Oñate's Exoneration

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DON JUAN DE OÑATE is known to history as the original colonizer of New Mexico and its first governor and captain general. His long and eventful life ran parallel with the reigns of four kings of Spain, and with the terms of the first fifteen viceroys of New Spain. Born near the close of the reign of the first Hapsburg king, the great Charles I, Oñate's early services fell in the reign of Philip II,—in fact, that king lay on his death bed at the very time when Oñate was establishing his colony at San Juan de los Caballeros in 1598.

While Philip's weak son was king (Philip III, 1598-1621), Oñate was reaping a bitter harvest of disappointment and disillusionment. The Strait of Anílín was not where it should have been, nor was any harbor found whence his ships might sail direct to Spain; he found no rich mines of gold or silver, like those of Zacatecas which his family had worked for half a century. He had staked a fortune and by 1607 his resources were utterly depleted. The king had granted him the honorable but empty title of "adelantado" in 1602, but now he was perturbed by serious charges which had been made against Oñate. The latter, denied any effective help by king or viceroy, had no recourse but to resign and return to his mines in Zacatecas, in the hope of there recouping his fortune.

But it was not easy to resign! The carrying of dispatches between the little colony at San Gabriel and the City of Mexico required from four to six months each way; and Friar Ximénez, one of the Franciscan missionaries, made two round-trips within two years. Even after Governor Pedro de Peralta had arrived early in 1610, it was May of that year before Oñate was enabled to depart for Zacatecas. Then, crowning sorrow, as the small party journeyed southward they were attacked by Indians at some point on the road and Oñate's son, Christóbal, was killed.
It was still necessary for Oñate to go through a residencia at Mexico City, the official investigation of his governorship. Partly because of his powerful family connections and his influential friends, this business dragged out for nearly four years but it was at last concluded in May, 1614. Oñate was under technical arrest in his own quarters in Mexico City when the sentence on his case was read to him. He was cleared of most of the charges which had been preferred against him, but on a number of them he was convicted and the terms of his punishment included: perpetual banishment from New Mexico, suspension from his oficios for ten years, exile for four years from Mexico City and its vicinity to a distance of five leagues, and a fine of 6,000 ducats with the costs of the case. As Oñate later stated, the fine was paid immediately; and apparently no appeal from the sentence was made to the king at this time.

Meanwhile, the mining interests of the Oñate, Tolosa, and Zaldívar families at Zacatecas and elsewhere had been taken vigorously in hand, and (as we shall see presently) the results for the royal coffers in a period of ten years were so remarkable that, under more auspicious circumstances, the aged Oñate might reasonably hope for exoneration in the form of new favors from the king.

The auspicious occasion came with the accession of Philip IV in 1621. At the time of his father’s death, he was a youth of only sixteen years, frivolous and dissolute, well intentioned but dominated by his favorite minister. In 1620 Spain had become involved in the Thirty Years’ War; and in 1621 a twelve-year truce with the Dutch ended. Spain, therefore, had two wars on her hands and was in urgent need of funds to prosecute them. An important revenue-producer from the Spanish colonies might well expect to have a favorable hearing.

1. This meant that for ten years he was forbidden to use the title of adelantado or that of “governor and captain general of New Mexico.” Cf. Archivo General de Indias (A. G. I.), Guadalajara 1 (old no. 66-5-10), consulta... sobre la pretensión de don juan de oñate, Madrid, 6 abril 1622.
At some time before April 1622 Oñate had arrived in Spain and was seeking to be relieved of the disabilities under which he still lay. He was then “more than seventy-three years of age,” he had paid the fine, and the term of banishment from Mexico City had elapsed; but the banishment from New Mexico was “perpetual” and the suspension of his various titles would not terminate until May 1624. On April 6, 1622, the Council of the Indies recommended to the king that he lift these remaining penalties, and he replied by directing the council to indicate the nature of the charges which had occasioned them. The council complied on July 1, stating the charges with Oñate’s replies thereto, accompanied by a favorable communication from the Audiencia of Mexico, and the king endorsed the paper: “Let this be declined for the present.”

But Oñate was persistent, and in November 1622 he seems to have presented another memorial to the king which, in the usual procedure, was referred to the council and was acted upon by them in a favorable consulta of November 25. Oñate was now “nearly eighty years of age,” he had been “proceeded against with passion in New Spain and, in what was imputed to him, he was not at fault but had conducted himself as a good captain.” In view of his age and his many services, and in order that his children and grandchildren might continue in the king’s service, they recommended that his petition be granted. The king’s endorsement reads: “I am astonished that in so ugly a case the council should make a recommendation regarding a decision already made by me.”

