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OÑATE'S APPOINTMENT AS GOVERNOR OF NEW MEXICO

Translated by GEORGE P. HAMMOND

NEW MEXICO, explored for the first time by Francisco Vásquez de Coronado in 1540-42, was colonized by Juan de Oñate and his associates in 1598. During this interval there had been a vigorous contest for the coveted post of governor of the province, a contest that had consumed fifteen interminable years.

After Coronado's time New Mexico had been completely forgotten, but it was rediscovered by Captain Francisco Sánchez Chamuscado and Father Agustín Rodríguez in 1581-82. They brought back the report that the natives in the land were numerous and friendly and that the country was rich. The next year another expedition under Antonio de Espejo visited the Pueblo area, explored it more fully, and returned with even better reports and greater enthusiasm. Fired by these accounts, the leaders in Mexico prepared to send a large and well-equipped expedition to New Mexico to effect its conquest and conversion, for the king had authorized this action as soon as he received the reports of the Rodríguez party.

Numerous candidates sought the position of governor, captain general, and adelantado of New Mexico. Among early applicants were Hernán Gallegos, Cristóbal Martín, Antonio de Espejo, and Francisco Díaz de Vargas, but they did not gain favor with the royal authorities. Their petitions were examined by the Council of the Indies at a meeting at-

tended by the Viceroy of Villamanrique, but all were passed over and the viceroy was instructed to continue his search for a competent leader.

Juan Bautista de Lomas y Colmenares, famed as one of the wealthiest men in Nueva Galicia, in 1589, made an agreement with the viceroy for the conquest of New Mexico, but the Council of the Indies deemed his requests exorbitant.

On the failure of Lomas y Colmenares to win support, Francisco de Urdiñola, governor of Nueva Vizcaya and bitter enemy of Lomas, obtained a contract, but criminal charges were brought against him, and while he languished in prison, his opponent repeated his overtures to the viceroy, but without avail. In these circumstances the plum was awarded to Juan de Oñate, son of a wealthy miner of Nueva Galicia, and Viceroy Luis de Velasco made a contract with him on September 21, 1595. Exactly a month later his official appointment as governor and captain general of New Mexico was signed. In this document, as will be seen below, Oñate did not receive the title of "adelantado." By his contract he was entitled to this signal honor, provided he succeeded in conquering and settling New Mexico. In 1602 the title was bestowed on him, but by that time the riches of New Mexico had been fairly well exploded and the joy of victory dissipated.

Before Oñate's appointment, two illegal expeditions had set out for New Mexico. The first was led by Gaspar Castaño de Sosa, lieutenant governor of Nuevo León, who approached the pueblos in 1590 by way of the Pecos River. Since his expedition was without legal sanction, Juan Morlete was sent to New Mexico to arrest him and return him to Mexico. This unhappy venture was followed by another under Francisco de Leyva Bonilla and Gutiérrez de Humaña, who started from Nueva Vizcaya in 1593. It was this party that Oñate was to place under arrest. The bandit leaders quarrelled and fell out, however, and the Indians killed both men in the distant north.

This document appointing Oñate governor and captain general of New Mexico was found in the Archivo General de la Nación in Mexico City, Ramo de Civil, Tomo 1988, by J. Ignacio Rubio Mañé, an employee of the Carnegie Institution of Washington. The translation is presented for the benefit of the readers of the REVIEW who may not wish to struggle with the original Spanish.

Appointment of Don Juan de Oñate as governor and captain general of the provinces of New Mexico and its immediate environs. October, 1595. Martín López, notary.

Don Philip, etc.—Don Juan de Oñate, inhabitant of the city of Zacatecas, mindful of your quality and merits and of the twenty years that you have served me in the war against the Chichimec Indians of the new kingdom of Galicia and government of Nueva Vizcaya and in the pacification of these and other nations, following in the footsteps of Cristóbal de Oñate, your father, who served me in the said new kingdom, as my captain general, and trusting that you will serve me henceforth in whatever I may ask or command you to do as you have done until now.

