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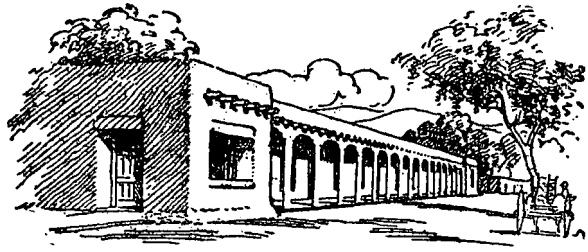

PALACE OF THE GOVERNORS

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NEW MEXICO HISTORICAL REVIEW

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Organized December 26, 1859

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OF THE

HISTORICAL SOCIETY OF NEW MEXICO

(As amended Nov. 19, 1929)

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

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

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

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

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

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

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

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

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

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

Article 6. *Dues.* Dues shall be $3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the *Historical Review.*

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

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

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

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

Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Lansing B. Bloom, University of New Mexico, Albuquerque, New Mexico.

NEW MEXICO HISTORICAL REVIEW

VOL. XIV APRIL, 1939 NO. 2

NEW MEXICO'S FIGHT FOR STATEHOOD (1895-1912)

By MARION DARGAN

II. THE ATTITUDE OF THE TERRITORIAL PRESS (1895-1901)

HAVING discussed the attitude of the political leaders of the latter part of the 1890's toward statehood, we shall now consider that of the newspapers of the territory.[1]

In 1901, when the movement for statehood for New Mexico had assumed the proportions of a real boom, Governor Miguel A. Otero made a significant statement. In his report to the Secretary of the Interior, he said: "Prior to the advent of the railroads and the introduction and maintenance of the public school system it is an admitted fact that New Mexico was not prepared for statehood."[2]

Certainly the coming of the railroad promised to do much for the development of the frontier territory, nor did this escape observers at the time. In spite of thousands of traders who had followed the Santa Fe trail to the ancient city, New Mexico remained isolated for thirty years after the American occupation. In the early 1880's Geronimo and hostile Apaches were making destructive raids into the territory, yet Governor Lionel A. Sheldon in his reports for 1881 and 1883 made only a passing mention of these matters.[3] The thing which he featured in both reports was

1. The distinction between political leaders, newspaper men and "the people" is made for convenience only. Naturally, there was considerable overlapping. Thus Max Frost and Thomas Hughes both belonged to the first group as well as the second, while Solomon Luna and J. Francisco Chaves were leaders in business as well as in politics.

2. *The Report of the Governor of New Mexico to the Secretary of the Interior* (Government Printing Office, Washington, D. C., 1901) p. 23.

3. *Ibid.* (1883), p. 551. No mention was made of the Indian raids in the report for 1881, and no report was made for 1882.

the progress made in the construction of railroads into the territory. Among other developments, he pointed out that by June, 1881, the Atchison, Topeka and Santa Fe had been completed to Deming, where it connected with the Southern Pacific; and that the Atlantic and Pacific, beginning at Albuquerque, already extended for some two hundred miles toward the California coast.[4] The establishment of better means of communication with the outside world, the governor claimed, had already brought about thirty thousand people into the territory.[5] He added: "Along the lines of the railroad the old towns show considerable growth, and many new ones have been founded, some of which are quite large, and all have the appearance of activity and thrift."

If Sheldon had followed a practice, adopted by later governors, of listing the newspapers of the territory, he would probably have noted that their number had greatly increased almost over-night. While the figures do not inspire complete confidence, one recent historian says that nine weekly newspapers and one daily were being published in New Mexico in 1879.[6] He continues: "In the short space of three years the number of publications increased to thirty-eight, consisting of six dailies, twenty-seven weeklies, two semi-weeklies, one monthly and one semi-monthly." In 1900 Governor Otero stated in his Report to the Secretary of the Interior that the territory had five dailies and fifty-eight weeklies.[7] In 1910 there were only three dailies and eighty-six weeklies.[8]

4. *Report of the Governor of New Mexico* (1881), p. 987. The original plan was for the Atchison, Topeka and Santa Fe to run from Deming to Guaymas, Mexico. This seaport on the Gulf of California is the center of a fruit and vegetable country. Later, a deal was made and the Southern Pacific went into Guaymas, while the Atchison, Topeka and Santa Fe bought the Atlantic and Pacific. The destination of the latter railroad was San Francisco, Los Angeles being unimportant in 1880.

5. *Ibid.* (1883), pp. 553, 557.

6. Coan, Charles F., *A History of New Mexico* (Chicago, 1925), vol. 2, p. 492.

7. *Report of the Governor of New Mexico to the Secretary of the Interior* (1900) p. 439. A list of the newspapers of the territory accompanies the figures given above. Ayers' *American Newspaper Annual* (Philadelphia, 1900), p. 544, gives only four dailies and forty-five weeklies.

8. Coan, *op. cit.*, p. 494.

When one checks the figures given in the reports of the governors of the territory with those in Ayers, American Newspaper Annual, they do not agree. These discrepancies are due partly to carelessness, and partly to the fact that weekly papers sometimes sprang up in small frontier towns like Jonah's famous gourd, and as quickly withered away. It took very little money or equipment to make a start. A few cases of type, a Washington hand press and a Gordon job press were sufficient. On the other hand, subscribers, advertisers, job printing, territorial contracts, and even subsidies were needed to keep going. One rather influential weekly was discontinued in the thirteenth year of its existence, because the newspaper office had been washed away in a flood![9] Many others—not fortunate enough to last so long —were practically still-born, while some lost their identity through being merged with rival sheets.

Col. Ralph E. Twitchell, who as an attorney for the Atchison, Topeka and Santa Fe Railroad Company, possessed much inside knowledge, had a rather contemptuous attitude toward the press. Speaking of the backwardness of culture under the American regime, he said: "The publication of a newspaper in English and Spanish accomplished little inasmuch as only a very small percentage of the people could read or write either language."[10] This was true to a large extent. However, whether it was read or not, the common type of newspaper in New Mexico in territorial days was the small town weekly. Yet the dailies, located in the more progressive centers of population along the railroads were to exercise an influence out of all proportion to their numbers. This was due, not only to their strategic location, but also to their abler leadership, their more frequent publication, larger circulation and better chances for continued support. While they, too, occasionally changed hands or politics, as a rule, they enjoyed longer life and greater con-

9. The San Marcial *Bee*. The flood occured in October, 1904. The *Bee* never resumed publication. *History of New Mexico* (Pacific States Publishing Co., Los Angeles, 1907), vol. I, pp. 478-479. Hereafter this work will be cited by title only.

10. Twitchell, Ralph E., *Old Santa Fé* (Santa Fé, 1925), p. 455.

tinuity in editorial policy. This may be illustrated by a brief glance at the early newspaper history of Albuquerque.

But first a word regarding the origin of the town itself. This may well be quoted from a little booklet published anonymously by "George F. Albright, Printer, Albuquerque" in February, 1892. This unknown writer says:

> The site of the present city of Albuquerque was staked out for a town in the summer of 1880. There had been a Mexican town of the same name on the banks of the Rio Grande, about a mile and a half distant, for some two hundred and fifty years, but the founders of the new town wisely determined that they would not attempt to engraft the new upon the old, consequently, upon the arrival of the Atchison, Topeka & Santa Fe railway at this point, passing about two miles distant from the old town, they purchased a tract of land adjoining the railway and laid out a new town according to modern methods, with broad streets running at right angles, but little dreaming that the village of which they were then laying the foundation was to become in the course of one decade, the commercial, financial, educational and railway centre of all that empire known as the southwest."[11]

About 1880 New Albuquerque consisted of only a few tent saloons and dance halls in the vicinity of the railroad tracks,[12] but newspaper men were willing to gamble on its winning out over the rival towns of Socorro, Las Vegas and Santa Fe. While six weeklies had been published in Old Albuquerque up to and including the year 1880,[13] the first daily published there was the *Golden Gate*,[14] established in that year by E. W. Deer, a Kentuckian. Deer died in the fall of the same year, and his paper was continued for a few months only. James A. Spradling, a newcomer from Las

11. *The Land of Sunshine: A Description of Albuquerque, New Mexico and Surrounding Country* (Albuquerque, 1892), p. 1.
12. *History of New Mexico*, vol. 1, p. 472.
13. Shelton, Wilma M., *A Checklist of New Mexico Newspapers* (University Bulletin, Dec. 1, 1935), pp. 5-8.
14. *History of New Mexico*, vol. 1, p. 470.

Cruces with some experience in newspaper work, carried it on after the death of Deer. In 1880 he organized a company and began to publish the *Albuquerque Morning Journal.*[15] After conducting this paper in Old Albuquerque for a year or two, Spradling sold out and moved to Santa Fe. He and Deer passed quickly from the scene, but the years 1880 and 1881 witnessed the arrival of four men with newspaper experience—all directly from Missouri or Kansas—who were to be connected with one or more of the daily newspapers of the growing center on the Rio Grande for an average of about thirty years.

One of these newcomers who was to be an outstanding leader in the newspaper business in Albuquerque was Thomas Hughes, a native of famed Pike County, Missouri.[16] Having picked up an education in printing offices in Kansas and Missouri, Hughes started his own paper at the age of nineteen. Arriving in Albuquerque in the spring of 1881, he bought the *Morning Journal* from Spradling and conducted it for one or two years. In 1886 he purchased the *Evening Citizen,* and he and W. T. McCreight managed it for twenty years. "They were a pair of hustlers, and put out the snappiest paper in the state," said an anonymous contributor to the *New Mexico State Tribune.*[17] The *Citizen* claimed the largest circulation of any newspaper in New Mexico. Both Hughes and McCreight frequently visited various points in the territory to boost their paper. In 1902 the former traveled over the territory a good deal and the *Citizen* featured a series of articles describing the resources and educational facilities of the leading towns.[18] Extra copies of these issues were sent to Delegate Rodey for distribution. Hughes was as closely identified with Republican

15. *Ibid.,* p. 471.

16. *Ibid.,* pp. 471-472.

17. *New Mexico State Tribune.* Sept. 24, 1932. The article, which appeared under "The Public Forum," was signed "The Pinhead." The *Tribune* for Sept. 26 contained a letter from W. T. McCreight, in which he stated that he agreed fully with statements made by this anonymous writer.

18. See the *Citizen* for February and March, 1902.

politics as he was with the newspaper business. A shrewd political leader, he served for four terms in the Territorial Council,[19] where he gave able support to the founding of a state university in his home town.[20] He was regarded as quite a character, as well as one of the best editorial writers in the Southwest.[21]

Hughes' partner, W. T. McCreight, arrived in Albuquerque the year before the Pike County man, and was connected with the newspaper game there for about sixteen years with Hughes and then for twenty after the death of the latter.[22] While in St. Louis to purchase a new printing outfit, Spradling had advertised for a printer to go to New Mexico. Thus on his return to the territory he was accompanied by this young Kentuckian, who had recently sold his interest in a newspaper in his native state for sixty dollars. A fast typesetter and an all-around newspaper man, McCreight possessed a wonderful memory and a likeable disposition. He promoted the first baseball club and the first typographical union, as well as a fire department for Albuquerque. He always celebrated his birthday by passing out cigars or other gifts for his associates.[23] An old timer who did not quit the newspaper business until 1924,[24] he was frequently called upon "to write a few words" about friends or acquaintances who had passed beyond.

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19. Coan, *op. cit.*, p. 151.

20. W. T. McCreight in *New Mexico State Tribune*, Feb. 28, 1928.

21. *History of New Mexico*, vol. 1, p. 472.

22. McCreight arrived in Old Albuquerque on Sept. 17, 1880; for some months in 1882 he was business manager and editor of the Socorro *Sun;* he bought a half-interest in the Albuquerque *Citizen* in 1888; retired from the newspaper business in 1924; died on April 26, 1937. *Ibid.*, pp. 471-473. See also his obituary in the *Albuquerque Tribune*, April 27, 1937, as well as the *Albuquerque Morning Journal*, July 7, 1933, *New Mexico State Tribune*, Sept. 24, 1932, and the McCreight Papers in the University of New Mexico Library. For a convenient resume of much of this material, see Goff, Harold R., "History of the Daily Newspapers in Albuquerque," an unpublished paper in the University of New Mexico Library.

23. *Albuquerque Evening Journal*, Aug. 4, 1933.

24. *History of New Mexico*, vol. I, p. 473, says: "McCreight is probably the oldest American printer from the states, not in age, but in actual service, in the southwest." This statement appeared in print in 1907. McCreight continued in the newspaper business for seventeen years after this.

W. S. Burke was a veteran of the Civil War who came to Albuquerque in 1881 or a little later.[25] He never attended school in his life, but learned the printer's trade in West Virginia and practiced it in Iowa and Kansas. Though handicapped by poor health, he worked as an editorial writer for the *Journal* and other papers. Taking his cue from the policies of the paper for which he was working, he made a skillful use of both satire and scripture. A friend of A. A. Grant, the railroad contractor who was one of the founders of the modern city of Albuquerque, Burke's chief aim was to boost the climate and other resources of his adopted home. His enthusiasm was not even dampened by the spring sand storms, which he said clarified the atmosphere. Since he was self-educated, it is interesting to note that he founded the school system of Albuquerque and Bernalillo County. It is also of interest that his native state was Pennsylvania —a commonwealth which was to contribute generously both in men and capital to the fortunes of New Mexico. Whether this pioneer editor in the distant territory had anything to do with starting the migration of sons of the keystone state along the Santa Fe trail must, however, be left to conjecture. Time was to show, however, that for one reason or another, leading politicians of Pennsylvania were to work mightily for the admission of New Mexico to the union as a state.

John G. Albright was an Ohio man of German ancestry who migrated to Kansas in 1870.[26] Having acquired some newspaper experience there, he went to New Mexico ten years later and started the *Santa Fe Evening Journal.* Eighteen months later he moved his press in a wagon drawn by two oxen to the new town of Albuquerque. Though he had difficulty in finding a place to spend the first night, there being no hotel in the village just springing up by the railroad, he was soon publishing the *Albuquerque Evening Democrat.* Later he bought out the *Morning Journal* and another rival paper and combined them into the *Journal-*

25. *History of New Mexico,* vol. I, p. 471-472.
26. Coan, *op. cit.,* pp. 285-287.

Democrat. Albright sold this paper to a stock company headed by A. A. Grant in the fall of 1886 and quit newspaper work for five years. Later, however, he became the publisher of the *New Mexico State Democrat.* A Democrat for years, Albright finally turned Republican in disgust when Woodrow Wilson was nominated over Judson Harmon, favorite son of the "colonel's" native state. "Both as a newspaper man and as an individual citizen," says one historian of New Mexico,[27] "no one has ever contributed more loyally to the progress of Albuquerque than Mr. Albright." He and his associates fought in determined fashion to make Albuquerque, instead of Socorro the metropolis of New Mexico.

Newspaper men have the reputation of being great wanderers, but it is evident from the facts given above that during the last thirty years of the territorial period the daily newspapers of Albuquerque were being conducted by professional newspaper men who regarded New Mexico as a permanent home. While no other town in the territory could quite match these facts, there were a number of other men in New Mexico who were connected with the newspaper business over a period of years during the course of the statehood fight. Under these circumstances it was natural that the territorial press should take a very active part in the movement. Not just to fill up space, or because as the least inaudible members of society "the gentlemen of the press" are naturally drawn into any agitation. But rather because the men who owned the papers and wrote the editorials were themselves American citizens who felt that they were being unjustly robbed of the full rights of citizenship which each of them had enjoyed prior to taking up his home in a territory. They resented being ruled like a conquered province by carpetbaggers. They looked forward to statehood as the dawn of a better day. Doubtless they also thought of it in terms of a substantial increase in population, greater prosperity and larger newspaper circulation.

27. *Ibid.*, p. 286.

However, one must not think that the newspaper men acted solely or even chiefly on their own initiative. As a matter of fact, the press in New Mexico during territorial days was, as a rule subsidized directly or indirectly by corporations—principally railroads and their affiliates—and by political leaders and a few others who had special interests in legislation and in territorial or local affairs. Few, if any, of the newspapers made their expenses. Most of them did job printing, and the awarding of printing contracts by territorial and county officials greatly affected political alignments, and may be considered in the light of subsidies. Passes issued by the railroads were highly prized by editors and publishers, and the railroads were quite liberal in distributing them among the members of the press.

The greatest influence over the press was exercised by the Atchison, Topeka and Santa Fe Railroad Company, whose chief representative in New Mexico for twenty-five years was Henry L. Waldo of Las Vegas.[28] The son of a Missourian, who had been a freighter and trader over the Santa Fe trail as early as 1829, Waldo soon gave up his father's occupation to study law. His success in this profession is indicated by his appointment by President Grant as Chief Justice of the Supreme Court of New Mexico in 1876. A few years after the railroad entered the territory, Waldo became the chief counselor for the corporation in all of its business relations in New Mexico. He was a likeable man who combined great integrity, a keen legal mind, vision, and real concern for the prosperity of the section which his railroad served. Although he was a Democrat, he usually went along with the Republicans. While never a member of the territorial legislature, his influence in that body and with the authorities was very far-reaching. With the assistance of able lieutenants who stood close to the territorial administrations and who were on the inside of many maneuvers to control the legislature, he protected corporate interests from "demagogues and agitators." As

28. Twitchell, *Old Santa Fé*, p. 399.

he was at the same time sympathetic with the people of the territory, his friends felt that he served two masters, and did it well.

Only tentative conclusions may be stated regarding the attitude of the Atchison, Topeka and Santa Fe toward statehood. Railroads are naturally interested in the development of the region which they serve. Frank Hodder showed some years ago that plans for a railroad to the Pacific coast were behind the bill which Stephen A. Douglass forced through Congress in 1854 to organize the territories of Kansas and Nebraska. We shall see later that the promoters of the New Mexico Central Railroad pushed strongly for the admission of New Mexico as a state during the opening years of the twentieth century. Furthermore, Waldo was such an outstanding man that it was often predicted that he would be a United States senator when statehood came. However, it is said that the Santa Fe was opposed to statehood in 1902, and that this was told to Beveridge when he visited the Southwest in that year. As we shall see, the railroads and large mining corporations fought the joint admission of Arizona and New Mexico in 1906. Since the Santa Fe was the largest taxpayer in New Mexico, and ranked alongside of the mining corporations in Arizona, we need not be surprised if its officials lacked enthusiasm for the *immediate* assumption of the heavier burden necessary to support one or two state governments in semi-desert country. Dodging taxes was a general practice in territorial days, and far-sighted men realized that it would not be as easy under a state government.

Very likely in earlier days Waldo and other representatives of the railroad shared Catron's faith that statehood would bring a great increase in population and boom land values. The newspaper campaign for the admission of the territory doubtless seemed good publicity for the section served by the corporation. Furthermore Congress could be depended on to delay the longed for event until there were many more people and corporations in the territory to

share the higher cost of statehood. When the movement had become popular, it was felt to be unpatriotic to oppose it, and representatives of the Santa Fe resented Beveridge's methods of investigation and his conclusion that New Mexico was unfit for statehood. Doubtless at times they regarded statehood as a necessary evil which was bound to come, but which might be delayed by subtle propaganda. In the long run, however, officials hoped that the increase in freight and passenger traffic would more than make up for the higher taxes. Certainly the powerful lobby which the railroads maintained in Washington helped to bring about the final enactment of the enabling act.

