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George P. Hammond

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DON JUAN DE ONATE AND THE FOUNDING
OF NEW MEXICO

By George P. Hammond, Ph. D.

Chapter III.

Don Pedro Ponce de León

Ponce Plans to Conquer New Mexico. In the early months of 1596, there appeared on the scene still another competitor in the person of Don Pedro Ponce de León, Count of Bailén, ambitious to undertake the conquest of New Mexico. He was not a total stranger in New Spain,¹¹¹ for he had gone there with the Count of Coruña, who had served as viceroy from 1580 till his death in 1582.¹¹² Presumably Ponce had soon again returned to Europe as he does not reappear in the records of New Spain, but during 1596 and 1597, while seeking to win the leadership of the New Mexico project, he frequently occupied the attention of the Council of the Indies.

Before the month of April, 1596, had progressed very far he had petitioned the king for the right to lead an expedition for the conquest of New Mexico. On the 7th the Council of the Indies drew up a statement in regard to Ponce which disclosed the fact that he had by that time memorialized the crown for the right to undertake the coveted enterprise.¹¹³ His purpose in assuming the direction of this great undertaking was, according to his own statement, entirely unselfish. He openly boasted that nothing other than the desire of furthering the service of his majesty could induce him to leave Spain. The station in life which he filled was already secure. His ancestors as counts of Bailén had never experienced want, but had always been able to serve the king. His object therefore

111. The Council of the Indies to the king, April 7, 1596, in Hackett, *Hist. Docs.*, 293.

112. Priestley, *The Mexican Nation*, 88-89.

113. The Council to the king, April 7, 1596, in Hackett, *Hist. Docs.*, 293.

was to distinguish himself above his forbears in some notable manner, and he purposed to win that glory by extending the dominions of the king to New Mexico. He sought no reward till the goal had been achieved; but actually insisted that none be provided.¹¹⁴

The Council Supports Ponce. When the Council took Ponce's memorials under consideration, it was already in possession of the letter written by the Count of Monterey on December 20, 1595.¹¹⁵ In this letter, it will be recalled, the latter had asked the king that Oñate's expedition be not confirmed till he should have time to examine the contract with greater care. The Council now stressed this incident in a report to the king regarding Ponce's desire to be the conqueror of New Mexico. It further reported,¹¹⁶ after having considered his petitions regarding this position, that in its opinion it would be possible to give the leadership of the undertaking to him, since Oñate's contract had not been accepted by the Count of Monterey when he became viceroy.

The reasons advanced to substantiate this argument are interesting. First of all the Council emphasized the personality of Don Pedro Ponce, whose intelligence and general qualifications particularly fitted him for the task. These favorable conditions would enable him to attract a large following, especially in New Spain, which would serve a double purpose. Not only would the expedition benefit thereby, but Mexico would be freed of many idle and useless people who were a nuisance to the officials of the province. Furthermore the practical members of the Council of the Indies¹¹⁷ seemed quite willing that the Count of Bailén should leave his peaceful and quiet life in Spain to exchange it for a life of privation on the frontier of America, in order that he might, as he had previously stat-

114. Don Pedro Ponce de León to the king, Madrid, April 23, 1596, in Hackett, *Hist. Docs.*, 299.

115. This is apparent from the royal decree of May 8, 1596. See *ibid.*, 203 For Monterey's letter of December 20, 1595, see *ibid.*, 257.

116. The Council to the king, April 7, 1596, in *ibid.*, 293-295.

117. The Council was usually made up of high officials who had served in the New World. Cunningham, *The Audiencia in the Spanish Colonies*, 15.

ed in his memorials, perform a great service for the king. Seemingly the Council gave only slight attention to the rights of Oñate other than to slur his reputation. It did however recommend that the viceroy be instructed to repay him if he should have made any preparations worthy of recompense.¹¹⁸

When the king received this communication he took no immediate action. He desired additional information and requested the Council to advise him more fully regarding Oñate.¹¹⁹ This was done without delay. The reply consisted of a bitter attack on Oñate.¹²⁰ He was said not only to have wasted his fortune but to have incurred debts amounting to thirty thousand pesos, and was holding off his creditors by deceitful means. Since he was without money he would be unable to secure followers of repute, and his army must necessarily degenerate into a mob of desperadoes and vagabonds. His unfitness had already been demonstrated, for on a former expedition he had been unable to inspire respect or obedience among his men. These reports were said to have been given by persons of high standing who knew Oñate and had had dealing with him.¹²¹

Ponce on the other hand was represented as an admirable gentleman, an individual of such high standing and so well known in Mexico that he would at once secure a following of the best people in the province, since he intended to grant the latter all the profits on the new country. Ponce wished nothing for himself, but simply desired that any reward which he might receive for his service should be left entirely to the generosity of the king. In the eyes of the Council of the Indies Ponce was thus a distinguished and able man, while Oñate, whose contract had already been delayed by the viceroy, was painted in sordid

118. The Council to the king, April 7, 1596, in Hackett, *Hist. Docs.*, 295.

119. Royal decree in report of the Council of April 7, 1596. A. G. I., 140-7-38. It is not printed by Hackett.

120. The Council to the king, April 25, 1596, in Hackett, *Hist. Docs.*, 299 ff.

121. Villagr a vigorously assails those who were spreading false reports about Oñate and lauds the courage and fortitude which he showed under those attacks. *Historia*, I, 31.

colors. The Council desired that the king confirm the former immediately so that the Oñate expedition might be recalled before it was too late.¹²²

The King Suspends Oñate. Acting upon this advice the king decreed that instructions be given the Count of Monterey to suspend the execution of the contract which had been made with Don Juan.¹²³ He also authorized the Council to examine the proposals which Ponce offered for the conquest of New Mexico, and to reach an agreement with him if possible. The members of the Council could now rejoice, for the candidate of their choice had seemingly won.

After having expedited a formal decree to the viceroy of New Spain embodying the king's order to suspend Oñate,¹²⁴ the Council appointed the licentiate Agustín Alvarez de Toledo to confer with Ponce and to examine the conditions which he proposed for making the expedition.¹²⁵ Alvarez was also authorized to acquaint him with the details of Oñate's capitulations, and in addition to take note of how much more favorable terms Don Pedro would voluntarily offer for making the same conquest. A statement, drawn up in accordance with this order setting forth the claims of both Oñate and Ponce was therefore made and sent to the king, so that, as the Council suggested, he could see for himself that Ponce's offer was really much more advantageous than that of Don Juan. At the same time it definitely recommended that Ponce be awarded the contract and urged immediate action in order that he might be ready to sail with the fleet for New Spain. To this recommendation the king was not averse,¹²⁶ and he therefore

122. The Council to the king, April 25, 1596, in Hackett, *Hist. Docs.*, 301.

123. Royal cédula in report of the Council of April 25, 1596, in *ibid.*, 303. See also *Historia*, I, 36, and "Memorial sobre el descubrimiento del Nuevo Mexico y sus acontecimientos. Años desde 1595 á 1602," in *Col. Doc. Inéd.*, XVI, 191.

124. Royal cédula to the viceroy of Spain, May 8, 1596, in Hackett, *Hist. Docs.*, 303.

125. The Council to the king, May 19, 1596, in *ibid.*, 303.

126. The king usually accepted the advice of the Council of the Indies in all matters relating to the colonies. Moses, B. *The Spanish Dependencies in South America*, I, 232-234.

ordered that an agreement be made with Ponce for the conquest of New Mexico.¹²⁷

Ponce's Liberal Offer. The statement which the Council referred to as showing the eminent desirability of Ponce's contract in preference to Oñate's, and of which a copy was sent to the king at the same time, has recently come to light in the Spanish archives.¹²⁸ It compares the terms offered by Ponce with those made by Don Juan and vividly shows the advantages of the former's capitulation.¹²⁹ For example Oñate had bound himself to enlist over two hundred soldiers and colonists; Ponce would increase this by one hundred mounted men. Don Juan had agreed to take 20,000 reales worth of flour, maize, wheat and jerked beef; Ponce offered to spend 39,000 reales for these materials.¹³⁰ Of live stock including cattle, sheep, goats, colts and nares, Oñate had provided for 6,400 head, but again Ponce completely outdid him by offering to increase this number to 13,900. Instead of six bellows, as Oñate had stipulated, Don Pedro would bring fourteen; in a group of materials including footgear, medicine, gifts to the Indians, paper, cloth, iron tools, and iron for horseshoes, Oñate's offer was completely eclipsed. His sum was 38,400 reales; that of Ponce 79,400. Twenty ox carts had been specified by Oñate; his competitor would provide thirty. In no case did any of Ponce's proposals fall below those made by his rival. The latter's personal equipment of horses, mules, saddles, arms,

127. The Council to the king, May 19, 1596, in Hackett, *Hist. Docs.*, 303-305.

128. "Statement of what Don Juan de Oñate and Don Pedro Ponce de León offer for the exploration, pacification, and settlement of New Mexico, [1596?]" in Hackett, *Hist. Docs.*, 281 ff. It bears no date or signature, but it was made before May 19, 1596, since the Council states that a copy was sent to the king on that date together with its report regarding Don Pedro. Council of the Indies, May 19, 1596, in *ibid.*, 303. Furthermore it could not have been drawn up before May 2, for not till that time did the king order Oñate's contract suspended. At the same time he had authorized the Council to make a separate capitulation with Don Pedro. Royal cédula in report of the Council of the Indies of April 25, 1596, in *ibid.*, 303.

