published his first book, ‘The Military Occupation of New Mexico,’ and in 1911 appeared the first volume of ‘Leading Facts of New Mexico History.’ This was followed in 1912 by Volume II, and was later supplemented by three more volumes. In 1914 his two volume work on ‘The Spanish Archives of New Mexico’ was published, and during the years 1913 to 1916, he successfully carried the historical quarterly ‘Old Santa Fe’ through three volumes. And shortly before his death his last book ‘The Story of Old Santa Fe’ came from the press.

‘Those who are at all familiar with the sources of Southwestern history can appreciate in some measure the great store of information which is represented by these briefly recited facts. To use the phrase of Lummis, Ralph Emerson Twitchell knew the ‘story of man’ here in the Southwest as few others have done or may hope to do.’

It was Twitchell who was most enthusiastic in the maintenance of Santa Fe as ‘The City Different.’ The so-called Santa Fe Mission Style of Architecture, found in him its most eloquent advocate although he took sides against those who would pedantically condemn any variation from ancient examples of the Pueblo style of building. He contended that architecture, like art, is the unfolding of the flower of human genius; that unless architecture is progressively alive and
admits of variations, expansion and adaptation to new material, different environment, it is dead and has but academic interest for the student. To prove his theory he remodeled an old non-descript building into a beautiful residence that combined a Spanish round tower with Pueblo lines, and modern comforts with Indian decorations. It is there he loved to entertain and it is today one of Santa Fe's show places.

**Historical Society**

Although a member of the New Mexico Archaeological Society and a valued regent of the Museum of New Mexico as well as member of the managing committee of the School of American Research, it was his interest in the Historical Society of New Mexico that was paramount. Once more quoting Mr. Bloom, Secretary of the Society:

"It seems strange to have to admit that our own records as a Historical Society are very incomplete, but such is the case. Perhaps, it is safe to assume that Colonel Twitchell was elected to membership in the early '90s—the earlier record-books are missing, but his dues were paid in June, 1911. One earlier reference to him is found in the minutebook, when on January 29, 1909, he was elected third vice-president. Here again previous records are very meager, but his election to this office indicates that he had been taking an active part in the work of the Society, probably for some years before. On May 29, 1912, he was elected to life membership, in recognition of valuable gifts, and in subsequent years there were frequent acknowledgments of similar gifts from him. By re-election he was continued in the office of vice-president down to November 14, 1924, when he was elected president of the Society. On March 17, 1919, the office of director was created and Colonel Twitchell was elected to this additional position, the resolution reciting that he 'shall be charged with the duty of auxiliary organization work, the securing and preparation of historical monographs, the collection of manuscripts, their publication and the securing of funds for such purposes and with such additional duties as the Society from time to time, may determine.' Sufficiently comprehensive surely, and yet the resolution only recites lines which he was already actively pursuing."

It was a dream of Colonel Twitchell to correlate the work
of the Society with that of the Museum of New Mexico and the School of American Research. It was for that reason that he had the collections of the Society arranged and catalogued and that he established an office in the Palace of the Governors in the same room with the Acting Director of the Museum.

**Bibliophile and Friend of Art**

Colonel Twitchell was a collector of objects of Indian handicrafts ranging from basketry and pottery to Indian fetishes. He picked up a mass of historical material and loved to visit old bookshops and scan book catalogs for works on the Southwest and on Art. He presented to the Museum a collection of books on Art and loaned to it his historical library, maintaining another library at his home. He had an instinct for art and it was due to this that he had Kenneth M. Chapman draw many of the illustrations for his "Leading Facts" and that the pictorial side of his publications always received the minutest care. It was on his order, that the collection of enlargements of portraits of men prominent in New Mexico history was made and, after exhibit at San Diego, given a permanent place in the Palace of the Governors. He also commissioned Gerald Cassidy, the Santa Fe artist, to paint the portraits of Villagrá, De Vargas, Kit Carson, etc., for the Historical Society. Strong as was his admiration for the art of men like Cassidy, his disapproval of the modernist school was wellknown. He would have banned their exhibitions from the Museum at Santa Fe. When men like George Bellows, Leon Kroll, B. J. O. Norfeldt and others hung their paintings he literally raged and for a time threatened to resign from the Museum Board. Later he modified his views very much and found especial delight in Robert Henri's "Dieguito" and other examples of the modern schools that did not go to extremes. He bought paintings in a modest way and took great pride in showing them to visitors at his home.