Don Luis de Velasco, my viceroy, governor, and captain general of this New Spain and president of the royal audiencia there, has informed me that Captain Francisco de Leyva Bonilla, contrary to my orders and without the viceroy's permission, in company with other armed soldiers has entered the provinces of New Mexico with the intent and determination of conquering them, and that by whatever roads or settlements they passed they committed injuries and vexations to my subjects and vassals, taking by force their haciendas, cattle, Indian servants, and other things, taking them away without pay and with much insolence and rudeness. It seems to my viceroy that the said Francisco de Leyva and his followers should be brought back from their journey in order that they might be punished for their boldness and for the excesses they were committing and to prevent further inconveniences and damages which it might be presumed such unrestrained and bold men would pe-

trate against the inhabitants of the said provinces. In order to provide the remedy which this offense deserves, you volunteered, upon receipt of your commission, that you would go personally in pursuit of the said Captain Leyva and the soldiers in his company and apprehend them and do everything that you may be commanded to do by my said viceroy. He, having approved your offer for the above undertaking, and seeing that this is a good occasion for you to proceed against these bandits since all can be done in one journey, you would remain with the people that you are to bring to these provinces and attempt to pacify them and convert the natives. He agreed to this. And because I am advised by reports that my said viceroy and some of his predecessors have sent me, and which have been examined in my royal Council of the Indies, that there are many great settlements of heathen Indians in the said provinces of New Mexico who live in ignorance of God, our Lord, and of His holy Catholic faith and that he would do Him a great service in teaching them the evangelical law and convert them to it so that they might enjoy an orderly and decent Christian life, and as I desire that this may be done effectively, I have issued an order to my said viceroy and to the Marquis of Villamanrique, his predecessor, in the form of cédulas and capitulations, which are of the following tenor:

The King, to the Marquis of Villamanrique, kinsman, my viceroy, governor, and captain general of New Spain, etc. At the time that you came to my court to serve me in this project there were examined in the conference at which you were present the available relations and papers relating to the discovery of New Mexico and the persons who sought to be charged with the pacification and settlement thereof. You were informed of the conditions there and what ought to be done. Afterward, having examined the matter more fully and consulted with my advisers, for it seemed best to act in this case with dispatch since delay might result in inconveniences, therefore, as you will see, this cédula seeks that the said discovery, pacification, and settlement of New

Mexico be undertaken and that you entrust it to some person who resides in that land and who possesses the merits and qualities which are required for it. You will look into this matter with due consideration, and, having informed yourself well of the persons who are most acceptable and who could do it best, you should advise the person to whom you entrust it of the great care with which he must hold the Indians and treat them well. And because my treasury is required here for the necessary needs that arise regularly you are advised that this discovery and pacification must be carried out without any expense to my royal treasury or any gift therefrom. You shall advise me of your actions in this matter. Done in Valencia, January 26, 1586. I the King. By order of his Majesty. Mateo Vásquez.

The King, to Don Luis de Velasco, Knight of the Order of Santiago, whom I have provided as my viceroy, governor, and captain general of New Spain. Both because of the needs of my service and at the request of special persons I have issued many cédulas and decrees directed to the viceroys who have preceded you; it is my wish that you fulfill and keep what is contained therein. I order that you observe, keep, and fulfill these cédulas as if they had been directed wholly to you, without any hindrances whatever. Done in San Lorenzo, July 19, 1589. I the King. By order of the King, our Lord. Juan de Ibarra.

In letters of January 17, 1593, and June 21, 1595, from Madrid to the viceroy, Don Luis de Velasco, there are two paragraphs of the following tenor:

I have seen what you have written me and the papers you have sent me regarding New Mexico, and inasmuch as Gaspar Castaño was already establishing settlements and was discovering many pueblos, as is evident by the report that you sent, it might be better not to take him away from there without ordering that he continue colonizing or that he who went after him should do it and assemble the people. You shall order that this journey and discovery be undertaken, making a contract therefor with a suitable person