This would seem to be conclusive, and those who have most recently published articles upon Juan de Oñate represent him as continuing under royal disfavor during the last

2. Ibid., consulta ... sobre la pretensión de don juan de oñate, Madrid, 1 julio 1622, with an enclosure of 10 ff: audiencia de Mexico, consulta en favor de don juan de oñate (no date). The king endorsed this with the words, “escúese esto por agora” (signed with his rubric).

3. Ibid., consulta ... sobre la pretensión de don juan de oñate, Madrid, 25 nov. 1622. The king’s endorsement reads: “maravillome mucho q. en casos tan feos el consejo me aga instancia sobre resolución tomada por mi.” (rubric)
years of his life. Describing "The conviction of Don Juan de Oñate" in 1614, Dean Hammond says:

Not much is known of Oñate after this punishment was decreed. He sought exoneration, but though the Council of the Indies recommended that the judgment against him be suspended, the king none the less refused to have anything more to do with the matter.

In a similar vein, Dr. Hackett says:

In 1622 he [Oñate] appealed against the judgment, but though he had the support of the Council of the Indies, he failed to obtain the pardon of the king.

But he continues:

He may have been successful later, for in 1624 he was in Spain trying to obtain a position in Mexico, Guadalajara, or the Philippines. His endeavor was not successful, but he was entrusted with the visitation of mines in Spain. His death, therefore, must have occurred in or after that year.

In an earlier study, Dean Hammond notes further that, in May 1624, Oñate was also asking for membership in one of the military orders, but he remarks: "evidently nothing was done at that time in regard to these matters."

The opinions just quoted have been based in part on a consulta of May 4, 1624, which is, in fact, inconclusive by

6. G. P. Hammond, Don Juan de Oñate and the Founding of New Mexico (Santa Fe, 1927).
7. Hammond, op. cit., 218, has given the date of this consulta as "May 10." By reference to the text, below, it will be seen that the instancia of the council was dated May 4. This document is a good example of the comparative value of a facsimile and a transcript copy. The writer's notes, made in Seville, show that the consulta carries endorsements in five different handwritings! Analysis shows that it was received by the king's secretary (Contreras) on May 10, after which date the king himself wrote: "proroguese por otra vida el oficio de adelantado" (king's rubric). It was then returned to the secretary of the council, who endorsed his receipt on June 22. In still another hand (apparently later but date not indicated), perhaps that of the president of the council, are the words: "no está executado." The effect of the king's order would be to extend the title of adelantado for a third generation, that is, to Oñate's grandson. Since the council had now been favorable to Oñate for over two years, it is safe to assume that the king's order was put into effect promptly—though it has not been so endorsed on this consulta.
itself but which becomes intelligible when studied in connection with two other archival records which are now to be considered. Because of its importance and certain manuscript peculiarities, the text of this consulta will be given also.

In 1928-1929 the writer was granted a travelling fellowship by the School of American Research and the Historical Society of New Mexico and, with Mrs. Bloom, worked in the archives of Spain for an entire year. During part of this time also we were in charge of the work for the Library of Congress and, because of the archival situation then existing, we had agreed to secure any facsimiles which we wanted through that agency.

In the case of a man like Juan de Oñate who died more than three hundred years ago, it is not surprising that there is a lack of information regarding parts of his life and services; nor is it surprising that additional information continues to turn up in unexpected places. It was our good fortune to come upon a carpeta in a different part of the Archive of the Indies which falls into place between the consultas of November 25, 1622, and May 4, 1624, and which helps us understand what was happening to the Oñate case during that interim and why royal favor was at last shown to the suppliant. Moreover, this carpeta embodies the missing printed méritos of Juan de Oñate which supply important data on his life and services.

Lastly, a short but important document (missed by the writer but found by Dr. Hammond) shows that Don Juan de Oñate was still living in September 1628, and that before

8. A. G. I., Mexico 142 (old no. 59-2-5), a carpeta of papers (Madrid, 11 julio 1623 to 8 marzo 1624) on la pretensión de don juan de oñate.

9. Doubtless there was more than one copy of this old imprint, but this may be the one to which attention was first called by the late José Toribio Medina, historian and noted bibliographer of Chile. H. R. Wagner, The Spanish Southwest, 1512-1791, 112, says: "Medina under no. 6,692 of his Hisp. Am. locates a copy of this in the A. G. L., but I am sorry to say that notwithstanding a vigorous search it could not be located. He ascribes a probable date to it of 1624." A closer dating places it shortly before January 6, 1624.

10. A. G. I., Guadalajara 4 (old no. 66-5-13), Memorial y petición del Capitán Cristóbal de Caldizuar, visto en 9 de septiembre de 1628.
that date both he and his son-in-law Vicente de Zaldívar had been granted the boon of membership in the military order of Santiago. Whatever doubt may remain after a study of the consultas from the years 1622-1624 would seem to be settled by the indirect evidence that he had been granted this signal honor.