**Twitchell, the Man**

A man endowed with such abundant vitality was sure to
arouse criticism. He made enemies but he made many more friends for himself and for the State and City he so loved. In friendship he was generous to a fault. He was extremely proud of the esteem of men like Colonel Theodore Roosevelt, Hon. Frank Springer, Dr. Edgar L. Hewett, (whom he always fondly called "Old Hewett" although the latter was the younger man), F. W. Hodge and many others. The writer owes him much in the way of kindly encouragement and unselfish loyalty in many undertakings for the advancement of the Museum and the City of the Holy Faith.

Colonel Twitchell was twice married. At St. Joseph, Mo., December 9, 1885, he took as bride, Maragaret Olivia Collins, who fourteen years later was taken from his side by the Grim Reaper. A son Waldo, also named after the Sage of Concord, is at present resident in Los Angeles. During the Great War, Waldo was an officer in the Aviation Service. He is also a University of Michigan man, an engineer, who has taken an important place in the motion picture industry and is the author of scenarios and the librettos for several musical plays. A few years ago, Colonel Twitchell married Estelle Burton, who survives him. She collaborated in the writing of several of his later historical essays and is the author of several papers and biographical sketches that appeared in "Old Santa Fe." Quoting in conclusion from a sketch by the writer, made ten years ago: "Perhaps, the mere enumeration of activities and achievements of a useful citizen who has helped to form public opinion for thirty years in the Southwest, who has made notable contributions to history and literature, who has been brilliantly successful in his profession, who has been a leader in civic and political movements, does not visualize adequately the man as he acts and lives. In the Palace of the Governors, hangs a large portrait of the man, enlarged from a snapshot surreptitiously taken in Westlake Park, Los Angeles. There he appears in all his splendid physical vitality, with the lines in the face that proclaim the man who is living a rounded-out existence, with cleft and firm chin, with thoughtful and determined, yet shrewd, eyes, a man apparently possessed of the
saving grace of humor, a man with imagination, and yet a man who as a lawyer, has learned to weigh evidence, to analyze, to draw conclusions justified only by the facts. Beneath might be written: "He has found happiness where happiness alone can be found, in the appreciation of art, the acquisition of culture and the constant work for the common good.

The elements
So mix’d in him that Nature might stand up
And say to all the world: ‘This was a man!’"
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A life member of the Historical Society of New Mexico, Melvin Whitson Mills, who died at Springer, Colfax County, on August 19, 1925, had prepared a paper which he was to have read at the meeting of the Society only one evening before the above date. He had been one of the makers of history in the Southwest, having come to the Territory in 1869.

Colonel Mills as he was known to his friends, was born on October 11, 1845, at Sparta, Ontario, Canada, of Quaker parentage. His father and mother were Daniel W. and Hannah Mills. For three years, Colonel Mills attended high school at Adrian, Michigan, and for four years he was a student at the University of Michigan, receiving the degree of LL. B. upon graduation. In that year, stories of gold strikes at Elizabethtown reached Ann Arbor and young Mills made his way to that mining camp the same year. Here he hung out his shingle and also engaged in mining and ranching. The camp at that time had not far from six thousand inhabitants but it soon declined and the county seat was removed to Cimarron, Mills moving with it.

Of those stirring days before the coming of the A. T. and S. F. Railway in which Mills played an important part, thrilling incidents are told in Twitchell’s “Leading Facts of New Mexican History” Vol. III, pp. 78 to 83. Colonel Mills was repeatedly sent to the territorial legislature and was instrumental in having the county seat moved to Springer which town he had platted in 1877 with William Thornton, with whose fortunes he was identified until his death. Early days in Springer were not less exciting than they had been in Elizabethtown and Cimarron. For fifteen years prosecuting attorney for the counties of Rio Arriba, Taos, Colfax and Mora, Mills figured in many famous trials. Several times he narrowly escaped mob violence.

Colonel Mills was an expert fruit grower and for years his
orchard was pointed out as one of New Mexico's show places. At Springer, he built a great three story mansion of more than 20 rooms, wonderfully decorated for its day, the interior woodwork being walnut artistically carved. It was his dying wish that he be carried into his old room in this great house, which he had lost through financial reverses. His wish was acceded to, so that his last moments were spent in the house he had loved so well,

In his early days he was associated with Lucien B. Maxwell, founder of The First National Bank of Santa Fe, and at the time of his death, he was in the employ of the Bank looking after its property interests at Springer. Colonel Mills was married on January 6, 1877, to Ella E. House, who survives him, together with the following foster children: Mrs. Hugo Seaberg of Raton; Whitson E. Mills of Denver; Mrs. J. G. Barton of Cleveland, Ohio; and Elsie W. Mills of Springer. A foster daughter, Mrs. George W. White died fourteen years ago in California.