and let him take particular care for the good treatment of the Indians under the regular conditions, in conformity with the contract and instruction which is being sent you. And be advised that the conditions that Juan Bautista de Lomas asks have been judged excessive. Whereas it is just that the excess and boldness of Gaspar Castaño and other guilty persons be punished, to this end I am sending authority to the audiencia. It was planned to carry out and commit the journey and pacification of New Mexico to Captain Francisco de Urdiñola, although you have had notice of certain crimes that have been charged and brought against him in the audiencia of Nueva Galicia, and you were aware of all this. If he should escape fortunately from these crimes and appear not to be guilty and should wish to continue the journey you would make a contract with him, not being able to find any one who could do it as well as he. Yet it has not seemed fitting to me that the said Urdiñola make the journey, but that you find another person to whom to entrust it. You shall do so and advise me of that which may be done, so that when you find a person of the qualities required in a matter of such importance make an agreement with him for the discovery and pacification of the said provinces and neighboring regions and let all be done according to the provisions and terms of the ordinances that I have provided for this purpose, and the person who may be entrusted with this commission shall give particular attention to the services of God, our Lord, and to mine and to the common good of the natives to their proper profit and interest.

Don Luis de Velasco, my viceroy, has made a contract with you, the said Don Juan de Oñate, for this project and you have accepted it on the conditions and stipulations which will be delivered to you, signed and attested by notary, so that in conformity with them and the said ordinances that deal with new discoveries and pacifications and other regulations I command that a copy of it be delivered to you for keeping and observing them. I approve and confirm these capitulations, as I have considered it well. Where-

fore, trusting that you, in Christian manner and with all fidelity, will make the said discovery and pacification in the form and manner that the said viceroy has agreed and contracted with you, I name you as my governor and captain general, chief, discoverer, and pacifier of the said provinces of New Mexico and its immediate environs so that, as such, in my royal name, you may enter them with the colonists and soldiers, baggage, belongings, munitions, and other necessary things that you would bring for this purpose, in all peace, friendship, and good treatment, which is what I particularly charge you. You should try to bring the natives of these provinces to you and to induce them to hear the word of the holy gospel, that they may receive and accept it, converting them to our holy Catholic faith, causing them to understand, by means of interpreters of their languages, if you are able to get them, so that in the various tongues they may be able to communicate and undertake their conversion, or as it may best suit the present occasion or when the priests find it convenient. You shall hold them in personal respect and reverence like ministers of the gospel so that the Indians may attend and revere them and listen to their sermons and instruction, for experience has shown that this is very important. You shall take care that the people who might go in your company shall proceed quietly and peacefully, without committing any excesses or setting a bad example or causing those you wish to draw to you to be angered or feel differently than is just.

You shall order everything for the best and principal end, as stated, for you see it is a matter of importance. You shall arrange all things regarding it wisely and harmoniously, always ordering everything for the glory of God and the increase of our holy Catholic faith. You shall prepare with prudence for the events that may arise, so that neither by carelessness, neglect, nor remissness the Indians lose their zeal and enthusiasm, keeping but not overstepping the instructions of my viceroy that shall be committed to you with this. I order the soldiers, colonists, and servants who

may go and remain with you that they shall consider you as their governor and captain general and keep and fulfill whatever you command them and respect your authority under the penalties that you may mete out to them. You shall be prepared to punish any rebels and proceed against those who overstep the bounds of authority, punishing them according to the usages of war, and do anything which may be appropriate in this regard and use the said charges and offices of governor and captain general, chief, discoverer, and pacifier of the said provinces and their immediate environs, conduct and enlist people and name and summon captains and other offices necessary for it and remove and re-appoint as may seem fitting to you. I give you the full power which may rightfully be required in such cases and order my governors, alcaldes mayors, corregidores, and other justices in whatever places they may be in order that for the above they give and do you the favor and aid that you might ask of them and that may be necessary, including carts, little carts, droves of animals, supplies, provisions, and other things which you may request of them in my royal name, under penalty of loss of their offices and a fine of 2,000 ducats for my royal chamber. From this moment I condemn those who violate these orders.

Given in Mexico, October 21, 1595. Don Luis de Velasco. I, Martín López de Gaona, chief notary of New Spain for the king, our lord, transcribed the above at the command of the viceroy in his name. Corrected. Juan Serrano (rubric).

By consent of the Count of Monterey, my lord, viceroy of New Spain, I ordered that duplicate copies be made of this my letter of petition for Don Juan de Oñate in the city of Mexico, April 6, 1596. The Count of Monterey. I, Martín de Pedrosa, deputy notary of the government of New Spain for the king, our lord. I, his viceroy, had it transcribed by his order and in his name.