The key man through whom the railroads and other corporations influenced the weekly press of the territory was Colonel Max Frost of the *Santa Fe New Mexican.* As secretary and dominating mind of the Bureau of Immigration, he circulated tons of propaganda to interest settlers in coming to New Mexico.[29] Governor Herbert J. Hagerman stated in 1907 that about $60,000 had been appropriated and spent for this publicity work which might well have been carried on by the railroads to increase their own business.[30] The young reform governor would hardly deny, however, that Frost was a master of the art of propaganda. The latter had also organized a secret press bureau to influence the smaller weeklies throughout the territory. He supplied these papers with news items and editorials, speaking favorably of legislation or movements in which Waldo or other representatives of the railroads and corporations were interested. Many of these papers were subsidized by being sent occasional checks ranging from ten to one hundred dollars.

Easily the most influential newspaper man in New Mexico for years, Frost deserves more than passing mention. Even a brief sketch of his career will recall many phases

29. See the *Biennial Report of the Bureau of Immigration.*

30. *Message of Herbert J. Hagerman, Governor of New Mexico to the 37th Legislative Assembly, January 21, 1907* (Santa Fé, 1907), p. 25.

of the history of the territory for a third of a century prior to the passage of the enabling act by Congress nine months after his death in 1909. A native of Vienna, Austria, Frost had come to Santa Fe a few years before the coming of the railroad to construct a military telegraph line into the territory.[31] A little later he led an expedition to suppress outlaws and renegade Navajos and Utes who were stealing cattle and committing other depredations in the San Juan country. Frost was a handsome man, of distinct military bearing and persuasive eloquence. He soon became a great favorite with the ladies, and won the friendship of the officers at Fort Marcy. Through such contacts, and by virtue of the positions of influence which he held, he became an outstanding figure in territorial affairs. He was register of the United States land office in Santa Fe, was a member of the Republican central committee for twenty-five years, and dominated the Bureau of Immigration almost from its inception.

Frost will be remembered, however, as the editor and owner of the *New Mexican*. When a newcomer to the territory, he became a correspondent on the staff of the paper, at that time the only daily in New Mexico. In seven years he was its editor, and in 1883 he became its owner.[32] "As managing editor of the *New Mexican* Colonel Frost achieved his greatest success," says Twitchell in his *Leading Facts of New Mexican History*. "Through the columns of that newspaper he was able to mold public opinion in a manner unsurpassed by any journalist in the West. In the ranks of the party press of Republican faith there has appeared no successor to Colonel Frost. He exercised great power and influence in the councils of his party, and through the columns of his newspaper did more than any other in the upbuilding of the territory."[33]

31. Twitchell, Ralph E., *Leading Facts of New Mexican History* (Santa Fé, 1925), vol. 2, p. 498, note.
32. *History of New Mexico*, vol. I, p. 469.
33. Twitchell, *op. cit.*, p. 499.

Frost was a man of strong prejudices and intense dislikes, but of unwavering loyalty to his friends. He came into conflict at times with Thomas B. Catron and others [34] whose interests ran contrary to his own, or who would not bow to his desires. Governor Otero and Judge Waldo were among his friends.[35] After the war with Spain, he distrusted those of the Rough Riders who had the ear of Theodore Roosevelt. Secretly, if not always openly, he fought men of the type of W. H. H. Llewellyn,[36] although he often utilized the major to further legislative and political objectives. All in all, the editor of the *New Mexican* was a unique figure who in many ways, directly and indirectly, dominated the political and journalistic scenes in the territory for more than two decades.

Always a quick thinker, when illness confined him to his bed, he still kept in contact with different parts of the territory by telephone. He was afflicted with locomotor ataxia and finally became blind. This and failing health compelled him to relinquish the conduct of the paper to an understudy,[37] but such was the magic of the name he had built up [38] that the policies he had established were maintained even after he was totally incapacitated. Gradually, however, and almost imperceptibly old feuds were dropped and new issues advocated. Statehood, however, remained a favorite issue, although objections on the part of some of the interests—because of the certainty of increased taxes—at times made themselves felt.

34. Such as Governor L. Bradford Prince, George H. Wallace, and Albert B. Fall.

35. Charles A. Spies, W. A. Hawkins and Arthur Seligman may also be counted among his friends.

36. These included Capt. Frederick (Fritz) Muller and Capt. W. E. Dame.

37. Paul A. F. Walter.

38. Frost was so intimately tied up with the life of old Santa Fé that an old timer who visited that city in 1929 wrote in the *Albuquerque Morning Journal:* "I looked around for Col. Max Frost, the man with a brilliant brain, but with a seriously decrepit and afflicted body, and blind, but there was no Max Frost. However, the paper—the *New Mexican*—on which he wielded a stinging, wicked pen, against his political and personal enemies, is still in existence, . . . "W. T. McCreight in *Albuquerque Morning Journal,* July 2, 1929.

While a paper of the same name had appeared as early as 1847, the *New Mexican* as Frost knew it was started as a weekly by Manderfield and Tucker in 1863.[39] It was printed partly in English and partly in Spanish. Becoming a daily five years later, it remained the only one in New Mexico up to 1880. Between 1881 and 1883 the paper belonged to a company organized by officials of the Atchison, Topeka and Santa Fe Railroad Company. From 1883 until his death—with the exception of the years 1894 to 1897—Max Frost was one of its owners. During the three years' interval referred to, it was owned by Governor W. T. Thornton and his associates, and was of course a Democratic paper. With this exception, it always advocated Republican principles. Being the only daily newspaper at the territorial capital, the *New Mexican* naturally was in closest contact with territorial and federal officials, legislators, and visitors of note—a situation of which Frost took advantage with Machievellian skill. He reproduced in the columns of the *New Mexican* excerpts from other newspapers, which he had supplied in the first place, as well as interviews which he bent to his own purposes. He ran a feature under the heading "Men of the Hour," in which pictures of territorial notables were reproduced with flattering biographical sketches. Even the society columns of the paper were utilized to show preference to those who were friendly, rigid instructions being given to reporters to list names of those attending social functions in accordance with the individual's official or social standing. While the *New Mexican* had less than two thousand paid subscribers in those days, the fact that it gave the cue to most of the papers of the territory, made it the most influential paper in the entire Southwest. Marked copies were often mailed to persons of influence throughout the United States, and a lively personal correspondence was maintained with those who could be of use in furthering the ends in which Frost was interested at the moment.

39. *History of New Mexico*, vol. I, p. 469.

Bernard S. Rodey, Delegate to Congress from 1901 to 1905 and leader of the statehood movement during those years, commended the *New Mexican* in 1902 as "the warmest and strongest friend that statehood has in the territory."[40] Prominent citizens and representatives of the territorial press joined in this praise;[41] while Max Frost himself claimed that his paper was the first newspaper in the territory to champion the cause. On May 10, 1902, in referring to the passage of the statehood bill by the House of Representatives, the *New Mexican* said: "This had not been brought about by a miracle, but by hard and persistent effort in conducting a campaign of education which has overcome deep rooted prejudices within as well as without the territory. It is a matter of pride to the *New Mexican* that it has always stood in the very van in the fight for statehood and has not only been one of the leaders, but the leader in the campaign for New Mexico's rights. There were times when the *New Mexican* stood almost alone among newspapers of the Southwest in demanding statehood and there were times when the *New Mexican* knew that the political leaders and businessmen and others of the territory were nearly all either secretly or openly opposed to statehood and it nevertheless kept up the fight to make New Mexico a state. It was gratifying, therefore, to observe how one newspaper after another followed the *New Mexican's* example, how political leaders, one after the other found it expedient to announce themselves in favor of statehood. What seemed to be insurmountable walls of prejudice melted away one after the other and several times it seemed as if statehood was within the grasp of New Mexico, but then came disappointment and defeat again and again. But the *New Mexican* in season and out of season, kept up the fight for statehood until now victory seems assured. Should disappointment come again, the *New Mexican* will carry on

40. *New Mexican*, Nov. 19, 1902.
41. *Ibid.*, June 10, 1901.

this fight on the present lines, if necessary, for another century and all alone."

Anyone who thumbs through the files of the *New Mexican* today will very likely feel that its editor was completely justified in the pride which he felt in the part his paper was taking in the statehood fight. In 1888 the *New Mexican* conducted a popular referendum on statehood, sending out questionaires to leading citizens and publishing their opinions for and against statehood in its columns.[42] So ably did the *New Mexican* present its arguments that Governor Ross, Democratic governor of the territory, was converted to the cause.[43] And the printer-governor of New Mexico was no easy triumph, either. One could hardly accuse a United States Senator from Kansas who voted for the acquittal of Andrew Johnson of being a "yes, yes" man. One need not wonder, however, if Ross and many another during those years had their opinions changed by the constant barrage of propaganda which filled the pages of the Santa Fe paper. One finds countless editorials, presenting the arguments for statehood, evaluating the prospects for early success, or urging that letters and telegrams demanding favorable action be written to members of Congress, or that delegations be sent to Washington. Interviews with leaders, letters from contributors, and hundreds of news items all helped to keep the cause before the public. Occasionally there was a special edition, copies of which were sent to every state and territory and even foreign countries, and which served to advertise the resources of New Mexico.

No other paper in the territory was as consistent a supporter of statehood as the *New Mexican.* In 1888, the Silver City *Enterprise,* which was opposed to statehood, declared that the Santa Fe paper was "the leader of the movement," while the Albuquerque *Democrat* and the Las

42. See the *New Mexican,* January to March, 1888.

43. *Ibid.,* March 15, 1888. The *New Mexican,* which was strongly opposed to Gov. Ross, was not enthusiastic over the governor's conversion, and declared that his support was injurious. *Ibid.,* April 12. 1888.

Vegas *Optic* were opposed.[44] During the next decade statehood gained wider support from the territorial press, but some papers such as the Albuquerque *Citizen* were inclined to oppose the movement when the wrong political party was in control of the legislature. Thus after the Democrats had "stolen" the legislature in 1895, Hughes' paper had said: "Ponder this question from the Raton *Range:* "How do you like the idea of paying $100,000 to live in the state of New Mexico to be governed by the character assassins who are now running the territory?[45] The *New Mexican,* on the other hand, urged "those narrow-visioned Republican organs which are endeavoring to introduce territorial politics into the statehood movement" to follow the example of the people of Oklahoma, who, regardless of party distinction were petitioning Congress for admission to the union.[46] Six years later a prominent Republican politician urged that no enabling act for the territory should be passed until after the election of 1902.[47] Many Republicans throughout

44. Silver City *Enterprise,* March 2, 1888.

45. Albuquerque *Citizen,* Jan. 7, 1895.

46. *New Mexican,* Dec. 9, 1895. The *Optic* charged that the *Citizen* "has deliberately set itself to work to defeat statehood," and was attempting to prejudice the eastern mind by partisan appeals." Citing two editorials from the Denver *Times* and the *Republican,* "which no doubt originated in the *Citizen's* office," the *Optic* stated that it disapproved of what the Democrats had done. However, it continued: "We regard the malignant effort to defeat statehood, through personal spite and vindictiveness, as a baser crime against the welfare of our Territory. In fact, one of the very things which statehood will prevent, will be the recurrence of legislative steals." *Optic,* Jan. 16, 1895.

47. *New Mexican,* May 21, 1901. Apparently the Springer *Stockman* distrusted the sincerity of Delegate Catron's statehood efforts in 1896. It said: ". . . Catron, Elkins and Reed would rather see New Mexico sink into perdition than see her become a state. Two silver senators will go from this territory if she should become a state, that is why the combine do not want to see her as such. Selah." Springer *Stockman,* as quoted by *New Mexican,* April 6. 1896: On the other hand, while distrustful of the Republican party in general, the Silver City *Eagle* was hopeful that Catron and Elkins, who were "both heavily interested in New Mexico, would prove sincere in their statehood efforts. Admitting that it was not to the interests of the Republican party to admit New Mexico at that time, the *Eagle* said: "Mr. Catron's personal interests in the matter will doubtless outweigh his political interests and he is certainly very deeply interested personally in the early admission of New Mexico. The passage of a bill providing for statehood for New Mexico might be worth a million dollars to Mr. Catron, but he will have to use some mighty persuasive language to get his gold bug political friends to vote to admit New Mexico and thus increase the strength of the silver men by two in the senate and one in the house." Silver City *Eagle,* quoted by *New Mexican,* Dec. 18, 1895.

the territory were reported to favor the suggestion, but the *New Mexican* declared, that the best plan was "to get together, adjust all differences of opinion and push for statehood until attained." This attitude was highly commended in a vigorous letter from Delegate Rodey who declared that if the choice was put up to him, "to live in a Democratic state or a Republican territory," he would favor the former any time."[48] Rodey's letter appeared under the title, "Statehood above Partisanship." The brainy editor of the *New Mexican* was not wholly disinterested, however. Two months later he cautioned: "Never fear, the *New Mexican* will be at hand and will take a hand in the senatorial fight upon the admission of New Mexico to statehood, and what is more the men supported by it for those positions will represent the state of New Mexico in the Senate of the United States. Paste this in your hat and read it every once in awhile."[49]

None of the five dailies listed by Governor Otero in his report for 1900 are known to have opposed statehood outright. However, no copies of the Las Vegas *Republican* have been found so that one can only guess from the name that it probably agreed with other papers of that party in supporting the movement. It was apparently short-lived, its name appearing on the official list for the one year only. On the other hand, the Las Vegas *Daily Optic* has been published from 1879 to the present.[50] When the Atchison, Topeka and Santa Fe built into New Mexico in that year, Russ A. Kistler had started the *Optic* in Otero, the first railroad town in the territory.[51] Six months later he moved his plant to Las Vegas, where he conducted the paper for nineteen years. In 1898 he sold out, and the paper was managed for five years by the Allen brothers, only to be sold again in 1903. Kistler was a brilliant writer, but rather erratic, and the *Optic* was not very stable in its policies. During the critical year of 1896 it deserted its Republicanism

48. Ibid., May 27, 1901.
49. *New Mexican*, July 1, 1901.
50. Shelton, *op. cit.*, p. 18.
51. *History of New Mexico*, vol. I, p. 476.

to support Fergusson and free silver, but reverted to its former policies with the change of ownership in 1903. The *Optic* spoke favorably of the appointment of Otero, but later became one of the few papers in the territory bitterly opposed to "the little governor" and "the ring" which surrounded him. Generally favorable to statehood, the *Optic* declared on October 15, 1901, that this should come with certain safeguards in the constitution. These should include a limitation on the rate of taxation, open bidding for state contracts, compulsory education, an educational or property qualification for voters, the Australian ballot, and the provision that lands given the state for public institutions shall never be sold or leased for a longer period than twenty years.

While no copies have been found of many of the fifty-eight weeklies listed by Governor Otero, the attitude of a number of these is indicated by editorials quoted in papers which have been better preserved. Usually these expressions of opinions were short and often they were rather well put. Thus the *New Mexican* for April 29, 1901, quoted the Springer *Sentinel* as follows: "New Mexico has outgrown her short dresses and feels that at the advanced age of over fifty years, she is entirely too conspicuous in her youthful attire, and is earnestly pleading that she may be permitted to assume the more becoming and appropriate robes of statehood." However, in spite of a considerable amount of such evidence, less than one-third of the total number of weeklies are definitely known to have favored statehood at one time or another between 1895 and 1901, and to have taken some part in the fight for the admission of New Mexico to the union. As we have seen, many of the smaller weeklies took their cue from the *New Mexican*, so that there was nothing original in their attitude. Doubtless a number of the papers that received Frost's secret press service echoed the statehood sentiments which he supplied, but the evidence is insufficient to prove this. Some were indifferent, while a few are known to have been doubtful or opposed. Occasionally an editor dared to express scep-

ticism regarding the material prosperity supposed to follow statehood. Thus in October, 1901, the Las Cruces *Rio Grande Republican* asked: "Will statehood cause the falling of any more rain?"[52] while six months later the Roswell *Record* stated editorially: "We have always doubted that statehood would prove such a boon as many people think."[53] The attitude of the Santa Fe *Capital* was summed up by the sympathetic Las Vegas *Optic:* "The Santa Fe *Capital* is teeth and toe nails for statehood. However, it is opposed to taking the progressive step with the present corrupt ring in power in New Mexico. Exterminate the treasury-looters and tax-dodgers and then give us statehood." [54] *Nuevo Mundo,* published in Old Albuquerque between 1897 and 1905, was apparently hostile, as, according to the *Albuquerque Morning Democrat,* it announced an editorial on "The Noisy Question of Our Admission to Statehood."[55] The White Oaks *Eagle,* a Lincoln County paper, is one of the few papers in New Mexico known to have opposed statehood openly at this time. However, the reasoning of the editor on the subject is known only through a lengthy refutation by Delegate Rodey which appeared in the *Journal-Democrat* for September 21, 1901. Few editors cared to openly oppose the movement and the *Journal-Democrat* noted on August 8, 1901: "The few territorial papers that for a time decried statehood are keeping mum on the subject these days."

In May, 1901, the *New Mexican* called attention to the fact that newspaper after newspaper was "beginning to carry a statehood headline." [56] The slogan most commonly used was "New Mexico demands statehood from the 57th congress." [57] No doubt the visit of President McKinley to the territory just at this time helped to focus the attention

52. Clipping from the *Rio Grande Republican,* October, 1901, found in the Rodey Scrap Book, p. 61.
53. Roswell *Record,* April 11, 1902.
54. Las Vegas *Optic,* Oct. 8, 1901. See also *ibid.,* Oct. 10, 1901.
55. *Albuquerque Morning Democrat,* May 27, 1897.
56. *New Mexican,* May 24, 1901.
57. *Ibid.,* May 11, 1901.

of the press and people of the territory upon the issue. Apparently some of the opposition press were converted to the cause the following fall by the accession to the presidency of the territory's Rough Rider champion. At least this was alleged by the Carlsbad *Argus,* which said: "President Roosevelt is favorable to the admission of New Mexico, and as this fact is well known certain territorial journals, until now apathetic or against the movement, are now urging action, and in a few weeks will be posing as the original promoters of the statehood crusade." [58]

While in the East in February, 1902, Thomas Reynolds, a mining man from Denver, gave an interview to a New York *Tribune* reporter in which he criticized New Mexico newspapers for not doing all that could be done for statehood. The *Tribune* quoted him as follows: "New Mexico is in many ways entitled to Statehood, and together with Arizona, is a much richer community than most Easterners suppose. Both territories are wonderfully full of mining possibilities. The trouble with New Mexico has been, to no slight extent, I believe, its lack of a good press to advertise it, and put its claims before the country. A powerful newspaper in that Territory or in Arizona could do a great deal toward bringing about what the people want." [59]

Such a criticism may be attributed to the impatient desire of the business man for greater publicity for his mines and the territory in which they lay. Of course, with its few towns, its small reading public and lack of development, New Mexico could not support a strong press. Had she possessed more leaders like Max Frost and more papers like the *New Mexican,* certainly the campaign to rally the citizens of the territory to the cause and to overcome the objections of the East would have been much more effective. On the other hand, however, opponents of statehood complained of "cock-sure" editorials on what the people wanted, and

58. Carlsbad *Argus,* Sept. 27, 1901.
59. *New York Tribune,* Feb. 7, 1902.

declared that the demand for statehood was largely created by the politicians and editors.[60]

Before passing on from our consideration of the relation of the press to statehood, we may pause to analyze the chief arguments used in editorial after editorial, as well as in official resolutions. These are as follows:

1. Statehood has been promised in the treaty of Guadalupe-Hidalgo and in the Republican and Democratic platforms.
2. The area, population, and resources of New Mexico entitle it to statehood.
3. A territory is governed by "carpetbaggers," is under the complete control of congress, and has no rights under the constitution.
4. The people of New Mexico are quite capable of governing themselves.
5. It is humiliating for the leaders of New Mexico to be forced to go to Washington to scramble for office.
6. New Mexico needs a vote and fuller representation in Congress to push for irrigation, and to protect the waters of the Rio Grande.
7. The shameful way in which property is returned and the low valuation of all property in the territory will be remedied by statehood.
8. Capitalists regard a territory as the home of outlaws and desperadoes and insecurity of property, and hesitate to invest in it. Accordingly statehood will bring rapid development and great material prosperity to New Mexico, just as it did to Colorado.
9. The majority of the people want statehood, and the majority should rule.
10. Property owners need not fear home rule as brains will rule New Mexico as they do everywhere else.[61]

The third article in this series will attempt to analyze the attitude of the citizens of New Mexico toward statehood during the latter part of the 1890's, and to discover how much opposition there was within the territory at that time.