P. A. F. W.
MRS. L. BRADFORD PRINCE

Surviving her noted husband only a few years, Mrs. Mary C. Prince, widow of Former Governor and Chief Justice L. Bradford Prince, gently fell sleep in death on Christmas evening, at the old Prince residence on East Palace, Avenue, which had been her Santa Fe home for 43 years.

Mary Catherine Burckle Beardsley was born at Oswego, New York, on September 4, 1846, the daughter of Colonel Samuel Beardsley of the "Iron Brigade" and his wife, Charlotte Elizabeth Burckle. Her father, who died on the Potomac during the Civil War, traced his ancestry to the Mayflower, while on her mother's side, her line was connected with distinguished ancestors in Germany. Her paternal grandfather was Judge Levi Beardsley of New York.

Mrs. Prince came to Santa Fe as a bride, the second wife of Governor Prince, whom she married on November 17, 1881. Bishop Littlejohn of New York officiating. Her social regime in the Palace was brilliant and until her death she maintained social leadership in Santa Fe. Mrs. Prince held high positions and honors in patriotic societies, such as The Daughters of the American Revolution, and was active in the affairs of The Church of the Holy Faith (Protestant Episcopal).

Among her many interests, the Historical Society of which she was a life member, was always close to her affections, and she not only made many gifts to the Society, but transcribed and translated some of the early Spanish archives. Mrs. Prince was the author of several stories and many papers, most of which were read before The Fifteen Club of Santa Fe, one of her favorite organizations. She was zealous in her endeavors to have New Mexico's historic spots suitably marked, and it was as much due to her efforts, as to those of any one else, that the Santa Fe Trail in New Mexico was given granite
MARY C. PRINCE
markers, the last one of which stands in the Plaza at Santa Fe.

Brief prayers were offered by Bishop Frederick B. Howden at the Prince residence on Sunday afternoon, December 27, after which the remains were taken to Flushing, Long Island, New York, by her son, William B. Prince, and her companion of many years, Miss Sara Hart. Funeral services were held in St. George's Chapel, Flushing, on the last day of the year, interment being at the side of Governor Prince in St. George's Cemetery.

P. A. F. W.
REVIEWS AND EXCHANGES

Mesa, Canon, and Pueblo.

By Charles F. Lummis. (New York, Century Company, 1925. 517 pp., ill., $4.50)

The announcement of any book by Charles F. Lummis is sufficient to arouse lively anticipations. A new one on the Southwest by him is an event of high importance. Not every book that is called ‘epoch making’ can succeed in living up to such reputation; but the writings of Charles F. Lummis won that distinction more than a quarter of a century ago—and held it. That fascinating region has been well explored from the time of Coronado, and scientific and historic reports concerning it make sizable libraries. But in literary description of it, Lummis took the lead and has never been overtaken. It is safe to say that he never will be.

The thousands who read his ‘Tramp Across the Continent,’ ‘Land of Poco Tiempo,’ ‘Some Strange Corners of Our Country,’ now superseded by ‘Mesa, Cañon and Pueblo,’ and a dozen other works that came from his brain in those marvelously prolific days, have found everything else on the Southwest a bit disappointing. No other writer ever gave himself up to it as he did. There was his whole life for many years; and to it he has returned, from time to time, to find it the same inexhaustible source as in the old days.

As a result of his later excursions, there comes this new work, ‘Mesa, Cañon and Pueblo,’ and one does not need to read far to find that the master is still here. The best of the stories from the old classic, ‘Some Strange Corners of Our Country,’ are carried over into the new work, rewritten if there was any need for it. But not much that Lummis ever wrote has needed rewriting. The great amount of new material that has been added brings the book up-to-date and makes it a work that can never be displaced. There are parts
of the world in which no one would travel without a copy of Herodotus or Pausanias, and it will be so to the end of time. Likewise, it will be said of the traveler in the Southwest; he will not be equipped, be it centuries from now, without a copy of this latest book by Lummis, as well as some of the earlier ones.