129. The statement is in double column, each article in Oñate's contract being paralleled by and contrasted with Don Pedro's offer.

130. The figures in Ponce's offer are given in reales, while on Oñate's side of the ledger they are expressed in pesos. For the sake of convenience in comparison I have converted the latter to reales.

etc., was, in general, increased an equal amount, and in addition Ponce would take shields, helmets, muskets and crossbows, for which no provision had been made by Don Juan. Moreover many of the concessions demanded by Oñate were not now mentioned.¹³¹ By this strong bid Ponce, Count of Bailén, thus strove to secure the honor of conquering New Mexico.

Ponce and Alvarez Negotiate. During the summer months of 1596, the licentiate Agustín Alvarez de Toledo, acting for the Council of the Indies, reached an agreement with Ponce for the proposed conquest, and forwarded it to the Council for approval. This was given, and the papers were then sent to the king for final confirmation September 7, 1596.¹³²

While the terms of a contract were being arranged the aspiring conqueror specified some particular things which he desired his contract to contain. Some of these requests have been preserved in the Archivo General de Indias in Seville, Spain,¹³³ in the form of rough notes, evidently made by some clerk for the convenience of Alvarez or the Council.¹³⁴ They are, with one exception, undated and unsigned, but do contain decrees of approval or dissent and carry rubrics.¹³⁵ Their chief importance rests in the

131. Statement of what Oñate and Ponce offer, in Hackett, *Hist. Docs.*, 281. ff.

132. The Council to the king, September 7, 1596, in *ibid.*, 305.

133. A. G. I., 1-1-3/22.

134. "Don Pedro Ponce de León prays that your worship will propose to the members of the Council that they shall grant him what is stated in the following articles. [Madrid, April 23, 1596]," in Hackett, *Hist. Docs.*, 295-299. The decrees approving or refusing these requests are not given by Professor Hackett.

135. These papers were published by Professor Hackett under date of April 23, 1596, which is date of a letter of Ponce de León, in which he elaborates on his reason for desiring to undertake the conquest of New Mexico. (See Hackett, *Hist. Docs.*, 295-299) None of the other papers were written that early, as an examination of the internal evidence shows. It was not till May 2, 1596, that the king authorized the Council to look into the conditions proposed by Ponce, (Royal decree in report of the Council of the Indies of April 23, 1596, in *ibid.*, 301-203) and on May 19 that Alvarez was named to act for the Council. Moreover Ponce stated in one of these notes that a creditable person had come to Madrid from New Spain, bringing certain information which showed Oñate's inability to manage the expedition honorably; that his captains had left Mexico with only a handful of men, most of whom were half-breeds and mulattos; and that so many outrages had been committed that the viceroy and audiencia had been constrained to send an alcalde to punish the lawless

fact that they show us some special privileges which Ponce requested in order to make his venture successful. In particular he wanted to be made governor of Nueva Vizcaya on completion of the incumbent's term.¹³⁶ That would enable him to place a lieutenant in that government, and to order reinforcements sent to New Mexico without appealing to the officials in New Spain, which was usually a dubious affair and likely to involve ruinous delay.

Ponce's request was not granted. The king merely informed the governor of Nueva Vizcaya of the contract and ordered him to aid the new conqueror in whatever he might need and ask for, specifically requiring him to return any runaway soldiers found in Nueva Vizcaya.¹³⁷ That was as far as the king would go in this matter. He did not want the adelantado of New Mexico to become too powerful.

Nature of the Contract. The contract which the Council of the Indies had made with Ponce de León does not differ materially from the one which the viceroy had concluded with Oñate, though its provisions are, on the whole,

bands. This "credible person" could not possibly have reached Madrid as early as April 23. On February 23 the viceroy had reported to the king (*Carta del conde de Monterey á S. M.*, February 23, 1596, A. G. I., 58-3-15) that the New Mexico expedition was being recruited and that it was planned to carry out the march to the new province in June. On April 17 further reports were sent. Most of the colonists assembled in Mexico were then on the march, said the viceroy, and the rest would be hurried forward in order that the expedition might be made that year. (*El Conde de Monterey á S. M.*, April 17, 1596, A. G. I., 58-3-15) No disturbances are mentioned, but when writing on November 15, (Monterey to the king, in Hackett, *Hist. Docs.*, 377, he reported that it had been necessary to send an alcalde, Don Lope de Ulloa y Lemos, to stop the outrages, "which were not so bad as rumor indicated." These complaints reached the viceroy by the first of June. (Order of Monterey, June 10, 1596, in *Ulloa visita*, A. G. I., 58-3-14) In view of the slowness of communication it is safe to state that the report did not reach Madrid till July or August, and that Ponce then sent his note to the Council.

Another point might be singled out for mention. Ponce's contract, approved September 25, 1596, allowed him to bring two ships of two hundred tons burden each to the Indies. This proved impracticable and he petitioned for permission to use vessels of different size, and to sail before the *flota*. (See Ponce's petition in Hackett, *Hist. Docs.*, 297. The king's answer came on October 26, 1596, granting Ponce's request in full. (Royal cédula, in *ibid.*, 341) It would thus seem more accurate to date these papers in September rather than in April, 1596.

136. Petition of Ponce, in Hackett, *Hist. Docs.*, 297.

137. Royal cédula, October 19, 1596, in *ibid.*, 337.

characterized by greater concessions to Ponce.¹³⁸ This is not strange in view of the fact that the latter had demanded less of the king and had promised to equip a larger expedition entirely at his own expense. Nor can we forget that the Council particularly favored his cause and seemingly urged him to accept favors at the hands of the king.¹³⁹

It has already been observed that Ponce agreed to assemble three hundred soldiers for the expedition, all to be recruited in the Indies. In order to enlist so many men every facility was placed at his command.¹⁴⁰ The supplies required for the support of the expedition after the new lands had been reached, the flour, maize, wheat, cattle, etc., remained the same as Ponce had first proposed to the Council early in 1596.¹⁴¹ One new article of importance provided that he would bring one hundred and thirty officials and servants of his own household to New Mexico, the married ones to be accompanied by their wives and families. In addition thereto one hundred soldiers might be recruited at home. After all, the entire three hundred need not be secured in the colonies, and the king instructed the Casa de Contratación to permit them to leave Spain.¹⁴² The order was in no way compulsory, only certain objectionable classes being prohibited from going to the Indies.¹⁴³

No export duties were to be paid by any of these men who enlisted in Spain, nor was Ponce to pay such duties. Cédulas embodying these favors were issued by the king and sent to officials in New Spain and Nueva Galicia.¹⁴⁴

138. It was approved by the king on September 25, 1596. *ibid.*, 305.

139. See the Statement of what Oñate and Ponce offer, in *ibid.*, 281-293, *passim*.

140. Contract and agreement with Don Pedro Ponce de León, September 25, 1596, in *ibid.*, 307-317. (Hereafter cited as Ponce's contract.) For special cédula confirming this privilege, see *ibid.*, 323-325.

141. The contract reads that 290 colts and 290 mares were to be taken to New Mexico, which is evidently an error for 250. See Hackett, *Hist. Docs.*, 485 note 27. My copy of the same document also gives the number as 290.

142. Royal cédula, October 16, 1596, in Hackett, *Hist. Docs.*, 335.

143. Licenses had to be procured for going to the Indies, and the emigrant had to prove himself an orthodox Catholic before it would be issued. Robertson, W. S. *History of the Latin-American Nations*, 124.