Four other decrees of the same tenor as this document were sent. Corrected. Juan Serrano (rubric).

OÑATE'S APPOINTMENT AS GOVERNOR AND
CAPTAIN-GENERAL OF NEW MEXICO

Título de Gobernador y Capitán General de las provincias de Nuevo México y sus comarcanas y circunvecinas en don Juan de Oñate.

Octubre de 1595.

Escribano Martín López.

Don Felipe, etc.—Don Juan de Oñate vecino de la ciudad de los Zacatecas teniendo atención y acatando la calidad y méritos de vuestra persona y a lo que veinte años a esta parte me habéis servido en la guerra de los indios chichimecos del Nuevo Reino de Galicia y gobernación de la Nueva Vizcaya y en la pacificación de ellos y de otras diferentes naciones, continuando lo que Cristóbal de Oñate, vuestro padre, me sirvió en el dicho Nuevo Reino, siendo mi Capitán General, y confiando de vos que de aqui adelante me serviréis en lo que por mí os fuere cometido y encargado como hasta aqui lo habéis hecho; habiendo tenido noticia don Luis de Velasco, mi Virrey y Gobernador y Capitán General de esta Nueva España, Presidente de la Real Audiencia que en ella reside, etc., que el Capitán Francisco de Leyva Bonilla contra mi orden y sin su permisión, en compañía de otros soldados había entrado con mano armada a las provincias del Nuevo México, y con ánimo y determinación de conquistarlas y que por los caminos y poblados por donde pasaba iban haciendo molestias y vejaciones a mis súbditos y vasallos, tomándoles por fuerza sus haciendas, ganados e indios de servicio y otras cosas, llevándoles sin paga con mucha insolencia y demacia, y pareciéndole al dicho mi Virrey que el dicho Francisco de Leyva y sus secuaces debían ser vueltos de la jornada, asi para que fuesen castigados de su atrevimiento y de los excesos iban cometiendo, como para obviarles inconvenientes y daños que podría presumir que gente tan suelta y atrevida causaría y haría en las dichas provincias y naturales de ellas, y procurando de poner cerca de esto el remedio que el caso podía, os ofrecistes a que dándoseos comisión iríades personalmente en seguimiento del dicho Capitán Leyva y solda-

dos de su compañía y los prenderíades y haríades todo lo que por el dicho mi Virrey os fuese ordenado y mandado; el cual aceptando vuestro ofrecimiento para lo susodicho y visto que ésta era buena ocasión para que habiendo vos de ir contra los susodichos pues todo se podía hacer de un camino, os quedádeses con la gente que habíades de llevar en las dichas provincias y tratádeses de hacer la pacificación de ellas y conversión de los naturales, lo acordó así, y porque soy informado por relaciones que el dicho mi Virrey y algunos de sus antecesores me han enviado y se han visto en mi Real Consejo de las Indias, que en las dichas provincias del Nuevo México hay muchas y grandes poblaciones de indios infieles que viven sin conocimiento de Dios Nuestro Señor y de su santa fe católica, y que se le haría gran servicio en predicarles y enseñarles la ley evangélica y convertirlos a ella para que vivan cristianamente en orden y policía, deseando que esto se consiga y tenga efecto, he dado orden y comisión al dicho mi Virrey y al Marqués de Villamanrique, su antecesor, por cédulas y capitulaciones de cartas mías, que son las que se siguen:

El Rey. Marqués de Villamanrique, pariente, mi Virrey, Gobernador y Capitán General de la Nueva España, etc., al tiempo que os despachastes en mi corte para ir a servirme en ese cargo se vieron en vuestra presencia en la junta en que vos os hallastes las relaciones y papeles que había tocantes al descubrimiento de la Nuevo México y de las personas que pretendían se les encomendase la pacificación y población de ellas, y fuistes informado y enterado de lo que en ello había y parecía, que se debía hacer, y después habiéndose mirado más en ello y consultado con mi real persona, porque parece que conviene se acuda a este negocio con brevedad y que de haber dilación se podrán seguir inconvenientes, luego como vieredes esta cédula trataréis de que se haga el dicho descubrimiento, pacificación y población de la dicha Nuevo México y encomendarloéis a persona de los que en esa tierra residen que tengan las partes y calidades que para ello se requiere, mirando en esto con