E. L. H.

Memorial to the Robidoux Brothers

By Orral Messmore Robidoux, (Kansas City, Smith-Greaves Co., 1924. 311 pp., ill., $5.00,

In the considerable group of French traders, trappers, and merchants who early became identified with New Mexico history were Louis and Antoine Robidoux. "In 1822 Joseph Robidoux of Blacksnake Hills and his two brothers, Antoine and Louis Robidoux, outfitted a caravan, and Antoine and Louis set out for the Southwest country and settled at Santa Fe, and for many years after their fright caravans traversed the plains between St. Joseph, Missouri, and Santa Fe with general merchandise to the Southwest, and buffalo, bear, elk skins and other pelts were transported to the Missouri River points and to St. Louis." "He (Antoine) was one of New Mexico's earliest gold miners, sinking $8,000.00 He also was interpreter and guide with the Kearny overland column of 1846 to California, where his brother, who had preceded him by two years, was alcalde and juez de paz at San Bernardo."

"Antonio" Robidoux figures in the New Mexico archives as the purchaser at Santa Fe in 1834 of the "cerro del oro" mine; and there are frequent references to these brothers in such New Mexicana as Gregg's "Commerce of the Prairies," Bancroft's history, and Twitchell's "Leading Facts."

Such memoirs as are presented in this book are of especial value in the personal interest which they give to history, and the insight into conditions of the times.

L. B. B.
The Southwestern Trails to California in 1849


Epic in its sweep is the story of the Southwestern Trails to California as told by Ralph P. Bieber, of Washington University and a Fellow of the Historical Society of New Mexico. By rather curious coincidence, just after his monograph was written, Mabelle E. Martin published an article on "California Emigrant Roads through Texas," discussing in greater detail the migration that passed through Texas. Both writers rely to considerable extent on diaries, newspapers of the day, and official documents, revealing how much interesting and half-forgotten history may be dug out of old newspaper files and letters. According to Bieber, "approximately 9000 forty-niners, constituting an important element in the early American settlement of California, reached the gold mines by way of southwestern trails." Several of these centered at Santa Fé whence three -- Cooke's wagon road, Kearny's Trail and the old Spanish Trail--gave a choice of roads. Says the author: "The main depot for supplies was Santa Fé, where a number of argonauts bought articles at high prices from merchants who trafficked over the old Santa Fé Trail. Santa Fé was a lawless town in '49. Drinking, gambling, and general rowdyism were the order of the day and night, to the great amazement of those who had been reared in less boisterous surroundings. Many emigrants participated in the local pastime of gambling, with the result that a number were relieved of what little funds they possessed, and a few became so poor 'that they were reduced to the necessity of selling their clothing, or even the likenesses of friends.' The New Mexican towns through which the overlanders traveled were very hospitable and entertained the visitors with fandangoes. These affairs furnished a pleasant and unique diversion for the weary travelers, who were always unstinted in their praise of the graceful dancing of the dark-eyed señoritas.
Most of the emigrants from Arkansas passed the vicinity of Santa Fé between May and August, and reached the gold mines of California in about seven or eight months."

The route of many lay through El Paso or farther south through Durango, Mexico. Speaking of those who passed through Mexico the author says: "Emigrants were delighted with some of the scenery along the way and showed much interest in the quaint customs and habitations of the natives, which were so different in many respects from their own. Some were even induced to remain in the country for a while to aid the inhabitants in their attempt to exterminate several of the warlike Indian tribes. A number of Texans who were thus employed by the state of Chihuahua had a rather unique contract which provided for remuneration on a commission basis, $200 being paid them for every scalp of Apache Indians over fourteen years of age and $100 each for all scalps of Apache under this age." No wonder the Apache was implacable in later years when on the warpath against the pale faces!

Says the writer, "Between the latter part of April and the middle of September about twenty-five hundred emigrants from at least ten states left western Missouri for California via the Santa Fe Trail. . . . The argonauts from Missouri passed the vicinity of Santa Fe between July and October, and were treated with the same hospitality by the New Mexican towns in the Rio Grande Valley as were the emigrants from Arkansas who had passed earlier in the year.

"Those who made the best time traveled to the northwest by way of the Great Salt Lake. The trails in this direction began at Santa Fe and Pueblo and extended to the northern route to California, joining it at various points between Fort Laramie and Salt Lake City. One of the most popular of these was the old Spanish trail from Santa Fe to Salt Lake City."