144. Ponce's contract, in Hackett, *Hist. Docs.*, 315; royal cédula, October 19, 1596, in *ibid.*, 337-339.

In the personal equipment of the two conquerors we also find a decided difference. Ponce in particular had bound himself to bring an elaborate supply of materials for this purpose, presumably to emphasize the greater distinction of his own person.¹⁴⁵

There were also some special provisions in Ponce's contract with the king. He agreed to carry out its terms within a year and a half after it had been approved.¹⁴⁶ In Mexico his army was to be inspected by the viceroy in order that the king might know that he had fulfilled his obligations. On the whole he was to remain under the viceroy's supervision while in New Spain and Nueva Galicia, but as soon as New Mexico was reached he was to be wholly independent. He would then be directly responsible to the Council of the Indies. Civil cases involving one hundred pesos or more could be appealed to Spain, and the same was true of criminal cases where the sentence was death, or the permanent injury or removal of a limb. However the appeal might be made to the nearby *audiencia* of Nueva Galicia. Aside from these points Ponce was the highest source of justice within New Mexico.¹⁴⁷

Numerous aids and incentives were granted Ponce. He was made governor and captain-general with a salary of twelve thousand ducats,¹⁴⁸ twice the amount allowed Oñate. He could engrave stamps and dies with the royal arms to mark the precious metals. He could establish royal treasuries, name the officials thereof, and after these had become explorers and settlers, divide the Indians among them, even though there might be prohibitions against holding these two privileges at the same time.¹⁴⁹ Royal

145. Ponce's contract, in *ibid.*, 309.

146. *Ibid.*

147. *Ibid.*, 317. A special *cédula* was issued concerning Ponce's independence of the officials in America, in which the viceroys and *audiencias* and other officials in New Spain and Nueva Galicia were warned of this fact. Royal *cédula*, October 26, 1596, A. G. I., 139-1-2.

148. Ponce's contract, in Hackett, *Hist. Docs.*, 313; special *cédulas* to this effect were issued, but the king was to be under no obligation to pay that salary if there was no money in New Mexico. *Ibid.*, 325; 330-341.

149. Ponce's contract, in *ibid.*, 313; for special *cédulas*, see *ibid.*, 339.

funds might be used in suppressing rebellion, provided a majority of the royal officials approved.¹⁵⁰ He was privileged to make ordinances for the regulation of mines and the government, though royal sanction must be secured within three years. He could divide the province into districts and appoint officials, but royal approval must eventually be had. He might also name a cosmographer who was to make scientific descriptions of the province and to select suitable sites for the establishment of towns.¹⁵¹ Three cities were to be founded within six years, and in each Ponce agreed to construct a fort.¹⁵² After their completion he was to have command of them for the remainder of his lifetime with an annual salary of one hundred thousand *maravedis* for each one.¹⁵³ He would also build vessels to examine the rivers and parts of the North and South Seas in case his discovery should lead him to either of these bodies of water.¹⁵⁴

Concerning war materials more was given Ponce than his competitor. His allowance consisted of four pieces of artillery, forty quintals of powder, a hundred and thirty of lead,¹⁵⁵ and sixty quintals of fuse, for which he had petitioned the crown. If more powder should be needed this might be purchased in Mexico at the same rate as the crown had to pay.¹⁵⁶

Ponce de León was given some other powers similar to those granted Oñate, namely: the right to arrest anyone who might have entered New Mexico without authority;¹⁵⁷ to take along, as interpreter, an Indian woman who had come from that province,¹⁵⁸ and to give all the Indians of

150. This was a special concession. Royal cédula, October 12, 1596, in *ibid.*, 337.

151. Ponce's contract, in *ibid.*, 313-319; for special cédulas, see *ibid.*, 329; 373; 331.

152. Ponce's contract, in *ibid.*, 317.

153. The *maravedis* is an old Spanish coin worth about one sixth of a cent.

154. Ponce's contract, in Hackett, *Hist. Docs.*, 311.

155. *Ibid.*, 315.

156. Royal cédula, October 16, 1596, in Hackett *Hist. Docs.*, 329.

157. This refers to Bonilla and Humaña who made an unauthorized expedition to New Mexico in 1593.

158. Ponce's contract, in Hackett, *Hist. Docs.*, 315; royal cédula, October 16, 1596, in *ibid.*, 331-333.

New Mexico in encomienda among the soldiers and settlers of the first three generations. However the ports and capital cities must be reserved for the crown. Ponce was especially warned that all the royal regulations designed to protect the natives must be observed. One point was singled out for emphasis and provided that the aborigines should be taxed according to the New Laws of 1542.¹⁵⁹ If more than the proper amount of tribute should be exacted by an encomendero he was to be deprived of his encomienda and permanently disqualified from holding any such privilege again. Ponce was also permitted to give pasture and farm land to the settlers, but in order to acquire permanent title to such land the prospective owner had to "homestead" for five years. No taxes of any kind were to be levied on those who had erected sugar mills and used slaves to operate them, nor could a tax be put on the slaves or the equipment used.¹⁶⁰

A number of important exemptions were granted to Don Pedro Ponce. The customary royal fifth, always imposed on the precious metals, pearls and valuable stones, was reduced to a tenth during the first twenty years of the conquest.¹⁶¹ The much hated *alcabala*, or excise tax, universally despised in the Spanish-American colonies,¹⁶² was withheld for twenty years. Both of these privileges were to date from the time when the first town should be founded. Mention should also be made of the *almojarifazgo*, an import and export duty on all commerce, from which the colonists of New Mexico were freed for a decade.¹⁶³

Some additional articles of Ponce's contract remain to be noticed. All the officials in the army of soldiers and colonists were to be appointed by him, and the king's agents in America were specially instructed to give all possible aid.

159. Royal cédula, October 16, 1596, in *ibid.*, 323; for a summary of the New Laws, see Priestley, *The Mexican Nation*, 62-64.

160. Ponce's contract, in Hackett, *Hist. Docs.*, 315-319; for special cédulas, see *ibid.*, 323; 335.

161. Ponce's contract, in Hackett, *Hist. Docs.*, 315; for special cédula, *ibid.*, 338.

162. Priestley, *The Mexican Nation*, 131-132.

163. Ponce's contract, in Hackett, *Hist. Docs.*, 315-317.

Even if there were men in the army who had committed crimes they were not to be detained unless some one insisted on prosecuting them. As a special favor Ponce was permitted to take fifty negro slaves to the Indies free of duty, both in Spain and in New Spain. But thereupon the order was to be destroyed lest it be used again.¹⁶⁴ So carefully was the commercial monopoly guarded.¹⁶⁵

Then too Ponce was allowed to select his heir for the continuance of the conquest should he himself die before its completion.¹⁶⁶ Oñate, it will be recalled, was accorded the same privilege, subject to the approval of the viceroy of New Spain.

Ponce had petitioned the king for permission to leave the province of New Mexico at the end of six years after it had been explored and settled. This was granted, as was his request to leave a qualified substitute in his place.¹⁶⁷ Oñate's petition for the same privileges had been refused, but there is this point to be noted. Ponce asked to leave after having successfully completed his task, whereas Oñate desired freedom to go at any time wherever he pleased.

The privilege of becoming hidalgo was granted to Ponce's settlers, but the honor did not hold should they abandon the province.¹⁶⁸ This restriction was evidently designed to promote the growth of New Mexico as a Spanish province. Oñate's settlers had to remain only five years to win the coveted glory. Titles of *towns* and *cities* could be given by Ponce as a further inducement for going to New Mexico.¹⁶⁹ Political and military "plums" were to be distributed among the sons and grandsons of the original settlers, and they could not be deprived of their offices.¹⁷⁰

164. *Ibid.*, 319-321; for special cédulas, *ibid.*, 331; 339.

165. For an account of the mercantile system, see Haring, C. H. *Trade and Navigation between Spain and the Indies*, chs. I and VI.

166. Ponce's contract, in Hackett, *Hist. Docs.*, 321.

167. *Ibid.*, 321; 343.

168. Ponce's contract, in Hackett, *Hist. Docs.*, 319; for special cédula, see *ibid.*, 343.

169. Given in two cédulas issued October 19, 1596. *ibid.*, 335-337.

170. Cédula of October 19, in *ibid.*, 337.

Regarding the missionaries who were to accompany the expedition and undertake the conversion of the land, Ponce had agreed to pay all their expenses. Jesuits had been procured for this purpose, and the contract so provided.¹⁷¹ But for some reason which does not appear a different arrangement had been made by October 28, 1596, Franciscans having been substituted for the Jesuits. On the date mentioned the king requested the Father Provincial of the Franciscan Order of New Spain to give Ponce six religious to engage in ministering unto the Indians of New Mexico.¹⁷² This remained the final disposition.

Ponce's Secure Position, 1596. It is thus evident that in September 1596, When Ponce's contract was approved by the king, his ascendancy was complete. The Council of the Indies supported him. Philip II had accepted the recommendations of his advisers seemingly without reserve. The contract read that "it is my royal and determined will that you and no other person whosoever shall undertake the said pacification, settlement, and exploration, or if it has been commenced by another that you shall continue and finish it."¹⁷³ In accord with this policy so forcefully expressed the king instructed the Count of Monterey of the royal will in this matter and of the necessity of detaining Don Juan de Oñate wherever he might be.¹⁷⁴ Truly there seemed to be no hope for him.