60. See "The Other Side," an anonymous letter signed "Fair Play," contributed to the *Journal-Democrat*, Aug. 18, 1903.

61. *Citizen*, April 11, 1901.

THE AMERICAN OCCUPATION OF NEW MEXICO 1821-1852

By SISTER MARY LOYOLA, S.H.N., PH.D.

CHAPTER III

DIPLOMATIC EFFORTS TO OBTAIN NEW MEXICO

DURING the years of turmoil following Mexico's declaration of independence from Spain, many complaints were made to their home governments by foreigners residing in the country because of Mexico's inability to protect them and their business interests. For twenty years before the outbreak of the war between the United States and Mexico, the question of the claims of American merchants who demanded restitution for alleged confiscation of property constituted one of the most important points of controversy between the two nations. As in all such cases, there can be no doubt that some of the claims were largely fictitious or highly exaggerated.[1]

The Texas question, on which the leaders of thought in the United States were divided into two hostile camps, ultimately became inextricably bound up with this matter. Any attempt at the adjustment of the various problems involved seemed, to the enemies of the successive administrations, a furtive attempt to obtain possession of western domain which would serve as a stepping-stone to the Pacific and increase slave territory.

Initial Attempt to Acquire Mexican Territory. Foundation for such attacks was found in the instructions to successive ministers to Mexico beginning with Butler in 1829. He was personally instructed by President Jackson to use his utmost endeavors to purchase Texas. This was but a repetition of the instructions which Van Buren, as Secretary of State, had drawn up for Poinsett, the previous minister to

1. Kohl, C. C., *Claims as a Cause of the Mexican War* VII, 78; Maning, W. R., *Early Diplomatic Relations between the United States and Mexico*, 252-276.

Mexico, wherein great stress was laid on the advantage which would accrue to Mexico by her cession of a portion of the territory of Texas for a pecuniary consideration; and Mr. Poinsett was urged to spare no effort to have the boundary settled according to instructions, since this alone would insure to the citizens of the United States the undisputed navigation of the Mississippi.[2] This message had not been sent to Poinsett because of his recall.

Butler did not succeed in accomplishing anything, and was recalled in 1835 because of complaints made by Mexico to the United States in regard to his conduct. Powhatan Ellis was appointed to fill his place as *charge d'affaires.* In 1836, Forsyth, Secretary of State, wrote to Ellis:

> The claims of citizens of the United States on the Mexican Government for injuries to their persons or property by the authorities or citizens of that republic are numerous and of considerable amount, and though many of them are of long standing, provision for their payment is pertinaciously withheld, and the justice of most of them has not been acknowledged.[3]

At Ellis' suggestions a more vigorous policy was determined upon. In a dispatch from Mr. Forsyth, the grievances against Mexico were reviewed, and Ellis was instructed to demand his passports if satisfactory investigation and reparation were not undertaken without undue delay. Thus diplomatic relations would be severed.[4] Ellis followed the letter of his instructions and, not receiving a satisfactory reply, demanded his passports, Dec. 13, 1836.[5]

The Gaines-Gorostiza Episode. Matters were also approaching a crisis in the United States, but on wholly different grounds. Texas, having declared her independence of Mexico, was anxiously seeking recognition and annexation by the United States. Her ministers had aroused enthusi-

2. *House Ex. Doc.* 42, 25 Cong., 1 Sess., pp. 10-16.
3. *House Ex. Doc.* 351, 25 Cong., 2 Sess., XII, p. 160.
4. *House Ex. Doc.* 105, 25 Cong., 2 Sess., pp. 24-27.
5. *Ibid.* 51.

astic interest among our citizens, although the officials hesitated to take a decisive step.[6]

On January 23, 1836, President Jackson, through Secretary of War, Lewis Cass, instructed General Gaines to advance to the western frontier of Louisiana to prevent Indian depredations and the crossing of the boundary by armed contestants who had already taken or might take part in the conflict between Texas and Mexico. A later note gave instructions not to advance beyond Nacogdoches.[7]

Gorostiza, the Mexican minister to the United States, entered a protest against the order and requested that it be revoked as a violation of neutrality, since there could be no doubt that the region referred to lay within the boundaries of Mexico.[8] In reply, Forsyth represented that since the treaty of limits had not yet been drawn up there could be no definite decision as to where the true boundary lay. He stated:

> . . . The troops of General Gaines will be employed only in protecting the interests of the United States and those of the Mexican territory according to the obligations of the treaty between the two powers. Whether the territory beyond the United States belongs to the Mexican Government or the newly declared Texan State is a question into which the United States does not propose to enter.[9]

A lengthy correspondence was carried on between Gorostiza and Forsyth in which Gorostiza endeavored to have the instructions countermanded and Forsyth held to the view that the authority given to General Gaines was in full accord with former treaties, and that the Mexican official had no reason to fear that an attempt would be made later to base any claims on the occupation of the region; that

6. Garrison, "Texan Diplomatic Correspondence," in *Annual Report of the Amer. Hist. Asso.* 1907, vol. 2, *passim; House Ex. Doc.*, 256, 24 Cong., 1 Sess., *passim.*

7. *House Ex. Doc.* 256, 24 Cong., 1 Sess., VI, pp. 40 *et seq.*

8. *House Ex. Doc.* 256, 24 Cong., 1 Sess., VI, pp. 15-26; *House Ex. Doc.* 2, 24 Cong., 2 Sess., p. 27.

9. *House Ex. Doc.* 256, 24 Cong., 1 Sess., VI, p. 32.

> . . . the orders given to General Gaines were not given because the United States believed they had claims to the territory beyond Nacogdoches, nor with a view to assert, strengthen, or maintain those claims, but simply and exclusively to prevent consequences likely to grow out of the bloody contest begun in that quarter.[10]

Notwithstanding such assurances, it is not surprising, when one reads some of the communications from Gaines of which the following is typical, that Gorostiza was not entirely convinced—

> Believing it to be of great importance to our country, as well as to Texas and Mexico, and indeed to the whole people of the continent of America, that our Government should be prepared to act promptly upon the anticipated application of the people of Texas for admission; and desiring, as fervently as any one of the early friends of the President can possibly desire, that this magnificent acquisition to our Union should be made within the period of his presidential term, and apprehending that unlooked for changes and embarrassing interference by foreign Powers might result from delaying our national action upon the subject to another session of Congress, I have taken leave to order to the city of Washington Captain E. A. Hitchcock . . . whose discriminating mind and perfect integrity and honor will enable him to communicate more fully than my present delicate health . . . will allow me to write, the facts and circumstances connected with this interesting subject, the opinions and wishes of the inhabitants of the eastern border of Texas, together with the late occurrences, and present state of my command.[11]

The continued reports of the passage of armed forces from the United States to Texas, and the apparent negligence of the United States in preventing these movements, together with the activities of Gaines, were noted carefully

10. *House Ex. Doc.* 256, 24 Cong., 1 Sess., p. 256.

11. Gaines to Cass, May 10, 1836, *House Ex. Doc.* 25 Cong., 2 Sess., XII, Doc. 351, pp. 786-787; Marshall, T. M., *A History of the Western Boundary of the Louisiana Purchase.* 1819-1841, p. 171.

by Gorostiza and drew forth numerous complaints from him during the year 1836.[12] In the latter part of 1836, he indignantly terminated his mission to the United States. Before leaving, he published a pamphlet setting forth the reasons for his action and bitterly complaining of the attitude taken by the United States in the Texas question. This was considered defamatory to the United States as well as a violation of the laws of diplomacy. A note was immediately sent to Mr. Ellis informing him of the affair and ordering him to break off diplomatic relations unless the Mexican Government disavowed the act of its minister.[13] This order did not reach Ellis until he had already demanded his passports for the reasons stated above. Thus diplomatic relations between the two countries were severed almost simultaneously in the two capitals at the close of 1836.

To the country at large war seemed imminent; but among the officials of government the matter was not considered very serious. It was determined that one more demand should be made upon Mexico for a settlement of claims.[14] The demand was sent shortly after the accession of Van Buren to the presidency.

The opposition party in Congress used the entire episode as capital for attacks on the government. Adams made his famous speech in the House, in which the entire policy of the government of the United States toward Mexico was reviewed. He declared:

> From the battle of San Jacinto, every movement of the Administration of the Union appears to have been made for the express purpose of breaking off negotiations and precipitating a war or of frightening Mexico by menaces into cession of not only Texas but of the whole course of the Rio del Norte, and five degrees of latitude across the continent to the South Sea.[15]

12. *House Ex. Doc.*, 2, 24 Cong., 2 Sess., *passim.* See Marshall, 186 *et seq.*

13. *House Ex. Doc.* 105, 24 Cong., 2 Sess., pp. 47-50.

14. *Congressional Globe*, 24 Cong., 2 Sess. IV, p. 193.

15. Adams, J. Q., *Speech on the Right of Petition, Freedom of Speech and Debate*, etc., *delivered in the House from June 16 to July 7, 1838.*

This speech gave excellent material for agitation to Mexico and the anti-slavery interest in the United States.

A careful study of the documents shows that Adams' anti-slavery proclivities, which made him read into official acts a determination to extend the slave area by fair means or foul, greatly distorted his perspective. Jackson was certainly eager to acquire Texas; but it cannot be shown that he stooped to any under-handed measures. The same can be said of Van Buren. Reeves states:

> Jackson's and Van Burean's attitude toward Texan annexation was cautious, prudent, and founded on just principles. That the tone adopted toward Mexico upon the subject of claims was severe does not thereby convict Jackson and Van Buren of duplicity or hypocrisy or shamelessness. . . . Instead of using the Mexican claims as a cloak for war by which annexation might be accomplished, the reverse may be stated as the truth. The open refusal of the United States to accept the Texan offer of annexation put the United States in a position where demand for payment of its claims upon Mexico could be made without any suspicion of ulterior motive.[16]

Arbitration of Claims. On September 11, 1838, arbitration of the claims was agreed upon and all danger of war was over. Diplomatic relations were at once re-established. After some delay in preliminary arrangements, the board began its work at Washington on December 29, 1840.[17] Two commissioners had been appointed for each side and the King of Prussia through a delegate, Baron Roenne, then minister resident of Prussia at Washington, acted as umpire. In the eighteen months (August 1840-

16. Reeves, J. R., *American Diplomacy under Tyler and Polk*, 84-86. Kohl, *Claims as a Cause of the Mexican War*, 30-44.

17. The convention signed in 1838 was not carried into effect because of Mexico's failure to authorize the exchange of ratifications within the time prescribed. The delay was said to be due to the fact that the King of Prussia had not consented to appoint an umpire as had been provided by the terms of the convention. A second convention was concluded in April, 1839. (Moore, J. B., *International Arbitrations*, II, 1218).

February, 1842) allowed by the terms of the convention eighty-four claims had been presented and of these thirty had not been finally decided. Every evidence goes to prove the sincerity of the Mexican commissioners and their earnest efforts to adjudicate the claims according to strict justice. The amount allowed, approximately thirty per cent of the claims, was a very large proportion for such cases, and the Mexican delegates declared that failure to settle more claims was due to the tardiness with which the claimants presented their cases.[18]

The poverty of the Mexican treasury at the time rendered it impossible to pay the indemnity agreed upon. This necessitated another convention which was concluded at the city of Mexico in 1843. It was therein provided that the Mexican government should "on the thirtieth of the following April pay all interest then due on the awards, and within five years from that day, in equal installments every three months, all the principal and accruing interest."

18. An idea of the work of the commission may be gained from the following table:

	Amount
Amount of claims decided by the board without reference to the umpire	
Amount claimed	$595,462.75
Amount allowed	439,393.82
Rejected on their merits at the board	
Amount claimed	51,492.25
Decided by the board not to be within the convention	
Amount claimed	9,278.26
Claims on which the board differed which were reported to the umpire for decision, and on which allowance was made	
Amount claimed	5,844,260.44
Amount allowed by American commis.	2,334,477.44
Amount allowed by Mexican commiss.	191,012.94
Amount allowed by the umpire	1,586,745.86
Rejected by the umpire on the merits	
Amount claimed	59,967.40
Amount claimed by American commissioners	57,754.42
Decided by the umpire not to be within the cognizance of the board	
Amount claimed	1,864,939.56
Amount allowed by American commissioners	928,627.88
Cases submitted too late to be considered by the board	
Amount claimed	3,336,837.05
Total awarded by the umpire	$1,586,745.86
Total awarded by the American commissioners on reference to the umpire	2,334,477.44
Total awarded by the Mexican commissioners on reference to the umpire	191,012.94

(Moore, *op. cit.*, *II*, 1232.)

In April, 1844, the Mexican government ceased to pay installments. There was no money in the Mexican treasury, although the government had gone to the extent of demanding a forced loan with which to meet its obligations. Shortly after, a revolution caused the permanent cessation of all payments.[19] Again the diplomatic sky looked threatening; the storm was brewing in another quarter also.

The Texas Question. The question of Texan annexation was to furnish the basis of renewed difficulties with Mexico. Tyler came to the presidency determined on expansion. Was not expansion a necessity, if anything was to be accomplished in regard to the proposed opening of trade with China, and the establishment of a consul at the Sandwich Islands?[20] Within a few days after taking the oath of office, the President referred to annexation as the all important measure of his administration.[21]

In January, 1843, Mr. Thompson, the American minister to Mexico, was instructed to remonstrate against the mode of warfare which was being carried on against Texas, and to make it clear that if Texas were not either reconquered by Mexico, according to the regular mode of warfare by a sufficiently strong force, or else her independence recognized by Mexico, the United States would show her disapproval in a more forcible manner.[22]

The attitude adopted by Tyler is excellently summed up by Kohl in the statement: "Tyler's first plan for securing territory appears to have been one which very few at that time knew anything about. This was to trade the claims for Texas and California. Thompson's first dispatch to Washington, dated April 29, 1842, went aside from the main subject with which it dealt to discuss the question of acquiring territory. He declared:

19. Moore, J. B., *International Arbitrations*, II, 1216-1248. *(Ho. Mis. Doc.* 53 Cong., 2 Sess., No. 212, II, 3267). The matter was finally settled by the Treaty of Guadalupe-Hidalgo by which the United States assumed these obligations of Mexico.

20. For this interesting aspect of western extension see Lyon G. Tyler, *The Letters and Times of The Tylers II*, 262.

21. *Ibid.*, 254.

22. *Sen. Doc.* 341, 28 Cong., 1 Sess., 69-70.

> I believe that this Government would cede to us Texas and the Californias, and I am thoroughly satisfied that it is all we shall ever get for the claims of our merchants on this country. As to Texas, I regard it as of little value compared with California—the richest, the most beautiful and the healthiest country in the world . . . In addition to which California is destined to be the granary of the Pacific. It is a country in which slavery is not necessary and therefore if that is made an objection, let there be another compromise. France and England both have had their eyes upon it . . . If I could mingle any selfish feelings with interests to my country so vast, I would desire no higher honor than to be an instrument in securing it.[23]

Later dispatches reveal the anxiety of Thompson to see the matter favorably adjusted.

The enmity aroused in Mexico by the evident sympathy of Americans with the Texans, together with the foolish act of Commodore Jones of the Pacific Squadron in taking possession of Monterey,[24] made impossible the acquisition of territory in exchange for claims; and Tyler did not intend to go to war for such a cause.

Agitation throughout the country continued, however, and during the last months of Tyler's administration official notice was given by the Mexican minister, Almonte, that the annexation of Texas by the United States would be considered as equivalent to a declaration of war, and in such an event he would consider his mission to the United States ended, since on receipt of the news of such an act, Mexico would immediately declare war.[25]

The stand was at once taken in Washington that the declaration of war by Mexico, if Texas were annexed, would be entirely uncalled for, since Texas had maintained her independence for eight years, and the inability of Mexico

23. Ms. Archives, Dept. of State, Dispatches from Agents in Mexico as cited in Kohl, *Claims as a Cause of the Mexican War,* 46.

24. For an account of the episode see *House Ex. Doc.* 166, 27 Cong., 3 Sess., *passim.*

25. *House Ex. Doc.* 2, 28 Cong., 1 Sess., pp. 39 *et seq.*

to reconquer her during all that time made it impossible for the United States to consider her longer a part of Mexico.[26]

In the closing months of his administration, Tyler strove earnestly to have the Treaty of Annexation completed and had the satisfaction of seeing this done on March 3, 1845, one day before his authority ceased, although the full ratification took place only in December, 1845, under the Polk administration. As threatened, the Mexican minister at once withdrew from Washington; and thus diplomatic relations which had so recently been restored were once more severed.[27]

Expansionist Plans of Polk. Polk, the successor of Tyler in the presidential office, showed, from the outset of his term, a great desire for expansion. He determined to attempt to re-establish amicable relations with Mexico for this purpose. Mr. Parrott was sent to determine whether or not Mexico was willing to renew diplomatic intercourse. Polk records in his diary:

> He, Parrott, is of the opinion that the government is desirous to re-establish diplomatic relations with the United States and that a minister from the United States would be received . . . After much consultation, in full Cabinet, it was agreed unanimously that it was expedient to reopen diplomatic relations with Mexico, but that it was to be kept a profound secret that such a step was contemplated.[28]

The secrecy was due to fear of foreign interference. It was determined to appoint to the difficult office Mr. Slidell who seemed well qualified for the task. Before sending Slidell, assurance was procured from the Mexican Minister of Foreign affairs that Mexico would receive a Commissioner having full power to settle the Texas dispute.[29]

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26. *Sen. Doc.* 341, 28 Cong., 1 Sess., p. 87.

27. For a detailed discussion of Annexation see McCormac, E. I., *James K. Polk, a Political Biography*, 352-72.

28. *Polk, Diary, Sept. 16, 1845.*

29. *House Ex. Doc.* 60, 30 Cong., 1 Sess., VII, pp. 13-17.