mucha consideración y habiendo os primero informado bien de las personas que hay más a propósito y que mejor lo podrán hacer y a la persona a quien lo encomendáredes le habéis de advertir con mucho cuidado la cuenta que ha de tener con los indios y su buen tratamiento, y porque mi hacienda es acá necesaria para los casos y cosas forzosas que se ofrecen, estaréis advertido de que este descubrimiento y pacificación se ha de encomendar y hacer sin que para ello se ha de gastar ni dar cosa alguna de mi caja y hacienda real, y avisareisme de lo que en ello hiciéredes. Hecho en Valencia a veinte y seis de enero de mil quinientos ochenta y seis años. Yo el Rey. Por mandato de Su Majestad, Mateo Vázquez.

El Rey. Don Luis de Velasco, Caballero del Orden de Santiago, a quien he proveído por mi Virrey, Gobernador y Capitán General de la Nueva España, porque así sobre cosas de mi servicio como a pedimento de personas particulares he dado muchas cédulas y provisiones dirigidas a los virreyes vuestros antecesores, mi voluntad es que se cumpla y guarde lo en ella contenido, os mando que las veáis, guardéis y cumpláis como si a vos se os hubieran dirigido en todo y por todo, sin poner en ello impedimento. Fecho en San Lorenzo a diez y nueve de julio de mil quinientos ochenta y nueve años. Yo el Rey. Por mandato del Rey Nuestro Señor, Juan de Ibarra.

Y en carta de Madrid para el dicho mi Virrey don Luis de Velasco, de diez y siete de enero del año pasado de noventa y tres y de veinte y uno de junio de noventa y cinco, dos capítulos del tenor siguiente:

He visto lo que me habéis escrito y papeles que me habéis enviado en lo tocante al Nuevo México y como quiera que ya Gaspar Castaño estaba poblando y había descubierto tantos pueblos como se contienen en la relación que enviastéis se tuviera por mejor no sacarle de allí sin ordenar que se pasara adelante en la población o que el que fué tras él lo hiciera y recogiera la gente, daréis orden que se haga esta entrada y descubrimiento, capitulando sobre ello con persona

que convenga y que tenga particular cuenta con el buen tratamiento de los indios con las condiciones ordinarias, conforme a la capitulación e instrucción que se os envía y advertid que las condiciones que pide Juan Bautista de Lomas han parecido desafortadas y porque es justo se castigue el exceso y atrevimiento de Gaspar Castaño y demás culpados, envío para ello comisión a la Audiencia, teniendo para efectuar y encargar la jornada y pacificación de la Nuevo México al Capitán Francisco de Urdiñola, decir que tuvistéis noticia de ciertos delitos que se le acumulaban y seguían contra él en la Audiencia de la Nueva Galicia y así paraistes en ello y que si saliese bien de con esos delitos y no pareciese tener culpa y quisiere proseguir la jornada la acabaríades de asentar con él, por no hallar quien lo haga tan bien, lo cual no me ha parecido que conviene que dicho Urdiñola haga la jornada, sino que busqueis otra persona a quien encargarla, y así lo haréis y me avisaréis de lo que se hiciere para que hallando persona de las partes que en ne gocio de tanta importancia requiere, pueda asentar con el descubrimiento y pacificación de las dichas provincias y de las allá circun vecinas, para que se haga por los medios según y como se contiene en las ordenanzas que en esta razón tengo proveidas, teniendo más particular atención la persona que de ella se encargase al servicio de Dios Nuestro Señor y mío, y al bien común de los naturales que a su propio comodo e interese.