Reversal of Fortune, 1597. Nothing is known of what actually transpired between the first part of November, 1596, and the early part of February, 1597. It seems that Ponce passed through a critical illness,¹⁷⁵ and that his fortunes, on the whole, suffered a serious check. This change is seen in a letter of the Council to the king.¹⁷⁶ It reveals the fact that Ponce, previous to that date, had petitioned the

171. Ponce's contract, in *ibid.*, 307.

172. Cédula of October 26, 1596, in *ibid.*, 343.

173. Ponce's contract, in *ibid.*, 321.

174. Cédula of October 19, 1596, in Hackett, *Hist. Docs.*, 335.

175. The Council to the king, February 18, 1597, in *ibid.*, 347.

176. The Council to the king, February 7, 1597, in *ibid.*, 345.

king for the right to place a mortgage on his estate in order to complete his preparations for the expedition to New Mexico. If this was not favored he desired the king to loan him a certain sum which would enable him to carry on what he had begun. It further shows that the Council was still acting as spokesman for Ponce, urging that he should go very soon. When the Council wrote this report it had just received information from the viceroy of New Spain to the effect that Oñate had been advised of the cédula of May 8, 1596, stopping the expedition. With his army halted the opportunity for Ponce was as good as ever, and he was anxious to conclude the necessary arrangements. But the king again acted with deliberation. He asked to see the papers which Monterey had sent dealing with these matters.¹⁷⁷

In spite of the king's lack of warmth for Ponce's cause the Council reiterated its preference for him.¹⁷⁸ In a summary of the whole situation it pointed out that in December, 1595, Monterey had been dissatisfied with both Oñate and his contract. Now all this was changed. His recent letters had urged that Oñate be retained as leader of the expedition.¹⁷⁹ This change of heart displeased the Council. Ponce was ready to leave on eight days' notice. He had a brother in Seville preparing the ships, arms and provisions necessary. If a change should be made at that stage of affairs his reputation would suffer greatly. Such a rebuff would be an extremely poor reward for a man who had volunteered to serve his majesty with much spirit and generosity. Furthermore the Council charged that the doubt cast on Ponce's cause was the work of a brother-in-law of Oñate, an *oidor* of the audiencia of Mexico. His stand was that a captain coming from Spain would be unable to cope with conditions in the New World. But this was of minor

177. Royal decree in report of the Council of February 7, 1597, in *ibid.*, 345.

178. The Council to the king, February 18, 1597, in *ibid.*, 347.

179. The reference is to Monterey's letter of November 15, 1596. Hackett, *Hist. Docs.*, 377.

importance, maintained the Council, and it recommended that Ponce himself should bear the news of the king's decision to the Indies.¹⁸⁰

King Philip Suspends Ponce. On this occasion King Philip did not accept the advice of his royal Council. He felt that since Ponce was in poor health and lacked the necessary funds no immediate decision should be made. The Council was instructed to keep him in suspense for the time being, meanwhile making secret inquiry of the viceroy as to whether Oñate still had everything in readiness to continue the expedition. If so, he should be authorized to proceed to New Mexico, but if his force had fallen to pieces, the king was to be promptly informed.¹⁸¹ The Council, however, was in no mood to leave matters in such an uncertain muddle. Since Ponce was continuing his preparations at much expense it seemed proper that he be undeceived at once or that he be informed that no decision could be made for a year and a half.¹⁸² To this the king laconically replied that he should be informed that nothing could be determined for a year.¹⁸³

Shortly after these events had occurred the king's will was embodied in a formal cédula to the Count of Monterey. This was merely a repetition of his orders to the Council that Oñate should be permitted to conquer New Mexico if he was prepared to do so.¹⁸⁴ With this sudden termination Ponce's good fortune came to an abrupt end. As far as the expedition to New Mexico is concerned he is not heard of again. In fact nothing more is known of Don Pedro Ponce de León.

180. The Council to the king, February 18, 1597, in Hackett, *Hist. Docs.*, 347.

181. Royal decree in report of the Council of February 18, 1597, in *ibid.*, 349.

182. The Council to the king, March 7, 1597, in *ibid.*, 349.

183. Royal decree in report of the Council of March 7, 1597, in Hackett, *Hist. Docs.*, 349.

184. Royal cédula, April 2, 1597, in *ibid.*, 345.

Chapter IV.

Oñate in the Wilderness

Preparing the Expedition. The contract which the viceroy made with Oñate was formally approved September 21, 1595, as we have seen,¹⁸⁵ and preparations for the great enterprise were soon under way. It was undertaken in feudal style. Important positions were given to wealthy friends and relatives. These did homage and swore fealty to Oñate and raised companies at their own expense.¹⁸⁶ Oñate's nephew Juan de Zaldívar was at once named *maestre de campo*; another nephew Vicente de Zaldívar became *sargento mayor*; the wealthy Juan Guerra de Resa was made lieutenant captain-general. Oñate's brothers Cristóbal and Luis Nuñez Pérez were made his personal representatives in Mexico.¹⁸⁷

The preparations were carried forward enthusiastically for a time. If we believe the picture given by Villagrà, the soldier-poet, a spirit of friendly helpfulness prevailed among the soldiers. Not even the bees, under the stimulus of the April sun, could make honey with greater haste than the future conquerors of New Mexico prepared themselves for their work. Proclamations were made in the most frequented streets, picturing the many privileges given to those who would serve in the conquest. Banners were hoisted, trumpets sounded, fifes played and drums beat. Mingled with these martial notes was the clamor of the soldiers who were burning with eagerness to set off for the land of promise, the "otro Mexico," immediately.¹⁸⁸

185. See chapter II of this study in Vol. I of the *Review*.

186. Bolton, *Spanish Borderlands*, 170; Bancroft, *Arizona and New Mexico*, 117.

187. They were given this power on October 19, 1595, in Zacatecas. *Aceptación de las capitulaciones*, December 15, 1595. A. G. I., 58-3-12. Villagrà mentions only Cristóbal. *Historia*, I, 29.

188. Villagrà, *Historia*, I, 30.

The scenes enacted by Oñate and his followers resembled those which had occurred when Coronado organized his army in 1540, to explore the Northern Mystery. In the city of Mexico where only one recruiting squad was permitted, Vicente de Zaldívar was put in charge with authority to enlist both foot and horse. For this privilege his friends were so happy that they carried him to the palace to kiss the Count's hands. Proceeding to the grand plaza a salute of artillery was fired to indicate that enlistment was under way.¹⁸⁹

Opposition from Oñate's Foes. The start so brilliantly begun soon struck obstacles. Monterey the new viceroy entered upon his duties in Mexico in November, 1595,¹⁹⁰ and Oñate's contract was submitted to him for his approval.¹⁹¹ Office seekers flocked to his court, and among them were enemies of Oñate.¹⁹² These malcontents were probably the main element in prejudicing the viceroy against the enterprise.

Discouragement of the Soldiers. Before the two viceroys came to an agreement at Oculma in regard to Oñate's contract the uncertainty and delay caused by the change in government nearly ruined the army which had commenced to assemble. "It faded and dried up like an unwatered flower," said the poet. Gossip and slander had been so widely circulated that the soldiers lost faith in their leader and shamelessly believed the charges against him.¹⁹³ In an appeal to the king Oñate himself painted the difficulties under which he was working during the latter part of 1595. He complained that the delay in forwarding his warrants had occasioned enormous damage; that some of the soldiers had lost interest and were completely discouraged; and that the outlook was growing more dubious. It might not be pos-

189. Torquemada, *Monarchia Indiana*, I, 671.

190. *Ibid.*; Bancroft, *Mexico*, II, 766.

191. See chapter II.

192. Villagrà, *Historia*, I, 27; 30; Bancroft follows Villagrà, *Arizona and New Mexico*, 118.

193. Villagrà, *Historia*, I, 31.

sible to carry out the expedition before the rainy season commenced. That possibility would involve great expense, and be extremely disheartening to the entire army.¹⁹⁴

By tactful management he succeeded, together with his lieutenant Juan Guerra de Resa, in preventing the break-up of the expedition, and at the conference of Monterey and Velasco at Oculma he was permitted to go on with the enterprise.¹⁹⁵

The news of that decision was sent to the camp by letter and caused an outburst of joy.¹⁹⁶ Recruiting again went forward with enthusiasm and the expedition was nearing completion in January, 1596, according to Oñate's claims.¹⁹⁷ Such a statement is probably an exaggeration, but it indicates that all was progressing as rapidly as could be expected.¹⁹⁸

At last nothing was lacking except the final warrants,¹⁹⁹ but trouble was brewing. During the Christmas season of 1595, Monterey carefully scrutinized Oñate's capitulation²⁰⁰ and concluded to limit his privileges in some important particulars. As already intimated it is possible that this decision was due to suspicions aroused by discontented fortune seekers disgusted at Oñate's success.