Although an important question to be settled was that of the boundary of Texas, the anxiety and hope of the Government to obtain possession of New Mexico and California are revealed in the specific instructions to Slidell upon the subject. The whole question of claims was reviewed at great length and the following conclusion reached:

> The result of the whole is, that the injuries and outrages committed by the authorities of Mexico on American citizens, which, in the opinion of President Jackson, would so long ago as February, 1837, have justified a resort to war or reprisals for redress, yet remain wholly unredeemed excepting only the comparatively small amount received under the convention of April, 1839.
>
> . . . The fact is but too well known to the world that the Mexican government is not now in a condition to satisfy these claims by the payment of money. Unless the debt should be assumed by the government of the United States, the claimants cannot receive what is justly their due. Fortunately the joint resolution of Congress, approved 1st. March, 1845, for annexing Texas to the United States, presents the means of satisfying these claims, in perfect consistency with the interests as well as the honor of both republics. It has reserved to this government the adjustment of all questions of boundary that may arise with other governments. This question of boundary may, therefore, be adjusted in such a manner between the two republics as to cast the burden of the debt due to American claimants upon their own government whilst it will do no injury to Mexico.

There follows a detailed discussion of the question of the Texas boundary, and then the interest in New Mexico asserts itself. The instructions continue:

> The long and narrow valley of New Mexico, or Santa Fe, is situated on both banks of the upper Del Norte, and is bounded on both sides by mountains. It is many hundred miles remote from other settled portions of Mexico, and from its distance

it is both difficult and expensive to defend the inhabitants against the tribes of fierce and warlike savages, that roam over the surrounding country. For this cause it has suffered severely from their incursions. Mexico must expend far more in defending so distant a possession, than she can possibly derive benefit from continuing to hold it.

Besides it is greatly to be desired that our boundary with Mexico should now be established in such a manner as to preclude all future difficulties and disputes between the two republics. A great portion of New Mexico being on this side of the Rio Grande, and included within the limits already claimed by Texas, it may hereafter, should it remain a Mexican province, become a subject of dispute and a source of bad feeling between those, who, I trust are destined in future to be always friends.

On the other hand, if, in adjusting the boundary, the province of New Mexico should be included within the limits of the United States, this would obviate the danger of future collisions. Mexico would part with a remote and detached province, the possession of which can never be advantageous to her; and she would be relieved from the trouble and expense of defending its inhabitants against the Indians. Besides she would thus purchase security against their attacks on her other provinces west of the Del Norte as it would at once become the duty of the United States to restrain the savage tribes within their limits, and prevent them from making hostile incursions into Mexico From these considerations, and others which will readily suggest themselves to your mind, it would seem to be equally the interest of both powers that New Mexico should belong to the United States.[30]

Slidell was instructed to offer a sufficiently large sum of money to compensate Mexico for this cession. Fear was expressed that Mexico might be contemplating the sale of California to England, and we read:

The possession of the bay and harbor of San Francisco is all important to the United States.

30. *Ho. Ex. Doc.* 30 Cong., 1 Sess., pp. 37-40.

> The advantages to us of its acquisition are so striking that it would be a waste of time to enumerate them here. If all these should be turned against our country by the cession of California to Great Britain, our principal commercial rival, the consequences would be most disastrous.
>
> The government of California is now but nominally dependent upon Mexico, and it is more than doubtful whether her authority will ever be reinstated. Under these circumstances, it is the desire of the President that you should use your best efforts to obtain the cession of that province from Mexico to the United States. Could you accomplish this object you would render immense service to your country and establish an enviable reputation for yourself. Money would be no object when compared with the value of the acquisition . . . Should you, after sounding the Mexican authorities on the subject, discover a prospect of success, the President would not hesitate to give, in addition to the assumption of the just claims of our citizens on Mexico, $25,000,000 for the cession.[31]

But such roseate dreams were destined to come to naught, for the United States, with her usual promptness, complied so quickly with the permission to send a minister, that Slidell reached Mexico before President Herrera had an opportunity to prepare the minds of the Mexican people for the restoration of friendly relations with the United States. The civil war which was brewing threatened the Herrera administration, and it was felt that the reception of Slidell would precipitate the dreaded disruption.[32] Events proved the instability of the President's power and justification of his fears.

The fact that, contrary to the agreement of Mexico, Slidell had been commissioned as minister plenipotentiary with power and instructions to negotiate matters other than the Texas boundary dispute and that his appointment had

31. *Ho. Ex. Doc.* 69, 30 Cong., 1 Sess., p. 41.
32. Brooks, N. C., *Complete History of the Mexican War*, 60.

not been confirmed by the Senate, was seized upon as an excuse for refusing to receive him.[33] The action of the United States in this matter raised a storm of protest among the Mexican patriots who saw herein the attempt of a powerful nation to take advantage of a weak neighbor and, under the guise of friendship, deprive her of her fairest provinces. The well formulated arguments did not appeal to them.

Reports from Slidell made it seem certain that he would not be received by the Mexican Government. On January 13, 1846, Polk ordered the United States' troops to advance to the Rio Grande presumably for the purpose of protecting Texas.[34] The army left Corpus Christi and reached Point Isabel on the twenty-fourth.[35] These war-like preparations could leave no doubt as to the determination of the United States to reach a solution of the difficulties that had so long existed between the two countries. On March 12, 1846, Slidell received a decided refusal from the newly formed Mexican Government, under Paredes, to receive him. Great indignation was expresesd in Mexico because of the hostile attitude assumed by the United States at the time when, presumably, it was seeking a re-establishment of diplomatic relations.[36] American writers who have studied the matter seriously have expressed divergent opinions on the Slidell mission. J. S. Reeves states:

> Parrott's mission and Slidell's instructions taken together prove two things (1) that the Mexican War was not the result of the annexation of Texas, and (2) that the reopening of diplomatic relations with Mexico was for the purpose of securing California by purchase . . . The President developed a plan by which he believed that expansion could be effected by peaceful means. Claims against Mexico under discussion as far back as Jackson's time furnished the groundwork of the

33. *Ho. Ex. Doc.* 60, 30 Cong., 1 Sess. VII, pp. 23-31.
34. McCormac, *op. cit.*, 375.
35. Garrison, G. P., *Westward Extension*, 222.
36. *Ho. Ex. Doc.* 60, 30 Cong., 1 Sess., VII, pp. 67 *et seq.*

> plan; the joint resolution of annexing Texas gave the President something to build upon. Mexico could not pay the claims in cash; the Texan boundary was unsettled. The idea of territorial indemnity was an irresistable conclusion: let her pay in land.[37]

Failure of Diplomacy. On the reception of the news of Slidell's rejection, Polk suggested to his cabinet that a more decisive attitude be adopted toward Mexico.[38] The Oregon question then under discussion caused hesitation until Saturday, May 9, when, as Polk records in his diary, it was unanimously agreed that if any act of hostility were committed by the Mexican forces against General Taylor's forces, he should immediately recommend to Congress a declaration of war. He felt that sufficient cause had already been given, and that without waiting for further provocation, he should recommend the declaration of war on the following Tuesday. All agreed to this except Mr. Bancroft, the Secretary of the Navy, who held that war should be declared only on the commission of a definite act of hostility by the Mexican forces.[39]

Before the day was over a report of an opportune "act of hostility" was received from General Taylor giving account of the well known episode of the attack by the Mexican forces on the detachment of Taylor's troops on the eastern bank of the Rio Grande. Monday, May 11, the war message was sent to Congress, was approved, and war declared on the next day. Diplomatic efforts, of more or less sincerity, had failed. The appeal to arms was resorted to. The keynote words of Polk's message soon resounded far and wide. ". . . Mexico has shed American blood on American soil."[40]

Polk assumed much in proclaiming that the Mexican forces had entered within American territory. That he hon-

37. Reeves, J. S., *American Diplomacy under Tyler and Polk*, 275. See comment by McCormac, *op. cit.*, p. 391.

38. Polk, *Diary, Apr. 25,1846.*

39. *Ibid., May 9, 1846.*

40. Richardson, *Messages and Papers of the Presidents, IV*, 437.

estly considered the Rio Grande as the boundary of Mexico, is doubtful.[41] Senator Benton in reviewing this affair remarks. "The march to the Rio Grande brought on the collision of arms, but so far from being the cause of the war, it was itself the effect of these causes."[42]

It would take us too far afield to enter even a brief discussion of the various causes of the Mexican war. It cannot be doubted that the question of claims is a factor to be reckoned with, but as Kohl says: "Had it not been for the ideals of expansion the claims would have been far too insignificant for notice and the Mexican War would probably have never been fought. As it was, the claims remained a constant grievance against Mexico down to the time of Polk; and he used them as a pretext, not a cause, to get indemnity in the form of territory."[43]

41. For a masterly discussion of the boundary question see, G. P. Garrison, *Texas*, pp. 262 *et seq.*

42. Benton, *Thirty Years' View II.* 639. A recent discussion of this question is given in McCormac, *op. cit.*, Ch. XVII-XVIII.

43. *Claims as a Cause of the Mexican War*, 79.

CHAPTER IV

THE MILITARY CONQUEST

Both sides entered the war with unclouded faith in its own success, and yet neither country was in the remotest state of preparation. The activities of Generals Scott and Taylor are generally considered the important events of the conflict. This is doubtless true from the standpoint of military achievement, but the success of the "Army of the West" under General Kearny was of prime strategic significance. This detachment was apparently watched with keen interest by the administration. During the earliest discussions with the Secretary of War and General Scott, Polk gave as his opinion that the first movement should be to march a competent force into the Northern Provinces and seize and hold them until peace was made. All agreed in this opinion.[1]

"The Army of the West." An order, dated June 3, communicated to Colonel, afterwards Brigadier-General, S. W. Kearny, that he was appointed to take command of the expedition destined for the conquest of Upper California. He was ordered to take possession of Santa Fe, en route, garrison it, and press on to California. One thousand mounted men had been ordered to follow him in the direction of Santa Fe, and his force was also to be increased by the incorporation of a large body of Mormons then on their way to California for the purpose of establishing homes. The number of the latter was to be limited to not more than one-third of his entire force. Kearny was ordered to establish temporary civil governments in the places which he should conquer, and, as far as possible, retain in service those who had held office under the Mexican regime and who were willing to take the oath of allegiance to the United States; to assure the people of the provinces that the design of the government was to provide a free government as soon as possible. He was warned to adopt a conciliatory

1. Polk, *Diary, May 14, 1846.*

attitude in every possible respect and that trade with the United States was not to be interrupted under the changed conditions.[2]

Kearny's army, as ordered to rendezvous at Fort Leavenworth, twenty-two miles above the mouth of the Kansas, comprised 1,658 men—two batteries of artillery under Major Clark, three squadrons of the First Dragoons under Major Sumner, the first regiment of Missouri cavalry under Colonel Doniphan, and two companies of infantry under Captain Agney. The various detachments came together, however, only a short distance from Bent's Fort, near the present village of Las Animas. Here they found 414 loaded wagons of the Santa Fe Trade awaiting protection.[3]

When news reached Santa Fe that the American army was encamped at Bent's Fort, a meeting of the principal citizens was called for the purpose of discussing the most effective measures to be taken. Opinions differed, some preferred to surrender without resistance; others insisted that a stand should be made against the enemy. The latter ruled. General Armijo, assisted by Pino and Baca, was entrusted with the defense. General Armijo only reluctantly approved of the plans and issued a proclamation calling upon the people of New Mexico to assist in the preservation of the Mexican State.[4]

In words of staunch loyalty which later acts contradicted, he appealed to their patriotism and loyalty, recalling the recent formation of the Republic. One paragraph is quite indicative of the whole: "The eagle that summoned you at Iguala under the national standard forming a single family out of us all, with one single will, calls on you today to gather around the supreme government . . . You then could conquer without external help, led only by your noble efforts and heroic patriotism, the independence of our

2. Sec. of War, W. L. Marcy to Gen. Kearny June 3, 1846. *House Ex. Doc.* 60, 30 Cong., 1 Sess., p. 153; also *House Ex. Doc.* 17, 31 Cong., 1 Sess., pp. 236-239.

3. Emory, W. H. *Notes of a Military Reconnoissance*, 14. *(Ho. Ex. Doc.* 41, 30 Cong., 1 Sess.); Prince, *Concise History of New Mexico*, 178.

4. Proclamation in B. M. Read Collection, D. No. 20.

nation . . . Today that sacred boon, the fruit of so many and so costly sacrifices is threatened; for if we are not able to preserve the integrity of our Territory, all this country would very soon be the prey of the greed and enterprising spirit of our neighbors on the north, and nothing would remain save a sad remembrance of our political existence."[5]

Three days after the Army of the West arrived at the Fort, Kearny dispatched Captain Cooke with twelve picked men, accompanied by James Magoffin of Kentucky, formerly American Consul in Chihuahua, and Senor Gonzales of Chihuahua, who were engaged in the caravan trade, with a flag of truce to Santa Fe, two hundred miles distant.[6]

Senator Benton has written, in his Thirty Years' View, an account of the conquest of New Mexico in which he offers an explanation of the remarkable success of Kearny. He attributes the ease of the conquest to his own wisdom in persuading James Magoffin, who was intimately acquainted with the people and conditions in New Mexico, to join himself to Kearny's army. The President and Secretary of War gladly accepted Magoffin's proffered services.[7] He accompanied Captain Cooke to Santa Fe to use his power to persuade Armijo not to resist the American force. Magoffin, it seems, obtained this promise readily enough, but had more difficulty in so persuading Colonel Archuleta, the second in command. According to Benton, Archuleta was won over to the American cause by the suggestion that he take possession for himself of the western half of New Mexico since Kearny was only going to take possession of the left bank of the Rio Grande. Pleased with this plan, which fell in so well with his ambition, Archuleta consented not to offer resistance.[8]

5. *Idem.* See also Ritch I, 232.

6. Cooke, P. St. George, *The Conquest of New Mexico and California,* 6; Twitchell, *The Military Occupation of New Mexico,* 376. Magoffin had been active in the Santa Fe trade at least as early as 1839. (Ritch I, 179.)

7. *Ho. Ex. Doc.* 17, 31 Cong., 1 Sess., 240-241.

8. Benton, *Thirty Years' View II,* 683. Magoffin's services were again successful in opening the way to Chihuahua for General Wool. Here he was suspected and imprisoned, returning to Washington only after peace was signed.

It is difficult to determine the actual services rendered by Magoffin and to what extent Kearny's "bloodless conquest" was made possible by him. Benton's enmity toward Kearny caused him to make as little as possible of Kearny's own work, and to exaggerate that of his assistants. In secret session of congress, Magoffin received, at Benton's plea, $30,000.[9]

"The Unbloody Conquest." The main body of the army moved forward by way of Raton Pass. Shortly after crossing the Sapello river,[10] Kearny received a message from Armijo stating that the people had risen en masse, but that he would meet Kearny on the plains between the Sapello and the Vegas.[11] Whether as friend or foe was not stated.

At Las Vegas was enacted a scene which was repeated in essentials at various points within the province of New Mexico. Kearny with his staff, riding into the public square in the early morning, was met by the alcalde and people. Ascending to the roof of one of the nearby adobe houses where all could see and hear, Kearny through the interpreter, Robidoux[12] addressed the assembled multitude, an-

9. The Magoffin Papers in the files of the Historical Society of New Mexico are transcripts obtained by Mr. R. E. Twitchell of the letters written by Magoffin to justify his claim to government remuneration. He does not hesitate to take to himself almost complete credit for persuading the New Mexican officials not to offer resistance. He states: "I certainly made no contract with the Government, nor did any such idea enter my head. I engaged at the request of President Polk to go to Mexico where I had been for many years, to be of service to our troops. . . . I went into Santa Fe ahead of Gen'l Kearny and smoothed the way to his bloodless conquest of New Mexico. Col. Archuletti would have fought; I quieted him. It was he who afterwards made the revolt which was put down with much bloodshed by Gen'l Price. Fight was in him, and it would have to come out at first, carrying Armijo with him if it had not been for my exertions. . . . Bloodless possession of New Mexico was what President Polk wished. It was obtained through my means. I could state exactly how I drew off Archuletti from his intention to fight." The papers in which Magoffin says he was explicit in his statement are not available. His expenditures, according to the itemized list which he sent to the War Department, amounted to $37,780.96. He states: "The above is submitted not as an account against the United States but as data to assist in forming an opinion of the amount that ought to be paid for my services, by showing what they cost me; as for the services themselves they cannot be valued in money" *(Magoffin Papers.* New Mexico Historical Society.)

10. It was here that Kearny was presented with his commission as brigadier-general.

11. Emory, *Notes of a Military Reconnoissance, Sen. Ex. Doc.* 7, 30 Cong., 1 Sess., p. 25.

12. Hughes, J. T., *Doniphan's Expedition,* 33.

nouncing that the American forces came by order of the government of Washington to take possession of New Mexico and extend over it the laws of the United States; that they came not as conquerors, but as protectors for the benefit of the people; that the authority of General Armijo had ceased and that he himself was now the governor. He assured all who submitted peacefully to the new order of things that they would be protected in their religion, their persons, and their property, but that those who were found in arms against the United States would be summarily punished. His words were given added weight by the presence of the army. He then administered the oath of allegiance and of office to the former office-holders, who accepted the inevitable with apparently no satisfaction.[13]

Leaving Las Vegas, the advance was continued with no opposition. At Tecolote and at San Miguel, scenes similar to that at Las Vegas were enacted. On the way thither various persons had been met who reported that Armijo was assembling his forces, and that a vigorous resistance might be expected at a place fifteen miles from Santa Fé called the Cañon, which was being fortified.[14] At San Miguel a rumor reached Kearny that the two thousand Mexicans assembled in the cañon to oppose his advance, had quarreled among themselves and that Armijo had fled with his forces to the south. The reporters said that Armijo, realizing the hopelessness of the situation, had been opposed to resistance from the beginning.[15]

13. Emory, *op. cit.*, 27 *et seq.*

14. *Ibid.*, 25.

15. Magoffin writes: "Gen. Armijo on the 15th ordered his troops, say 3,000 in number to be placed between two mountains with four pieces of artillery on the road by which our army had to pass. . . . Armijo . . . called his officers together and wished to know if they were prepared to defend the territory. They answered they were not, that they were convinced by the proclamation they had from Gen. Kearny that the U. S. had no intention to wage war with New Mexico, on the contrary promised them all protection in their property, person and religion. Armijo apparently appeared very much exasperated, gave orders to the troops to be dispersed and in 48 hours they were all at their homes, he himself leaving for the state of Chihuahua with say 100 dragoons. . . ." (Magoffin to Sec. of War, W. L. Marcy. Transcript in files of Historical Society of New Mexico.)

When at a short distance from Pecos, a letter was brought from Juan Bautista Vigil y Alarid,[16] the lieutenant-governor, informing Kearny of Armijo's flight and of Vigil's readiness to receive him in Santa Fé and extend to him the hospitalities of the city. The march was continued and the entire army arrived at Santa Fé at six o'clock on August 18. Vigil and some twenty or thirty of the people received Kearny and his staff at the palace. At sunset, the military salute greeted the American flag which had been hoisted over the building.[17]

Kearny had fulfilled the first part of his instructions. New Mexico, which repeated negotiation had failed to obtain, now became a part of the United States. Not a shot had been fired. The only lives lost were those of the men who had succumbed to the difficulties and privations of the long rapid march.

On the following morning Kearny addressed the people of Santa Fe in substantially the same words that he had used in his first proclamation on Mexican soil. Vigil answered and in the name of the entire people swore obedience and respect to the laws and authority of the United States, since "no one in this world can successfully resist the power of him who is stronger."[18]

On August 24, Kearny reported to Brigadier-General Jones, Adjutant General U. S. A., Washington, that the official proclamation had been issued and that the people

16. This Vigil was a cousin of the better known Donaciano Vigil of whom Twitchell says: "Captain Vigil . . . concluded that there might be relief for his people in the coming of the army of the United States. He naturally loved liberty for liberty's sake. He realized that the reforms under the Republic of Mexico so often promised would never be realized. His familiar intercourse during the generation previous with the Santa Fe trader, with 'Americans' fresh from the 'States' doubtless contributed to the determination of his course. . . . There is small doubt that the occupation of the Capital by General Kearny without the loss of life in bloody conflict was largely due to the sagacious foresight and patriotic action of Captain Vigil." *(The Military Occupation of New Mexico,* 216) Donaciano Vigil was appointed Secretary of New Mexico by Kearny (R. I., 244).