The conclusion that Juan de Oñate was relieved of his disabilities and was exonerated by the king rests upon the following facts. In the official papers Oñate is definitely referred to as “governor and captain general of New Mexico” and “adelantado”; by the king’s order in March 1624 the latter title was to be extended to Oñate’s grandson; before June of that year the king had made Oñate official visitor of mines and smelters of Spain with supervision of assays and the legal proving of metals; and both Oñate and his daughter’s husband had been made knights of Santiago before September 1628.

I. CARPETA SOBRE LA PRETENSION DE OÑATE
(A. G. I., Mexico 142, yrs. 1623-1624)

(a) Let the council consider the enclosed memorial of Don Juan de Oñate [asking] that the title of Adelantado of the Provinces of New Mexico be perpetuated for him, and consult me on their opinion. (rubric of the king)

Madrid 11 July 1623
to Don Juan de Villela

(b) Decree of His Majesty on the pretension of Don Juan de Onate. Have the contract brought, relating to the entrada and government of New Mexico, and the Title of Adelantado. (rubric)

The contract was taken with him by the viceroy and here there is no copy of it. The Title of Adelantado which His Majesty gave him has been brought. (no signature)

14 July 1623

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11. This viceroy was the Marqués de Gelves who had been appointed in 1621 to succeed the Marqués de Guadalcázar. The text of the contract has been published in Hackett (ed.). Bandelier: Historical Documents relating to New Mexico, I (1923), 224-265.
ONATE'S EXONERATION

[The memorial of July, 1623]

SIRE

Don Juan de Oñate, Adelantado of the provinces of New Mexico, says: that in the year '96 he contracted with His Majesty King Philip II to conquer the said provinces, and having complied with what was contracted and having discovered and conquered those wide-spread Kingdoms and reduced them to the obedience of His Majesty, settling monasteries and the city which they call San Juan de los Caballeros for the defense of the said Conquest, all within the space of eight years at his own cost and having spent in it more than 300,000 ducats and having made report to His Majesty in the year 602, the grant was made to him of the title of Adelantado of the said provinces of New Mexico for his own life and for another generation, with the order that he continue those new discoveries and with letters to him full of favors and good wishes for him and his descendants; and he so continued until, by order of His Majesty, he came to give a full account and also to provide himself with [more] people in order to go forward.

[He petitions Your Majesty] in view of the above and because his children are grandchildren of Hernando Cortés, conqueror of New Spain, and great-grandchildren of the great emperor Motézuma,¹² former lord of New Spain, and grandchildren through their mother from Juanes de Tolosa, conqueror of the villas of Llerena, San Martín, and Añiño, and the Salines of Santa María, the salt of which has enabled the said silver mines to pay the fifth¹³ on so many millions [of pesos], and the salt has amounted to so many millions of fanegas that it is impossible to reduce it to numbers. For it is known that from only the mines of Zacatecas (which likewise he discovered and conquered) they have paid for Your Majesty from the month of May 1544 to the end of December 1593, 5,248,869 pesos, and from the old Salines more than 240,000 pesos from what the salt has totaled since the said year, without what they have paid during the last thirty years, because what will it be from the other mines mentioned? Discovering and conquering it all, overcoming in various battles the Indians Guachichiles and Chichimecos, a warlike and indomitable people, since even today they are a problem for Spain,—all at his own cost so that he and his children are now impoverished.

And his father Don Christóval de Oñate was one of the Conquerors of the New Kingdom of Galicia and Captain General of it in place of Juan Vásquez Coronado and afterwards in the expedition made by Don Antonio de Mendoza, viceroy of New Spain, against the rebel-

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¹² Oñate has erred in this statement. What he said was true of his wife rather than of his children.

¹³ The "fifth" was a form of royal tax. It was the king's share in the production of any gold or silver mine, yielding a very large part of the royal revenues.
lions Guachichiles of Jauico [Jalisco] he held the post of Captain General serving Your Majesty as he did on other occasions.

And likewise the said Don Christóbal de Oñate and the Juanes de Tolosa referred to, his father-in-law, settled the renowned city of Zacatecas, famous for its rich mines, for which services His Majesty Philip II, conferring on the said city an heraldic coat of arms, ordered that his invincible name should be placed on the gates thereof and at the foot [of the arms] he ordered to be placed the portraits of Christóval de Oñate his father and of Juanes de Tolosa so that of them, as of famous persons, an honorable memory might remain for future ages,—all of which is set forth in a Royal Cédula dated at San Lorenzo on July 20, 1598; yet for all the said services no grant was ever made them.