"More extensively traveled than the routes to the northwest were the trails to the southwest along the Gila River. By far the most popular of these was the wagon road made by Lieutenant Colonel Philip St. George Cooke and his Mormon Battalion between November, 1846, and January, 1847. Leav-
ing the Rio Grande at a point near the present town of Rincón, New Mexico, this road extended to the southwest across the Rio Mimbres and through the Guadalupe Pass to the San Pedro river. . . . Kearny's trail was used by a considerable number of emigrants. Well known to the fur traders ever since the early part of the nineteenth century, it had been followed by Kit Carson when he guided General Stephen W. Kearny and his 'Army of the West' from New Mexico to California between October and December, 1846. It left the Rio Grande a short distance north of the point where Cooke's road began, and proceeded west along the Gila River to the Pima Indian villages, where it was joined by Cooke's road and continued to California. Another trail used by a few emigrants extended west from Albuquerque to Zuñi, and thence southwest to the Gila by way of the valley of the Salt River.''

Professor Bieber in the thirty pages of printed matter supplemented by a double page map, tells the story of the 49's with great restraint, there being an avoidance of dramatics and but mere reference to incidents that make the story of the Argonauts one of the most thrilling and dramatic in all history.

P. A. F. W.

The Colorado Magazine of January (1925) has a paper by L. R. Hafen discussing the "Early Mail Service to Colorado, 1858-60." The facts presented are based on sources to which the reader is referred. The relation of the subject to New Mexico is indicated: "The little embryo towns of Auraria and Denver on the South Platte were in the no-man's-land triangle between the two famous highways to the west—the Santa Fe and the Oregon trails. Eight years prior to the discovery of placer gold on the South Platte by W. Green Russell, monthly mail lines had been established from Independence, Missouri, to Salt Lake City and to Santa Fe respectively." As stated in footnotes, the postal route to Santa Fe was established in 1847, but service on this route was not begun
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until 1850. An extended description of this route will be found in "The Overland Mail to the Pacific Coast, 1849-69," which, Dr. Hafen writes, is to be brought out by the A. H. Clark Company in the spring.

The October number of the Missouri Historical Review is notable for several articles covering the earlier periods of the state's history. Among the "Personal Recollections of Distinguished Missourians" is found one by Daniel M. Grissom on "Sterling Price." He controverts the impression created by eastern newspapers during the Civil War that General Price was uncouth in manner and uneducated. He was "tall and commanding in person, with frank and open features, he possessed a bearing and manners that placed him at ease in any company. He was not an orator, nor debater, but he never rose on any occasion nor in any presence to speak without securing perfect attention. Few men possess, in a higher degree than he possessed, the personal force and authority that subdues a turbulent assembly, and brings it to order." The writer states that General Price, like General Donovan and General Harney, was six feet two inches in height "and it might be said that three finer looking men could not be found in the world." Other articles having New Mexico interest include: "The Liberal Republican Movement in Missouri," "Early Gunpowder Making in Missouri," "The Osage War, 1837," "The Warrensburg Speech of Frank P. Blair," and a "Jim Bridger" anecdote, quoted from Adventure Magazine.

Mrs. Cyrus Beard, in Annals of Wyoming for October, in discussing early Wyoming history, gives various data regarding the Sublettes, Jim Bridger, Jedediah Smith, and Capt. Bonneville—who may be the Col. B. L. E. Bonneville who was in Santa Fe in 1860 and was elected a member of the New Mexico society on Apr. 30th of that year. The notes on changes in prices for beaver skins are of value for comparison.
The Wisconsin Magazine of History for June, in the journal of Bishop Kemper, "Trip thru Wisconsin in 1838," gives a brief description of the archaeological site Aztalan and explains the origin of its name.

Minnesota History for June gives a delightful picture of the French Canadian "Voyageur" of a hundred years ago and his part in the fur-trade.

Chronicles of Oklahoma for June has a paper by Grant Foreman on "Early Trails through Oklahoma" which touches New Mexico history at many points.

The Legislation of the forty-first General Assembly of Iowa, which convened early in 1925, is reviewed and analyzed in the October number of the Iowa Journal of History and Politics. Such a review would also be timely in New Mexico, and should be extended not only to the work of the 1925 Legislature, but of all the preceding sessions since the American Occupation. Jacob A. Swisher, one of the Board of Curators of the State Historical Society of Iowa, which publishes the Journal, is the author of the article.

A letter by Wm. D. Marmaduke written from Dry Digginsville, California October 14, 1849, is published in the Missouri Historical Review. He tells that in the seven weeks since his arrival he had taken out over $1,000 in gold from the fifteen square feet of ground which are allotted to each miner. He speaks of living being excessively high, and that it is costing him as much as $9.00 a week, with pork at fifty cents a pound, flour twenty-five to thirty cents a pound, mackerel fifty cents per piece, onions two cents an ounce and Irish potatoes at two dollars a bushel.