17. Emory, *Notes of a Military Reconnoissance,* p. 31 *et seq.*

18. *Vigil Papers.* Ms. New Mexico Historical Society, Santa Fe. Also R. I., 242.

of the province were quiet and could easily be kept so.[19]

The days immediately following were employed in receiving delegations from the Pueblo Indians and from Taos, in providing for the well being of the soldiers, and in arranging for the construction of Fort Marcy, named after the Secretary of War. This fort was situated on a hill which commanded the entire town. It was built by the volunteers, who considered it a real hardship to be put to a work of such a character when they had entered the army to fight and so far had no chance to show their military powers. It was felt, however, that this fort which when completed could accommodate one thousand soldiers and was armed with fourteen cannon, was extremely necessary, since Kearny intended, according to his instructions, to take the greater part of the army to California.[20]

Rumors now reached Santa Fe that Armijo and Colonel Ugarte were assembling forces in the south and marching toward the capital. Kearny, at the head of seven hundred men, marched down the Rio Grande to Tomé, one hundred miles distance, but met with no hostile demonstrations.[21]

Kearny's Code. On his return to Santa Fe Kearny, in consonance with his instructions, appointed the civil officers, with Charles Bent as governor. Many of those chosen had held office under Mexican rule, but were doubtless of partial American extraction as revealed by their names.[22] He also

19. *Ho. Ex. Doc.* 19, 29 Cong., 2 Sess.

20. Prince, L. B., *History of New Mexico*, 299.

21. Cutts, *The Conquest of California and New Mexico*, 64.

22. "In 1853 Mr. Phelps, a member of Congress speaking of the officials of the government set up by Kearny in place of the one he had over-thrown, said that they were Americans residing in New Mexico. While this was true in part, it is likely to create a wrong impression. They were not mere adventurers. Some of them had resided there many years, ten or fifteen, and had become bound to the country by marital and other ties. This was true of the governor, Charles Bent, a native of Virginia, who had been in New Mexico since 1832 . . . Francis P. Blair, Jr., district attorney, was a member of the Missouri Blair family and was afterwards prominent in public life at Washington. Two members of the supreme court, Joab Houghton and Charles Beaubien, were Americans, but the latter had been a resident of Taos, New Mexico, since 1827, had married a native, and was widely known and respected . . . Nearly all the others . . . were natives, some of them members of prominent families." (Thomas, D. Y., *A History of Military Government in Newly Acquired Territory of the United States*, 115-116.)

announced a plan of civil government. In his report on the laws drawn up, Kearny foregoes any credit for himself and acknowledges that he was entirely indebted for them to Colonel A. W. Doniphan of the Missouri mounted volunteers, who was assisted by W. P. Hall of his regiment. The laws were taken from several sources: from the laws of Mexico, either retained in their original form or modified to bring them into agreement with the laws of the United States; from the laws of Texas and of Texas-Coahuila; from the statutes of Missouri, and the Livingston Code. The organic law was taken from the organic law of Missouri territory.[23] This code was later the subject of violent debate in the House and was used as a weapon with which to attack the administration on the entire subject of the war.[24] Kearny doubtless had no thought of over-stepping his instructions.

Having established order in Santa Fe, General Kearny set out, on the twenty-fifth, for California. Colonel Doniphan was left in command of all the forces in New Mexico with orders to march against Chihuahua on the arrival of Colonel Price,[25] who was daily expected with his detachment which consisted of 1,200 mounted volunteers from Missouri and a Mormon battalion of 500 infantry which had been organized at Council Bluffs. When, after a few days, this new addition was made to the force already in Santa Fe, the town was transformed into a military camp. In all, there were now 3,500 men stationed there.[26] Doniphan received orders from Kearny, then at La Joya, to postpone his previously ordered march to Chihuahua and as quickly as possible march against the Navajo Indians who were making depredations on territory now belonging by right of conquest to the United States. Doniphan complied at once and Colonel Price was left in command at Santa Fe.

23. *Ho. Ex. Doc.* 60, 30 Cong., 1 Sess., p. 176.
24. For debate see *Congressional Globe*, 29 Cong., 2 Sess., Dec. 7, 1846, pp. 33 *et seq.*, Thomas, 106-117.
25. Hughes, J. T., *Doniphan's Expedition*, 51.
26. Twitchell, R. E., *Military Occupation of New Mexico*, 95.

The Revolt of 1846. When Colonel Price took over the command, he immediately stationed the divisions of his forces in various parts of New Mexico as well for the good of the men themselves, as for the preservation of order and submission among the New Mexicans and the Pueblo Indians.[27]

Although Kearny was confident that the people of New Mexico were satisfied with the new condition of things, murmurs of revolt were heard almost immediately after his departure for California and of Doniphan to the south.

The more influential of the Mexicans who had formerly held positions of honor and who now found themselves the objects of the scorn of the invaders naturally chafed under the new conditions. To them, particularly, it seemed but patriotism to drive out those who were holding the country by force.[28]

No definite benefit had, as yet, resulted from the American occupation, and the overbearing, abusive, and quarrelsome actions of the volunteers made them and the country they represented obnoxious in the extreme.[29] Ruxton, an English traveler, reports, "I found over all New Mexico that the most bitter feeling and most determined hostility existed against the Americans who, certainly in Santa Fe and elsewhere, have not been very anxious to conciliate the people, but by their bullying and overbearing demeanor toward them, have in a great measure been the cause of this hatred."[30]

Among the most prominent instigators of rebellion was Diego Archuleta. It is possible, as Senator Benton suggests, that his hostility could be traced to his disappointment in not being allowed to control the western half of New Mex-

27. Hughes, J. T., *Doniphan's Expedition*, 138.
28. Prince, L. B., *Historical Sketches of New Mexico*, 313.
29. Bancroft, *Arizona and New Mexico*, 431.
30. Ruxton, G. F., *Wild Life in the Rocky Mountains*, 75. For a detailed account of the disorderly behavior of the soldiers in New Mexico see J. H. Smith, *The War with Mexico*, II, pp. 216-217.

ico according to the arrangements entered into with Magoffin.[31]

Early in December the leading citizens of Santa Fe, following the lead of Thomas Ortiz and Archuleta, began definitely to plan the overthrow of the government which had been newly set up. As far as can be ascertained from the meagre accounts which have been preserved, a general massacre of the Americans and their Mexican supporters was planned. The leaders dispersed to various parts of New Mexico in order to stir up a rebellion simultaneously in all the important outlying districts and thus insure success. The night of Christmas eve was finally determined upon as the most favorable time for the assault. Plans were well laid and all seemed to promise success, but the mulatto wife of one of the conspirators revealed the plot to Donaciano Vigil who at once made it known to Colonel Price, and the incipient rebellion was at once suppressed. Many persons suspected of complicity were arrested, but the ring-leaders escaped, notwithstanding the efforts of Colonel Price to prevent this.[32]

The Taos Rebellion. While tranquility seemed to be restored, the agitators were not to be so easily discouraged. Another more formidable uprising was being secretly fomented throughout the entire province. As planned, it broke out on the nineteenth of January. Charles Bent, the governor, was murdered at his home at Taos whither he had gone from Santa Fe with a small escort, refusing to believe that his life was in any danger. Massacres of Americans took place on the same day at the Arroyo Hondo, Mora, and on the Colorado.

31. See above p. 76. With the unsatisfactory records which we possess in regard to Magoffin, this can be only conjecture.

32. This account of the rebellion, as well as the following narrative of the later revolt is based on the official report of Colonel Price to the Adjutant General of the Army February 15, 1846 as given in *Niles' Register*, 72, pp. 121-2; and J. T. Hughes, *Doniphan's Expedition* 139 *et seq.* The same may be found in various secondary works such as those of Bancroft, Prince, Read, etc. Local tradition holds that Mme. Tules the noted gambler who went to Santa Fe from Taos was the one who gave the information regarding the uprising to Colonel Price.

The wide extent of the rebellion leads one to doubt the reported willingness with which the New Mexicans had hailed the change in their government. One is led to believe that while the bonds which united New Mexico to the central government were very weak, there was not unqualified approval of the annexation of the province to the United States. Because of its distance from Mexico, which prevented any efficient protection being extended to this outlying province, a strong spirit of real independence and self-reliance had developed among the inhabitants. One evidence of this is found in the successful opposition to the repeatedly attempted imposition of the "estanquillas" or the monopoly by the general government of the sale of tobacco. Had the American government shown its ability to bestow on New Mexico what the Mexican government never could—stability of government, safety of property and personal rights together with protection from the hostile Indians, there can be no doubt that the change of authority would have been gladly received.[33] Such assurance, as we have seen, had not yet been given. The revolt and discontent also bear evidence against Mr. Dickinson of New York who, speaking in the Senate in 1848 on the justice of the Mexican War and of our acquisition of all of Mexico said . . . "But whatever may be our policy touching Mexican conquests we cannot, if we would, restore New Mexico and California to that government, for the reason that they will not be restored. . . . As well return to Great Britain what was once her colonial possessions; give back Louisiana to France, Florida to Spain; Texas to Mexico."[34]

Colonel Price was at once apprised of the revolt. Through intercepted letters of the rebels, he learned that an appeal for aid was being made by the insurgents to the people of the south; that their army was marching toward Santa Fe; that their numbers were being constantly aug-

33. Wislizenus, A., *Memoir of a Tour to Northern Mexico.* (*Sen. Mis. Doc.* 26. 30 Cong., 1 Sess.)

34. *Congressional Globe,* 30 Cong., 1 Sess., p. 158.

mented by inhabitants of the settlements through which they passed.[35]

An immediate suppression of the uprising was determined upon. Although the inclemency of the weather and a recent heavy snow rendered military movements difficult, the American troops succeeded, after encounters at La Cañada and El Embudo, in forcing the insurgents to retreat toward Taos.[36] The bravery of the volunteers won from Colonel Price the highest praise.

At the Pueblo of Taos the Mexican and Indian forces were found firmly intrenched behind the adobe walls which seemed impervious to artillery fire. After an assault lasting over two hours, the American soldiers were withdrawn for the night. On the next day the stubborn resistance was finally overcome, and at nightfall the soldiers entered the town which formally surrendered on the following morning.[37]

Other rebellions were being crushed at the same time at smaller centres, particularly the village of Mora. An uprising at Las Vegas was prevented by the loyalty of the alcalde and his advisers. By the repeated successes of the American arms, law and order were at length reestablished. The ringleaders of the uprising, fifteen in all, were executed.[38]

Others who were accused of complicity in the plot to overthrow the American power were tried in the civil court and convicted of treason. Antonio Maria Trujillo, now an old man, was sentenced to death. This sentence was later reviewed, and Trujillo pardoned.[39] The defendants held that treason could not be imputed to Mexican citizens until a definite treaty of peace was signed between Mexico and the United States. The report of the trial of Trujillo caused

25. Copy of Official Report of Colonel Price in *Niles Register*, 72, p. 121; Donaciano Vigil to Sec. of State, J. Buchanan, *Ho. Ex. Doc.* 70, 30 Cong., 1, Sess., pp. 19-20.

36. Hughes, *Doniphan's Expedition*, 140.

37. Price, *op. cit.* 122; Garrard, L. H., *Wah-to-Yah and the Taos Trail*, 212-215.

38. Hughes, *op. cit.*, 141; Prince, L. B., *Historical Sketches of New Mexico*, 325.

39. Bancroft, H. H., *Arizona and New Mexico*, 436.

Congress to pass a resolution calling upon the President to give information as to whether anyone had been tried and condemned for treason against the United States in the newly conquered regions and if so, under what authority this tribunal had been established.[40]

The request of District Attorney, Frank P. Blair, appointed by General Kearny, for instructions as to what course to follow in view of the charge of lack of jurisdiction, brought forth the following significant reply from the Secretary of War, Marcy:

> The territory conquered by our arms does not become, by the mere act of conquest, a permanent part of the United States, and the inhabitants of such territory are not to the full extent of the term, citizens of the United States. It is beyond dispute that, on the establishment of a temporary civil government in a conquered country, the inhabitants owe obedience to it, and are bound by the laws which may be adopted. They may be tried and punished for offences. Those in New Mexico, who in the late insurrection were guilty of murder, or instigated others to that crime were liable to be punished for these acts, either by the civil or military authority; but it is not the proper use of the technical term to say that their offence was treason committed against the United States; for to the government of the United States, as the government under our constitution it would not be correct to say that they owed allegiance. It appears by the letter of Mr. Blair that those engaged in the insurrection have been proceeded against as traitors to the United States. In this respect I think there was an error so far as relates to the designation of the offence. Their offence was against the temporary civil government of New Mexico and the laws provided for it, which that government had the right and indeed was bound to see enforced. . . . You will I trust excuse an allusion to another subject not officially before me; I mean the state of discipline among our

40. Twitchell, R. E., *The Military Occupation of New Mexico*, 143-4.

> troops at Santa Fe. Though I am far from giving credence to the newspaper accounts in relation to it, they ought not to pass entirely unnoticed and may be permitted to prompt a caution on that point.
>
> As commanding officer you cannot err in enforcing the most rigid rules of discipline.[41]

The uprising had shown the need of increased vigilance which was maintained during the remainder of the year.[42] The slightest indication of rebellion was carefully noted and suppressed. After a few weak attempts at insurrection, peace was once more assured but with increased dissatisfaction and distrust on both sides.[43]

The Treaty of Guadalupe-Hidalgo. While these problems were being worked out in New Mexico the unqualified success of the American arms in the various quarters in which the war was being carried on, culminating in the occupation of Mexico City by General Scott, finally forced the Mexican government to sue for peace. The treaty of Guadalupe-Hidalgo drawn up on February 2, 1848, and formally ratified at Queretaro on May 30, closed the war of which both sides, particularly the United States, had become weary.[44]

Notwithstanding the popular opposition to a prolongation of the war, the treaty as presented by our discredited minister, Trist, was subjected to lengthy criticism and hot debate in the Senate. Some were opposed to any extension of territory "and the incorporation of the vast population which seemed incapable of incorporation;" others, whose expansion ideas were even more progressive than Polk's, would stop at nothing short of the absorption of all of Mexico in simple compensation for the claims against Mexico; while others based their opposition on Trist's lack of authority to negotiate a peace. Public opinion at length

41. *Ho. Ex. Doc.* 70, 30 Cong., 1 Sess., pp. 33-4.
42. Hughes, *op. cit.*, 142.
43. See Bancroft, *Arizona and New Mexico*, 438.
44. For a good discussion of the various aspects of the treaty see Klein, J., *The Making of the Treaty of Guadalupe-Hidalgo, passim.*

triumphed. By a close vote, thirty-eight to fourteen—a change of four votes would have reversed the decision—the treaty was ratified by the Senate.

The opposition to what seemed to Mexico the exorbitant demands of the victor and a total repudiation of the national honor was overcome only by the realization that in the midst of the intestine strife which was then going on, more favorable terms could not be hoped for if the war were continued.[45]

By the terms of the Treaty, the boundaries of the United States were extended to embrace all the land previously held by Mexico within the present limits of the United States, with the exception of the small district known as the Gadsden Purchase territory which was acquired later. Provision was made for the careful marking of the boundary between the two countries; the United States made herself responsible for the preservation of peace and order among the border Indian tribes; assumed the debts of Mexico to American citizens, and agreed to pay to Mexico fifteen million dollars for the ceded territory. Thus New Mexico and California became an integral part of the United States.[46] Kearny's work had not been in vain; Polk's aim was accomplished; the Pacific was our western limit.

45. Klein, *op. cit.*, 17-19; *Sen. Ex. Doc.* 52, 30 Cong., 1 Sess.; *Ho. Ex. Doc.* 69, 30 Cong., 1 Sess., p. 69.

46 *Ho. Ex. Doc.* 69, 30 Cong., 1 Sess., pp. 8-33.

CHAPTER V

THE INDIAN PROBLEM

The acquisition of the new territory brought to the United States an important and difficult duty. Within the confines of the region were numerous Indian tribes for whose future the federal government was now responsible. It was apparent from the outset that the plan of action adopted in New Mexico must have a two-fold aspect, for here were found two decidedly distinct types of aborigines; the wild roving tribes whose names spread terror far and wide, and the more or less civilized Pueblo Indians.

The Indians of New Mexico. Various estimates have been given of the number of Indians in New Mexico. The discrepancies in these accounts prove that they were based largely on conjecture; but at least they give some indication of the magnitude of the task with which the administrators of government were obliged to cope.

The first report after the American occupation was that given by Charles Bent, appointed Governor and ex-officio Superintendent of Indian Affairs by Kearny. It is more than probable that this approached as nearly to a correct estimate as most of the later records, since Bent, as a resident and trader in New Mexico for many years, had opportunities to make himself familiar with the true state of affairs.

He places first in his report the Apaches or Jicarillas[1] whom he describes as a band, 500 in number, of about one hundred lodges, having no permanent residence but roaming through the northern settlements of New Mexico; an indolent cowardly people living principally by theft committed on the New Mexicans since there was little game in the country and their fear of the other Indians prevented them from venturing upon the plains for the buffalo. Their

1. "Jicarilla (Mex. Span. 'little basket')—An Athapascan tribe first so called by the Spaniards because of their expertness in making vessels of basketry" (Hodge, F. W., *Handbook of American Indians* I, 631).

only manufacture was a species of pottery capable of resistance to fire. This they exchanged in very small quantities with the Mexicans for the necessaries of life.[2]

The Apaches proper, according to Bent, ranged through the southern portion of New Mexico through the country of the Rio del Norte and its tributaries and westward about the headwaters of the river Gila. This warlike people of about nine hundred lodges and from five thousand to six thousand persons lived almost entirely by plundering the Mexican settlements, having no knowledge of agriculture or manufactures of any kind. The maguey plant which grew without cultivation in their locality furnished a small supply of food. The amount of stock which they had successfully carried off from the Mexican settlements was incredibly large. An effort had been made by the State of Chihuahua to restrain these marauders by paying them a bounty of so much a day per head, but this had not been a success.[3]

Next in importance were the Navajoes,[4] variously estimated at seven thousand to fourteen thousand in number in from one thousand to two thousand families; "an industrious, intelligent and warlike tribe of Indians who cultivate the soil and raise sufficient grain for their own consumption and a variety of fruits." But their chief wealth consisted of flocks and herds. "It is estimated that the tribe possesses

2. *Report of Charles Bent in Ho. Ex. Doc. 17, 31 Cong.*, 1 *Sess.*, pp. 191-194. This report is the source for this description of the Indians of New Mexico, unless otherwise stated.

3. "While Mr. Bailey, a special agent to this tribe, agrees with the testimony of nearly all the people who had any knowledge of them, in pronouncing them the most bloodthirsty, cruel, and treacherous of all the tribes of this section . . . yet he differs from the testimony of Gov. Bent and Schoolcraft and asserts that they were not entirely nomadic, but possessed generally permanent villages in the mountain valleys north of the Gila where they cultivate the soil to a limited extent and where their women and children are beyond the reach of attacking parties" (Marsh, R. E., *The Federal Indian Policy in New Mexico* 1845-60, 11).