In view of all the above he [Juan de Oñate] supplicates Your Majesty to make him a grant as has been done for all the caballeros who have conquered like kingdoms in the Indies, to whom has been granted in perpetuity on their houses and descendants the title of Adelantado of the provinces and Kingdoms which they have won, as was done with Juan López de Legaspi of the Isles of the Ladrones (dated in Madrid on 13 August 1579), and for Don Sancho Bravo de Acuña of the Isles of Terrenate (on 10 September 1613), and for Don Francisco Pacheco de Córdova of New Galicia (on 6 March 1620), and to the Adelantado of the Rio de la Plata, and to him of Chucatan—to all perpetually. May a grant be made to him, perpetuating in his house and his descendants the title of Adelantado which he [already] has for two generations, so that with this grant he and his descendants shall remain thanked and compensated for the many services which have been done for the crown of Spain, and his children and grandchildren shall be animated to prosecute new discoveries and conquests in receiving from Your Majesty the [same] honor which you have conferred on others. And he does not supplicate Your Majesty for any rents or any assistance in costs for the many thousands of silver which he and his father and father-in-law have poured out in Your Royal service but [merely] this honorary title, so that his children and grandchildren may be animated to attempt something of that which their great-grandfather Hernando Cortés attempted and [of that which] their fathers and grandfathers have conquered—in all of which he shall receive favor from the royal and liberal hands of Your Majesty.

14. This document is not the original but an uncertified copy. The copyist was unfamiliar with the name Jalisco.
15. Another mistake by the copyist. Yucatán is intended.
[The title of Adelantado, granted 7 Feb. 1602]

DON PHELIPE etc. Inasmuch as on behalf of you, Don Juan de Oñate, governor and captain general of the province of New Mexico which is in New Spain, I have been informed that, by one of the articles of the contract made with you by my order for the discovery, pacifying and settling of the said provinces by Don Luis de Velasco (then my viceroy of the said New Spain), he offered that you should be given the title of Adelantado for your life and for that of a son or heir whom you might name in conformity with the chapter of the instructions [regulating] new discoveries and settlements in the Indies; and, I having been petitioned on your behalf that, by reason of the expenses which you have had in the journey and labors which you have undergone, I should order (the above article) approved; it having been so recommended [by the council] I have deemed it well, and by this Present [cedula] it is my grant and my will, that now and henceforth for all the days of your life you be my Adelantado of the said Provinces of New Mexico and of the towns which in them may be settled, and after you the said your son or heir or person whom you may name; and that as such you can use and may use the said title in all cases and things thereto belonging and relating, according and as it is used by my Adelantados in my Kingdoms of Castile and in the Indies; and [it is my will] that, in the use and exercise of the said title and in bearing the rights thereto pertaining, you and your said son or heir or person whom you may name shall observe, and that you be required to observe, the laws and edicts of these my Kingdoms which affect it; and that you can and may enjoy, and shall be safeguarded in, all the honors, favors, grants, franchises, liberties and exemptions, preferences, prerogatives and immunities, and all other things and each of them which, by reason of being my Adelantado, you must have and enjoy and which must be safeguarded to you; and [it is my will that] you have and receive the salary, rights, and other things due and pertaining to the said office of Adelantado, and by this my letter I order my councils, justices, regidores, knights, squires, officials, and upright men in all cities, towns, and villages of the said Province of New Mexico that they have, receive, and hold you and your son (or heir or person who may succeed you) as my Adelantado, and that they employ with you and with him the said title in cases and matters thereto relating and pertaining, and that they respect for you, and cause to be respected, all the honors, favors, grants, franchises and liberties, preferences, prerogatives and immunities and all other things and each of them which, by reason of the said office, you are to have and enjoy and which are to be rendered you, and that

16. This document is a certified copy. With some slight differences, the same text may be found in Hackett, op. cit., 396-41. For some reason, Dr. Hackett has throughout translated "adelantado" as "governor."
they supply you and cause you to be supplied, wholly well and completely, with all the rights and salaries due and pertaining thereto, to the end that you lack in nothing according to the manner in which other Adelantados have been respected and supplied and must be respected, supplied and safeguarded who have been and are in these my Kingdoms of Castile and in the said Indies; and that in it or in any part of it they do not place nor allow to be placed, any restriction or impediment, since I, by this [cedula] receive you and hold you as received into the use and exercise thereof and I give you power and authority to use and exercise it [the office of Adelantado] in case that by them or by any one of them you should not be so recognized.


(e) I understand that a memorial of Don Juan de Oñate which was transmitted the other day to the President [of the council of the Indies] with a private decree of His Majesty is now in the hands of Your Grace. If this is so, I request that Your Grace be pleased to allow it to be seen in the Council of this afternoon, which will be for me a great favor. God guard Your Grace as I desire.