When the news of this additional misfortune reached the army it was thrown into utmost confusion. The angry soldiers turned on their leader again. It was clear to them that the privileges which had been so tantalisingly displayed at the time of enlistment had

194. *Carta de Don Juan de Oñate á S. M.*, December 16, 1595, A. G. I., 58-3-15.

195. See chapter II.

196. Villagr , *Historia*, I, 33.

197. Letter of Crist bal de Oñate, [January, 1596]; order of Monterey, June 6, 1596, in *Traslado de la visita que por comision del se or virrey tom  Don Lope de Ulloa y Lemos   Don Juan de Oñate, de la gente, armas y municiones que llev  para la conquista del Nuevo Mexico*, A. G. I., 58-3-14. Hereafter cited as *Ulloa visita*. See also Santiago del Riego to the king, November 10, 1596, in Hackett, *Hist. Docs.*, 369.

198. The Vizcaino expedition to the Californias was being organized at this same time, and though Monterey had objections to it and was dubious of the outcome, he did not hinder its progress. Chapman, C. E. *History of California*, 124-126.

199. Letter of Crist bal de Oñate, [January, 1596]; cf. Villagr , *Historia*, I, 33.

200. See chapter II.

been mere mockery. Charges of deception and even of treachery were leveled at him, and it was with much difficulty that their suspicions were allayed and order restored anew. The assistance of the faithful Juan Guerra seems to have been important in bringing this about.²⁰¹

Success in Enlisting Men. Oñate's representatives did not hesitate in coming to a decision in regard to the viceroy's limitations. These they accepted,²⁰² and then the governor was immediately given complete and final authority to go on with the enterprise.²⁰³ Additional facilities were also given for enlisting soldiers and Monterey thus felt that the journey to New Mexico could be made that season.²⁰⁴

In spite of the many reverses which had served to discredit the expedition the captains seemed to meet with success in securing men. The attitude of the viceroy had now changed and he was represented as friendly to the project. This aided in stimulating enlistment and many married men volunteered.²⁰⁵ In fact matters progressed so fast that on April 17, Monterey reported that almost all of the soldiers recruited in Mexico were already on the way to Zacatecas. Haste was necessary if the journey was to take place that year, as the viceroy realized, and he was hurrying along those who had not then departed.²⁰⁶

Arranging the Visita. At the same time Monterey was making other plans in order that Oñate might not leave Zacatecas for New Mexico with a smaller number of men and less supplies than he had agreed to bring. In order to safeguard the welfare of the soldiers and settlers in the army and to protect the Indians and possessions of the mining settlements in Nueva Galicia and Nueva Vizcaya,

201. Villagrà, *Historia*, I, 34-35.

202. Letter of Cristóbal de Oñate, [January, 1596].

203. *Acceptación del consentimiento que se hizo por Don Juan de Oñate á la moderación de las capitulaciones*, January 13, 1596. A. G. I., 58-3-15.

204. *Carta del Conde de Monterey á S. M.*, February 28, 1596.

205. Torquemada, *Monarchia Indiana*, I, 671.

206. *Monterey á S. M.*, April 17, 1596. A. G. I., 58-3-12.

which were situated along the line of march, he determined to send a reliable officer to review the army. If we may believe his own words he appears to have been somewhat perturbed about the performance of this duty, because much suffering had already been caused Oñate and this inspection would probably give additional reason for complaint.²⁰⁷ Nevertheless he proposed in an *acuerdo de hazienda*, held on May 18, 1596, that the inspection should be held, and the plan was approved.²⁰⁸

With these necessary arrangements completed the Count nominated the captain of the viceregal guard, Don Lope de Ulloa y Lemos, as *juez visitador y teniente de capitán-general* for the New Mexico expedition. His instructions required him to overtake the colonists and accompany them from Zacatecas to Santa Bárbara in order to become thoroughly familiar with conditions in the army. The *visita* was not necessarily to be held at Santa Bárbara, but near there.²⁰⁹ Oñate's contract had stipulated that the army should be assembled at that place, the last settlement in the conquered territory, and there he should give proof of having fulfilled his obligations.²¹⁰ If the inspection proved that the requirements of the contract had been fulfilled he was to be permitted to go on, otherwise he should be detained.²¹¹

One other commission was given Don Lope de Ulloa. Recruiting was dragging on more slowly than had been anticipated. Some of the soldiers and colonists were still in Mexico on June 6, 1596, in spite of efforts to hurry them on toward Oñate's rendezvous. Small groups were departing

207. *Monterey á S. M.*, April 17, 1596, A. G. I., 58-3-12.

208. Order of Monterey, June 6, 1596, in *Ulloa visita*.

209. *Ibid.*; see also "Memorial sobre el descubrimiento," in *Col. Doc. Inéd.*, XVI, 191; Villagrà, *Historia*, I, 35.

210. Oñate's contract, in Hackett, *Hist. Docs.*, 231.

211. Monterey to the king, November 15, 1596, in *ibid.*, 377. Ulloa was also given several assistants. Antonio de Negrete, who had served in the royal council of Castile, was made *secretario*; Francisco de Esquivel, who had seen military service in Flanders and Portugal, was named *comisario*; and Jaime Fernández went as *alguacil*. See order of Monterey, June 6, 1596, in *Ulloa visita*.

for Zacatecas at irregular intervals, and it was rumored that they were disturbing the inhabitants and causing more or less property damage.²¹² These complaints reached the viceroy in the first part of June. To punish such offences and eliminate future occurrences Monterey gave Ulloa full power to deal with any trouble that might arise. At the same time he was to observe friendly relations with Oñate. The latter was to remain free to govern his people and to enforce military discipline. Ulloa should only interfere to protect the settlements or to punish those guilty of crimes. These special cases were left entirely to his discretion. As soon as the inspection had been held Oñate should be compelled, if it was successful, to continue the journey in order that he might enter New Mexico in August, 1596.²¹³ Monterey did not want the army to linger and excite the newly pacified areas of Nueva Galicia and Nueva Vizcaya. These orders were fulfilled at once. On June 11, the various officers left Mexico to assume their duties.²¹⁴

On their journey northward Ulloa and his company carried letters from Monterey to Oñate, wherein he wished him the good fortune which so illustrious an individual and his distinguished relatives deserved, and bade him God-speed in the conquest. He did not desire that Oñate should be worried about the inspection which Ulloa was to make, and attempted to overcome objections by saying that it was ordered as a formality rather than because on any suspicions that the contract had not been fulfilled. These glad tidings were received with joy by the soldiers, for it seemed to augur a speedy march, and they celebrated with tournaments and merrymaking.²¹⁵

Appraising the Supplies. Before the inspection could take place certain preparations had to be made to enable

212. Order of Monterey, June 6, 1596, in *Ulloa visita*.

213. Order of Monterey, June 10, 1596, in *Ulloa visita*.

214. Report of Antonio de Negrete, June 11, 1596, *ibid.*

215. Villagrà, *Historia*, I, 35.

Ulloa to hold it. Oñate, for example, had bound himself to take along five hundred pesos worth of medicine. Many other articles in the contract were given in the same manner.²¹⁶ In order to determine upon a scale of prices for the *visita* Monterey ordered that two appraisers should be chosen, one by the king and the other by Oñate, to make such an adjustment. This was done in Mexico City. Gordian Casasano, *contador* of the royal *alcabala* of New Spain, and Baltasar Rodríguez were chosen for this purpose by the respective groups.²¹⁷ They were to appraise the horseshoe iron, nails, footgear, medicine, iron tools, iron for making tools, paper, frieze and sackcloth, and things for bartering and for making gifts to the Indians, according to the prices prevailing in Zacatecas. Flour, maize, wheat and jerked beef, on the contrary, were to be regulated by the prices in the frontier towns of Guadiana (Durango), La Puana and Santa Bárbara. When the appraisers presented their report in Mexico on June 13, two of these items, the medicine and the things for the Indians, could not be definitely appraised, and they suggested that it would have to be done in Zacatecas.²¹⁸

Meanwhile Ulloa and his staff proceeded to Zacatecas where he soon delegated the second of his commissions, containing certain police powers, to the commissary Francisco de Esquivel, instructing him carefully to follow the army to Santa Bárbara and to punish all disorders. To simplify this task he was ordered not to permit the soldiers to scatter about; none were allowed to wander more than half a league beyond the *camino real*. Ulloa gave him full power for enforcing these measures and appointed an alguacil to assist him.²¹⁹

Inspecting the Medicine. Having relieved himself of these disciplinary functions Ulloa next turned his attention

216. Oñate's contract, in Hackett, *Hist. Docs.*, 227-229.

217. Statement of Monterey, June 14, 1596, in *Ulloa visita*.

218. Report of Gordian Casasano and Baltasar Rodríguez, Mexico, June 13, 1596, in *ibid.*

219. Order of Don Lope de Ulloa, Zacatecas, July 10, 1596, in *ibid.*

to the inspection and ordered that the five hundred pesos of medicine which was to be valued according to the current Zacatecas price, should be appraised at once. To reach an agreement on this score he appointed as his agent Pedro de Vergara. At the same time Cristóbal de Zaldívar, Oñate's representative in the province, chose Alonso Sánchez Montemolín to cooperate with him.²²⁰ They appraised the materials in question, but the total value only amounted to three hundred and six pesos, or one hundred and ninety less than was required to fulfill the contract.²²¹

The Order of Suspension. The record of what happened during the next six weeks is almost a blank. We do know that the army continued marching, as it reached the Nazas river on September 9.²²² It is also clear that Oñate was completing his preparations for the inspection by purchasing such cattle and supplies as were still needed.²²³ Aside from that there was probably nothing to record.