4. "Fray Alonso Benavides in his Memorial of 1630 gives the earliest translation of the tribal name in the form Navajo, 'sementras grandes'—'great seed sowings' or 'great fields.' The Navajo themselves do not use this name except when trying to speak English. All do not know it . . . They call themselves Dine which means simply 'people.' This word as a tribal name is used by nearly every people of the Athabascan stock." (Hodge II, 41.)

30,000 head of horned cattle, 500,000 sheep and 10,000 head of horses, mules and asses, it not being a rare instance for one individual to possess 5,000 to 10,000 sheep and 400 to 500 head of other stock, and their horses are said to be greatly superior to those raised by the Mexicans." Most of their stock had been acquired by depredations on the territory of New Mexico. The Navajo blanket, today so well known, was at that time their chief manufacture. They had no permanent villages or places of residence but wandered over a stretch of territory one hundred and fifty miles in width between the San Juan River on the north and the Gila on the south. The almost inaccessible table lands on which they dwelt, where water was scarce and found with difficulty, afforded them excellent protection against their enemies whom they successfully plundered for captives in men, women and children, to be employed as slaves. At the time of the American occupation many were so held.[5]

The form of government of the Navajoes made it difficult to deal with them for there was no central authority. Power in the tribe was usually proportional to wealth and he who could claim possession of a few head of cattle or horses demanded a voice in the government. He who did not win the approval of the vast majority of the poorer members of the tribe was apt to find himself divested of all authority. This condition made it almost impossible to locate responsibility for crime and properly punish offenders.[6]

North of the Navajoes and west of the northern settlements of New Mexico were the Yutahs [7] who, according to Bent, numbered eight hundred lodges and between four and five thousand individuals. The mountainous country in which they dwelt abounded in wild game, deer, elk, and bear, which served them for food and clothing. A hardy, warlike people, they subsisted by the chase and carried on a

5. Bent, *op. cit.*
6. *Sen. Ex. Doc.* 35 Cong., 1 Sess., Vol. II, 562.
7. Ute (Hodge II, 874).

predatory war in which they took many New Mexicans captive and drove off large amounts of stock.

These Indians were the most skillful of all the tribes in New Mexico in the use of firearms. At times some of the band would work peacefully for the New Mexicans during the threshing season but their good will could never be relied upon.[8]

Among the other wild tribes described by Bent were the Cheyennes [9] of three hundred lodges and fifteen hundred souls, and the Arapahoes, two thousand in number in four hundred lodges, who ranged through the country of the Arkansas and its tributaries on the northern part of New Mexico. They were on friendly terms with the New Mexicans with whom they carried on a trade in buffalo robes.

East of the mountains of New Mexico were the twelve thousand Comanches who lived entirely by the chase. These, too, were at peace with the New Mexicans; but caused terror in Chihuahua, Durango, and Coahuila, which they successfully invaded for captives and for herds of horses, mules and asses.

Besides these were the Cayugas whom Bent numbers as two thousand, similar in customs and habits to the Comanches but considered a braver people.

But the most interesting of all the Indians described by Bent were the Moquis,[10] one of the Pueblo group. These neighbors of the Navajoes, numbering three hundred and fifty families or two thousand four hundred and fifty individuals, lived in permanent villages, cultivating grain and fruit, raising all varieties of stock, and engaging in the same manufacturing as the Navajoes. They are described as an intelligent, industrious people. Formerly a very numerous tribe possessing large flocks and herds, at the time of the coming of the Americans, they had been

8. *Sen. Ex. Doc.* 84, 33 Cong., 2 Sess., Vol. I, 377.

9. A large part of this tribe had made permanent headquarters on the Arkansas immediately after the building of Bent's Fort, in 1832. (Hodge I, 252.)

10. Hopi (Hodge I, 560).

reduced in numbers and possessions by their warlike neighbor enemies, the Navajoes.

Deducting from the entire number given in this account five thousand as the probable number of Apaches and Comanches within the boundaries of Texas, Bent computed that there were about thirty one thousand nine hundred Indians in New Mexico.[11]

The Pueblo Indians were, without a doubt, the most important, although their pacific conduct caused them to be often overlooked by Washington while efforts were being made to restrain the marauding tribes. There were twenty pueblos or villages in New Mexico. In 1849, the Indian Agent, Calhoun, sent to Col. W. Medill, Commissioner of Indian Affairs, statistics regarding the pueblos, based on the census ordered by the Legislature of New Mexico in 1847. He computed that there were in all 6,524.[12] Although in all plans and regulations the Pueblo Indians were treated as a unit, they were, in reality, spread over an area of two hundred miles from east to west. Their languages were quite distinct and few pueblos understood that of others.[13]

In order to acquaint the government with the early history of the Pueblos, the Indian Agent, John Greiner, in 1852 presented to Calhoun, then Governor, important data concerning Spanish and Mexican laws in their regard.

The first edict on this subject was that issued by Emperor Charles V, in 1551, and later adopted by Philip II. This decree recites that the principal cause for lively interest in the natives of the New World was the desire to establish Christianity. . . It was therefore resolved "that the Indians should be brought to settle (reduced to pueblos) and that they should not live divided and separated by mountains and hills, depriving themselves of all benefit spiritual and temporal."

11. *Ho. Ex. Doc.* 76, 30 Cong., 1 Sess., p. 11.
12. Calhoun, Oct. 4, 1849, *op. cit.*, 39.
13. *Ibid.*, 497, 40.

In choosing a site for such a settlement, Philip II ordered that care should be taken to select a healthy place with abundance of tillable soil, "pasturage for the growth of flocks, mountains and trees for wood, materials for houses and other buildings, and water abundant and suitable for drinking and irrigation . . ."

It was also stipulated that definite assignment of land should be made to each settlement that "the sites on which pueblos and settlements were to be formed should have water privileges, lands and mountains, entrances and exits, farming lands, and a common of a league in extent, where the Indians might keep their herds without mixing with those of the Spaniards." In 1541, Charles V ordered that the pastures, mountains and waters should be common throughout the Indies.

In order to prevent the infliction of injury on the flocks or herds of the "reduced" Indians, a law of Philip III in 1618 provided that the grazing lands of large stock should not be within a league and a half of the old settlements and those of small stock less than half a league. In the new settlements the limits were to be twice as great.

To prevent advantage being taken of the ignorance and trustfulness of the Indians by those who would endeavor to obtain from them the property which had been given to them, a law was passed in Mexico in 1781 whereby it was commanded "That in no case, nor under any pretext may sales, loans, pawns, rents, nor any other kind of alienation of Indian lands be executed."[14]

How faithfully these laws were carried out most probably will never be ascertained. At least in New Mexico the Indians who were located in pueblos had made much more progress in the arts of civilization than those who were not, and it seems that their land rights were quite well respected even during the weak Mexican administration.

Beginning of Relations between the United States and the Indians of the Southwest. The conquest of Santa Fe

14. *Ibid.*, 497-507.

had scarcely been effected when delegations of many of the tribes presented themselves to Kearny to show their willingness to acknowledge the authority of the United States. Among the first to do so were the Apaches who glibly promised their allegiance if influence would be exerted in their behalf on their enemies, the Comanches, the Utes, the Navajoes and the Arapahoes.[15]

On his march to California, Kearny received word that the Navajoes were ravaging the western portion of New Mexico. According to the promises he had made to the citizens, he was obliged to protect the attacked. Colonel Doniphan was therefore ordered against them. With Major Gilpin and Lieutenant-Colonel Jackson he succeeded in making a treaty with these "mountain lords and scourges of New Mexico" who found it difficult to understand why peace with the Americans should imply peace with the New Mexicans so lately the enemy of both.[16]

Subsequent events proved that in so far as this and other treaties of similar nature [17] were concerned, the long wearisome march to the heart of the Indian country was utterly useless; but it gave some definite ideas of the wealth of the western tribes in flocks and herds, and some knowledge of the territory inhabited or roamed over by them. It also proved to the Indians that their mountain fastnesses were not as inaccessible to the Americans as they had thought. This had a salutary effect for at least a very brief space of time.

Article XI of the Treaty of Guadalupe Hidalgo. One of the most important provisions of the treaty of Guadalupe Hidalgo was that contained in Article XI which reads:

> Considering that a great part of the territories which, by the present treaty, are to be comprehended for the future within the limits of the United States is now occupied by savage tribes who will hereafter be under the exclusive control

15. Hughes, J. T., *Doniphan's Expedition*, 51.
16. *Ibid.*, 51-72.
17. *Ho. Ex. Doc. 5*, 31 Cong., 1 Sess., 113-115.

of the government of the United States, and whose incursions within the territory of Mexico would be prejudicial in the extreme, it is solemnly agreed that all such incursions shall be forcibly restrained by the government of the United States whensoever this may be necessary; and that they shall be punished by the same government, and satisfaction for the same shall be exacted all in the same way, and with equal diligence and energy, as if the same incursions were meditated or committed within its own territory, against its own citizens.

It shall not be lawful, under any pretext whatever, for any inhabitant of the United States to purchase or acquire any Mexican, or any foreigner residing in Mexico, who may have been captured by Indians inhabiting the territory of either of the two republics, nor to purchase or acquire horses, mules, cattle or property of any kind stolen within Mexican territory by such Indians.

And in the event of any person or persons captured within Mexican territory by Indians being carried into the territory of the United States, the government of the latter engages and binds itself, in the most solemn manner, so soon as it shall know of such captives being within its territory and shall be able to do through the faithful exercise of its influence and power to rescue them and return them to their country or deliver them to the agent or representative of the Mexican government. The Mexican authorities will, as far as practicable, give to the government of the United States notice of such captives; and its agent shall pay the expense incurred in the maintenance and transmission of the rescued captives, who, in the meantime shall be treated with the utmost hospitality by the American authorities at the place where they may be. But if the government of the United States before receiving such notice from Mexico should obtain intelligence, through any other channel, of the existence of Mexican captives within its territory it will proceed forthwith to effect their release and delivery to the Mexican agent as above stipulated.

For the purpose of giving to these stipulations the fullest possible efficiency thereby afford-

> ing the security and redress demanded by their true spirit and intent, the government of the United States will now and hereafter pass, without unnecessary delay, and always vigilantly enforce, such laws as the nature of the subject may require. And finally the sacredness of this obligation shall never be lost sight of by the said government when providing for the removal of the Indians from any portion of the said territories, or for its being settled by the citizens of the United States; but on the contrary special care shall be taken not to place its Indian occupants under the necessity of seeking new homes by committing those invasions which the United States have solemnly obliged them to restrain.[18]

After prolonged debate in the Senate, this article was agreed to in its original form except the section which prohibited the furnishing of arms or ammunition to any Indian by an inhabitant of the United States. Since the Indians lived by the chase, it was argued that to deprive them of firearms would force them to resort to plunder in order to obtain sustenance.[19]

The United States thus took upon herself the three-fold task of keeping the several Indian tribes at peace with one another, protecting her own citizens and the adjacent Mexican settlements from their incursions. The physiography of the country and its extremes of climate; Mexican sympathizers residing along the border and within the limits of the United States; unscrupulous traders and "land grabbers" who had nothing but their own selfish interests as actuating principles; conflicts between state and federal, and more especially between civil and military authority; and lack of any agreement between the United States and Mexico for reciprocal crossing the border in pursuit of the ravaging bands, all these factors contributed to render well

18. *Ho. Ex. Doc.* 69, 30 Cong., 1 Sess., pp. 18-20.
19. *Cong., Globe,* 30 Cong., 2 Sess., p. 495.

nigh impossible an overwhelming task even under the most favorable circumstances.[20]

It is so frequently asserted that Mexico showed herself a very weak, if not stupid administrator in her inability to protect her distant settlements from the ravages of the Indians that it is rather surprising to find that little glory can justly be claimed by the United States because of its greater successes.

Events proved that the assurance of Polk, "If New Mexico were held by the United States we could prevent these tribes from committing such outrages and compel them to release the captives and restore them to their families and friends,"[21] and the confidence of Buchanan that his government had the will and the power to restrain the wild tribes,[22] were more a hope than a fact.

Conditions in New Mexico After the Conquest. Although politics colored so many of the reports of this period to such an extent that it is difficult to distinguish the true from the false, there is more reason to believe than to doubt that the conditions were worse rather than better after the conquest. The St. Louis Republican declared on November 6, 1847, that Indian depredations in New Mexico had been more destructive to life and property during the preceding year than at any other period for twenty years. This was attributed to the lack of military resistance and the fact that American traders were allowed to continue to barter their wares with the Indians who were constantly outraging the people of New Mexico.[23]

On October 4, 1848, the Superintendent of Indian Affairs had reported that fewer robberies had been committed on the travelers on the Santa Fé trail during that year than the two previous ones.[24] On February 3, 1849,

20. Rippy, J. F., *The Relations of the United States and Mexico, 1848-1860*, 112-113; Calhoun, *Correspondence, passim.*
21. *Sen. Ex. Doc. 1*, 30 Cong., 1 Sess., p. 1.
22. *Cong. Globe*, 30 Cong., 2 Sess., p. 495.
23. *Niles Register*, Nov. 6, 1847, Vol. 73, 155.
24. *Ho. Ex. Doc. I.*, 30 Cong., 2 Sess., p. 440.

Colonel Washington communicated to the War Department that there were indications that the wild tribes in the outlying regions "were becoming convinced that they must restrain themselves within prescribed limits and cultivate the earth for an honest livelihood or be destroyed."[25]

But the Indian Agent Fitzpatrick, through whose district the trail ran, gave an explanation, which later events bore out, of the seeming submission. He would see no cause for the cessation of hostilities except that the Indians had secured so much booty in 1846 and 1847 that they were then luxuriating in the spoils. He warned against the conclusion that any real solution of the problem had been reached. Together with all that were familiar with the true conditions, he asserted that only by an exhibition of real power could the United States impress upon the savages any respect for their ability to punish or restrain them.[26]

Scarcely had spring arrived when Washington reported that depredations had begun once more and that some American citizens had been murdered at Taos. The regular military force had proven entirely inadequate and he had been obliged to summon a volunteer force which had rendered excellent service.[27] On May 30, there were ten more murders at the hands of the Apaches to report, and during the succeeding months the attacks were almost continuous. The need of a stronger cavalry force was urgently insisted upon.[28] But Congress was too much occupied with other problems to give adequate attention to the urgent needs of the distant territories.

The Indian Agency in Santa Fe. It was patent that the organization of the Indian Department, provided for in 1834, needed revision in view of the new problems which naturally resulted from the mere immensity of the recent territorial acquisition. But, since Congress failed to make the necessary changes, the President and the commissioner

25. *Ho. Ex. Doc. 5*, 31 Cong., 1 Sess., p. 105.
26. *Ho. Ex. Doc. I.*, 30 Cong., 2 Sess., p. 472.
27. *Ho. Ex. Doc. 5*, 31 Cong., 1 Sess., p. 106.
28. *Ibid.*, 108-10.

of Indian affairs were almost powerless until 1849 when it was determined, in consonance with the provisions of the Act of 1834 to move the Indian Agency from Council Bluffs to Santa Fe.[29]

James S. Calhoun was appointed first Indian agent for Santa Fe on April 7, 1849. His acquaintance with the region, although slight, and, more especially, political influence, were responsible for his appointment. ". . . he proved himself a thoroughly capable and honest official. Not a single scandal, not a single suspicion of peculation tarnished his record, and in his time, at least, that was a singularly rare experience in the United States Indian service."[30]

The office was to be no sinecure. No specific instructions could be given since practically nothing definite was known by the Indian Office of conditions in New Mexico.[31] Calhoun was instructed that he was depended upon to furnish.

> . . . such statistical and other information as will give a just and full understanding of every particular relating to them, embracing the names of the tribes, their location, the distance between the tribes, the probable extent of territory owned or

29. Calhoun, J. S., *Official Correspondence*, 1. "The Act of June 30, 1834 was 'An Act to Provide for the organization of the Department of Indian Affairs' and its 4th section reads as follows: '. . . And the President shall be and he is authorized, whenever he may judge it expedient, to discontinue any Indian Agency or to transfer the same, from the place or tribe designated by law, to such other place or tribe as the public service may require.' . . . Under existing law, the number of agencies was limited but that of sub-agencies unlimited. There were two Council Bluffs Indian establishments, a *sub-agency* on the Iowa side of the Missouri River, accommodating the 'united nations of Chippewas, Ottawa and Pottawatomie Indians' and an *agency* on the Nebraska side at Bellevue, accommodating the Otoes and Missourias, the Pawnees and the Omahas. Under the provisions of the Treaty of 1846 . . .' the United nation of Chippewa, Ottawa, and Pottawatomie Indians agreed 'to remove to their new homes on the Kansas River, within two years from the ratification of the treaty.' This discontinued the 'Council Bluffs Sub-Agency' and made it possible for the Indian Office to meet the new needs of the Southwest by reducing the 'Council Bluffs Agency' to a sub-Agency and, that done, completing the number of agencies by erecting one at Santa Fe." (Idem.)

30. Calhoun, J. S., *Official Correspondence*, xii-xiii, 3.

31. The Dept. of the Interior was created March 3, 1849, and the Office of Indian Affairs had been transferred as a bureau to it from the War Dept. Thomas Ewing whose family was interested in the Santa Fe trade was appointed first Secretary of the Department of the Interior *(Ibid.*, 9, 10).

> claimed by each respectively and the tenure by which they hold or claim it; their manners and habits, their disposition and feelings towards the United States, Mexico and the whites generally and towards each other, whether hostile or otherwise; whether the several tribes speak different languages, and when different the apparent analogies between them, and also what laws and regulations for their government are necessary and how the law regulating trade and intercourse with the Indian tribes . . . will, if extended over that country, properly apply to the Indians there and to the trade and intercourse with them and what modification, if any, will be required to produce the greatest degree of efficiency.[32]

He was, moreover, instructed to use every possible means to obtain information regarding any Americans or Mexicans held captive, and if Mexican, whether their capture was prior or subsequent to the signing of the recent treaty. Evidently these last circumstances would affect the obligations of the United States.[33]

Calhoun undertook his duties at once, reaching Santa Fe July 22, 1849.[34] His voluminous correspondence reveals his intense interest in his new field of labor and his untiring efforts to have his suggestions acted upon by the federal government. In his first report he endeavored to give as accurate information regarding the Indian conditions as the short time he had been in New Mexico allowed. He advocated a conciliatory policy toward the Pueblo Indians whom he described as amicably disposed toward Americans, industrious and anxious to make progress. Toward the wild, roving tribes who had wrought havoc on all sides he advised sternness, in order to prove the power of the United States, and thus elicit respect, followed by generosity towards those who sought peace. He especially recommended an early consideration by Congress of the problem

32. Calhoun, *Correspondence*, 3.
33. *Ibid.*, 4.
34. *Ibid.*, 17.

presented by those tribes which had never learned to support themselves except by plunder.[35]

In the latter part of 1849 he summarized the suggestions he had made up to that date. He specifically recommended the appointment of agents at various points.