The Palace, July 17, 1623
Francisco de Elosu y Albiz (rubric)
[to] S' Secretary Juan Ruiz de Contreras

(f) The Council [of the Indies], September 1, 1623.
In reply to his order regarding the petition of Don Juan de Oñate, let His Majesty be advised that, [in reward] for the service he rendered in New Mexico [but] in view of the charges and convictions which were placed against him, because he was condemned to the penalties which will be stated, no cause or obligation is found why he should be given the grant which he claims, reference being made to the consultas which were rendered regarding the suspension and deprivation [of governorship] and [showing] that he did not conquer but [merely] settled and pacified, in compensation for which he [already] has the title of Adelantado for his life and that of an heir. (rubric)
For all of which he begs Your Majesty to do him the grace of giving him the title of Marquis of one of the provinces which he conquered in the Kingdom of New Mexico, according to Your Majesty's promise to the Adelantados who, by sea or by land, may have established and conquered the provinces entrusted to them and [who have] complied with their obligations—as appears by the Ordinances of Your Majesty which speak of this matter. (Ordinance 93) And it appears that he has already complied with what was contracted. See foja 2476 of the report made in New Mexico by Don Pedro de Peralta who is at present governor of the said Provinces, and from the testimony of the Royal Audiencia of Mexico, by which it is evident that he has complied with his obligations.

And likewise [he begs] that the grant of the title of Adelantado of New Mexico which His Majesty made him for two generations be given him in perpetuity, as has been done with the other Adelantados who have conquered new provinces, as for example Don Francisco Pacheco de Córdova to whom, because of the services of his accomplishments in new discoveries, was given the title Adelantado of New Galicia (as appears from his title given in Valladolid, March 6, 1610); and to Don Sancho Bravo de Acuña, of the Isle of Terrenate; and to Miguel López de Legaspi, of the Isles of the Ladrones; and to the Adelantado of the Rio de la Plata—and in all he will receive very great favor.

[endorsed at foot of page:] "seen by [illegible] ... in Council, on the afternoon of tomorrow March 6, 1624. (rubric)"

(h) Let the Council consider very carefully the accompanying memorial of Don Juan de Oñate regarding his personal interests and advise me as to what may seem best regarding what it contains.

(rubric of the king)

Madrid, January 6, 1624.

17. The endorsement at the end of this document is a miserable scrawl, but it has been deciphered sufficiently to show that it belongs in this carpet of papers. It is part of an Oñate memorial, of which the first part is lost or misplaced. There is no plea for the removing of penalties—which dates it before May 1614; and Pedro de Peralta is governor of New Mexico—which places it after Oñate's return to Mexico, but before July 17, 1613 (the date on which Peralta's successor, Bernardino de Ceballos, left Mexico City for Santa Fé). This petition for a marquisate and for the title of adelantado in perpetuity originated, therefore, in the period from late 1610 to early 1613.
Don Juan de Oñate, Adelantado of New Mexico, legitimate son of Don Christóval de Oñate and of Doña Catalina de Salazar, says: that his said father was one of the conquerors of New Spain in company with the Marquis Don Hernando Cortés; and afterwards with three hundred soldiers he went to the conquest of the Mixtón [country] and the war in Jalisco as captain of cavalry and filling the office of captain general, where he fought bravely until the arrival of the viceroy, Don Antonio de Mendoza, with all the army which exceeded eighty thousand men, expending in this expedition more than 100,000 ducats, and after victory was had, the said viceroy left him as captain general of that war in which daily he had to withstand the uprisings and the attacks which the Indians were making.

And due to the absence of Nuno de Guzmán and of Francisco Vázquez de Coronado, he was captain general in the conquest of New Galicia. And likewise when the Marquis Don Hernando Cortés was in extreme need and peril on the Island of El Cardón, he succored him with a ship of men and supplies for which he spent more than 60,000 pesos; with which help was attained one of the most fortunate victories that there was in New Spain.

And for the valor of his person the said Viceroy Don Antonio de Mendoza appointed him maesse de campo, entrusting to him the equipment of the soldiers who were to go to the help of the Kingdom of Perú which were in rebellion; and although [the expedition] was not carried out, he expended a very large amount in equipping the soldiers.

And likewise he [his father] and Juanes de Tolosa, father-in-law of the said Don Juan de Oñate, were the first settlers and conquerors of the mines of Zacatecas, and [his father was] one of the four caballeros whom the Lord King Philip II ordered to be portrayed on the coat of arms which he bestowed on the said city, honoring them with these formal words: "So that of them, as of illustrious persons, there may be memory in future ages,"—as is shown by his royal cedula. From which mines, conquered and settled with continuous wars against the hostile Indians, the "royal fifths" of Your Majesty from the year 1575 up to that of 1600 have produced five and a half millions.