While the soldiers were thus plodding forward discouraging news from Mexico was about to overtake them. In the latter part of July²²⁴ the viceroy received an order from the king, in response to his letter of December 20, 1595, suspending Oñate as leader of the expedition and prohibiting him from entering New Mexico. If the journey should already have commenced the army was to come to an immediate halt. He was to remain under that ban till the king pleased to order otherwise.²²⁵ This cédula had been ordered on recommendation of the Council of the Indies which was vigorously campaigning for Don Pedro Ponce de León in order that he might become the conqueror of New Mexico.²²⁶

220. Order of Ulloa, Zacatecas, July 20, 1596, in *Ulloa visita*.

221. Report of Pedro de Vergara and Alonso Sánchez Montemolín, Zacatecas July 24, 1596, in *ibid.*

222. Notification to Oñate, Rio de las Nazas, September 9, 1596, in Hackett, *Hist. Docs.*, 351.

223. On August 24, 1596, Oñate was at Santa Catalina, three leagues from Aviño, where he contracted for a quantity of wheat. See *Ulloa visita*.

224. Monterey to the king, November 15, 1596, in Hackett, *Hist. Docs.*, 377.

225. Royal cédula, May 8, 1596, in *ibid.*, Villagrà, *Historia*, I. 36.

226. See chapter III.

When Monterey received the *cédula* he forwarded it to Ulloa, and accompanied it by an order of his own of August 12, 1596.²²⁷ In rigorous terms he added warning and severe penalties to the king's decree should it not be obeyed. Oñate was prohibited from going beyond the place where the *cédula* should be received, though Ulloa might allow him to go a few leagues, if he found it necessary to do so, to better hold the people. Any such arrangement had to be made in writing. Failure to comply with the king's *cédula*, was the dire threat, would mean the loss of all the privileges granted in the contract.

Oñate Dissimulates. The bitter news contained in these messages did not reach Oñate till September 9, 1596, while the army was camped at the Rio de las Nazas in Nueva Vizcaya.²²⁸ On that day there came hurrying to the camp a messenger asking *albricias*²²⁹ for the dispatch which he brought from the viceroy. Believing that it contained orders for the continuation of the journey he proclaimed good news, saying that the entire camp was finally ordered to enter New Mexico. But it was all a tragic mistake. When the seal was broken, and Oñate took the precaution to do this behind closed doors, it was found to be the royal order delaying the whole affair.²³⁰ Oñate however did not falter, but remained true to his king as on former occasions. He respectfully kissed the unwelcome letter and reverently placed it upon his head in token of obedience.²³¹

What was now to be done? If the army should learn the true nature of the message it would be demoralized. All were anxiously waiting to hear the news and Oñate soon satisfied their curiosity. Putting on a bold front he

227. Order of Monterey, August 12, 1596, in Villagrà *Historia*, I, 36-38; cf. "Memorial sobre el descubrimiento," in *Col. Doc. Inéd.*, XVI, 191-192.

228. Notification to Oñate, in Hackett, *Hist. Docs.*, 351; Oñate to Monterey, September 13, 1596, in *ibid.*, 353.

229. Reward for some good news.

230. Villagrà *Historia*, I, 36; Santiago del Riego to the king, November 10, -596, in Hackett, *Hist. Docs.*, 371.

231. Notification to Oñate, in *ibid.*, 351; Villagrà, *Historia*, I, 39.

too proclaimed good news; the entrada would be made without delay. The overjoyed soldiers gave vent to their feelings by displaying their skill on horseback. A race was first run, and then a tilting match was staged, led by the two best men in the camp, the Zaldívar brothers, Juan and Vicente. Oñate also celebrated by riding forth to witness the spectacle, and when he dismounted his gayly bedecked steed on returning to camp he gave the messenger the reward expected for the good news he had borne.²³²

This additional discouragement was hard to bear. Oñate had already suffered extraordinary expenses due to the earlier delays. His army had now been assembled practically a year and the situation was more dubious than ever before. It is true that there was still a ray of hope on the horizon. Further orders were expected from Spain by the fleet. It would come, at the very latest, in October.²³³ Hope was now pinned on the possibility that the king might countermand the decree of suspension.²³⁴ In the meantime he could not prevent the desertion of large numbers of the soldiers if they should learn the truth. Monterey took what precautions he could in order to help him in this respect, for there were rumors afloat in the city of Mexico that Don Pedro Ponce was coming to displace Oñate. This story had been learned in private letters from Madrid. To discredit them Monterey said as much as he dared in public to counteract such hearsay, and Ulloa dissimulated in the same manner in Oñate's army, where he was waiting to hold the inspection. If the fleet should arrive at the accustomed time, the expedition would thus be found intact.²³⁵

Juan Guerra Promises Aid. While Oñate was awaiting the receipt of such news, however, his supplies must deteriorate and losses of horses and cattle would be inevitable. Up till this time he had already expended more than one hundred thousand Castilian ducats on the expedition.

232. Villagrà, *Historia*, I, 39-40.

233. Monterey to the king, November 15, 1596, in Hackett, *Hist. Docs.*, 379.

234. Oñate to Monterey, September 13, 1596, in *ibid.*, 353.

235. Monterey to the king, November 15, 1596, in *ibid.*, 379.

His captains and soldiers had spent more than twice that amount. They had sold their lands and would be practically destitute on the break-up of the army. This information was included in a report made by Ulloa's secretary, Antonio Negrete.²³⁶ It is perhaps a proper antidote to Villagr a's estimate of half a million *ducados largos* which O ate was said to have expended on the enterprise. It is at any rate clear that O ate was again in straightened circumstances. In his difficulty he turned to his friend and relative Juan Guerra de Resa, the lieutenant captain-general of the expedition, and revealed the actual condition of affairs to him. Juan Guerra had long ere this won distinction because of the great work and large sums of money he had spent in the service of the king, and he did not fail his friend now. "Like the illustrious Jacob, who, charmed by the beautiful Rachel wished to live with Laban again," so did Guerra once more desire to serve the king, and without considering the services he had already performed, pledged O ate one hundred thousand pesos annually from the income of his estates. He accepted joyfully.²³⁷

When the above events had transpired the expedition halted at the mines of Casco by Ulloa's order. The place proved an unfortunate stopping place, according to the poet, as it was barren of provisions, grazing land and water.²³⁸ These mines were reached November 1, 1596.²³⁹

Failure of the Fleet. The slender hopes which Don Juan had nourished regarding the arrival of additional news from the king that fall were shortly dashed to the ground. On October 22, Monterey dispatched a message,

236. Notification to O ate, September 9, 1596, in Hackett, *Hist. Docs.*, 351; O ate also pictures the poverty of the soldiers and colonists who had staked their all on the successful outcome of the expedition. O ate to Monterey, September 13, 1596, in *ibid.*, 359.

237. Villagr a, *Historia*, I, 39-40.

238. *Ibid.*

239. "Discurso de las jornadas que hizo el Campo de su Magestad desde la Nueva Espa a   la provincia de la Nueva Mexico. A o de 1596, Ytinerario de las minas del Caxco, . . ." in *Col. Doc. In d.*, XVI, 228-276. Hereafter cited as "Ytinerario."

notifying him that the ships had not left that year, and therefore no news could be expected till spring.²⁴⁰ The information was received on November 22, while the army was still at Casco. In view of this condition of affairs Oñate was again warned that the ban of suspension was still in effect. It was a desperate situation which he was facing, but no sign of disobedience was shown.²⁴¹ Villagrà tells how the viceroy tried to assuage Oñate's ruffled feelings by expressing the utmost confidence in him, but the poet scoffed at such consolatory expressions.²⁴²

Oñate Protests. While the army was worrying away the weary days at the mines of Casco renewed efforts were made by the leaders in this drama to influence the viceroy and the king for a favorable decision. Oñate sent a painstaking and exhaustive report to Monterey.²⁴³ Freely now did he express his emotions. He was quite beside himself with grief over the new misfortune and complained that the extreme penalties provided in the viceroy's order accompanying the royal cédula of suspension were unnecessary for a true and faithful vassal of the king. He protested that he had no intention to do otherwise than to obey, even though it might mean an extraordinary reversal of fortune for him, loss of all the money and labor expended, and irretrievable diminution of reputation and prestige. He promised obedience both in form and spirit, and volunteered to make every effort to hold the expedition together until his majesty ordered differently.