> Their presence is demanded by every principle of humanity, by every generous obligation of kindness, of protection, and of good government throughout this vast Territory. These agents . . . should be selected, not only with regard to their prudence and discretion, but with a view to the proper training of the Pueblo Indians in the efficient use of our arms. . . .
>
> By keeping up a proper line of communication between the pueblos and other places in this Territory, it will be no difficult matter to intercept roving bands of robbers, no matter what their color may be so soon as it is ascertained from what quarter they proceed; and that may be done unerringly by an examination of their trail.[36]

With the suggestions he sent a diagram to show the basis of his decision.[37] He suggested:

> 1st. The establishing of a full agency at Taos, or near that place, for the *Utahs*, and Pueblos of that neighborhood.
> 2nd. Also a full agency at and for Zunia, and the Navajoes.
> 3rd. A full agency at Socoro, a military post south of Albuquerque, now being established. The agent of this place to look after the Apaches and Comanches, and the pueblo of Isletta, north. Sub-agents should be sent to San Ildefonso, or near there; to Jemez, Laguna, and at the military post near El Paso.
>
> These agents and sub-agents are absolutely necessary to an economical administration of our Indian affairs in this Territory. It is my honest

35. *Ibid.*, 18-20.
36. *Ho. Ex. Doc.* 17, 31 Cong., 1 Sess., 223-4.
37. *Idem.*

> opinion that for the ensuing year, at least, a sub-agent should be in every pueblo, the whole to be under the direction of a general superintendent . . .[38]

As time wore on, Calhoun began to realize more fully the magnitude of the task before him. But he felt himself equal to the situation if only adequate means were furnished by the federal government to meet the enormous expenditure necessarily incurred in New Mexico where prices were much higher than in the eastern states; if proper agencies were established; and if a strong military force were allowed for the territory or he were authorized to raise a volunteer force. The latter plan he considered the better.[39]

For three years he labored at a task which should have met with hearty coöperation, but, in reality, was almost ignored by Congress. His correspondence reveals, as nothing else could, the true state of affairs. On November 30, 1849, he wrote, "Matters in this territory are in a most deplorable condition, infinitely worse than you can imagine them, and which, without being an eye witness you cannot realize."[40] Traveling on the Santa Fe Trail was most hazardous; murders and depredations were of frequent occurrence; among those killed was a well known Mr. White whose wife and child were taken captive; the mail had been robbed; treaties were ignored; the government in the territory was inefficient; Colonel Munroe's refusal to keep Calhoun advised of his plans for suppressive measures by the military complicated affairs; American traders were exerting an evil influence; and Americans travelling through the Pueblo country had been guilty of outrageous conduct which had engendered a bitter feeling in these trustful people.[41]

38. *Ibid.*, 224.
39. *Ibid.*, 17, 57, 65, 104, 228, 255, 288.
40. *Ibid.*, 88.
41. Calhoun *Correspondence, passim.*

But Calhoun had more than complaints to offer. His suggestions were carefully planned to meet the exigencies of the situation. On January 15, 1850 he reported, "The trade and intercourse with the Apaches and Comanches by Mexicans, Americans, and Pueblo Indians, is rapidly increasing and until this is checked we cannot hope for the slightest improvement in our affairs.

1. Let the laws regulating trade, etc., be extended over these tribes at once.
2. Each tribe should have *fixed limits* assigned to them, and there compelled to remain, though the United States Government should have to support them for a time.
3. The laws of No. 1 should be extended over the Pueblos, and they divided in such a way as to give to each district an Agent and each pueblo for this year should have a sub-agent.
4. These Agents should have Ordnance and Ordnance Stores to be used as occasion may require.
5. It is my decided opinion it would be the best possible economy to send out two mounted regiments for service here—without them you cannot keep the Indians in the limits you may assign them, nor can you prevent an illicit trade and intercourse and the people of this territory must neither expect safety to their persons or property.

A few Indians ought to be called to Washington."[42]

The last suggestion was the one of the necessity of which Calhoun was evidently thoroughly convinced. He thought that by this means the Indians would be impressed with a true idea of the power of the United States for which they had little respect. He had reported in 1849 that ". . . the wild Indians of this country have been so much more successful in their robberies since General Kearny took possession of the country, they do not believe we have the power to chastise them." There are few so bold as to

42. *Ibid.*, 100.

travel alone ten miles from Santa Fe.[43] Thus the American population was decreasing. Many went to California or returned east.[44]

Some treaties with the Indians, notably those with the Navajoes and Utahs, had been entered into, but, like too many others, might just as well not have been drawn up. They did, however, give the two peoples an opportunity to come into close contact and thus revealed to the Americans characteristics of the Indians as well as the nature and extent of the territory. This information was found useful in determining the future policy.

Calhoun certainly used all the means at his command to comply with the terms of the Treaty of Guadalupe-Hidalgo. He had succeeded to a limited extent in accomplishing the provision regarding the liberation and return of captives. On at least three occasions he had such reports to make. On June 27, 1850, thirteen Mexican captives were confided to José M. Prieto at El Paso, five more were delivered in the same place on August 5, 1851, and later in the same month three others were being held awaiting the disposal of their government.[45]

But he repeatedly warned Washington that claims would undoubtedly be brought against the United States by Mexico for depredations committed along the border by the Indians who travelled with impunity from one side of the line to the other. To the argument that the expenses of the War Department must be cut down and therefore no more troops could be apportioned to New Mexico, he replied that a decisive show of strength would effectively put a stop to the possibility of plunder and the amount expended would be much less than the United States was making herself liable for.

By forcing the Indians to remain within prescribed bounds, the end would be gained. Besides preventing the

43. *Ibid.*, 31, 32.

44. *Sen. Ex. Doc.*, 1, 31 Cong., 2 Sess., p. 140; Calhoun, 28 *et seq.*; *Ho. Ex. Doc. 5*, 31 Cong., 1 Sess., 111-2.

45. Calhoun, *op. cit.*, 390, 401, 427.

depredations on the Mexican as well as American population, this line of action would render protection to the Pueblo Indians who were becoming more and more dissatisfied with the conditions under American rule. Under both Spain and Mexico they had been allowed to protect themselves from the inroads of the wild tribes, particularly the Navajoes, by retaliatory raids. Now this was forbidden them and they found themselves practically helpless. Neither they nor the Mexicans could understand the propriety of the government at Washington refusing to allow them to take vengeance on their aggressors when it was evident that it could not protect them, unless it was the intention of this government to make good their losses from its own treasury. They repeatedly demanded arms and ammunition.[46]

Another source of grievance was the assumption of power in the pueblos by the alcaldes who now found it possible to rule in a most arbitrary fashion. Under the Mexican domination they had exercised practically self-government and were naturally opposed to its abrogation. Furthermore their property rights were being questioned by both American and Mexican claimants to land within the pueblos.[47]

Calhoun soon realized that the intercourse of traders with the Indians, particularly the Pueblos, required strict and careful regulation. Their influence against the Indian agency was constantly being manifested. Through the traders the wild tribes obtained arms with which to nullify the exertions of Calhoun. They worked on the fears of the Pueblos by representing the weakness of the United States and the certainty of the restoration of Mexican power which would result in the extermination of those Indians who had consented to the American rule. Their motive for this disgraceful course of action was the desire to exclude other Americans from the Pueblo lands in which they were mak-

46. *Ibid.*, 81, 76.
47. *Ibid.*, 77.

ing a fortune by their bartering. The extent of the influence of the traders was manifested by their traveling with impunity through those regions in which the most hostile tribes dwelt.[48]

Definite but ineffectual efforts were made to regulate this traffic. On November 21, 1849, Calhoun was authorized by Governor Munroe to issue a notice regarding traders' licenses. Each applicant was obliged to give bond, not to exceed five thousand dollars, that he would not violate the general laws of the United States governing intercourse with the Indians and would not trade in implements of war. Licenses would authorize trading with a specific tribe and with no others. Permits for trade with the Apaches, Navajoes, and Utahs were for the time refused.[49]

To anyone conversant with the failure of the United States to enforce trade laws with the Indians throughout the entire west during these years, it is not surprising to find that these regulations of Calhoun were successfully evaded and the evil continued to as great an extent as before.

The very distance of New Mexico from the center of government and the difficulty of intercommunication between the two places increased the magnitude of problems of control. Much of the mail was lost and that which escaped the Indian raids, reached its destination only after a long delay. Thus often no authorization for a suggested course of action could be given to Calhoun whose powers were very limited, until the need of such action was passed.

The Indian Problem in Congress. By the close of the year 1849, practically nothing had been accomplished by the federal government except the establishment of an agency at Santa Fe. The good which this had been able to do could be attributed to the untiring efforts of the person who filled the office, rather than to any definite policy on the part of the United States, or, apparently, any lively interest in

48. Calhoun, 51, 71; *Ho. Ex. Doc.* 17, 31 Cong., 1 Sess., *passim.*
49. Calhoun, *op. cit.*, 105.

what was going on., Although partially due to ignorance of the true state of affairs, this indifference can also be traced to the absorbing nature of other problems with which the United States had to cope at the time and the successful blocking of legislation by the opponents of the administration.

The same was true in 1850 although at the close of the year Calhoun was appointed governor of the newly organized territory. This gave him more authority although disputes with the military power, represented by Sumner, were more pronounced than during the administration of Munroe who, though not always in sympathy with Calhoun's plans, did render effective assistance on many occasions.[50]

In January 1851, the commissioner of Indian affairs reported to Calhoun that with the exception of the report of the committee of Ways and Means recommending an appropriation of $36,000 for fulfilling the treaties of 1849 with the Navajoes and Utahs, no action had been taken by Congress in reference to Indian Affairs in New Mexico.[51]

Perhaps no peoples in the territory suffered more than the Pueblo Indians, yet Calhoun could report in 1849 that they were the only Indians in complete friendship with the government of the United States. He described them as "an industrious, agricultural and pastoral people living principally in villages . . . on both sides of the Rio Grande."[52]

In the "gold rush" to California many adventurers followed the road which passed by the Pueblo of Zuñi about two hundred miles from Santa Fé. These Indians were harassed by the Navajoes and Apaches but "what is shockingly discreditable to the American name, emigrants commit the greatest wrongs against these excellent Indians, by taking, in the name of the United States, such horses, mules, and sheep, and grain as they desire, carefully concealing their

50. *Ibid.*, *passim.*
51. *Ibid.*, 297.
52. *Ibid.*, 18.

true name, but assuming official authority and bearing." The same, if not greater, wrongs were suffered by the Indians of Laguna.[53]

Calhoun repeatedly reported that neglect of the Pueblo Indians, exposing them to attacks which they were not allowed to repel with their own forces because they were presumably under the protection of the United States, was not only unjust but also impolitic. They would make willing and useful allies in warfare with the roving bands of Indians. They could also supply the many necessary articles of food if their industries were protected. "These people can raise immense quantities of corn and wheat, and have large herds of sheep and goats—the grazing for cattle generally is superior."[54]

Yet almost every letter from Calhoun recites the continuance of unrest and dissatisfaction. Having been promised protection, the Pueblos could not understand why it was not accorded to them.

That the opinions of Calhoun were based on facts is proven by the report of L. Lea, the Commissioner of Indian Affairs in 1850 to the Secretary of the Interior.

> The ruinous condition of our Indian affairs in New Mexico demands the immediate attention of Congress. In no section of the country are prompt and efficient measures for restraining the Indians more imperiously required than in this territory, where an extraordinary state of things exists, which so long as it continues, will be a reproach to the government.
>
> There are over 30,000 Indians within its limits, the greater portion of which, having never been subjected to any salutary restraint are extremely wild and intractable. For many years they have been in the habit of making forays, not only within the Territory itself, but in the adjoining provinces of Mexico . . . Our citizens have suffered severely from their outrages within the last two years . . . Atrocities and aggressions are com-

53. *Ibid.*, 30-31, 45.
54. *Ibid.*, 40, 53

> mitted not only upon our citizens but upon Pueblo Indians. . . . Before the country came into our possession, they were in the habit of repairing the injuries they sustained by retaliation and reprisals upon their enemies; but from this they are required to desist; and thus the duty is more strongly imposed upon us of affording them adequate protection. The interference of the government is required also to secure them against violations of their rights of persons and property by unprincipled white men, from whose cupidity and lawlessness they are continually subject to grievous annoyance and oppression.
>
> . . . It is believed that by pursuing a wise and liberal policy toward them . . . they will in a few years be fitted to become citizens; and being industrious, moral, and exemplary, in their habits will constitute a valuable portion of the population of the territory.[53]

On February 27, 1851, an appropriation was made for four Indian agents for New Mexico and one for Utah;[56] but little more was done by the federal government.

The responsibility for this inertia cannot be laid to the charge of the administration. The conditions on the frontier formed a vital part of President Fillmore's message of December 1850. The President called the attention of Congress to the deplorable state of affairs and reminded the members of our treaty obligations to Mexico which were not being fulfilled.[57]

Any effort to obtain an appropriation for the proper management of the Indians which meant an increase in the army brought forth discussions on the responsibility for the Mexican War or other party issues; and the Committee on Ways and Means was inclined to cut down the estimates sent in by the War Department.

Criticism of the expense of maintaining the army considered so extravagant in peace times was heard on all sides.

55. *Sen. Ex. Doc.* I, 31 Cong., 2 Sess., p. 42.
56. *Rippy, op. cit.*, 118.
57. Richardson, *Messages and Papers of the President* V, 87.

The answer was always the same. We had taken the burden on ourselves by the treaty and moreover, less would be required to convince the Indians of the power of the United States than would later be necessary to subdue them when a real war, which could be expected daily, should break out.[58] Some would even return the newly acquired land to Mexico and even give her a few millions to take it back.[59] Later it was solemnly suggested by the Secretary of War that all the land be bought from the inhabitants and they be given land elsewhere since it was not from any viewpoint worth the money which was being spent. The Indians could then be left in undisputed possession.[60]

Still nothing decisive was done and conditions in New Mexico daily became worse. On July 9, 1851, Governor Calhoun received a memorial from the people of Santa Fé setting forth the lamentable state of the country since the American occupation. In order to show the unqualified necessity of raising a volunteer force composed of the people of New Mexico to protect their own lives and property, the statement was made

> . . . at the present time New Mexico does not possess one tenth of the property she owned in the previous years; it has been swept away as by an impetuous torrent, our prosperity has been converted into misfortune and the present miserable condition of New Mexico is the fatal result of the misfortune which has taken place paralyzing every branch of industry to the greatest degree and being the cause of continued murders and the taking of nearly all the property owned in New Mexico.[61]

Finally in August 1852, $20,000 were appropriated for general Indian service in New Mexico and the general appropriation bill set aside $65,000 for the segregation of the Indians according to the early suggestions of Calhoun.

58. *Cong. Globe*, 31 Cong., 2 Sess., 689, 721 *et. seq.*
59. *Cong. Globe*, 30 Cong., 1 Sess., 1052-1063.
60. *Cong. Globe, App.* 32 Cong., 2 Sess., 103 *et seq.*
61. Calhoun, *op. cit.*, 386.

But this was a paltry sum in view of the expense of patrolling the frontier and though conditions were somewhat improved in New Mexico during the next year, the Indians were causing greater havoc than ever on the Mexican side of the boundary.[62]

The Indian agents who had been appointed made considerable effort to meet the obligations of the treaty of Guadalupe-Hidalgo. Before December 30, 1853, when the Gadsden Treaty changed the responsibility completely, four important Indian treaties were made, three of which were ratified by Congress. Each provided that the Indians should deliver up Mexican prisoners. The treaty with the Gila Apaches, even went so far as to pledge the Indians in future to desist from making hostile or predatory incursions into Mexico. It is well known that these Indians had numerous Mexican prisoners and it is safe to assume that after the signing of the treaty these were returned to their homes. Something, then, had been accomplished by the agents notwithstanding the difficuty of their task.[63]

The Indian Policy of Mexico. There is no foundation in fact for the assumption that Mexico made no attempts to defend herself from the Indians during this time, and refused to coöperate with the efforts, such as they were, of the United States.[64]

Immediately after the treaty of Guadalupe-Hidalgo, the northern frontier was marked out into three divisions, the Frontier of the East, the Frontier of Chihuahua, and the Frontier of the West. Among these eighteen colonies were distributed. Generous offers were made to those who would second the efforts of the Government to make settlements on the boundary. The land around each colony, after being improved at government expense, was to be assigned to the soldiers for cultivation. During his terms of service, the soldier, recruited by voluntary enlistment for

62. Rippy, *op. cit.*, 118, 135.

63. Calhoun, *op. cit.*, 314-16; Rippy 126-7.

64. This account of the efforts made by Mexico to protect herself is based on Rippy, J. F., *Relations of the United States and Mexico, 1848-1860*, 135-151.

a term of six years, was to share the fruits of the soil, and at the expiration of his term was to receive a bounty of ten pesos and the allotment of land which he had been cultivating. Provision was also made for civilian settlers around each colony which, on reaching a certain population, was to be given a civil government.

In the course of the next four years all the colonies were set up either permanently or temporarily. Soldiers had been recruited, and by treaties in 1850 and 1852 with peaceful Seminoles and Muskogees, they had been permitted to settle in the vicinity of the colonies of the East and Chihuahua; in 1851 reduced Sierra Gorda Indians were sent to increase the frontier forces.

The towns on the frontier exposed to the Indian raids formed leagues for common defense, and private individuals contributed to war and ransom funds. Finally the frontier states of Nuevo Leon, Chihuahua, Zacatecas, Tamaulipas, and San Luis Potosi (1851) began plans for union for the purpose of self-defense.

That these measures were ineffective was due to the internal dissensions in Mexico, "the chaotic state of the national funds, the poverty of the frontier states, epidemics of cholera and fever, the quest for gold which drew a large number of Sonorans annually to California, and lastly by the filibusterers who, beginning their raids in 1851, kept the whole northern frontier in almost constant agitation."[65]

Numerous complaints were made by Mexico on account of the failure of the United States to fulfill the obligations imposed by Article XI of the Treaty of Guadalupe-Hidalgo. In March 1850, De la Rosa, the Mexican Minister at Washington, represented that the only advantage which could "compensate Mexico for the many sacrifices" which the late treaty "rendered necessary" was the exact fulfillment of the stipulations in regard to the Indians. Early in January, 1852, the Mexican Minister of Relations, Ramirez, demanded that "in virtue of this obligation—contracted and

65. *Idem.*

not fulfilled—means should be devised to indemnify Mexico for the fatal consequences" which had resulted.

The United States Government held that it was not liable for damages inflicted by the Indians but that it was only obliged to exact the same satisfaction from the savages for raids into Mexico as if these had been against the United States. Reports that Mexico was preparing to present heavy claims and that speculators were buying up these claims caused efforts to be made to obtain release from the Article which it was now seen to be practically impossible to fulfill. The complete story of the efforts made by the United States to obtain this release has never been told, but it is known that the attempts made during the latter part of 1851 to gain this end by a payment of some six or seven million dollars were failures.

The border Indian problem, then, served as one of the many incentives to the United States to endeavor to bring about a satisfactory adjustment of the strained relations between herself and Mexico. That this was achieved through the Gadsden Treaty has already been noted. The greatest gain to the United States was the abrogation of Article XI of the former treaty. The Indian situation thereby lost its international character but did not cease to be one of the most difficult problems with which the United States was obliged to cope in the Southwest. The account of how satisfactory control was finally effected belongs to the later history of the United States.