And the said Don Juan de Oñate [states further that] he was married with Doña Ysabel Cortés Tolosa, [daughter of Juanes de Tolosa and of Doña Leonor Cortés [who was] a natural daughter of the said Marquis Hernando Cortés; and the said Juanes de Tolosa,
father-in-law of the said Don Juan de Oñate, after the conquest of the Zacatecas [mines] penetrated forty leagues inland into an unknown region and by fighting, with his people and forty soldiers, and by force of arms he discovered, conquered, and settled the mines of Sombrerete, those of San Martín, and [those of] Aviñó, from which operation and benefit there have resulted and are resulting such great increases to the royal treasury and such an infinity of souls baptized and brought into obedience to the Holy Gospel.

Moreover by force of arms he [Tolosa] pushed [farther] inland and conquered the old Saline, known as [that] of Santa Maria, from which have been taken more than 30,000 fanegas of salt a year—of such benefit for the extracting of silver and for the maintaining of settlements in that country, since it is more than eighty leagues from where [salt] had formerly to be secured.

And [he states] that he, the said Don Juan de Oñate, since he was able to bear arms, was always engaged in the war against the hostile Indians Guachichiles,20 in company with the Viceroy Don Luis de Velasco; and by order of the said viceroy he went to discover and conquer the mines of San Luís, those of Chicu, and those of Charcas, and he conquered them, doing all this at his own expense. And the mines of San Luís are today [1623] some of the richest in all New Spain, from which so many millions of “fifths” of silver have been extracted for this Crown.

And in the year 159221 His Majesty Philip II ordered him to go and conquer the Provinces and Kingdoms of New Mexico, which he conquered in the course of thirteen years,22 all at his own expense, disbursing in the said journey more than 300,000 ducats; which Provinces today are at peace, with the founding of a villa of Spaniards, and monasteries where more than 50,000 persons have been baptized; and although in the conquered region no mines of gold or silver were found, yet he was informed that in the interior there is an abundance of gold and silver. In search [of these minerals] he entered from the conquered region 220 leagues farther inland and found such abundance of cattle,23 deer and other game for hunting and fishing that there it seemed to be the earthly Paradise. And since he had taken only a few people and they had suffered in various encounters had with warlike Indians, he was compelled to return to the conquered region, after being told that farther inland there was a very large population which

20. A misprint for Guachichiles.
21. Another misprint. The contract was drawn up in 1595 and signed in 1596.
22. Oñate’s resignation as governor became effective in the summer of 1608.
23. There were no cattle in the New World until introduced by the Spaniard. Because of their general similarity, the buffalo were at first called “vacas de la tierra,” cattle of the country. Because New Mexico was early called “Cibola,” the Great Plains were “the plains of Cibola” and the buffalo “vacas de Cibola.”
was said to have many towns so great that he does not describe them here lest he cause incredulity. 24

And likewise he discovered many other Provinces, even to discovering the South Sea, for which journey he asked from His Majesty in the year 1602 assistance in [more] people. And this help not being sent to him, it was necessary for him to come to New Spain, [the viceroy] having sent as governor of these Provinces of New Mexico Don Pedro de Peralta, before whom testimony was taken regarding all the conquests here referred to. 25 And his residencia having been taken by the Royal Audiencia of Mexico, he was adjudged a good Captain and to have fulfilled his obligations—although afterwards there were not lacking those who preferred charges against him which resulted in his being condemned to exile and to [a fine of] 6,000 ducats, which he paid immediately. For this alone he fell short of being counted among the “Conquerors of Kingdoms for their Kings.”

And after all this, arriving at his mines in Zacatecas, he found them to have been so ill managed during his absence that they were on the point of being abandoned; and the said Don Juan de Oñate with his care, expenditures, and work had various machinery made with which, from the year 1613 in which he arrived there down to the year 1623, he has tithed from his mines 137,510 ingots 26 of silver which, under the “royal fifth,” have yielded 129,454 pesos of weighed gold, without his having been indebted to Your Majesty for anything in all this time, but rather the Royal treasury owed him more than seventy quintales of quicksilver. 27

And from the mining properties of the Real de Pánuco which he inherited from Doña Catalina de Salazar his mother, Your Majesty has received in Royal fifths, from December 4, 1614, to the end of the year 1622, 51,566 silver ingots, as is shown by the records of the Royal treasuries.

And [he states further] that the Maesse de Campo Vicente de Zaldivar Mendoza, husband of Doña María de Oñate his only heir, 28 in
ten years after he came back from the conquest of New Mexico has produced from his mines more than 240,000 pesos of silver yearly; and once he produced 150,000 pesos in five months.

It appears, Sire, that almost all the silver and gold which is coming from the mines of New Spain has been conquered and won by his father, his father-in-law, and his son-in-law.