Facing the facts squarely Oñate informed Monterey that only a handful of soldiers or colonists would remain in the army should it be learned that a new leader was ex-

240. Order of Monterey, October 22, 1596, in *Ulloa visita*; "Memorial sobre el descubrimiento," in *Col. Doc. Inéd.*, XVI, 192; due to the wars in Europe only eleven fleets came to Vera Cruz between 1580 and 1600. Bourne, E. G. *Spain in America*, 285-286.

241. Notification to Oñate, November 22, 1596, in *Ulloa visita*.

242. Villagrà, *Historia*, I, 41.

243. Oñate to Monterey, September 13, 1596, in Hackett, *Hist. Docs.*, 352-367.

pected. There were obvious reasons for this. The army was a feudal organization. Should Oñate and his chief officers go the key stone would fall from the arch. The soldiers would follow their old leaders whom they admired. Moreover Oñate had followed the customary methods of the frontier in organizing his army. He was accustomed to Indian warfare and had acted from experience. European methods of fighting would be futile against the natives. Consequently any one coming from Spain must necessarily be at a great disadvantage in managing an army organized to conquer a new province like the "otro Mexico."

Oñate thus argued that the threatening change of leadership would bring about the destruction of the expedition. Some had already deserted,²⁴⁴ and others were being retained by rather dubious means. These facts were soon seen by Ulloa, who was then with the expedition. He gave Oñate all the assistance at his command in preserving the intactness of the force. Don Juan appreciated this kindness. He was glad that all straggling bands of soldiers had been compelled to unite with the army. The evil these isolated groups had inflicted on the countryside was as bad for Oñate as for anyone else. The rumors of their depredations were giving the expedition a black eye and furnishing its enemies an opportunity to discredit its leader before the king.²⁴⁵

Oñate Requests an Inspection. While thus attempting to make secure his position as leader of the expedition Oñate was also seeking to safeguard his rights by giving proof of having fulfilled the contract. On November 1, a large part of the army reached Casco.²⁴⁶ Other parts were at Santa Bárbara and La Puana. Normally the inspection

244. Santiago del Riego to the king, November 10, 1596, in Hackett, *Hist. Docs.*, 369.

245. Oñate to Montcrey, September 13, 1596, in *ibid.*, 359.

246. See above.

would have been held without delay, but would it be done now that the enterprise was under suspension? It was a matter of importance for Oñate. Further delay might mean the disintegration of the expedition and he could be charged with failure to carry out his obligations. Responsibility for defeat would therefore be his own. But he justly insisted that the inspection was also necessary to fulfill the king's duty toward him, and so he earnestly beseeched Monterey to order Ulloa to carry it out. He wanted to demonstrate that the contract had been liberally furnished, and that poverty, which had been ascribed to him in public, was unfounded. "Upon your lordship's doing me this favor depends all my reputation, honor and credit." It would be of material help in preventing desertion among the soldiers since they would feel that preparations for departure were steadily progressing.

Moreover though the status of his future part in the enterprise was so doubtful he requested permission for the entire camp to move forward to Santa Bárbara, the last settlement on the frontier. The valley in which it lay was a fertile region where the expense of supporting the army would not be so great. There the inspection could conveniently be held and the army could settle down to await the king's pleasure at the minimum cost. Oñate had no ulterior motives in mind when asking for these favors. He gave his word of honor not to advance a step beyond Santa Bárbara without express order from the viceroy. If Don Pedro Ponce or some one else should be given the leadership of the expedition he promised to make no disturbance whatever.²⁴⁷

Santiago del Riego's Appeal. Doctor Santiago del Riego, an *oidor* of the audiencia gave his support in this cause, and sent an impassioned appeal to the king in favor of Oñate. He maintained that expeditions coming from Spain were never successful, because those who enlisted in

247. Oñate to Monterey, September 13, 1596, in Hackett, *Hist. Docs.*, 365-367.

Europe were usually poor people attracted by false promises of mountains of gold. When it was learned how thoroughly the truth had been concealed from them and how greatly they had been deceived they would cry out to God in their misfortune, and worst of all, return home-- broken. After making a brief summary of the things required for such an expedition as Oñate's, he exclaimed:²⁴⁸

What man, indeed, in these kingdoms will wish, or be able, to help the people procure these things? What length of time will he need to secure it all? How will he succeed in providing it with four or five thousand head of cattle which must be taken ahead for food unless he wishes to enter by robbing the Indians in their poverty? How will he provide four or five thousand quintals of biscuit which will be needed for the road and the interval until they begin to cultivate and work the land? How will he provide fifty or more carts with the awnings which will be needed for the trip, and other things that are necessary for such a long journey, and at the least more than twelve hundred oxen which will be needed to draw them?

Santiago del Riego asserted that this mass of supplies, plus an infinite number of other things that would be needed, could not be secured for one hundred thousand ducats by any one bringing an expedition from Spain. Experience had proven moreover that armies organized in the Indies usually achieved brilliant success, and he recalled the work of Cortés and Pizarro as proof of his contention. Furthermore he argued:

With what justice can the expedition be taken away from the one who made the contract and agreement with two viceroys who represented the person of your Majesty? What he spent in virtue of this agreement, which must be a very large sum, he must lose, and the viceroys, who make the contract in the name of your Majesty, must cheat their liegemen, which does not seem to be just. . .

248. Santiago del Riego to the king, November 10, 1596, in Hackett, *Hist. Docs.*, 371. Riego mentioned several men who had come with expeditions from Spain and had failed. He named Serpa, in New Andalusia; Juan Ponce in Florida; Luis de Carbajal in New León; and others whose identity has been lost.

Monterey Consults the Audiencia. The pressure which Oñate and his friends thus brought to bear on the viceroy had the desired effect. His attitude changed, but he was nevertheless perplexed as to what course of action to pursue toward him when the fleet failed to come. What should he do if some of Oñate's men strayed off or broke away and left for New Mexico contrary to the royal orders? Finally he determined to bring the whole affair to the attention of the audiencia in order to learn its opinion. It felt however that nothing should be done until the king's will was known, and that in the meantime Oñate should remain at the head of the army. It was still possible that ships would soon come bringing definite orders from Spain. Till then the expedition ought to be preserved. But Monterey was not satisfied with the Council's recommendation. He continued to urge upon the king the desirability and necessity of continuing the enterprise as then constituted, but at the same time he refused to assume the responsibility of sending the army on to New Mexico, and the audiencia likewise declined to take upon itself any part of the viceroy's burden.²⁴⁹

Reasons for Favoring Oñate. In order to convince the king and the Council of the Indies of the very good reasons why Oñate should be allowed to carry out the conquest the viceroy sent them a detailed list of notes, including his own opinion, that of the audiencia and others, in regard to the matter.²⁵⁰ These documents are of interest and importance. They indicate why the king at last approved Oñate for this enterprise when Ponce's cause began to weaken.

First of all, Oñate's contract had been legally made. If the project should be committed to another he would have a claim, which could not be denied, to collect interest from the crown on the expenses incurred.

249. Monterey to the king, November 15, 1596, in Hackett, *Hist. Docs.*, 379; report of the fiscal, in *ibid.*, 391.

250. Reasons why Oñate should go to New Mexico, November 15, 1596, in *ibid.*, 383-389; report of the fiscal, in *ibid.*, 389-395.

Many had sold or mortgaged their estates and brought their families with them on the expedition. If not permitted to go their plight would be serious, all of which ought to be taken into consideration.

If the soldiers were disbanded they would scatter all over the country, and robberies and outrages might be perpetrated on the inhabitants. Some might join the Indians and excite them to adopt their old habits as bandits and thieves, thereby breaking the peace which had recently been established.²⁵¹

There was danger that some of the soldiers might unite and go to New Mexico without authority. They would probably mistreat the Indians and discredit the Spaniards and their religion. In that case future attempts to pacify the country would be extremely difficult.

The annoying disturbances that New Spain and Nueva Galicia had experienced while the expedition was being organized would have to be endured again, should Oñate's following be dispersed.

