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**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 Estis 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 linsy-woolsey all holler, down to Galaway county.'

'Santa Fé,!' replied Hatcher, disgusted with the fellow's simplicity, 'Why hoss, them's Calyfony!'

'Calyfony! My oh! let's look at them, stranger. Calyfony! way over yonder!' half way soliloquising, and staring me doubtfully, 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 Calyfony?'

'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 har 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 queriest.

'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 rendevoo. 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 mountaimen, 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 pursuant 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
Clerk

Approved

Charles Beaubien.

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 whome were the Territory of New Mexico

vs

Indictment for Murder.

Jose Manuel Garcia.

And now on this day F. 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, Edmong 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.

Approve
Charles Beaubien.

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. Courier, 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.

Robery Carey.
Clerk.

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 tommorrow Morning at nine o'clock.

Robert Carey
Clerk.

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 Martins, 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 Cuerroe.

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.

Aprove

Charles Beaubien.

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.

Robert Cary
Clerk.

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 Charley-foe. 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.

Aprove,
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 Lafore, 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.

Robert Cary,
Clerk

Aprove,
Charles Beaubien.

Don Fernandez de Taos, Apl, 12, 1847.

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

United States

v

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.

Territory of New Mexico

vs

Indictment for Murder.

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, Apl 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.

Robert Cary

Charles Beaubien.

Don Fernandez de Taos, April 13, 1847.

The Court met pursuant to adjournment.

Territory of New Mexico

v

Indictment for Murder.

Juan Antonio Avila

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 Guerrero, charged with High Treason and are accordingly dismissed.

Don Fernandez de Taos, Apl 14, 1847.

The Court met pursuant to adjournment.
 Martinez v Romero, Suit dismissed at the cost of the Plaintiff.
 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 Montaña, 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

Approve
 Charles Beaubien.

Don Fernandez de Taos, Apl 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.

The Court met pursuant to adjournment.

Territory of New Mexico,

v

Indictment for Theft.

Rafaël 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 Lafore, Charles Town, Elijah Ness, Jose Ignacio Valdez Jose Tafoya, Juan Miguel Baca, Blass Trujillo, Thos. Whitto, Chas. Roselecheuf, 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.

Robert Cary
Clerk

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, Luois 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 condem 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, towit: 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 similiar character after which the Court adjourned until tomarrow morning at 9 o'clock.

Robert Cary
Clerk

Aprove

Charles Beaubien.

Don Fernandez de Taos, Apl 17, 1847.

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 business to be brought forward the Court adjourned until Monday Morning at 9.

Robert Cary
Clerk

Approve

Charles Beaubien.

Don Fernandez de Taos, April 20, 1847.

The Court met pursuant to adjournment.

Territory of New Mexico,

vs

Indictment for Mule Stealing.

Jose Mariana Samora.

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 Cardenas, 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 defendant 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 punishment 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 counsel a nol pros entered. Same v Nicolas de Herrera and Jesus Mondracon were discharged by paying costs. Court adjourned 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 accordingly 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 20' 1847.

The Court met pursuant to adjournment.

Territory of New Mexico

vs

Indictment for Larceny.

Lugarde Cortez and Guadalupe 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 Guadalupe 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.

Robert Cary
Clerk

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, Empaneled 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 Lerew, 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.

Robert Cary
Clerk

Aprove,

Charles Beaubien.

Don Fernandez de Taos, April 23d 1847.

The Court met pursuant to adjournment.

Territory of New Mexico,

v

Indictment for Larceny.

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.

Robert Cary
Clerk

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.

Robert Cary
Clerk

Aprove

Charles Beaubien.