NOTES

PROFESSOR BLOOM IN SEVILLE

IT WAS late in January before I could be rid of my *bracero* of charcoal in my room as the days grew longer and warmer. Nor do I have to wear my overcoat and rubbers all the time to keep out the deadly chill while at work on my papers. Pruning and planting began over a month ago; border flowers and flowering trees and shrubs are showing lovely old Sevilla at its best. I see, too, plans of the many *cofriadios* and the authorities are well advanced in preparation for the *Semana Santa* and the feria which comes later, April 18-20. They are expecting many visitors, including a special shipload from Italy; also from Portugal, and other parts of Spain.

"Are there any more potatoes around anywhere? We've had none since December . . . meat only twice a week, and the fish leaves much to be said, alas. The workers are, all too many of them, under arms. But I make out a satisfied feeling by buying chocolate after meals. And with this state in the hotels, one wonders how the lower classes get along . . . Change is now given in stamps when you buy something under a *peseta* which is paper money, of course. And when you buy your newspaper on the street in the rain and your change is in stamps, it isn't so good! This has been on for some time.

"Conditions at the Archivo under Dr. Bermudez-Plata who is the prince of a man, are very pleasant and satisfactory. Working hours are from 8 a. m. until 2 p. m. and I manage to get over there when they open the doors if the milkman is not late so I can get my *desayuno* of a roll and coffee. I am accommodated in every way possible by Dr. Bermudez-Plata and his assistant, Señor Pena, who, whenever he is at the desk, allows me the privilege of sending for two *legajos* at a time which speeds up the research a whole

lot. Both of these fine fellows were here when Mrs. Bloom and I worked here ten years ago.

"Nor can I ask more from the censor's department than they are doing. It would certainly have sunk me if I were required to make a print of all the thousands of pages I am doing every week! The *Jefe* was rather rueful at first . . . there was not enough paper in Spain to do the printing on, for one thing. I told him it only saved him more work, and he, smilingly, said it would have to go that way.

"I guess I wrote that my list of requests from the government covered fifty-eight pages closely written . . . My second list has not yet gone through but I am allowed to anticipate somewhat which helps a lot as frequently when I get into some new material I find more I want!

"Two things hold me up—the slowness at the "Kodak" in developing my films every night; and the clerk whose job it is to stamp every page I bring. The other day when I asked the Señorita at the desk how long it was going to take her to stamp my next volume of 2,000 pages she calmly said 'Six hours, I think.'

"And by the way, that 2,000-page document which is *Coronado's Residencia* is a honey. It alone has been worth the trip and makes up for the five months it took to run it down. *March* will always be a red letter month for me from now on. It will take me two full weeks to photograph it. I still hope that Salas will be around to help me with the photographing but he is still weak and his work at the Cathedral Sacristy takes about all the strength he has . . . he is the one who has done things for Scholes since 1934."

Feb. 26th. "Yesterday I photographed a *Bocanegra Probanza* which included the *meritos* of Coronado (his father-in-law)—this is of 1605 when New Mexico was again to the fore . . . and I am getting *De Vargas* papers from a dozen different places, etc., etc. . . . Then, there is the paper I have with *three* Coronados some of his numerous daughters, but no son yet has turned up in the records—in 1550, I mean!

"We are having pork now but beef only twice all last month. Too the fruit has tapered down to a small, poor banana and a tangerine. The olives also are small and bitter. Everything went to feed Barcelona, I guess. They are making me do a lot of repeating by the way they spoil my films nearly every time, and while I cannot say anything, it surely burns me up to have to go backward instead of forward for a certain time every day. I am certainly thankful for these first months of uninterrupted research before they gave me permission to photograph . . . one could spend a life time here and still miss something! Five and a half hours standing up at my table takes a lot of my vim but it would suit me if they allowed me ten a day!

"Dr. Mendez and the other man are still here trying frantically to get their 'salvo conducto' to go back to Mexico . . . harder to get out than to get in!

"Since I began photographing, on February 8, I have had 20 days at the Archive and finished 210 films which average 40 *cliches* each! and I believe that I can count on fifty days more which should rate me something like 20,000 pages. I'll surely try for it! The electroderm I had to buy because of all those rainy months in Rome has stood me in good stead here too. My light timing has been correct with no uncertainty, rain or shine! One thing I learned in the Vatican was that a cloudy day takes less time than a bright one.

"About the can of film that Scholes tried to send over since *January of last year.* The can has been across the Atlantic three times; been at Gibraltar twice, and was finally located at the customs house at Badájoz! Our Consul here finally got it straightened out with the authorities as to the 'permiso' of bringing it into Spain. Then, the *permiso* got lost in the mail! It isn't here yet, March 9th. I had an idea such things might happen so brought lots with me from Paris. I am even able to 'accommodate' friends and 'trade around.' "

March 12th. "It is being very worth while to go into the first viceroy's activities . . . a dozen different lines could be run down with profit if one had the time, time for research.

I have been at work in the *Libro de Pasajeros* which is in *Seccion de Contratacion* . . . Last week I photographed an entire volume, compiled in 1644 but embodying records back to Mendoza's time . . .*a complete register of conquistadores!* . . . Published years ago but not available to us, and this will be a mine of information! For example, it has the *informacion* on Coronado which Fanny Bandelier got (given in Hackett, vol. 1) but others which she did not get—so far as *I* know anyhow. And it will be a kind of encyclopedia, background, of many others on whom I have listed papers. Gosh! My head surely swims sometimes."

Professor Bloom expects to return to the States via Salamanca and Portugal. Salamanca is Coronado's natal city, and he hopes to be able to bring home adequate photographs. Letters mailed to catch the April 29th boat from New York, and after that the REX, Italian Line, sailing on May 13th to Gibraltar will be the last times he will receive mail from the States. He hopes to be on the campus for commencement, June 4 and 5.

So Live the Works of Men. Seventieth Anniversary Volume, honoring Edgar Lee Hewett. Edited by Donald D. Brand and Fred E. Harvey. (The University of New Mexico Press, Albuquerque, 1939, $10.00. Copyright by the University of New Mexico and the School of American Research.)

This "Festschrift" does indeed honor Dr. Hewett; it is a notable collection of papers, many of them make permanent contributions of scientific value, and they are, almost without exception, scholarly and interesting. The editors, Dr. Brand, head of the Department of Anthropology at the University of New Mexico, and Mr. Harvey, manager of the University of New Mexico Press, have every reason to be proud of the volume they have compiled after more than three years of laborious effort. Not only have they secured a group of papers that will give the book high rank among this type of publication, but the list of contributors is impressive, the editorial work shows careful and intelligent planning, and the book itself is a thing of beauty, typographically good, finely bound and well illustrated.

Twenty-seven papers by as many authors compose the volume. The range of subject matter is extremely wide; the fields of archaeology, ethnology, history, philology, art, philosophy, journalism, education, conchology, geography, and more are represented. The geographic range is of equal scope; many of the principal regions of the world are subjects for discussion in some way. The collection amply demonstrates the catholic interests of Dr. Hewett and his close associations among diverse men.

The first three papers are of a personal nature. Lansing B. Bloom contributes a biographical study of Dr. Hewett that is sympathetic and informative. Arthur Stanley Riggs writes of him from an association of two decades when Riggs was editor of *Art and Archaeology.* He says of *Ancient Life in the American Southwest,* generally regarded

as Dr. Hewett's best book, "Now, years later, . . . I can say boldly that this book stands head and shoulders above any other archaeological book written in this country, since the classics, for the wisdom and depth of its philosophy, its breadth of vision, its analysis of the problems visualized, their relations to present day cultures, and the literary skill of the author." Paul A. F. Walter, in his paper, evaluates the work of Dr. Hewett as a scientist, author, and teacher. Dr. J. F. Zimmerman, in a foreword, pays tribute especially to the honoree for his work in organizing and developing the Department of Archaeology and Anthropology at the University of New Mexico.

A discussion, even individual mention, of all the fine papers in this volume is clearly impossible within the space of a single review. And the reviewer would need be endowed with broad knowledge in a good many fields to select with confidence the most notable ones. Perhaps some indication of the content of a few representative papers will serve to convey at least an impression of the flavor of *So Live the Works of Men.*

The realm of Southwestern archaeology in the book includes an admirable paper by Frank H. H. Roberts, Jr., *The Development of the Unit Type Dwelling,* in which he describes some Arizona excavations he conducted, which clearly showed, in a series of houses in one village, that the unit-type house there resulted from a progression in four stages from a typical pit house origin. Since this house type is found in various sections of the region, and its seeming maturity has long baffled workers, this unravelment of its development would seem to be an important addition to archaeological knowledge.

Carl Sumner Knopf, in *Some Ancient Records from Babylonia,* reproduces a series of tablets, accompanied by transliterations and translations of their inscriptions, in a series of excellent plates. In a brief text he discusses how recent finds have upheld the once heretical theory of Clay that the Semitic cradle was not Arabia, but a northern cul-

ture region, the land of Amurru. One of the tablets presented, hitherto unpublished, refers to Amurru definitely as a specific geographical unit. Interesting mention is made of the journey to Iraq, made in 1923, on which Dr. Hewett accompanied Dr. Clay, and both were injured in an accident on the desert.

The chronological development of pottery in the Eastern Mediterranean and archaeological methods in its study is the subject of a paper by W. F. Albright, notable for the clarity with which it covers the ground in such a condensed space. A paper by H. Rushton Fairclough that might have been written to accompany it, discusses *Early Racial Fusion in Eastern Mediterranean Lands.*

Two papers primarily in the realm of literature, and distinctive as such are, *Mongolian Epics (Diary Leaves),* by the artist, Nicholas Roerich, and *Aeneas as a Hero,* by Louis E. Lord.

Other papers on the American scene, stretching from Alaska to Mexico, to Honduras and on to Peru are presented by Hrdlicka, Hodge, Kidder, Brand, Harrington, Morley, and others. Hrdlicka's review of new knowledge of anthropological riches in the Alaska area, chiefly gained from his explorations of the past decade, is especially informative. Morley's presentation of twelve new sculptored pieces, bringing his "The Inscriptions at Copan" up to date, is important. Brand and Kidder each throw new light on a little known archaeological area, Durango and Chihuahua, Mexico.

All in all the Hewett Anniversary voume does credit to all concerned and may well be considered to establish a standard for future volumes of this type.—WAYNE MAUZY.

Ancient Andean Life. By Edgar L. Hewett, D.Soc., LLD., L.H.D. The Bobbs-Merrill Company, Indianapolis and New York. 336 pp. Illustrated.

The author, Dr. Edgar L. Hewett, does not deny that he is unorthodox as a writer and as a scientist. In fact, he admits it. He writes: "As in the previous works of this

series, there are no footnotes nor citation of authorities. I know that specialists are sticklers for 'authorities.' Well, when nine-tenths of what you have learned has been derived from the works of people who never signed their creations —builders, potters, weavers, myth-makers, dramatizers— practitioners of every art and craft known to man, citation is not feasible. So, to be equally considerate of the non-literary and literary authorities, I omit all references." Nevertheless Dr. Hewett quotes extensively and gives generous credit to those who have worked in the same field.

The book conveys more than its title would indicate. Its first seventy pages are a culture history, a philosophy of human relations. A sharp distinction is drawn between civilization and culture. The setting for human culture as it is found in the deserts, the great river valleys, the coast lands, and continental islands, the intermountain plateaus and the sterile lands is described and analyzed. The author is rather skeptical of the validity of written records and history, and places much greater dependence on what is revealed by pick and shovel. This is further elucidated in the last fifty pages of the text, a retrospection and conclusion of the three volumes which tell the story of ancient life in America, this being the final volume. The fact that archaeology is a comparatively modern science is emphasized. The great names of archaeological investigators, twenty-five of them, are enumerated and something of their work is told and evaluated. Then the author tells of his own observation in the trenches during the past forty years, beginning his research on the Pajarito plateau, thirty miles west of Santa Fé, and from there extending it into the far regions of the world. It is in these final chapters that the author has his fling at those who devote a life time to the minutiae of sorting potsherds without grasping the broader aspects of the sciences of man. He writes: "Archaeology is creating a demand for leaders somewhat different from the average *instructor* or *professor*. Those well-meant terms offer me some scope for poking fun, as does the cherished nomenclature of my south-

western colleagues, the creators of the 'Basket Maker,' the 'Pit Dweller,' the 'dendrochronologist,' *et al.*"

It is in Part Two, beginning with page 73, that "The Andean World," as it extends from Ecuador through Peru, into Bolivia, comes to life, from its most ancient human days to the present. The geographic setting is described vividly. Dr. Hewett has observed it from the air, as well as on foot and he is a keen observer. "I have gone over the places where Andean history has been made, and studied the natural conditions on the ground, besides availing myself of the studies of geographers and climatologists who have worked on the picture." The factors essential to an understanding of the Andean world, are presented in the following sequence: "Andean Horizon," "Andean Life Today," "The Epoch of the Incas," "Pre-Inca Times," and "Andean Origins," thus working backward chronologically. The text is colorful, at times eloquent and leaves the thorough reader with an understanding of ancient as well as modern Andean life which can be gained in no other way.

The book is handsomely printed, beautifully illustrated, well bound, and is as interesting to the general lay reader as it is informative to the student of archaeology and history.—P. A. F. W.

The Historian—Published semi-annually by Phi Alpha Theta Fraternity. Volume 1, Number 1. University Press. Winter 1938.

Mainly through the initiative of Dr. George P. Hammond of the University of New Mexico, the national honorary fraternity in history, Phi Alpha Theta, has launched a professional periodical, which makes fascinating reading at the same time offering a medium for publication of results of research and study in the field of history. If the contents of the first number are a criterion, the Spanish Southwest will command a preponderant position in number as well as interest of contributions to its pages. That may be due to the fact, that the editor, Dr. Hammond, who is the national historian of the fraternity, is located at the Univer-

sity of New Mexico and is an authority in the field of Spanish colonial history. Anyway, he was designated at the eighth biennial convention of Phi Alpha Theta at Philadelphia in 1937, to found the magazine and has fulfilled the mandate conscientiously and ably, with credit to himself and the fraternity. The leading article is by Robert M. Denhardt, "Spanish Horses and the New World," a contribution amply annotated and of value to the student of American history. Edgar F. Goad writes on "Bandelier's Early Life," which is part of a biography that will be noteworthy for the research that has gone into it and for the vivid picture it presents of a great personality. The book is to be published in time for the Bandelier centennial celebration in 1940. Other essays are: "Some Misconceptions Relative to the Constitutional Convention," by Frank Harmon Garver; "Talleyrand's Last Diplomatic Encounter," by J. E. Swain; "Oil at Hobbs, New Mexico," by Margery Power; and "Correlations between the History of the United States and the History of Hispanic-America," by William J. Martin. In conclusion there are twelve pages of personal notes from various chapters of Phi Alpha Theta.—P. A. F. W.

The History of History. By James T. Shotwell, Bryce Professor of the History of Internatioal Relations, Columbia University. Volume I. Columbia University Press. 407 pp. Illustrated.

A scholarly work essential to the student of history. "The recasting of traditional perspectives in the light of original source material." "History is both a science and an art—the research which is science and the narration which is art." "It is archaeology by means of which the scope of history has been extended so far beyond the written or oral records. The advance along this line, during the nineteenth and twentieth centuries, has been one of the great achievements of our age. The vast gulf which separates the history of Egypt by Professor Breasted from that by Herodotus gives but a partial measure of that achievement. By the mechanism now at his disposal, the scientific explorer can read more history from the rubbish heaps buried in the

desert sand than the greatest traveller of antiquity could gather from the priests of Thebes." Also: "Anthropology has shown us how absurd has been our interpretation of what civilized man has been thinking and doing, so long as we have ignored his uncivilized, ancestral training."

With this approach to his subject, the author calls to his aid psychology, economics, philosophy, and concludes: "History is more than events. It is the manifestation of life, and behind each event is some effort of mind and will, while within each circumstance exists some power to stimulate or to obstruct." "There is almost nothing to learn from antique interpretations of history." . . ."Even Aristotle never knew how many things there were in politics besides politics." The first chapter is stimulating and whets the appetite for that which is to follow. It is devoted to "The Interpretation of History," and while leaning heavily upon Kant, Hegel, Feuerbach, and even Karl Marx, comes to the conclusion that "No doctrines of the rights of man have caught the imagination with such terrific force as these doctrines of the right of God, which from Paul to Augustine were clothed with all the convincing logic of Hellenic genius and Roman realism. It is hard for us Christians to realize the amount of religion which Christianity injected into the world." "The measure of civilizaiton is the triumph of the mind over external agents."

Thus one is tempted to quote from the succeeding chapters: "Prehistory; Myth and Legend"; "Books and Writing"; "The Measuring of Time"; followed by an analysis of Egyptian Annals, Babylonian, Assyrian and Persian Records, Jewish, Greek and Roman History, and finally "Christianity and History," concluding with a review and critique of Augustine's "City of God." The bibliography, while not exhaustive, is sufficient of a guide to historical literature for the student.

The typography, the illustrations, the binding, the appearance of the book, are characteristic of the excellent productions of the Columbia University Press, a delight to the bibliophile and trained librarian.—P. A. F. W.

NECROLOGY

WILLIAM B. WALTON

SILVER CITY, N. M., April 14—William B. Walton, prominent New Mexico attorney and the state's representative in Congress in 1916, died at 8:45 p. m., Friday night, after a lingering illness. He was 68. A native of Altoona, Pa., he had lived in New Mexico since 1891, taking an active part in the state's political life. He was a Democrat. His first election defeat was suffered in 1918 when Albert B. Fall defeated him for the United States Senate. Surviving are his widow, Mrs. Dorothy Walton; a son, William B. Walton, Jr., of Oakland, Cal.; two daughters, Mrs. Leona Neblett, of Los Angeles; and Dr. Lou Walton, head of the New York University of English; a sister, Mrs. Elizabeth Stark, of Newark, N. J.; and a brother, Dr. Louis Walton, of Altoona.

He was a past grand master of the New Mexico Grand Lodge of Masons, a past exalted ruler and life member of the Elks, a past president of the State Bar Association, and a member of the American Bar Association. He was born January 23, 1871, in Altoona, Pa., where he received his early education in the public schools, before attending the South Jersey Institute at Bridgetown, N. J. He came to New Mexico in 1891, making his home at Deming, where he began the study of law and purchased *The Deming Headlight*, a weekly newspaper. He was admitted to the bar in 1893. Two years later he was elected Probate and District Court clerk on the Democratic ticket and moved to Silver City, where he has lived ever since. When he began his law practice, he sold *The Deming Headlight* and purchased *The Silver City Independent*, which he edited and managed for many years, finally selling it to Col. Clyde Ely, of Santa Fe, in 1934. Walton served in the thirty-fourth territorial Legislature in 1901; was probate judge and ex-officio collector of Grant County from 1902 to 1907; served as a member of

the board of managers and secretary of the Louisiana Purchase Exposition in 1903; was a delegate to the Democratic national convention in 1908 and several succeeding national conventions. In 1910, he was named president of the board of regents of the New Mexico Normal School (now the State Teachers College). The following year he was elected state senator, an office he held until 1916, when he was elected Congressman from New Mexico. He was later named district attorney for the sixth Judicial District.—From Associated Press dispatch in *Albuquerque Morning Journal.*

OLD ISSUES WANTED

The New Mexico Historical Society will pay $5.00 for a copy of the quarterly, *Old Santa Fe* (published 1913-1916), Volume II, number 2; and $2.50 for additional copies; also $1.50 each for a limited number of NEW MEXICO HISTORICAL REVIEW, Volume I, number 1, mailed or delivered to the office in Santa Fe.