All that has been related is substantiated by official informations: one of the year 1550 at the mines of the city of Zacatecas before Hernando Martínez, visitor of the New Kingdom of Galicia. Another before Pedro de Vergara, alcalde ordinary, in the year 1594. Another in the city of Guadalajara before Licentiate Altamirano, member of [that audiencia], likewise in the year 1594. Another in the city of Mexico before Leonel Cervantes, alcalde ordinary, in the year 1598. And another in the city of Guadalajara before the Licentiate Don Juan Dávalos y Toledo, member of that audiencia; and by other informations, and certificates of the Royal treasuries. And yet for all these services his father, his father-in-law, and he have received no remuneration, but rather they [the former] died so poor that they lacked the wherewithal to be buried through having spent their revenues and property in the wars [above] mentioned in the service of Your Majesty.

Regarding [his] many other services, he asked, this year of 1623, the Royal Audiencia of Guadalajara and [that of] Mexico that official informations should be prepared and that they should give their opinions, the which have been presented before the Royal [Council] of the Indies to which they are addressed.

In view of all this, he beseeches Your Majesty to do him that favor which his merits and those of his fathers deserve and which Your Majesty offers in the terms granted to the conquerors of new kingdoms, so that, through the honors which Your Majesty may confer upon him, his grandchildren may be animated for Your royal service.

(j) His Majesty, on the petition of Don Juan de Oñate.
Council [of the Indies], March 8, 1624
Let a consulta be made in which the last [consulta] should be covered and [indicating] that, although the papers of his services have been examined very particularly, no new reason has appeared which may cause or require other recompense or favors beyond those already made; and with reference to the opinion [received] from the Audiencia [of Mexico?], the Council has nothing to add to what they have [already] advised. (rubric of Ruiz de Contreras) (and the memorandum continues in the same hand:) referring back to the generosity of His Majesty the grant which he may graciously be pleased to make him.
II. CONSULTA SOBRE LA PRETENSION DE OÑATE
(A. G. I., Patronato 22, May 4, 1624)

Sire:

By an order of January 6 of this year, Your Majesty sent instructions that the Council should consider with great care the accompanying memorial of Don Juan de Oñate regarding his personal [interests] and should advise you as to what seemed best concerning them. With this in view, the papers which he has presented on his own services and on those of his antecedents have been scrutinized anew, and also the memorial in which he recounts them and begs Your Majesty to make him the grant which his merits deserve and the [grant] which Your Majesty offers in their contracts to the conquerors of new kingdoms. Likewise the reports were examined which, in accord with the Ordinances, the Audiencia of Mexico and that of Guadalajara made of all his services; in compensation for which he asks to be given the grant of a habit in one of the Military Orders and the revenue either of a presidency or a governorship in those parts or in the Philippine Islands. In their [written] opinion, the [Audiencia] of Mexico says that, by his qualities and services, he is worthy of what he asks except the allowing him revenue in the royal treasury; and that of Guadalajara [believes] that it will be possible to make a grant of three habits for him, for Vicente de Zaldivar his son-in-law, and for a grandson of his. And since in September of last year on the occasion of another order from Your Majesty, all his services were examined and Your Majesty was advised by the consulta (copy of which you will be pleased to see here-with) in which is reviewed all that has occurred in the consideration of his petitions, the Council has nothing new to add (aside from the pareceres of the audiencias now received) since no reasons have presented themselves which would give motive or need of other recom-penses or gratifications beyond those [already] made, referring back to the generosity of Your Majesty the grant which you may graciously be pleased to make him, since he has come to these Kingdoms and has shown the attachment and desire which he has of continuing his serv-ices and to do those [services] which he will have offered to Your Majesty—who will command whatever may be most satisfactory.

Madrid, May 4, 1624 (ten rubrics)

(Endorsements on the outside show that this consulta was received by the king's secretary on May 10. The king endorsed his decision: "Let the office of adelantado be extended for another generation." It was again in the hands of the Council on June 22, and at some later time the notation was made: "It has not been done.")
III. MEMORIAL DEL CAPITAN CRISTÓVAL DE ZALDIVAR

(A. G. I., Guadalajara 4, sin fecha; visto en 9 sept. 1628)