Y habiendo el dicho don Luis de Velasco, mi Virrey, tratado y capitulado con vos el dicho don Juan de Oñate sobre este negocio y vos aceptádole con las condiciones y capitulaciones que se os entregaran signadas y autorizadas de escribano para que en conformidad de ellas y de las dichas ordenanzas que hablan cerca de los nuevos descubrimientos y pacificaciones y otras la donde mando se os entregue para la guarda y observación de ellas, y aprobando y retificando como apruebo y ratifico las dichas capitulaciones, lo he tenido por bien, por tanto fiando de vuestra persona que cristianamente y con toda fidelidad haréis el dicho descubrimiento y

pacificación, y en la forma y manera que el dicho mi Virrey con vos lo tiene asentado y capitulado, os nombro por mi Gobernador y Capitán General, caudillo descubridor y pacificador de las dichas provincias del Nuevo México y de las otras sus comarcas y circunvecinas, para que como tal en mi real nombre entréis en ellas con la gente de paz y guerra, bagajes, pertrechos, municiones y demás cosas necesarias que lleváredes para el efecto, y con toda paz, amistad y buen trato, que es lo que particularmente os encargo, procuréis atraer y reducir a los naturales de ellas a que oigan la palabra del Santo Evangelio, y lo reciban y admitan, convirtiéndose a nuestra santa fe católica, dándoles a entender por medio de interpretes de sus lenguas, pudiéndolos haber a que de unas en otras lenguas se les pueda comunicar y tratar su conversión, o como mejor diere lugar la ocasión y caso presente, y los religiosos hallare ser conveniente, a los cuales haréis se les guarde el respeto y reverencia de vida como a ministros del Evangelio, para que con esto los atiendan y veneren los dichos indios y acudan a sus persuaciones y doctrina, porque la experiencia ha mostrado ser esto muy importante, y que toda la dicha gente que fuere en vuestra compañía proceda suave y blandamente, sin hacer exceso, ni dar mal ejemplo ni ocasión a los que se pretende atraer a que se irriten y sientan de ella diferentemente de lo que es justo, ordenándolo todo al fin y principal intento referido, como negocio de la importancia que veis, y disponiendo todas las cosas de él con buen consejo y acuerdo, y siempre ordenándolas en servicio de Dios y aumento de nuestra santa fe católica, previniendo con prudencia las cosas y acontecimientos que ocurrieren, sin que por descuido, omisión, ni remisión pierdan su sazón y acertamiento, guardando sin exceder las instrucciones del dicho mi Virrey, que con esta os será entregada, y mando a la gente de guerra y de paz y de servicio que con vos fuere y estuviere, que os haya y tenga por tal Gobernador y Capitán General, y guarde y cumpla lo que les mandáredes, y vuestras preminencias o las penas que les pusiéredes, que paras las ejecutar en los

rebeldes y proceder contra los que excedieren, castigándoles a usanza de guerra y hacer todo lo demás que convenga en esta razón, y usar los dichos cargos y oficios de mi Gobernador y Capitán General, caudillo descubridor y pacificador de las dichas provincias y sus comarcanas y circunvecinas, conducir y levantar gente y nombrar y convocar capitanes y los demás oficios para ello necesarios y admoverlos y volverlos a nombrar como os parezca convenir, os doy poder cumplido cual de derecho en tal caso se requiere y mando a los mis gobernadores, alcaldes mayores, corregidores y otras mis justicias de cualquier parte y lugares donde fuereis y estuviéredes que para lo susodicho os den y hagan dar el favor y avuda que les pidiéredes y hubiere menester, y carros, carretas, recuas, bastimentos, socorros y demás cosas que a mi real nombre se les pidiere, so pena de privación de sus oficios y de dos mil ducados para mi real cámara, en que desde luego doy por condenados a los que excedieren.

Dada en México a veinte y un días del mes de octubre de mil y quinientos y noventa y cinco años. Don Luis de Velasco. Yo Martín López de Gaona. Escribano Major de Nueva España por el Rey Nuestro Señor, la hice escribir por su mandato, su visorrey en su nombre. Corregida, Juan Serrano (rúbrica).

Y con acuerdo del Conde de Monterrey, mi Señor, Virrey de la Nueva España, mandé dar por duplicada esta mi carta de pedimento de la parte de don Juan de Oñate en la ciudad de México, a seis días del mes de abril de mil quinientos noventa y seis años. El Conde de Monterrey. Yo Martín de Pedrosa, Teniente de Escribano Mayor de la Gobernación de la Nueva España por el Rey Nuestro Señor, la Hice escribir por su mandato, su visorrey en su nombre.

Despacháronse otras cuatro provisiones por el tenor de este registro. Corregida, Juan Serrano (rúbrica).