Oñate's expedition had been highly esteemed among the people. If now defeated it would be virtually impossible to find any one in the Indies willing to organize such an expedition, and no one would enlist.

Should another army be equipped long delays would occur. As the chief purpose of the conquest was the conversion of the natives, for which Oñate was well prepared, that mission must necessarily be jeopardized.

There was very serious doubt as to whether any one coming from Spain and without property in the New World, could collect, by money alone, the people and supplies necessary.

Moreover at the head of the expedition should be a man accustomed to deal with the Indians. Experience had demonstrated that a person coming from Spain did not pos-

251. The reference is probably to the peace established along the frontier by Velasco in 1591. See Bancroft, *Mexico*, II 763-764.

sess that quality in a high degree, and was accordingly an important reason for retaining Oñate.²⁵²

The Delay of the Inspection. Meanwhile the army was still stationed at the Casco mines where the goddess of good fortune seemed unable to find it. The inspection which Ulloa had been delegated to perform was still awaited. The viceroy stated it had been postponed because Oñate did not lead the expedition to the last settlement, and that he did not arrive there in time to make the entrance, as had been ordered. But this was clearly impossible as the cédula of suspension had prohibited him from taking another step unless by Ulloa's written order. The real reason is probably to be sought elsewhere. Perhaps Ulloa had been ordered not to hold the inspection if he believed that Oñate could pass it satisfactorily, as he would then be able to charge interest on his expenditures. This idea is ascribed to the audiencia and may be true. At the same time, so runs this story, should Oñate threaten to hold the inspection without Ulloa's presence, then it should be done by the latter in order to avoid any opportunity for fraud, "and in order that it should not appear as though the truth were not being sought." Furthermore both Monterey and the audiencia were agreed that Ulloa should remain with the expedition regardless of the expense involved, since the soldiers would certainly be undeceived and immediately disperse when his departure became known.²⁵³

As the weeks continued to roll by without further developments the soldiers finally despaired and the army was on the verge of disintegration. At that moment Oñate received help from an unexpected quarter. Doña Eufemia, wife of the *real alferes* Peñalosa, a woman of singular valor, beauty and intelligence, according to the poet, harangued the soldiers in the plaza. But it does not appear that

252. Reasons why Oñate should go to New Mexico, in Hackett, *Hist. Docs.*, 385-387; report of the fiscal, in *ibid.*, 393-395.

253. Monterey to the king, November 15, 1596, in Hackett, *Hist. Docs.*, 383.

her appeal to the courage and honor of the colonists had more than momentary effect. They continued to leave. As Villagr a said, "Weak souls cannot desist from their intent."²⁵⁴

Meanwhile O ate's trouble increased with the dissatisfaction of his men. He was growing very impatient over the endless excuses advanced by Ulloa for not making the *visita*. On November 28, 1596, he explained to Ulloa that his army was assembled at the Casco mines and at Santa B rbara. This had entailed heavy expense. Supplies were running low, soldiers deserting, cattle horses and mules being lost, and New Mexico was still far away. He therefore demanded an immediate inspection. Ulloa however paid little attention to this appeal. It was repeated on the same day, but he merely acknowledged acceptance of the message.²⁵⁵ On December 2, and again on the 5, O ate renewed his request, with the same result.²⁵⁶

The Inspection Ordered. On December 9, the inspector delayed no longer. O ate had in the meantime threatened to hold it himself before a royal notary. Replying to his appeals Ulloa signified his readiness to carry out the *visita* even though it would be very expensive for the king as the expedition was widely scattered. However such action was not to be construed as repealing the orders prohibiting the continuation of the *entrada*.²⁵⁷ Thereupon he ordered O ate to take oath that all the supplies and other materials offered for inspection were his own, and that nothing had been given him simply for the purpose of making a creditable showing.²⁵⁸

254. Villagr a, *Historia*, I, 42.

255. O ate to Ulloa, November 28, 1596, in *Ulloa visita*; cf. "Memorial sobre el descubrimiento," in *Col. Doc. In ed.*, XVI, 192-193.

256. O ate to Ulloa, December 2, and 5, 1596, in *Ulloa visita*.

257. Order of Ulloa, December 9, 1596, in *ibid.*

258. Second order of Ulloa of December 9, 1596, in *ibid.* Moreover if anyone had loaned anything to O ate he must appear within three days to make a statement thereof. Four soldiers reported that they had sold certain goods to him. They were Juan Moreno de la Rua, Captain Pablo de Aguilar, Alonso G mez and Captain Joseph

The inspection at Casco was then begun, but dragged on for more than two months. Practically every class of goods showed a substantial surplus, and there were quantities of supplies which had not been specified in the capitulations. Of medicine there was still a deficit, though some additional things had been forwarded by Cristóbal de Zaldívar from Zacatecas. To overcome this deficiency Oñate requested that some supplies of sugar, oil, wine and other things be substituted, as these were essential for sick people. In this manner all difficulties were swept aside and the inspection at Casco was concluded toward the end of January, 1597.²⁵⁹

Again there came a break in Oñate's plans. On January 26, just as the inspectors were ready to go to Santa Bárbara to continue the visita at that place, word was received from Mexico that Ulloa had been appointed commander of the Philippine *flota* for that year. Oñate therefore immediately requested him to go to Santa Bárbara to complete the inspection, protesting that if Ulloa did not do so and if the inspection showed any deficits the responsibility would not be his. But Ulloa did not want to go to Santa Bárbara. He was willing to finish the job at Casco. To the more distant place he would send the commissary Esquivel.²⁶⁰ The latter was accordingly provided with the necessary power for that purpose.²⁶¹

Before Ulloa left for Mexico Oñate tried to secure a statement from him in regard to the elaborate equipment of the expedition when the order of suspension came. The visitor however did not feel that his instructions would permit him to do as Oñate suggested. For that reason he agreed that he might make such a record himself.²⁶²

On February 1, 1597, Oñate and the inspecting officers left Casco for Santa Bárbara, twenty-eight leagues

259. See the *Ulloa visita* for January 31, 1597.

260. Oñate to Ulloa and reply, January 27, 1597, in *ibid.*

261. Order of Ulloa, January 30, 1597, in *ibid.*

262. Oñate to Ulloa and reply, January 30, 1597, in *ibid.*; cf. "Memorial sobre el descubrimiento," in *Col. Doc. Inéd.*, XVI, 194-195.

distant.²⁶³ They arrived there four days later, and on the 5, commenced the final part of the inspection.²⁶⁴ By the 19, all the supplies had been listed with the exception of certain extra goods which Oñate and the soldiers had brought along. The governor claimed to have forty thousand pesos worth of negro slaves, Chichimecas, clothing, wrought silver and numerous other things. Others in the expedition had similar possessions of great value which amounted to more than one hundred and fifty thousand pesos. Oñate insisted that all this should be recorded. There was some basis for his claim. Monterey had so ordered in his instructions to Ulloa, as Esquivel realized, but he replied that the latter had not given him the necessary authority. With that the matter dropped.²⁶⁵

When it was seen that nothing was lacking of what was required Esquivel issued an order, already promulgated by Ulloa on January 30, prohibiting Oñate from moving the army till orders should be received from the viceroy. As on previous occasions Don Juan promised to comply.²⁶⁶

The Successful Completion. Before the end of February Esquivel finished his task. At the mines of Casco there were found to be one hundred and thirty-one soldiers, at Santa Bárabara thirty-nine and at La Puana thirty-five. The total number thus amounted to two hundred and five, or five more than Oñate was obliged to furnish. Of supplies and provisions there was a surplus of well over four thousand pesos.²⁶⁷

The fact that Oñate had been able to make such a fine

263. The "Ytinerario" gives this distance as twenty-four leagues. *Col. Doc. Inéd.*, XVI, 229-231.

264. Report of Esquivel, February 4, in *Ulloa visita*.

265. Oñate to Esquivel and reply, February 19, 1597, in *Ulloa visita*; cf. "Memorial sobre el descubrimiento," in *Col. Doc. Inéd.*, XVI, 196-197.

266. Order of Esquivel, February 18; Oñate's reply, February 19, 1597, in *Ulloa visita*.

267. "Memorial sobre el descubrimiento," in *Col. Doc. Inéd.*, XVI, 196.

showing after having experienced an almost endless series of delays was clearly a tribute to his leadership and to the support of his wealthy lieutenant Juan Guerra de Resa and others. Under the circumstances it was a source of wonder to all New Spain, says the chronicler. As soon as the result was known Oñate's brothers in Mexico appealed to the viceroy for permission to proceed. But Monterey was still awaiting orders from Spain and unable to do anything in their behalf. He did write encouraging letters, pointing out that it was still possible that matters might be successfully adjusted.²⁶⁸ In this there was small comfort indeed.

268. Villagr , *Historia*, I, 43.