Captain Cristóval de Zaldivar says: that he was lieutenant captain-general by appointment of the Marquis of Salinas, then viceroy of New Spain, for the pacifying of the Indians Chichimecas and Gauchichiles, and that he is owner of the mines of San Marcos and La Palmilla from which under his administration there have been taken, and are being taken, many millions of silver for the service of His Majesty and for the good of the kingdoms; and that he is married with Doña Leonor Cortés Motezuma, daughter of Don Juanes de Tolosa and Doña Leonor Cortés Motezuma. [The latter was] daughter of the Marquis Hernando Cortés and Doña Isabel Motezuma, legitimate daughter of Motezuma the former lord of New Spain. He is son of Captain Vicente de Zaldivar, lieutenant captain-general for the said war of the Chichimecas by appointment of the viceroy Don Martín Enríquez, and [his father] had many haciendas of mines. And the said Juanes de Tolosa his father-in-law was of the first conquerors and settlers of the mines and city of Zacatecas, overcoming the Indians in many encounters and battles, for which services the King our lord (may he be in glory), grandfather of His Majesty, gave [a coat of] arms to the said city of Zacatecas and ordered to be placed at its gate the portrait and statue of his said father-in-law, distinguishing him in terms of honor. And from the mines which he settled, there have been conquered for His Majesty, from the year 1575 to that of 1614, 6,338,000 pesos besides what has been taxed, and besides what was taxed from the year 1540 when the mines were settled. And he is a nephew of Don Juan de Oñate, knight of the Order of Santiago, conqueror of the provinces of New Mexico, and [brother?] of Vicente de Zaldivar of the same habit [of Santiago] who was maese de campo in the said conquest where he rendered special services. And in view of what is above said, he begs that favor be shown him by honoring him with a habit of [the order of] Santiago for Don Juan de Zaldivar Cortés Motezuma, his son, only heir of his house, and by giving him a

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29. This document has been translated from a transcript copy which was secured by Dr. Geo. P. Hammond. As it is evident that the copyist has made a number of minor errors, it may be that he has here omitted the word "hermano." Otherwise Cristóbal de Zaldivar is saying that he is a nephew of both Juan de Oñate and Vicente de Zaldivar.

Intermarriage among these early Spanish families certainly developed some curious relationships, and anyone who begins to study them is liable to develop a "genealogical headache." This document, for example, adds one definite bit of information on the Oñate-Zaldivar connections. Mrs. Cornish, in "The Ancestry and family of Juan de Oñate," (Pacific Ocean in History, 463) is uncertain as to the father of the Zaldivar...
thousand pesos of revenue in the treasury of Mexico, as has been
done with the other descendants of Motezuma. His son has been *alcalde
ordinario* of the said city of Zacatecas, with the approbation of the
audiencia, and he is married with Doña Isabel de Castilla, daughter of
Don Fernando Altamirano and Doña Leonor de Vera [who was] grand-daughter of Doctor Santiago de Vera who was a member of the
audiencia of the Philippines and president of the [audiencia] of Guadaluja, where he died.

This petition is supported by informations, titles, and affidavits
which he presents [showing] his nobility and good qualities.

(endorsement of the memorial)

Let a *consulta* be sent to His Majesty that, in view of the services
related, it will be possible to make him a grant of the habit which he
asks. (a rubric)

September 9, 1628

This document shows that his name was Vicente—but unfortunately it does
not give the mother's name, and for this we must look elsewhere.

In the Villagrán: *History of New Mexico* (Quivira Society, 1933), p. 60, Dr. F. W. Hodge makes the surprising comment that "Juan de Zaldivar Oñate... is not to be confused with the four Zaldivar brothers who accompanied Juan de Oñate." Incidentally only two of the four came to New Mexico, of whom one was Juan de Zaldivar Oñate (v. Pacheco y Cárdenas, *Documentos inéd.*, xvi, 100) and the other was Vicente de Zaldivar Mendoza (v. Villagrán *Historia de la Nueva México* (Mexico, 1900), II, 5-6).

Did Vicente de Zaldivar the father marry an Oñate or a Mendoza; or was he twice
married?

In a document of 1612 (Hackett, Bandelier: *Documents etc.*, I, 440-463) we
learn that young Fernando de Oñate (son of Juan de Oñate's older brother of that
name) has married his cousin who is a daughter of Vicente de Zaldivar and Doña
Magdalena de Mendoza. It is possible that there was a collateral Zaldivar line, but
apparently this was the father of the Zaldivar brothers; and if so, who was this
Magdalena de Mendoza? Was she a half-sister of Juan de Oñate?

Mrs. Cornish has shown (*op. cit.*, 453-454) that Juan's mother was first married in
Spain to Ruy Diaz de Mendoza; left a widow, she came to New Spain where she
married Cristóbal de Oñate. If there was a half-sister of Juan who was married to
Vicente de Zaldivar, sons of that marriage would be Juan's nephews—and the Men-
doza and Oñate names would be incorporated into the Zaldivar family through the
mother.

It is not impossible that through some other family connection, the Zaldivar
brothers were *cousins* of Juan de Oñate as well as his *nephews*. It has already been
noted that one of them (Cristóbal) became his brother-in-law, because they married
sisters; and another (Vicente) became his son-in-law by marrying his daughter!

Our chief interest in this document, however, is in its evidence as to the
habits in the Military Order of Santiago.
JOHN B. LAMY, FIRST BISHOP OF SANTA Fé
(Read, Illustrated History of New Mexico, 90)